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Good Practices Report 2022-2023

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Introduction

The International Convention on the Rights of Persons with Disabilities, article 12 states that all persons with disabilities have full legal capacity.

This represents a change in the system, where previously the persons with disabilities legal capacity was replaced by one in which per se, all persons have legal capacity and what needs to be determined and established are the supports that persons with disabilities will need to exercise their legal capacity.

Article 12 of the UN Convention on the Rights of Persons with Disabilities includes the persons with disabilities right to enjoy full legal capacity on an equal basis with others in all aspects of life. This article is a Convention fundamental pillar, a treaty that expands on the rights included in the Universal Declaration of Human Rights. The Convention has been ratified worldwide by 181 countries since its signature at the UN General Assembly on 13 December 2006 and entered into force as a legally binding instrument in European law on 22 January 2011. Almost all EU Member States have ratified and incorporated the Convention as a legally binding instrument into their legal framework since 2006.

In particular, Article 12 of the Convention defines legal capacity in such a way that all persons with disabilities can exercise the right to decide on matters affecting their own lives, including those where they have traditionally been unable to do so, such as those concerning their own health, the supervision and management of their personal finances or in relation to their property and real estate. Furthermore, the Convention urges Europe and its Member States to take the necessary measures and make the necessary changes for its implementation, as set out in the Convention.

With the Convention advent and the need to amend Spanish laws, Law 8/2021 came into force in Spain in September 2021, reforming civil and procedural legislation to support persons with disabilities in their legal capacity exercise.

Based on this law, all persons, whether or not they have a disability, have legal capacity. It is therefore necessary to adopt measures to support this legal capacity, depending on the needs of each person.

In our intervention area, this report gathers a good practices register related to the people with autism legal capacity. With it, we want to identify which are the competences that the people who are going to provide support to people with autism in the exercise of their legal capacity have to have.

10 good practices have been registered:

1.

Name of the good practice	I-Decide
A general description of the good practice (up to three sentences)	Decisión support model
Details about the activity (up to three paragraphs)	<p><i>Consumer Rights Handbook</i>. The handbook recognises different scenarios in relation to the products or services purchase both with tools to help decision-making in all the scenarios. Decision support for purchasing decisions. Steps to follow:</p> <ol style="list-style-type: none"> 1. Planning prior to the purchase of a product or service. 2. Making the product or service purchase. 3. Scenario after the product or service purchase. 5 whys technique.
Where was it implemented?	Belgium, Finland, Greece, Spain, United Kingdom
Who was involved?	<ul style="list-style-type: none"> • Belgium, European Association of Service Providers for Persons with Disabilities, EASPD. • Finland, KVPS • Greece, EEA Margarita • Spain, Support-Girona • Spain, Fundació Campus Arnau d'Escala • United Kingdom, Social Care Training
Website or social media pages of the good practice/organization that implemented it	https://www.supportgirona.cat/wp-content/uploads/2020/07/idecide_guia_eines_eng.pdf
Project contributions	<p>Practical methodology, tools and instruments for professionals to help them in their daily practice.</p> <p>It distinguishes 3 figures within the decision-making support:</p> <ol style="list-style-type: none"> 1- Supported person. 2- Facilitator: specialised relationship manager between the person supported and the support professional. Helps, supervises, and resolves doubts. 3- Support person/professional: this can be any person in the environment. Preferably trained in social education or social work. Their main task is to orientate, guide and support the person in decision making.

2.

