

SPECIALIST IN SUPPORTING THE LEGAL CAPACITY OF AUTISTIC PEOPLE

(PROFESSIONAL PROFILE – MAY 2023)

From legal incapacity to legal capacity in equality

(WE CAN!)

Erasmus+. KA210-VET – Small scale partnership in vocational education and training 2021)



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1. INTRODUCTION

The transposition of art. 12 of the International Convention on the Rights of Persons with Disabilities into Spanish law, made through the approval and entry into force of Law 8/2021, which reforms civil and procedural legislation for the support of persons with disabilities in the exercise of their legal capacity, introduces very substantial modifications in terms of the figures and systems for providing support to these persons.

This fact, unique in Europe, in that Spain was the first country to adapt its legislation on support for legal capacity to the provisions of the Convention - full legal equality - makes Spain a benchmark country for others in the European context, as they will gradually have to adapt their legal framework to the mandate established by the Convention among the countries that have ratified it.

In this way, in Spain, the classic forms of protection such "tutela" or "curatela", whether provided by a natural person (preferably a relative) or a legal entity ("tutelar" entity), disappear in favour of other formulas to support the exercise of the legal capacity of the disabled person, accepting, in exceptional cases for people with a higher level of dependency, the "Curatela Asistencial" figure, be it welfare, representative or both.

However, Spanish law already states exceptions cannot become the rule, and therefore the "curatelas representativas" will be exceptional, so that each case will have to be treated as unique and the support that each person will require at any given moment. Support for legal capacity which, as it will not always be provided by their parents or relatives, nor by professionals from the centres or services to which these people go (as the regulation prohibits), must be provided by other people. However, the law doesn't determine the competences that the persons who will professionally support the legal capacity of persons with disabilities should have, the areas of support being those that are determined during the legal proceedings or established in a notarial document.

Thus, in the project framework, we want to define the curriculum, identifying competences, starting from the experience of Italy around the legal figure

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"Administración de apoyo" (support administration), precursor of what is now pursued with the new Spanish law, and from the detection of needs in both countries, adapted to the specific characteristics of autistic people. This new figure is going to be key in the exercise of the legal capacity of people with disabilities, facilitating their inclusion and full participation in the political, economic and social life. The organisations promoting this project believe that this new figure can be key in the exercise of the legal capacity of people with disabilities, and more specifically of people with ASD, facilitating their inclusion and full participation in political, economic and social life.

Both this new professional figure and the adaptation of the legal system and Article 12 of the Convention itself, proper of the social model and of supports to disability, in order to facilitate the full participation of autistic people. This makes this proposal a good reference for legal and social operators in other European states as they adapt their legal systems to the requirements of Article 12 of the Convention.

Therefore, this document sets out the professional profile of the person who will support the legal capacity of autistic people.

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2. JUSTIFICATION

The justification for developing a new professional profile, which may coexist with or specialise others already existing in the different fields of social and legal support for people with disabilities, and more specifically with ASD, lies in the need to adapt professional support practices to the dictates of national legislation, once this has been transposed and adapted to the provisions of article 12 of the International Convention on the Rights of Persons with Disabilities, which states that states must recognise the equal legal capacity of persons with disabilities and non-disabled persons.

2.1. Convention on the Rights of Persons with Disabilities

On 13 December 2006 in New York City (USA), the International Convention on the Rights of Persons with Disabilities was adopted by the United Nations (UN) General Assembly. This Convention was the result of a long process in

which several actors participated: UN Member States, UN Observers, important UN bodies and organisations, the Special Rapporteur on Disability, national human rights institutions, and non-governmental organisations, among which organisations of persons with disabilities and their families played a prominent role.

This new legal instrument has had important consequences for persons with disabilities, the main ones being the "visibility" of this group of citizens within the United Nations human rights protection system, the irreversible assumption of the phenomenon of disability as a human rights issue, and the availability of a binding legal tool to enforce the rights of these persons (CERMI, 2023)

At present, all the EU Countries, have signed the Convention on the Rights of Persons with Disabilities.

