

<p>Institution: BRUNEL UNIVERSITY (H0113)</p>
<p>Unit of Assessment: 22 – Social Work and Social Policy</p>
<p>Title of case study: Enhanced outcomes for users and stakeholders: implementation of the 'Family Drug and Alcohol Court'</p>
<p>1. Summary of the impact (indicative maximum 100 words)</p> <p>Brunel research evaluated the first UK adaptation of an innovative American model for managing child care proceedings in court cases of parental drug and alcohol misuse. This evaluation provided the UK evidence base for the 'Family Drug and Alcohol Court model' (FDAC); this has created impacts with national significance and international reach. Impacts for health and welfare for families were demonstrated through improved health and welfare outcomes such as reduced parental substance misuse, higher family reunification rates or, if required, swifter alternative placement for children; impacts for practitioners and professional services were achieved for social workers, lawyers, children's guardians and judges through the development of new understanding, enhanced inter-professional working and the delivery of more integrated practice with potential cost savings; impacts on public policy, law and services were achieved through raising political awareness, legislative debate, as well contributing to the international adoption of the model.</p>
<p>2. Underpinning research (indicative maximum 500 words)</p> <p>Professor Harwin's research over the last twenty years focuses on vulnerable children in need of protection by children's services and the courts in relation to the Children Act 1989. She has addressed the interface between practice, service delivery, law and policy with particular reference to the impact of parental substance misuse on English children's services, the courts and child and parental well-being. Her research has moved from mapping the problem to evaluating the efficacy of new approaches when parental substance misuse is at issue. To this end, she has evaluated a new court based approach (Family Drug and Alcohol Court model) to assess its potential to improve outcomes for children and their parents.</p> <p>Professor Harwin and Dr Forrester (Research Fellow) at Brunel University (2000-2006) received funding (£75,000) from the Nuffield Foundation to survey 4 London local authorities: they reviewed all 290 new referrals collected over one year and found that parental substance misuse accounted for 62% of all care proceedings and 40% of all child protection registrations. 54% of the children of substance misusers were no longer with their parents, two years after referral. It was the most frequent parental problem (34%) but social workers lacked training and inter-professional working was rare. Child outcomes for those who remained at home were particularly poor when alcohol misuse persisted, exposing the children to domestic violence. The study found a lack of evidence-based interventions to successfully tackle parental substance misuse, limited social work decision-making processes and complex organisational challenges (3.1, 3.2). The troubling findings supported the rationale for a new approach to this field of practice.</p> <p>A widely used American model with a specialist family drug treatment court approach was thought to have potential for UK application in cases of parental drug and alcohol misuse where care proceedings were involved. The key features absent in ordinary care proceedings were: a specialist multidisciplinary team that advises the judge who supports parents and coordinates their intervention; a judge who problem-solves and aims to motivate parents and frequent hearings without lawyers. The US national evaluation study (2007) had shown that outcomes were better when families took part in specialist drug and alcohol courts. On the basis of the London Authorities' survey, Harwin was invited by Judge Nicholas Crichton to join a newly established UK FDAC Steering Group to develop an FDAC in England.</p> <p>A feasibility study was conducted under the auspices of Brunel and funded by the pilot London Local Authorities (£40k). The study found that it was possible to adapt the American model to comply with English law and practice; the initiative received wide spread support from parents, legal practitioners and health care and welfare stakeholders. These findings, undertaken with independent consultants Mary Ryan and Claire Chamberlain, were reported in 2006-07 (3.3, 3.4). Harwin and the members of the steering group presented the study to Government: the Department of Health, Department for Education (DfE), the Ministry of Justice, and Home Office who subsequently funded the implementation of the first FDAC pilot in the UK (£1.5 million 2008-2011, with extended funding for 2011-12).</p>

Impact case study (REF3b)

