

**FDAC – Remarks by Sir James Munby, President of the Family Division, at the
FDAC Research Launch at Coram 22 September 2016**

What is FDAC? It is a problem solving court hearing care proceedings where children are at risk by parental substance misuse. It was pioneered at the Inner London and City Family Proceedings Court (Wells Street) in 2008 under the inspirational leadership of District Judge (Magistrates' Court) Crichton – Nick Crichton. He deserves unstinted praise for his vision and for driving the vision forward so successfully.

What is the FDAC approach? It is based on problem solving by a specialist, multi-disciplinary team supporting the parents in overcoming their problems where children have been put at risk. The aim is to help to keep the family together, where possible. The team formulates an intervention plan to test whether the parents can overcome their problems and meet their child's needs within the child's timescale. Expectations are clear. The progress made by the parents is monitored regularly. If the parents cannot maintain the necessary progress the process is brought to an end.

The Nuffield Foundation funded Professor Judith Harwin and a team at Brunel University to carry out an independent two stage evaluation of FDAC. A report on the first stage of the evaluation, published in 2011, found that FDAC was delivering better outcomes for children and families when compared to conventional approaches, including higher rates of parent-child reunification, and more FDAC mothers and fathers stopping misusing substances. It found that "parents were overwhelmingly positive about the FDAC team", while professionals valued the FDAC team for their skill, dedication, specialist knowledge, ability to engage parents and the speed of their initial assessments. They unanimously regarded FDAC as a better court experience than ordinary care proceedings because it is "more focused, less antagonistic and more informal, yet sufficiently rigorous when needed". These findings were confirmed in the second stage report published in 2014.

Ever since I became President, I have been vocal in my support for FDAC. I discussed it in my seventh View from the President's Chambers at the end of 2013. In a judgment I gave in April 2014, on the eve of the setting up of the reformed Family Court, I said this:

"The FDAC approach is crucially important. The simple reality is that FDAC works. DJ(MC) Crichton has shown what can be achieved for children and their parents even in the most unpromising circumstances. FDAC is, it must be, a vital component in the new Family Court."

Earlier this week I published my fifteenth View from the President's Chambers. I referred to "what I believe is the pressing need for a radical rebalancing of the very functions and purpose of the family courts." I went on:

"The family court must become, in much of what it does, a problem-solving court. We are all familiar with the excellent and immensely fruitful work being done in ever increasing numbers of cases in the ever expanding network of FDACs. Another similar project - Pause - is now in rapid development, focusing on addressing the underlying problems of the all too many women who find themselves losing successive children in repeat care proceedings ... This is vitally important work. It improves the outcomes for children. It improves the lives of parents. And it saves money - large sums of money - for a variety of public purses.

There must be no slowing down, no pulling back. FDAC and Pause - both of them, for they are complementary - must be nurtured and supported. The FDAC National Unit plays a vital role as midwife and health visitor to new FDACs as they prepare and then implement their plans. Without the FDAC National Unit the continuing roll-out of new FDACs is likely to falter. We cannot, we must now allow this to happen. I trust that government, both national and local, will heed the call.”

I continued:

“Our objective in everything we do is, of course, the welfare of the child. But the child is not the problem. Insofar as there is a ‘problem’, it lies with the parent. And mothers with problems can have many children, too many of them in due course becoming the subject of care proceedings. As the recently published research by Professor Karen Broadhurst has demonstrated, the statistics are very striking. A mother with problems can generate 5, 10 or even more care cases down the years, as her successive children are taken into care. If we can only solve, as FDAC and Pause so successfully solve, the ‘problem’, then the consequence is a reduction in the number of new cases coming into the system.

FDAC, Pause and similar projects are, at present, the best hope, indeed, in truth, the only hope, we have of bringing the system, the ever increasing numbers of care cases, under control. If anyone knows any better I shall be delighted to hear what it is. But until they do I shall remain, as hitherto, an ardent, committed and enthusiastic supporter of FDAC and Pause.”

I have referred to the saving of money. Research published earlier this year by the Centre for Justice Innovation, *Better Courts: the financial impact of the London Family Drug and Alcohol Court*, is striking:

“for each £1 spent, £2.30 is saved to the public purse.”

We gather today to mark the publication of the latest research by Professor Harwin and her team, now based at Lancaster University as well as Brunel University and funded by the DfE Children’s Social Care Innovation Programme. It comes in two parts. The first is a follow up, five years later, of the original research. It confirms the success of FDAC. Its message is clear. FDAC works. The second piece of research is based on observation of the work of 10 FDAC courts across the country and interviews with 12 FDAC judges. It shows that the FDAC model is being successfully implemented in different courts around the country and that the FDAC judges are unanimous in their support for the FDAC approach.

The message is clear. FDAC should continue to be rolled out more widely and be sustained.

My stance is simple: The crisis in our family justice system requires us to be innovative. I have long been a committed and enthusiastic supporter of FDAC. The new research only goes to show how vital this service is. FDAC works. I hope this research will convince any doubters that this problem solving approach should continue to be supported, funded and, indeed, scaled up.