In order to properly understand the implications that the Convention has on the legal system of a state, and more specifically with regard to the provision of support for legal capacity, the Spanish case may well serve as a reference. Thus, following the approval of Law 8/2021 of 2 June, on the reform of civil and procedural legislation to support persons with disabilities in the exercise of their legal capacity, changes have been introduced in up to 8 laws, with special emphasis on the changes introduced, among others, in the Civil Code, the Law on Notaries and the Law on Voluntary Jurisdiction.

As Law 8/2021 states in its explanatory memorandum: "this is not merely a change of terminology, but a new approach, in which persons with disabilities have the right to make their own decisions, a right that must be respected; it is, therefore, a question of human rights".

In this way, the new regulation is based on the principle that a person with a disability is on an equal footing with the rest in terms of legal capacity, both in terms of the ownership of rights and the capacity to exercise them.

It is therefore a question of providing the support that each person may require in the exercise of their legal capacity, respecting their will, wishes and preferences. This support is exercised through "support measures" which will

be one or another depending on the person and can be: informal, voluntary and judicial.

2.2. Applicable regulations. Legislative changes in each country participating in the project.

2.2.1. Spain

The Convention was approved on 13 December 2006 in New York and confirmed by Spain on 3 December 2007.

With the ratification, the reform of the Spanish legal system began with Law 26/2011, of 1 August, on the regulatory adaptation to the International Convention on the Rights of Persons with Disabilities, which amended legal bodies of Spanish domestic law. Following other reforms of the Spanish body of law, a new law was passed, Law 8/2021, of 2 June, reforming civil and procedural legislation to support persons with disabilities in the exercise of their legal capacity, which brought about the modification of a total of nine laws to adapt all of them to the provisions of the convention. The law would enter into force on 3 September 2021.

The reform carried out through Law 8/2021 has forced a large number of legislative modifications: the Civil Procedure Act, Civil Code, Voluntary Jurisdiction Act, Notaries Act, Commercial Code, Mortgage Act, Civil Registry Act, Criminal Code, Law 41/2003, of 18 November, on the protection of the assets of people with disabilities.

Of all these amendments, the most extensive and far-reaching, as recognised in the preamble of the law, is that of the Civil Code, as it "lays the foundations of the new system based on respect for the will and preferences of the person with disabilities" (Preamble III, Law 8/2021).

2.2.2. Italy

At the time of writing, in Italy there is an ongoing debate in the legislative chamber on the amendment and adaptation of the rules to the Convention, confirmed by Italy on 15 May 2009.

In the Italian legal system, the rules relating to legal capacity and capacity to act are found in the Civil Code (c.c.). Art. 1 c.c. establishes that legal capacity is acquired at the time of birth. In our legal system, legal capacity, which configures the attitude to be holders of rights, obligations and other subjective legal situations, therefore arises with the birth of the subject and is lost only at the time of death.

In accordance with art. 3 Cost., 1 c., which guarantees the equality of all citizens before the law without discrimination, all those born are holders of legal capacity. Art. 22 Cost. it then establishes that "No one may be deprived, for political reasons, of legal capacity, citizenship, name". Art. 2 c.c. introduces the notion of capacity to act, or the ability to perform legal acts. Pursuant to art. 2 of the Italian Civil Code, it is acquired, for the generality of the acts, at the age of eighteen (age of majority).

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The ability to act may be lost, or may be restricted, if a person is rendered incapable of acting on the basis of the institutions of interdiction, incapacitation and support administration. The instruments of protection of subjects deprived (in whole or in part) of autonomy in the Italian legal system: the administration of support, interdiction, incapacitation and natural incapacity In the Italian legal system, the discipline of protection measures in favor of subjects deprived (in whole or in part) of autonomy was reformed by Law no. 6 of 9 January 2004.

The regulatory intervention has introduced into our system, at the first head of the aforementioned title (articles 404-413 of the Italian Civil Code), the institution of support administration and, at the same time, has innovated the legal regime of the institutions of interdiction and incapacitation. The interdiction can be ordered against the adult and the emancipated minor who are in conditions of habitual insanity, which makes them unable to provide for their own interests in order to ensure their adequate protection (art. 414

c.c.). A guardian is appointed who, as a rule, can perform all acts of extraordinary and ordinary administration.

Art. 404 of the Italian Civil Code identifies the scope of application of the support administration and the conditions for applying this institution, namely:

- a) physical or mental infirmity or impairment;
- b) the impossibility, even partial or temporary, to provide for their own interests.