Name of the good practice	Action protocol for possible abuse
A general description of the good practice (up to three sentences)	Training for almost a hundred people in which practices were developed to promote good treatment and prevent abuse.
Details about the activity (up to three paragraphs)	<p>There are guidelines about how to act in facts or suspicion case that evidence ill-treatment or abuse against people with intellectual disabilities.</p> <p>If a possible abuse has been detected or there is knowledge of facts that point to a risk or mistreatment situation, it is necessary to act.</p> <p>Several aspects must be considered:</p> <ul style="list-style-type: none"> - Scope or origin of the abuse (this can have a triple origin: own centre or service, family environment or other environments). - If the facts can be considered as possible offences, the type of offence (private, public, or semi-public). <p>The protocol objective is:</p> <ul style="list-style-type: none"> - To guarantee the persons with disabilities protection in situations of abuse. - To reduce the vulnerability to particularly vulnerable group mistreatment. - To set in motion the correct actions to protect people with disabilities. - To promote the actions coordination between the different services for the care of people with disabilities.
Where was it implemented?	Spain (Andalucía, Extremadura, Islas Baleares, Cataluña, Galicia, Castilla y León, Madrid, Castilla La Mancha, Navarra)
Who was involved?	<ul style="list-style-type: none"> • Plena inclusion • PROTEDIS
Website or social media pages of the good practice/organization that implemented it	Protodolo actuacion ante maltrato PlenaInclusion OK.pdf
Project contributions	Action in suspicion case or abuse knowledge. Knowledge by the providing support person of the abuse protocol and the procedure to follow in suspicion case or abuse knowledge.

3.

Name of the good practice	People with autism spectrum disorder rights and their implications for professional practice.
A general description of the good practice (up to three sentences)	A manual that aims to raise awareness and publicise the people with ASD rights in order to generate a commitment on the organisations, professionals and families part that will enable the generalisation of an appropriate relationship and intervention model.
Details about the activity (up to three paragraphs)	<p>Several areas identification of rights action, considered from a broad and global perspective, based on the rights set out in the International Convention of Persons with Disabilities.</p> <p>A series rights categories are included, and each category differentiates rights. These categories are:</p> <ul style="list-style-type: none"> - Rights related to the persons security and integrity. - Rights related to personal development. - Rights related to participation in the community or citizen participation. - Persons with ASD families rights. <p>Within each right, a question is asked and answered. These are:</p> <ul style="list-style-type: none"> - What does it mean? - In what situations is this right violated? - And in my professional practice, how can I promote it?
Where was it implemented?	Spain
Who was involved?	AETAPI
Website or social media pages of the good practice/organization that implemented it	https://aetapi.org/download/derechos-las-personas-trastorno-del-espectro-del-autismo-implicaciones-la-practica-profesional/?wpdmdl=3307
Project contributions	Everything related to the people with autism rights. Within each rights groups, it refers to how the professional can promote them in the workplace.

4.

Name of the good practice	AETAPI Values letter
A general description of the good practice (up to three sentences)	The Spanish Autism Association Professionals collects a document in which it establishes the values and definitions of each value, which, as professionals, the people working for people with autism must meet.
Details about the activity (up to three paragraphs)	<p>The values are:</p> <ul style="list-style-type: none"> - Professionals enthusiasm: mind state that moves the professional to inspiration feeling excited, involved, motivated by autism and in continuous progress in the search for answers to the challenges by people with ASD. - Team work: collaboration searching with other professionals to reach common goals. - Continuous learning: permanent commitment with training and personal improvement. - Independence: professional freedom who does not depend on others to proceed.
Where was it implemented?	Spain
Who was involved?	Spanish Autism Association Professionals (AETAPI).
Website or social media pages of the good practice/organization that implemented it	https://aetapi.org/download/carta-de-valores-de-aetapi-2/?wpdmdl=1178&refresh=62fe22d2774071660822226
Project contributions	It includes the values that people working for people with autism have to meet. Therefore, these rights have to be known by the support staff.

5.

Name of the good practice	Good professional practice for people with ASD intervention
A general description of the good practice (up to three sentences)	Good practice determines that evidence-based practice is defined as the best and most current research evidence integration with clinical-educational expertise and relevant stakeholders perspectives, in order to facilitate decisions for assessment and intervention that are considered effective and efficient for a particular individual.
Details about the activity (up to three paragraphs)	<p>Quality programme indicators:</p> <ul style="list-style-type: none"> • Family involvement • Skills and deficiencies comprehensive assessment • Plan development/clearly defining goals and objectives • Effective teaching strategies • Intervention evaluation • Environment structuring • Functional behaviour assessment application to problem behaviour • Transition • Opportunities with peers • Comprehensive team approach.
Where was it implemented?	Spain
Who was involved?	XV National Congress of Autism Professionals (Zaragoza)
Website or social media pages of the good practice/organization that implemented it	Diapositiva 1 (aetapi.org)
Project contributions	Indicators compilation that indicate the intervention quality in people with autism.

