

1. BACKGROUND

DEMENTIA



Memory Loss

- Problems in understanding the information on care



Personality change

- Contradictory opinions on care



Impairment of sensory perception and speech

- Problems of communication



Vulnerability and stigma

- undue influence
- Dementia as 'loss of self'

People with dementia are often deemed legally incapable

NEW PRINCIPLES

Art. 12 Convention on the Rights of Persons with Disabilities

- Persons with disabilities shall be recognised legal capacity.
- They shall be supported in **exercising legal capacity**.

UN Committee on the Rights of Persons with Disabilities

- Conditions like dementia don't justify legal capacity denial.
- Substituted decision-making shall be replaced by **support**.

2. RESEARCH QUESTION

How can the guardian help the person in deciding on treatment?

3. METHODS

After an explorative survey focusing on Europe and North America I have identified examples of good practices in supported decision making emerging from empirical studies or national legislations.

4. RESULTS

SUPPORT



The guardian can:

- **remind** the person the elements he/she doesn't remember;
- **explain** the information (§3(2) English Mental Capacity Act);
- **discuss** the decision with the person, correcting



The guardian can:

- **promote** dialogue with the person over time, identifying the moments in which he/she is more lucid;
- **interpret** the will of the person asking for clarifications (Handbook for MPs on the Convention on the Rights of



The guardian can:

- **use** alternatives means (e.g. images.) for interacting with the person;
- **make** feel the person at ease when talking to him/her;
- **help** the person with concepts or words that may not come immediately to



Training and awareness raising:

convincing guardians that people with dementia have valid opinions (UK Dementia Friendly Project);

Networks of support: many guardians who control each other (Canada)