The support administrator is appointed by the guardianship judge of the place where the beneficiary (or administrator) has his residence or domicile. The decree of appointment establishes, among other things, the object and duration (it can also be indefinite) of the assignment, the scope of the administrator's activities in favor of the beneficiary, the acts that the same can perform only with the assistance of the "administratore di sostengo"

The scope of application of this institution, which distinguishes it from other institutions for the protection of disqualification and incapacitation, is identified from time to time on the basis of the examination that the guardianship judge, supported by consultants and psycho-pedagogical experts, performs on the beneficiary to identify his abilities and autonomy. The "Amministrazione di sostengo" was set up with the aim of protecting, with the least possible limitation of the capacity to act, persons who have all or part of their autonomy in carrying out their duties relating to daily life. It is, therefore, a flexible and flexible protection instrument that can vary over time, adapting to the needs of the beneficiary.

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2.3. Non-specialised professionals

Currently, neither in Spain nor in Italy there is a defined professional profile for the support of the legal capacity of people with disabilities, nor is there a regulated specialised training that trains and qualifies professionals and future professionals in the support of people with ASD in this specific area of adult life, which is of great relevance for the inclusion, participation and quality of life of each person.

Before the entry into force of Law 8/2021, there was also no professional figure to support persons with disabilities in the exercise of their legal capacity. Similarly, we are not aware of any similar professional reference in other countries on the European continent.

It is therefore necessary to define the competences that the professional who is going to support the legal capacity of persons with disabilities must have, as this is a reality in Spain and soon in more European countries.

3. KEY CONCEPTS

Disability: according to the International Convention on the Rights of Persons with Disabilities, disability is defined as: "is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others".

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People with disabilities: the Convention defines a person with a disability as: "those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others".

Autism spectrum disorder: the 11th edition of the International Classification of Diseases and Related Health Problems (ICD-11, 2019), states that "autism spectrum disorder is characterised by persistent deficits in the ability to initiate and sustain reciprocal social interaction and social communication, and by a range of restricted, repetitive and inflexible behavioural patterns and interests" (Autism-Europe, 2019).

ICD-11 also states that the disorder occurs within the developmental period, in early childhood, although symptoms may appear later, when social demands are greater and exceed the person's limited capacities. In this sense, it also states that the deficits suffered by the person must be

significant enough to cause difficulties at a personal, family, social, educational, occupational or other important areas of the person's functioning.

There are people in whom the picture of autism is accompanied by intellectual disability, others show a severe alteration in the linguistic development, and others, besides, focus a great part of their spontaneous activity in the repetitive performance of self-stimulatory behaviours. In contrast, some people, despite sharing the same diagnosis, show high cognitive potential, elaborate play skills or language skills in accordance with their chronological developmental level.

This variability in clinical expression is not only observed from one individual to another, but also, over the life cycle of the same person, there are significant changes in the intensity and manifestation of the characteristics (Autismo Burgos, 2023)

In the last forty years, the prevalence of autism spectrum disorders (ASD) has increased significantly. Taking as a reference the data provided by Autism Europe in 2012, we would be talking about 1% of the population having autism. However, the percentage of the population affected by ASD is higher, considering the profound impact it has on the family system in which the person with ASD develops.

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In Europe, the prevalence study carried out in the United Kingdom also stands out, in which Roman-Urrestarazu et al. (2020) put the prevalence of ASD at 1.76% of the population, in a study of more than 7 million people aged between 2 and 21 years. If we look at the latest data published by the US Centers for Disease Control and Prevention (CDC), published in March 2023 on 2020 data, 1 in 36 (2.8%) 8-year-olds have been diagnosed with ASD.

Faced with this situation, many advanced countries are responding to what the World Health Organisation has already considered as a public health problem (WHO, 2013), approving State Intervention Programmes and/or National Programmes or Strategies, such as the Spanish Strategy on Autism Spectrum Disorders approved in 2015 by the Spanish Government.

Support measures (Spain): The function of support measures is to assist the person with a disability in the exercise of his or her legal capacity in the areas where this is necessary, respecting his or her will, wishes and preferences.

These measures can be: of a voluntary nature, established by the person with disabilities themselves, such as preventive powers or mandates and s"autocuratela"; "guarda de hecho", which is an informal measure; "curatela", in the case of ongoing support; and, "defensor judicial", when support is needed on an occasional, albeit recurrent, basis.