6.

Name of the good practice	Erasmus + Project IDEA 12. Inclusive training on Article 12.
A general description of the good practice (up to three sentences)	A document that covers everything related to support in decision-making, always respecting the persons with disability "will, wishes and preferences".
Details about the activity (up to three paragraphs)	<p>The Project objective is: improve awareness, capacity building and education.</p> <ul style="list-style-type: none"> • Prepare written material on the right to full legal capacity and the right to supported decision-making. • Prepare written material on how to support a person in decision making (this will improve the good practice awareness in supported decision making). • Develop training on supported decision making for professionals, public administrators, people with intellectual disabilities and mental health problems.
Where was it implemented?	Czech Republic, Slovakia, Latvia, Lithuania, Spain.
Who was involved?	<ul style="list-style-type: none"> • Change • Czech Republic: Protestant Theological Faculty • Czech Republic: Quip • Slovakia: Land of Harmony Team • Latvia: RC Zelda, • Lithuania: Lithuania Disability Forum • Spain: Plena inclusión, Fundación Tuya
Website or social media pages of the good practice/organization that implemented it	https://www.idea12.eu/
Project contributions	How decision support should be provided.



7.

Name of the good practice	Supporting persons with disability in the judicial environment
A general description of the good practice (up to three sentences)	Free legal aid service, based on the decision support.
Details about the activity (up to three paragraphs)	These are lawyers who help people with criminal and legal matters, help to attend court, to understand the documents, the proceedings and the decisions that are made. They also provide consultation on other legal matters. Special focus on child protection issues, to ensure that parents with disabilities have equal access to justice.
Where was it implemented?	Ireland
Who was involved?	National Advocacy Service for People with Disabilities
Website or social media pages of the good practice/organization that implemented it	
Project contributions	Accessibility to justice for people with disabilities. Help in understanding documents, court proceedings and decisions taken. Assistance in legal matters.

8.

Name of the good practice	Capacity: La legge è uguale per tutti
A general description of the good practice (up to three sentences)	The project wants to experiment with innovative models of decision-making support for people with intellectual and neurodevelopmental disabilities and this as provided for in Article 12 of the UN Convention on the Rights of Persons with Disabilities - CRPD (equal recognition before the law) in order to promote their full social inclusion and participation in active citizenship. This process requires both a review of the legal/regulatory system and the implementation of new operational strategies
Details about the activity (up to three paragraphs)	<p>The project had the following objectives:</p> <ul style="list-style-type: none"> • Develop and test models that guarantee people with disabilities, especially intellectual disabilities, non-substitutive decision-making supports in a context of adequate protection; • Identifying, facilitating and testing a range of different supports with the direct involvement of all the actors involved and able to be involved, as facilitators, in decision-making support; • To develop innovative and advanced guidelines and tools (toolkits) for decision-making and inclusion support, also enabling the transferability of the model to different territories/contexts; • Deepen the strengths and weaknesses of the current legal-regulatory system, also by comparing it with other systems at international level, and formulate specific recommendations to political and institutional decision-makers; • Increase awareness, skills and empowerment on issues related to the concrete implementation of Art. 12 of the CRPD; • To investigate challenges and opportunities for people with disabilities, their families, civil society, services, institutions on the right to adequate support in decision making and for social inclusion.
Where was it implemented?	Italy
Who was involved?	National Association of families of people with disability (AFASS)
Website or social media pages of the good practice	http://www.anffas.net/it/progetti-e-campagne/capacity-la-legge-e-eguale-per-tutti/
Project contributions	<p>Main results:</p> <ul style="list-style-type: none"> Toolkit for families Toolkit for people with disabilities Toolkit for health and social service workers Toolkit for legal and justice practitioners Results of the Public Consultation Report "Assessment of compliance of Italian legislation with Article 12 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)" <p>We can take inspiration from the toolkits for the development of the Curriculum of the WE CAN! project</p>

9.