In 2007, Harwin obtained research funding (£200k from Nuffield Foundation and the Home Office) to evaluate the FDAC pilot. Collaborators were Dr Subhash Pokhrel, Mary Ryan and Jo Tunnard (research consultants) and Brunel researchers: Dr Sharon Momenian-Schneider (2008), Dr Carla Matias (research fellow 2008-10) and Bachar Alrouh (part-time research assistant 2009-2013). Findings were reported in the FDAC Evaluation Project Interim Report in 2009, which showed that it was possible to set up a Family Drug and Alcohol Court quickly, to achieve judicial continuity (rarely achieved in ordinary care proceedings) and to operate the court at a high level of efficiency. The final report of the FDAC Evaluation project confirmed the promise of the FDAC model; the study had compared the three pilot site outcomes with two comparison site outcomes, which were providing the regular court and services (3.5, 3.6). The Nuffield Foundation funded a second stage evaluation (£295,393) between 2011 and 2013 to continue and extend the comparison of child and parent outcomes at the end of the care proceedings and, as a new element, a one-year follow-up comparing the sustainability and outcomes of family reunification in FDAC and non-FDAC cases.

Dissemination has been achieved through policy seminars, presentations to Government, media presentations, conferences and invitations to sit on related expert committees. The launch of FDAC, publication of the Interim and final FDAC Evaluation Reports led to three seminars at the Nuffield Foundation, all co-hosted by Brunel. The final seminar, following publication of the report, was held in June 2011 and considered options for the future of FDAC. Introduced by the then Children's Minister, Tim Loughton and the then President of the Family Division, it brought together key decision-makers, including David Norgrove (Chair of the Family Justice Review), Professor Eileen Munro (author of three Child Protection Reviews commissioned by Government) and senior managers from local authorities.

3. References to the research (indicative maximum of six references)

- 3.1 Forrester, D. and Harwin, J. (2008) 'Parental Substance Misuse and Child Welfare: Outcomes for Children Two Years after Referral, British Journal of Social Work, December 2008; 38: 1518 – 153. <http://dx.doi.org/10.1093/bjsw/bcm051>
- 3.2 Forrester, D and Harwin, J. (2011) Parents Who Misuse Drugs and Alcohol: Effective Interventions in Social Work and Child Protection. Chichester, Wiley
<http://dx.doi.org/10.1002/9780470977958>
- 3.3 Ryan M, Harwin J and Chamberlain C (2006): [Report on the feasibility of establishing a family drug and alcohol court at Wells Street family proceedings court: report to Camden, Islington and Westminster Social Services and CAFCASS](#)
- 3.4 Harwin, J and Ryan, M. (2007) 'The role of the court in cases concerning parental substance misuse and children at risk of harm', Journal of Social Welfare and Family Law, 29(3) 277-292.
- 3.5 Harwin J, Ryan M and Tunnard J, with Pokhrel, S., Alrouh B., Matias, C., and Momenian-Schneider (2011) The Family Drug and Alcohol Court (FDAC) Evaluation Project Final Report. Brunel University ISBN 978-1-902316-87-1
<http://www.nuffieldfoundation.org/sites/default/files/files/FDAC%20EVALUATION%20FINAL%20REPORT%20-%20May%202011.pdf>
- 3.6 Ryan, M, Harwin, J, Lewis, G. and Tunnard, J (2012) How does the Family Drug and Alcohol Court Fit with the Current Changes to Family Justice? Family Law, October, 1228-1233. ISSN 0014 7281

4. Details of the impact (indicative maximum 750 words)

The FDAC Evaluation Report (3.5) found that the FDAC model pilot had proven positive: parents received improved and swifter access to expert assessment and services, provided directly by the unique multi-disciplinary team attached to the court (run by Coram and the Tavistock NHS Foundation Trust), which is not available in ordinary proceedings. As a result of the FDAC team coordinating and linking parents with community programmes, FDAC parents received more substance misuse community services, more access to parenting programmes and help with finances and housing. More FDAC parents stayed in treatment to final order and were able to consolidate good progress under the supervision of the court to enhance prospects of safe reunification. Health and welfare outcomes for parents and children were better in FDAC than in comparison cases. Of the 41 FDAC mothers tracked to final order, 48% (19) were no longer misusing substances by that time, higher than the 39% (7 of 19 mothers) in the comparison group. In relation to fathers, 36% of FDAC fathers (8 of 23) were no longer misusing substances, but no comparison father stopped misusing; FDAC reunification rates were 18% higher (39% v 21%) and