Voluntary measures (Spain)

Voluntary support measures are those established by the person with a disability him/herself, in anticipation or appreciation of the concurrence of circumstances that may make it difficult for him/her to exercise his/her legal capacity on equal terms with others, may foresee or agree in a public deed on support measures relating to his/her person or assets.

It may establish the regime of action, the extent of the powers of the person or persons who are to provide support, or the manner in which support is to be exercised.

It may also establish measures or control bodies it deems appropriate, safeguards to prevent abuse, conflict of interest or undue influence and the mechanisms and deadlines for review of the support measures, in order to ensure respect for their will, wishes and preferences. Art. 255 Law 8/2021.

Likewise, the minor under 16 years of age, his parents, guardian or the Public Prosecutor's Office, may request the judicial authority, in anticipation that, once he reaches the age of majority, the subject will require support in the exercise of his legal capacity, to proceed with the adoption of the corresponding support measures for when he reaches the age of majority, as long as the minor has not made his own provisions for when he reaches the age of majority. Art. 254 Law 8/2021.

The instrument granted by law for the establishment of voluntary support measures are the **powers of attorney and preventive mandates**, regulated in articles 256 to 262 of Law 8/2021.

These powers of attorney and preventive mandates are executed before the authorising Notary Public, who will, ex officio and without delay, communicate the public document containing the support measures to the Civil Registry.

The powers of attorney remain in force even if other support measures have been constituted in their favour, whether they are judicial or have been provided for by the interested party himself.

The person granting the power of attorney (principal) may establish the powers granted, appropriate control measures or bodies, review mechanisms and deadlines, safeguards to prevent abuse, etc.

On the other hand, the law includes the possibility of **"autocuratela"** in Article 271, which states:

"any person of full age or emancipated minor, in anticipation of the occurrence of circumstances that may make it difficult for him to exercise his legal capacity on an equal footing with others, may propose in a public deed the appointment or exclusion of one or more specific persons to exercise the function of "curador".

He may also establish provisions on the functioning and content of the "curatela" and, in particular, on the care of his person, rules for the administration and disposal of his assets, the remuneration of the "curador", the obligation to draw up an inventory or its dispensation, and supervision and control measures, as well as propose the persons who are to carry them out."

Both the proposal and the voluntary provisions shall bind the judicial authority in the constitution of the "curatela". However, it may totally or partially dispense with these voluntary provisions, ex officio or at the request of the persons called by law to exercise the "curatela" or of the Public Prosecutor's Office and, always by means of a reasoned decision, if there are serious circumstances unknown to the person who established them or alteration of

the causes expressed by him or which he presumably took into account in his provisions (art. 272 Law 8/2021).

Guardador de hecho (España): “Guarda de Hecho” is regulated in Article 263 of Law 8/2021 on the Rights of Persons with Disabilities. “Guarda de Hecho” is configured in the law as a subsidiary figure and requires that there are no other voluntary or judicial support measures, or that these are not being applied effectively.

Curatela (España): The “Curatela” is one of the support measures whose function is to provide continuous support for those people who are more dependent.

It will be, in general, the support measure for those persons who were subject to a “tutela” or extended parental authority.

The law includes the “Curatela” as a last option because, in the event that any of the other support measures can be chosen, any of them will be chosen before the “Curatela”.

As it is a judicial measure, the sentence in which the judge establishes the “Curatela” must determine as concretely as possible the acts for which the person will need the intervention of the guardian (“Curador”) on a case-by-case basis.

The “Curatela” must be reviewed periodically within a maximum period of 3 years, although, exceptionally and with reasons, the judge may establish a longer period of review, which may not exceed 6 years.

The law also includes the possibility of establishing “curatela representativa”, for those exceptional cases in which it is essential due to the circumstances of the disabled person, establishing precisely the acts in which the “curador” must exercise the representation.

Defensor judicial (España): The “Defensor Judicial” is a formal support measure. It is a person appointed by the judicial authority, whose purpose is to act in defence of the interests of a person with a disability.

