

LAW

People said that libel was dying. High Court figures prove otherwise

Read Frances Gibb at timesonline.co.uk/law



Drugs court that saves families and money

Alcohol and drug addicts on a pilot project are winning back their children — thanks to the judge and his team who help them to quit, reports Frances Gibb

When 17, H did not think "there was a chance in hell" he would live to see 21. Years passed and he reached 30. "Just another number, whittled or stamped into my mashed-up brain."

At that point, he says: "The sky fell in and my romantic, drug-addled fantasy world collapsed. The rot set in and that striking decay that comes with serious drug and alcohol abuse was upon me... death was imminent. I was filthy with guilt and shame."

Now 36, he wrote recently in The Big Issue: "You cannot buy the music I listen to now. I dance to a completely different tune."

H is one of the success stories of Britain's first and only drug and alcohol court. Like many, his seemed a hopeless case. A drug addict, he was living in a tent on a roadside reservation. Now he has turned his life around.

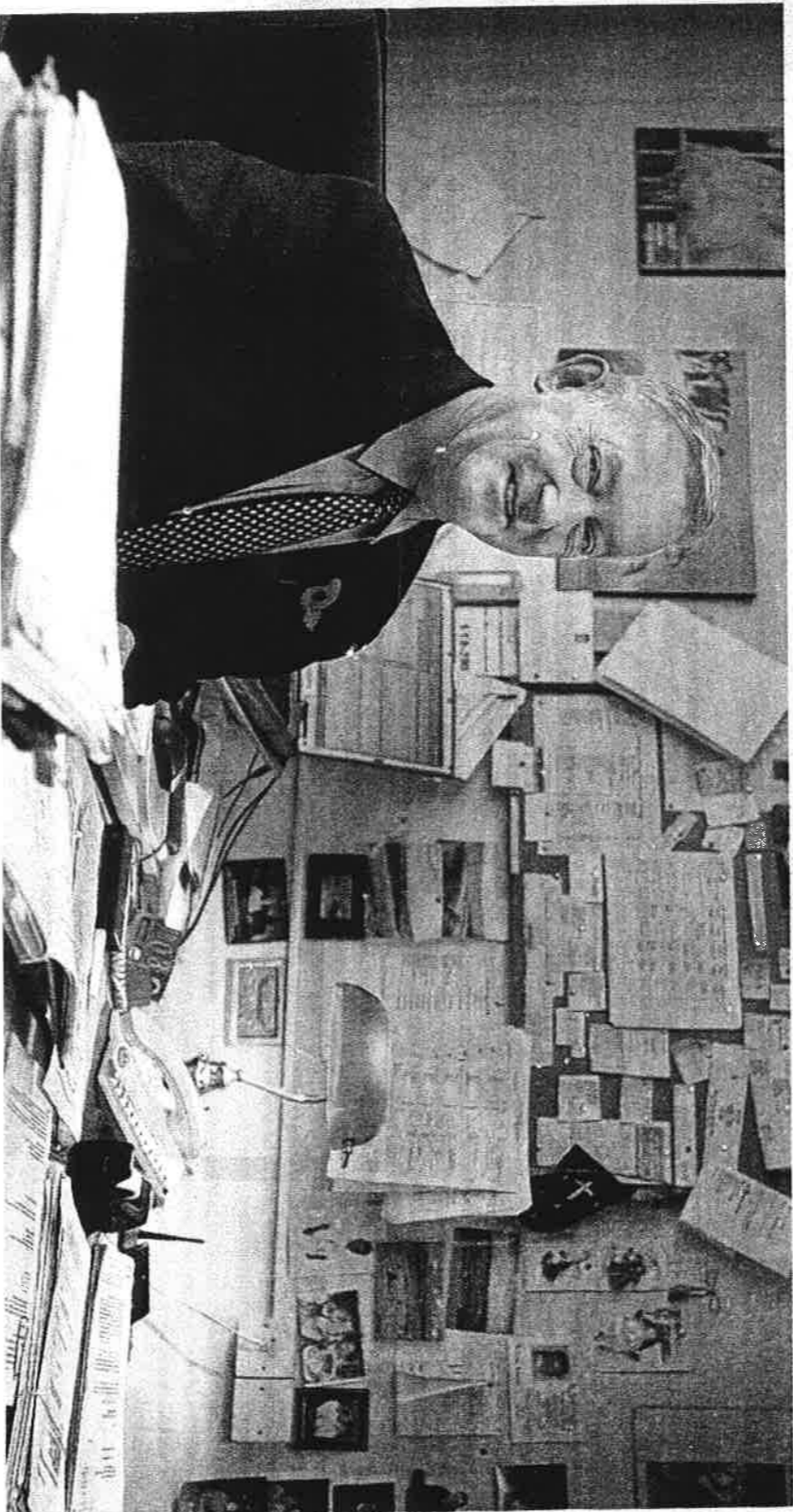
That day, he was at court before Judge Nicholas Crichton to review his progress. H seemed enthusiastic and grinned delightfully at the judge's praise. H is undergoing day treatment while his partner, also an intravenous drug user, is at a residential treatment centre. The aim, as the judge put it, was to get to the point when they can be back as a family with their small son. For now, they must be separated and H sees his son by arrangement.

