

# Facilitation for people with disabilities

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# The Finnish National legislation

- The Finnish Constitution ie. paragraph 6 non-discrimination because of disability
- UN CRPD – The Convention on the Rights of Persons with Disabilities ie. art. 1, 2, 5, 19 (ratified by state 10.6.2016)
- Firstly the Social welfare Act
- Secondly the Services for the Disabled Act (new reform 1.1.2025)
- The Non-Discrimination Act: authorities are the Non-Discrimination Ombudsman and the National Non-Discrimination and Equal Tribunal

# Services for Persons with Disabilities

- The basic objective of disability services is to enable persons with disabilities to live and function on an equal footing with other people
- The responsibility of wellbeing services counties 21 and the city of Helsinki as providers of services
- Private service providers and non-governmental organizations complement public services and wellbeing services counties buy some of the services from them
- The new disability law is based the needs of a pwd
- Pwd has subjective right to certain special services
- These special services are cost free to the service user

# Special services for pwd

- Application criteria of disability law
- It is almost same as UN CRPD art. 1 "list of disabilities: physical, mental, cognitive, deaf/blind" and social (WHO: ICF -grade)
- It has to have necessary need of somebody's help or assistance
- Every special services has own criteria
- ie. housing services, personal assistance, transport services, help for decision making, special support for being included, aid for accessibility home (also sauna!) etc. as subjective rights
- ie. the aid for car and equipments as objective rights (not cost free)

# Dilemma in personal assistance: capacity of pwd

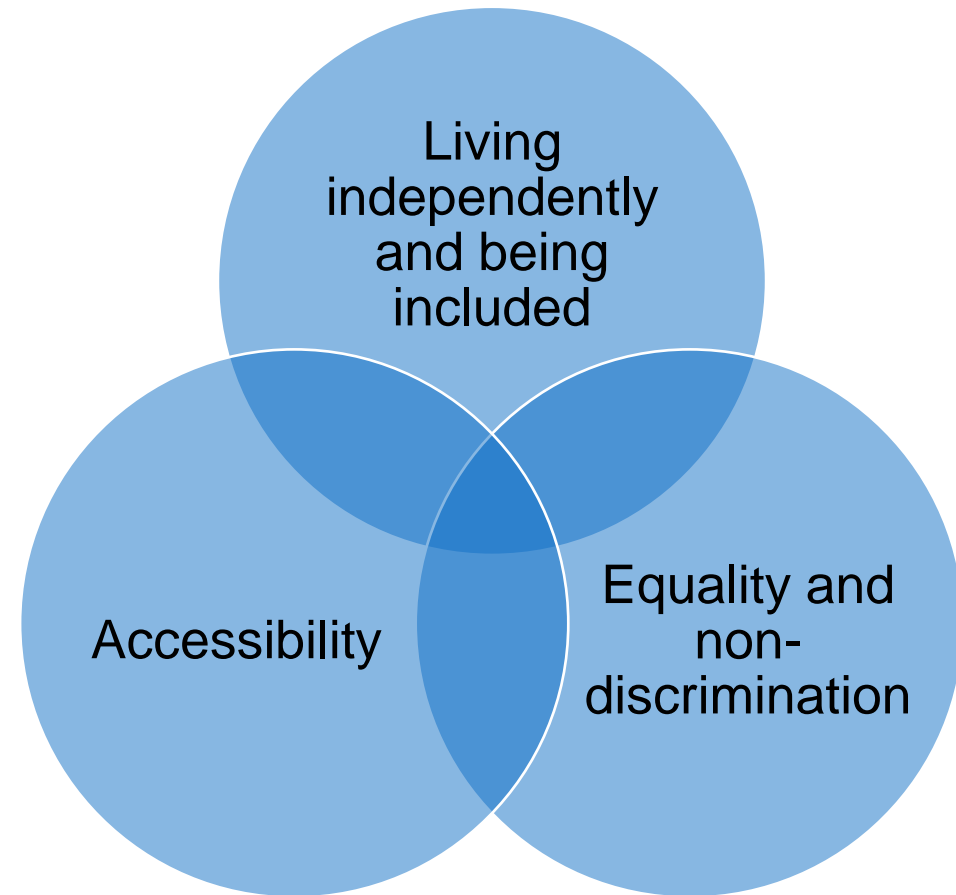
- Personal assistance is provided by another person to a pwd, either at home or outside the home in active daily living
- Personal assistance is meant for activities that one would do by oneself, but is not able to do because of his/her disability or longterm illness
- "User –led" or "person directed service" independently or even supported
- Also according to new law pwd must have certain capacity to lead a content of personal assistance
- There is a new service aka special support for being included those pwd`s who does not fit in the form of personal assistance; another person is like a mentor or guide

# Dilemma in personal assistance: employer model

- We have three types to organize personal assistance
  1. Employer model: the pwd is the employer of the assistant. Pwd has all duties of employer because of labor law
  2. Voucher model: the pwd receives a voucher for acquiring assistance services
  3. Assistance service: wellbeing services counties acquiring assistance services for pwd or do it by itself
- Employer model is problematic for pwd when it is not suitable!
- According to new disability legislation wellbeing services counties have to have several models in the area
- According to new employer model paragraph pwd must have will and capacity act as employer

# UN CRPD: article 19 - Living independently and being included in the community

- Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community
- Accessibility and equality are preconditions for living independently and being included in the community
- Reasonable accommodation for pwd within social services provided by authorities, Finnish Non-Discrimination Act, parag.15



# Thank you!

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Mukana luomassa yhdenvertaista ja esteetöntä Suomea.