The appointment of the “Defensor Judicial” is appropriate when the need for support is required on an occasional but recurrent basis. He/she shall act in the following cases: (Article 295, Law 8/2021 of 2 June, reforming civil and procedural legislation to support persons with disabilities in the exercise of their legal capacity:

1. When, for any reason, the person who is to provide support is unable to do so, until the determining cause ceases or another person is appointed.
2. When there is a conflict of interest between the person with a disability and the person who is to provide support.
3. When, during the processing of the excuse alleged by the “Curador”, the “Defensor Judicial” deems it necessary.
4. When the provision of judicial measures of support for the person with disabilities has been promoted and the “Defensor Judicial” considers it necessary to provide for the administration of the assets until a judicial decision is handed down.
5. When the person with a disability requires the establishment of support measures of an occasional, albeit recurrent, nature.

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Facilitator person (Spain): Catalina Devandas, Special Rapporteur on Disability (UN, 2020, p.9) defines the figure as: "specialised and neutral professionals who, if necessary, assess, design, advise and/or offer to persons with intellectual or developmental disabilities, whether or not they have an officially recognised disability, and to police and/or justice professionals involved in a judicial process, the appropriate and necessary support for persons with intellectual or developmental disabilities to exercise their right of access to justice on an equal basis with others. The support

needs assessment should take into account the interaction between the person and the specific environment on a case-by-case basis, as people have dynamic capacities and each police or judicial environment also has its own characteristics”.

The aim of this figure is to ensure the effective participation of the person with a disability in all stages of a judicial and/or police process in which they intervene, regardless of their role in the process.

The facilitator intervention is to identify and develop the necessary procedural adjustments to guarantee the effective participation of the person, eliminating the barriers that prevent or hinder the person with a disability from exercising his/her right to justice on an equal basis with others.

Administratore di Sostengo (Italia): Italian figure that arose to protect the mentally ill. It is a protection that limits as little as possible the capacity of the mentally ill person to act.

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The mentally ill person has full or partial autonomy in the performance of the functions of daily life, through the temporary or permanent support of the "Amministratore di Sostegno".

4. PROFESSIONAL FIGURE: SPECIALIST IN SUPPORTING THE LEGAL CAPACITY OF AUTISTIC PEOPLE

4.1. Mission/Objective

The figure of “Specialist in supporting the legal capacity of autistic people” has as its main objective to assist a person with mental impairment- due to autism spectrum- in order to provide for his or her own interests from a juridical point of view.

Its mission is to safeguard the beneficiary personal interest, taking into account the needs and requests of the person's need for support. He/she

should support the beneficiary in all juridical decisions related to the Public Administration, welfare, legal acts and so on, as well as in their relations with third parties and in the planning and development of their life project.

4.2. Values/Principles

The professional educator plays a fundamental role in accompanying the autistic person and the family from a custodial type of care to an integrated social-health care one in which the promotion of social interaction, the safeguarding of dignity and uniqueness and the improvement of the person's quality of life are the key aspects. In addition, it should be noted that, in general, the support professional is co-responsible for the implementation of the supported person's life project; this obviously does not detract from, but rather represents an enrichment for other professionals, teams and formal and informal support that the person may have. The strength of the intervention lies in the relational dimension that it establishes with the autistic person rather than in the concrete activities that are carried out during the support process.

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The cardinal principles that should inspire all professional educators in their relationship with autistic people can be summarized as follows:

- the creation of a relationship and moments of exchange and sharing with the other, particularly problematic in autistic people.
- the protection and promotion of the subject's dignity, taking into account the uniqueness and potential of the assisted person for the achievement of increasingly advanced levels of autonomy.

The work perspective is therefore no longer negativistic, i.e. focused on the critical issues and problems of autistic people, but more positive, aimed at working on the "islets of capacity", already described by Kanner, that every adult with autism possesses.

Due to the combined socio-medical approach, the professional educator represents an excellent trait d' union between the various professional figures who make up the interdisciplinary team in the case of Autistic Spectrum

Disorders, favouring the creation of a network of services aimed at well-being and quality of life of users.

It goes without saying that the professional educator has the duty to constantly perfect his training, in order to improve the quality of his work, using tools such as continuous training and supervision.

It is, therefore, a professional practice based on ensuring the effective exercise of rights by autistic people, based on their rights and taking into account their expectations, wishes, preference and will with the referent of the quality-of-life model.