child harm was mitigated in FDAC cases by swifter placement in a permanent alternative family when reunification was not possible. All but two parents would recommend FDAC to families in similar circumstances and they considered that FDAC empowered them, enhanced their motivation and participation. A key vehicle was the fortnightly non-lawyer review hearings, the therapeutic component of FDAC, in which parents talked directly to the judges who also helped motivate, remind parents of their responsibilities and address problems. Parents with previous experience of ordinary care experiences considered FDAC protected their interests better by providing a 'fair trial for change', unlike ordinary care proceedings. All parents thought FDAC enhanced their rights to demonstrate their capacity to change behaviours to safeguard their child's well-being. Satisfaction with the process led to fewer contested proceedings than in comparison cases and a lower rate of dropout from proceedings.

Impacts on practitioners and professional services were achieved for social workers, lawyers and judges through development of new understandings, enhanced inter-professional working and the delivery of more integrated practice with clear cost savings for local authorities from more children staying within their family, shorter care placements (£4000 per child less) and less need for legal representatives in legal hearings (saving local authorities £682 per family) and savings on the cost of commissioning one-off experts. These costs helped offset the cost of the FDAC team (£8740 per family). There were also potential savings for courts and legal services. The research changed practice for all professionals involved in FDAC care proceedings. Lawyers for parents and for the local authority and child, social workers, guardians and judges have all worked collaboratively to enhance children's well-being, resulting in fewer contested proceedings, thereby also reducing delay and extra legal costs. Four pilot judges have demonstrated it is possible to adjudicate and play a non-traditional role and developed new knowledge and expertise in carrying out this role. One of the pilot judges, District Judge Nicholas Crichton (CBE) of the Inner London Family Proceedings Court, noted that Harwin's research has been crucial to taking FDAC forward, which 'seeks to harness the authority of the court in trying to achieve change'. [A]

Judicial continuity, a central feature of FDAC but rare in ordinary proceedings, was achieved through promoting organisational efficiency. Social workers have become more skilled in presenting evidence to judges, an important objective of the Children and Families Bill 2013. The co-ordinating role of the FDAC specialist multi-disciplinary team produced a more efficient and supportive process. Its dual role as expert, treatment provider and monitor of progress is attractive to the Family Justice Review because it helps achieve the goal of reducing the number of one-off costly expert assessments, increasing efficiency and enhancing child and parent outcomes. In recognition of its contribution to innovation, FDAC has received 7 national awards.

The 'evaluation' findings have been used by professional bodies and have led to impacts on organisations, changing their service delivery, planning and management. The London Boroughs of Southwark and Hammersmith and Fulham who were both comparison sites in the research have now implemented the new model and they are contributing to its funding. The three pilot authorities are continuing to fund and utilise the FDAC process. Gloucestershire has started an FDAC this year. [B] A new DfE funded FDAC Development Programme (2013-2015) aims to promote the development of FDAC in different parts of the county. In this way more families will be able to access FDAC extending its reach nationally.

Internationally, a new FDAC will open in January 2014 in Victoria State, Australia. Its co-founders, Judge Greg Levine and Professor Barbara Kamler consulted with Harwin and colleagues in 2012 on their plans to set up and trial the FDAC model in Victoria State. [C] They drew on the research findings in their Churchill Fellowship Report to help obtain funding from the Victoria government. [D]

The research findings have helped strengthen the development of evidence based practice and have advanced child protection practice. The Centre for Excellence and Outcomes in Children and Young People's Services has listed FDAC as an example of validated local practice relating to safeguarding, families, parents and carers and general resources. [E]

Impacts on public policy, law and services were achieved through raising public and political awareness and legal and policy debate on family justice reform. The early promise of the FDAC evaluation contributed to the decision of the Family Justice Review in 2011 to recommend further