Name of the good practice	My life notebook
A general description of the good practice (up to three sentences)	The good practice consists of creating a life notebook of the person with a disability to see what their tastes, desires and preferences are and to have it as a guide for their day to day life.
Details about the activity (up to three paragraphs)	<p>The objective is to provide professionals working with older people with intellectual disabilities with useful and accessible material to record memories and life experiences to improve the psychological well-being and satisfaction of older people at this stage of their lives for a good old age at this stage of their lives for a good old age.</p> <p>It consists of 4 phases for the notebook elaboration:</p> <ol style="list-style-type: none"> 1. Recording and evocation of memories phase. 2. Phase of planning the format chosen by the person. 3. Phase of life notebook elaboration. 4. Phase of final party celebration for the life notebook presentation.
Where was it implemented?	Spain
Who was involved?	Plena Inclusión Generalitat Valenciana
Website or social media pages of the good practice/organization that implemented it	https://plenainclusioncv.org/cuaderno-de-vida/
Project contributions	Model for the life notebook creation for people with autism in which their tastes, desires and preferences are reflected. Whoever supports and accompanies the person with autism in his/her daily life can use this notebook as a reference and guide for his/her functions and respect his/her life trajectory as much as possible.



10.

Name of the good practice	Procedural facilitator. Proposal for the professional development of the figure.
A general description of the good practice (up to three sentences)	The good practice consists of identifying the principles of action, functions and competencies required of the facilitator figure.
Details about the activity (up to three paragraphs)	The objective is to ensure the effective participation of the person with a developmental disability in all stages of his or her intervention in a judicial and/or police process, regardless of his or her role in the process. The result of the intervention of a procedural facilitator will be the identification and development of the necessary procedural adjustments to guarantee the effective participation of the person, eliminating the barriers that prevent him/her from exercising his/her right to justice with equal opportunities.
Where was it implemented?	Spain
Who was involved?	Plena Inclusión
Website or social media pages of the good practice/organization that implemented it	https://www.plenainclusion.org/publicaciones/buscador/propuesta-de-desarrollo-profesional-de-la-figura-del-facilitador-procesal/
Project contributions	Required competencies that a person supporting people with developmental disabilities should have. Collection of training modules that it is desirable for that person to have, which will ensure the development of the necessary competencies to perform the role.

Conclusions:

On these good practices register basis, we can determine:

- The people with autism knowledge rights importance by the person who is going to provide the support. It is necessary that the professionals who are going to provide support have basic notions about rights, that they know how to interpret and identify them. They must ensure at all times the full rights exercise, prevent abuse and support the full life development.
- The person who will provide the support should have a background in social education or social work.
- Professionals who provide support and assistance to people with ASD must act in accordance with a set of values. They should be enthusiastic about what they do, know how to work in a team, be motivated to continuous learning, have a permanent commitment to training and personal improvement and, finally, be independent and not depend on others for their actions.
- The importance of interventions and support being evidence-based. The register collects a series of indicators that will determine the quality of a programme.
- Professionals have a key role in the people with ASD life, through the assistance and support action to people with autism.
- Professionals must support the person with autism from the respect to his/her "preferences, wishes and values", according to what is expressed in the Convention.
- People with ASD can make decisions, some people will be able to make more and others less. When making decisions, the support professional will play a key role, being important that he/she is trained (knowledge of the methodology, basic notions about certain topics, etc.).
- The professional must know tools to make the information more accessible and to know resources that allow him/her to guide and support the person in all spheres of his/her life, making it easier for the person with autism to make his/her own decisions.
- It is necessary for the person who is going to provide support to know the tastes, wishes and preferences of the person with autism in order to guarantee his continuity throughout his life. It is interesting the creation by the person with autism of a "register" of such tastes, preferences, etc. So that the person who is going to provide the support can use it as a reference in his or her actions.
- The need for the person providing support to have a minimum training in different areas: laws, procedures, knowledge about effective communication...