4.3. Functions

In carrying out his or her functions, the person providing support must take into account the needs and aspirations of the person supported, his or her wishes, preferences and will.

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Similarly, he/she must know the law, the person and his/her context, and his/her functions must be to accompany the person's choices, inform the person about the alternatives he/she has when making his/her decisions and guide him/her about the acts or steps he/she must take to achieve his/her personal goals. Likewise, he/she will watch over his/her rights and if there is a conflict of interests or if it is necessary, in accordance with the law, to obtain external permission for the acts to be carried out, he/she must inform the judge of all this. In conclusion, it can be said that the figure of the support professional is a new and useful support tool for many people with disabilities. In particular, it has the advantage of being flexible, being able to adapt to the needs and characteristics of each person with a disability, of each autistic person.



4.4. Training modules and learning outcomes

| Operational Area | Topic | Competence unit/Learning modules | n. of hours |
|--|--|---|-------------|
| 1. Autism Spectrum Disorder (ASD) | People with disabilities and their rights Characteristics of ASD | 1.1 People with disabilities and their rights 1.2 Characteristics of ASD | 15 |
| 2. Legal aspects | Juridical capacity of people with disabilities Juridical procedures and juridical decisions and support for people with disabilities Functions of the specialist in supporting the legal capacity of autistic people | 2.1 Juridical capacity of people with disabilities 2.2 Juridical procedures and juridical decisions and support for people with disabilities 2.3 The role of the specialist in supporting the legal capacity of autistic people | 25 |
| 3. Methodologies and tools | Decision support method Development of Support Plan | 3.1 How to support decision-making process in autistic people 3.2 Developing a support plan: person-centred planning, life history, life projects | 25 |
| 4. Communication | Types of communication Alternative communication systems Applications of augmentative communication systems ICT tools to support communication | 4.1 Characteristics and communicative profiles 4.2 Alternative and augmentative communication system | 15 |

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| <p>5. Transversal skills</p> | <p>Values and attitudes Emotional support ICT</p> | <p>5.1 Values and attitudes of the specialist in supporting the legal capacity of autistic people (AETAPI values charter)</p> <p>5.2 How to ensure emotional well-being in autistic people? Strategies and support resources.</p> <p>5.3 Use ICT tools as a support resource for autistic people in different settings and contexts.</p> | <p>15</p> |
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4.5. Content development

1. Autism Spectrum Disorder (ASD) – 15 hours

Module 1.1: People with disabilities and their rights

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| <p>Learning module: People with disabilities and their rights</p> | <p>Duration: 8 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C1) Know the disability concept and rights of people with disabilities</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> Disability concept Main Policies related to the rights of people with disabilities Main tools of intervention for ensuring the respect of the rights of people with disabilities <p><u>Skills</u></p> <ul style="list-style-type: none"> Understand the disability concept Understand the rights of a person with | <p>Social Model of Disability</p> <p>United Nations Convention on the Rights of Persons with Disabilities (UN CRPD)</p> <p>Access to justice (Article 13 UN CRPD);</p> <p>Accessibility (Art 9 UN CRPD);</p> <p>Independent living (Article 19 UN CRPD);</p> <p>Involuntary treatment and involuntary placement (Articles 14 and 15 UN CRPD);</p> <p>Legal capacity (Article 12 UN CRPD);</p> <p>Political participation (Article 29 UN CRPD).</p> <p>Strategy for the rights of persons with disabilities 2021-2030</p> |

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| <p>disabilities</p> <ul style="list-style-type: none"> • Being able to recognize if a right is violated and to ensure its respect | <p>Disability Legal framework in each country</p> <p>Protection of the rights of persons with disabilities</p> |
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Module 1.2: Characteristics of ASD

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| <p>Learning module:</p> <p>Characteristics of ASD</p> | <p>Duration:</p> <p>7 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C2) Know the main features of ASD</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • Characteristics of ASD: what is ASD, Signs and Symptoms, treatment • Needs of people with ASD in their adult life • Quality Life Model of autistic people <p><u>Skills</u></p> <ul style="list-style-type: none"> • Understand the needs of a person with ASD • Being able to analyse the necessities of a person with ASD | <p>What is ASD and levels</p> <p>Cognitive Theories of Autism Spectrum Disorders</p> <p>Signs and Symptoms</p> <p>The importance of early diagnosis</p> <p>Treatment</p> <p>Needs</p> <p>Risk factors</p> <p>Vulnerabilities of autistic people</p> <p>Emotional situation experienced by family members of people with disabilities</p> <p>Quality Life Model of autistic people</p> |