Impact case study (REF3b)

roll-out of FDAC. [F, 3.186 Final Recommendations] The Munro Child Protection Final Report (2011) includes a case study of the research and used it as an example of how multi-disciplinary teams can provide effective interventions for vulnerable children [G]

Drawing on the research findings, the DfE decided to extend funding of FDAC for a further year (2011-2012); it commissioned Ernst and Young with RyanTunnardBrown (final report Feb 2012) to investigate the business case for FDAC (£50,000). Their report drew on the costing data carried out in the FDAC evaluation report. The research findings also contributed to the decision of the DfE to commission a two-year £300,000 development project (2013-2015) to help set up FDAC in different regions, and consider extending its remit (H and A). Harwin was invited in 2012 to join a new DfE expert working party on 'Returning Home from Care' to help develop policy and evidence based practice around family reunification.

Policy debate has been stimulated by FDAC from the outset and continues in relation to the Children and Families Bill 2013, which seeks to significantly reduce the length of care proceedings in all but exceptional cases. FDAC was cited by Mr Justice Ryder, Judge in Charge of the Modernisation of Family Justice Programme, as an exemplar of an exceptional case 'whose success has been clearly established' as a 'validated and research based option' in the 4th family newsletter update of March 2012. The recent House of Lords recent debate: Adoption: Post-Legislative Scrutiny (HL Paper 127) also draws on the research findings (para 63). [I] It has contributed to a debate about the role of care proceedings, family reunification and adoption.

At international level, the findings of the FDAC evaluation have been included in the US National Association of Drug Courts May 2012 update, with special mention of the cost findings. [J]

Following publication of the Final FDAC First Stage Evaluation Report, Harwin was interviewed on the "Today Programme" (23.05.11), "Women's Hour" (26.05.11) and BBC Radio London and for the journal Children and Young People Now ("Mothers back family drug court" (01.06.2011). The report was covered in Guardian Online (26.05.11); Family Law (19.05.11); Community Care (19.05.11) and BBC News Online (19 May). Harwin was interviewed by John Humphreys on the Today Programme on 8 January 2008 when FDAC was launched and contributed to Law in Action (April 2012). Harwin was interviewed by Radio Gloucester in connection with the launch of a second FDAC project.

5. Sources to corroborate the impact (indicative maximum of 10 references)

- A. Letter received from District Judge Nicholas Crichton, Inner London Family Proceedings Court
- B. FDAC set up in Gloucester (27 July 2012)
<http://www.gloucestershire.gov.uk/article/110270/New-court-part-of-unique-approach-to-giving-children-a-stable-home>
- C. Letter received from Judge Greg Levine and Professor Barbara Kamler in Australia
- D. Churchill Fellowship Report, The Winston Churchill Memorial Trust of Australia
http://churchilltrust.com.au/site_media/fellows/2011_Levine_Greg.pdf
- E. The Centre for Excellence and Outcomes: <http://www.c4eo.org.uk/themes/safeguarding>
- F. Family Justice Review Final Report published by the Ministry of Justice (Nov 2011):
<https://www.justice.gov.uk/publications/policy/moj/2011/family-justice-review-final>
- G. Munro Review of Child Protection: Final Report – a Child-Centred System published by the Department for Education (May 2011) citing Harwin's research [B 3.181-3.182].
<https://www.gov.uk/government/publications/munro-review-of-child-protection-final-report-a-child-centred-system>
- H. Letter received from the Children in Care Division, Department for Education
- I. House of Lords Select Committee on Adoption Legislation 2nd Report of Session 2012–13 Adoption: Post-Legislative Scrutiny Report. See Para 63 on p24
<http://www.publications.parliament.uk/pa/ld201213/ldselect/ldadopt/127/127.pdf>
- J. Research Updates on Family Drug Courts (2012) Harwin cited on p3:
<http://www.nadcp.org/sites/default/files/nadcp/Reseach%20Update%20on%20Family%20Drug%20Courts%20-%20NADCP.pdf>
- K. Corroborating contact: Professor Eileen Munro CBE, Professor of Social Policy, London School of Economics