"Would you like to see the photos?" "Would you like to see the photos?" he asked Crichton. "Isn't he something?" the judge said admiringly. "He's super. There's your incentive to keep going." H is optimistic about his future and already planning to take a course in social care and counselling.

"I can see you coming into this programme, helping us with other parents," the judge said. "Just keep going: more of the same. Come back in four weeks."

The Family Drug and Alcohol Court (FDAC) has been going for 20 months. A three-year pilot scheme, it is based on the American model where similar courts are widely used and proved to be a success in enabling more children in care to return home because their parents have been weaned off their addictions.

Crichton, who was inspired to set up the project by a trip to America, said: "In these courts it is quite common for the fourth, fifth or sixth child to be



Judge Nicholas Crichton says that society spends a great deal of money dealing with the consequences of crime or family breakdown rather than prevention

'I have been clean for 18 months'

P, 25, was a drug addict living in a hostel in Camden, North London, with her children of 5 and 2. She was pregnant with her third. "I knew I was expecting but I blocked it out," she recalls. "I didn't want to know about it — I had no family and was living with a former partner."

She gave birth in the hostel toilet. Social services were contacted and her children taken away. Luckily, Camden is one of the sponsoring boroughs for the FDAC scheme and she was referred. She was placed in a special mother-and-baby unit and helped to

removed from a mother. One mother said that she would go on getting pregnant until allowed to keep her child. In one case I removed a 14th child and a colleague removed a 15th." FDAC is quite different from any other court: the nearest models are the holistic approach of the Liverpool and Salford community justice centres. The FDAC is based at the Inner London Family Proceedings Court at Wells Street with specialist input from Coram, the children's charity, and the Tavistock and Portman NHS Foundation Trust. Funding comes from

become abstinent. After three months, she was reunited with her older two children in a parenting unit where she could be helped and monitored. Now, she is housed in her own flat with all three children in another borough and reunited with her family after many years. She came out of FDAC two months ago. "I have been clean for 18 months. It's really successful: they guide you all the way and help you through it. And the judge is lovely — a really good judge — he always praised me. That gives you strength to keep going."

three government departments and the London boroughs of Camden, Islington and Westminster.

Instead of normal care proceedings, families come before either Judge Crichton or Judge Kenneth Grant fortnightly and then monthly. Their children are usually already been removed.

They are chosen on a first-come first-served basis but exclude any where there is a history of severe abuse or domestic violence. The scheme is voluntary but if parents agree to go on it (nearly all do), they

sign a pledge to engage and keep to appointments.

What are its key features? The approach is intensive: frequent and regular hearings before the same judge with far speedier decisions made about children's care and an extensive support network. Apart from the judge, the FDAC team includes senior social workers, child and adult psychiatrists, a family therapist and substance misuse worker. There are links with housing and domestic violence teams.

Above all, the judges are hands-on. The day began with case reviews with social workers. Then it was into court, with eight cases before lunch, five after. Crichton knew each intimately. "I'm worried about R," he said. "I just feel he is slipping." Or "M is becoming too dependent on us". In court, he told one mother: "It's so good to see you looking so well. Just keep going."

Sophie Kershaw, the service manager who heads the team, explains that cases arrive when a local authority starts proceedings over children. Coming before the judge regularly is hugely important, she says. "It is a much more informal process — parents can directly engage with the judge. Judicial continuity makes such a difference. It's a crucial part of the process." The team assesses each family and devises a personal programme, whether addiction treatment and rehabilitation, parenting or family therapy, and may assign a "parent mentor" who has had similar problems.

Solicitors attend the initial court hearing but not thereafter unless there is a need. Hearings are therefore informal and quicker. It can take a year or more for parents to become "clean", sometimes too long a time for a decision on the child. "I had one mother who accepted that her child would have to be placed because her own treatment would take too long. Eighteen months can be a very long

time in the life of a child," Crichton says.

Already 71 families have been through the scheme with 30 there at present. So far 13 have "graduated" successfully, with two more expected soon. One is L, a single mother, 26, who is making her last appearance before Crichton that day. Photographs were taken with the judge and her toddler. Tears were shed. Crichton has been the longest in this project. At times it was difficult but you came through it. We are enormously proud of you. Best of luck — and no slipping now." She told him: "I'll send you some photos. Thanks for everything."

This is crunch time. By Christmas the FDAC project will know if funding

Online

Times Essay Awards
£10,500 worth of prizes,
deadline November 30
timesonline.co.uk/studentlaw

has been secured for three more years. The interim evaluation this summer by a team at Brunel University found it had succeeded in uniting more children with their parents and where that was impossible, quicker decisions were made on care placements. There were also financial savings on foster care.

But numbers are small. Crichton says they are picking up, because the process is lengthy, results take time. The costs are tiny at £1.3 million over three years. But long-term, measured against saving the cost of family breakdown, the benefits are immense. "We spend so much time and money [as a society] dealing with the consequences of crime or family breakdown rather than prevention in the first place. There has to be a better way."

Queen's Counsel
Stewart & Francis

101 Ways to Leave the Law, £9.49 including p&g, from 0845 271 2134 or hinesonline.co.uk/bookshop



www.qccartoon.com