2. Legal aspects. 25 hours

Module 2.1 Juridical capacity of people with disabilities

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| <p>Learning module:</p> <p>Juridical capacity of people with disabilities</p> | <p>Duration:</p> <p>5 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C3) Know the different types of Juridical capacity</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • What is juridical capacity and equal recognition before the law • National legal context <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to identify the juridical capacity of autistic people | <p>Legal capacity (Article 12 UN CRPD);</p> <p>Different types of Juridical capacity in each country</p> <p>Support models and different figures in each country</p> |



Module 2.2 Juridical procedures and juridical decisions for people with disabilities

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| <p>Learning module:</p> <p>Juridical procedures and juridical decisions for people with disabilities</p> | <p>Duration:</p> <p>15 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C4) Know the juridical procedures and juridical decisions for people with disabilities</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • Decision-making process for autistic people • Public administration procedures for autistic people • Access to Social and health services for autistic people <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to support to autistic people in its juridical decisions • Being able to support to autistic people in juridical procedures | <p>Different types of decisions for autistic people (life decisions, health decisions, financial decisions. legal decisions)</p> <p>Instrumental management of the beneficiary's assets and its implications from an administrative point of view, financial, accounting and fiscal</p> <p>How to enter into a contract, to provide informed consent in health care, giving consents</p> <p>Main social and health services currently provided for autistic people, requirements and methods of accessing them</p> <p>The relationship with the person, the care service, the role of supporting figure in its relations with the autistic people and the social and health services.</p> |

Module 2.3 The figure of the specialist in supporting the legal capacity of autistic people

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| <p>Learning module:</p> <p>The figure of the specialist in supporting the legal capacity of autistic people</p> | <p>Duration:</p> <p>5 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C5) Know to support juridical decisions for autistic people</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • What is a support figure for autistic people depending of each person • National legal context and types of support figures • Functions of the specialist in supporting the legal capacity of autistic people <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to identify the support needed by autistic people • Being able to act as a supporting figure for the legal capacity of autistic people | <p>Regulatory sources and jurisprudential evolution.</p> <p>Support figures in each country and their rights</p> <p>The conditions for the support figures</p> <p>The proceedings</p> <p>The effects of the support figures</p> <p>The duties of the support figures</p> <p>Responsibilities of the support figures with particular reference to transparency and correctness</p> |



3. Methodologies and tools. 25 hours

Module 3.1 How to support decision-making process in autistic people

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| <p>Learning module:</p> <p>How to support decision-making process in autistic people</p> | <p>Duration:</p> <p>5 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C6) Supporting decision-making process in autistic people</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • Difficulties related to decision-making processes for autistic people • Types of support techniques for decision-making process <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to support the decision-making process of autistic people | <p>The concept of “decision making” and its aspects (decision-making performance, relative attention to negative and positive outcomes, speed, flexibility, and information sampling)</p> <p>Difficulties related to decision making in autistic people (abstraction capacity, anxiety, depression...)</p> <p>Supporting techniques decision making processes of autistic people</p> <p>Notions of job coaching</p> |



Module 3.2 Developing a support plan: person-centred planning, life story, life projects

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| <p>Learning module:</p> <p>Developing a support plan: person-centred planning, life story, life projects</p> | <p>Duration:</p> <p>20 horas</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C7) Know how to develop a support plan</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • How to structure a plan for autonomy • Principles • Techniques • Fundamental elements • Management of cognitive interviews and founding elements • Tools to make “the plan” <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to develop a support plan to support the legal capacity of autistic people | <p>Characteristics and structure of a plan for autonomy</p> <p>Fundamental elements to structure the plan</p> <p>Cognitive survey systems for personal plan formulation</p> <p>Investigation techniques</p> <p>Support and tools to make “the plan” (visual supports, registers, sequences...)</p> |



4. Communication. 15 hours

Module 4.1 Types of Communication

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| <p>Learning module:</p> <p>Types of Communication</p> | <p>Duration:</p> <p>5 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C8) Know the different types of communication to communicate with autistic people</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • Communication types • Difficulties in communication and how they can manifest themselves • ICT tools to support communication <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to communicate with autistic people | <p>Communication types and models</p> <p>Communication principles</p> <p>Communication difficulties in the context of atypical development</p> <p>The repercussions of communication deficits people with disabilities (relational, emotional, cognitive, educational, and behavioural)</p> <p>ICT tools to support communication</p> <p>Communication with the families of the people with disabilities</p> |



Module 4.2 Alternative and augmentative communication system

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| <p>Learning module:</p> <p>Alternative and augmentative communication system</p> | <p>Duration:</p> <p>10 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C9) Using Augmentative Alternative Communication (AAC) as an indispensable tool to support people with communication problems in every area of life</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> • People with Complex Communicative Needs are and how they can be helped through an inclusive approach and with the competent and creative use of AAC <p><u>Skills</u></p> <ul style="list-style-type: none"> • Being able to communicate with autistic people | <p>The principles and techniques of AAC</p> <p>Targets of AAC</p> <p>Concrete examples and viewing material</p> <p>Practical suggestions for fostering communication with autistic people</p> <p>Communication tools: PECS, easy to read, ICT...</p> |

5. Transversal skills. 15 hours

Module 5.1 Values and attitudes of the specialist in supporting the legal capacity of autistic people

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| <p>Learning module:</p> <p>Values and attitudes of the specialist in supporting the legal capacity of autistic people</p> | <p>Duration:</p> <p>5 hours</p> |
| <p>Learning outcomes</p> | <p>Content</p> |
| <p>C10) Know the ethical issues related to the support figure role</p> <p><u>Knowledge</u></p> <ul style="list-style-type: none"> Ethics of the specialist <p><u>Skills</u></p> <ul style="list-style-type: none"> Being able to assist the autistic people in ethical manner | <p>AETAPI values charter (Professionals enthusiasm, team work, continuous learning and independence)</p> <p>Reference legislation on the role of figures taking charge of citizens in a condition of fragility and/or in a prejudicial situation</p> <p>The issue of the "consent/non-consent" of the beneficiary to use the institution</p> <p>Good practices</p> <p>Biomedical ethics (autonomy, nonmaleficence, beneficence and justice)</p> |

Module 5.2 Ensuring emotional and social support to autistic people

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| Learning module: Ensuring emotional and social support to autistic people | Duration: 5 hours |
| Learning module | Content |
| C11) Ensuring emotional support to autistic people <u>Knowledge</u> <ul style="list-style-type: none"> Main feature on emotional and social competences in autistic people <u>Skills</u> <ul style="list-style-type: none"> Being able to support the autistic people from an emotional and social point of view | Social and emotional well-being competence Emotion knowledge in autistic people Emotional regulation in autistic people Social skills in autistic people Strategies to support autistic people's social and emotional development |

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Module 5.3 Use ICT tools as a support resource for autistic people in different settings and contexts.

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| Learning module: Use ICT tools as a support resource for autistic people in different settings and contexts. | Duration: 5 hours |
| Learning outcomes | Content |
| C12) Using ICT tools to support the legal capacity of autistic people <u>Knowledge</u> <ul style="list-style-type: none"> ICT tools for supporting autistic people <u>Skills</u> | Basic computer skills (navigation tools, e-mail, cloud, etc.) Use of devices/communication aids Access and use to online public and digital services Digital health literacy Netiquette |

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| <ul style="list-style-type: none"> • Being able to assist autistic people through ICT tools | Digital risks |
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4.6. Methodology

BASIC training course - 95 hours

The aim of the course is to provide cognitive tools, which are inspired by interdisciplinary models of interaction and social inclusion, for the development of specific skills in order to manage and support the autistic person in those areas of adult life related to the exercise of their legal capacity and to enable them to have a better quality of life, more dignity and to exercise their rights.

Learning teaching methodologies

During the course there will be lectures, presentations and case analyses, testimonials and exercise and simulation workshops.

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Learning checks

An assessment test (written and/or oral) will be carried out for each training area; where hours of experiential practice are also foreseen, the teacher will also carry out an assessment based on the ability to apply theoretical knowledge to the required in order to verify the achievement of the educational objectives.

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