



The 7th World Congress on Adult Capacity: Edinburgh 2022

Post Congress Report

The Local Organising Committee (LOC) is grateful for the sponsorship provided by Scotland's Faculty of Advocates allowing the provision of this report.

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Abbreviations

APC	Academic Programme Committee
CRPD	United Nations Convention on the Rights of Persons with Disabilities
EICC	Edinburgh International Conference Centre
LOC	Local Organising Committee
PCO	Professional Conference Organiser – in this case a company called In-Conference
WCAC2022	World Congress on Adult Capacity - referring to the 7 th World Congress hosted by Scotland in Edinburgh 2022

1. Purpose of report

This report is drafted by the Local Organising Committee (LOC) of the World Congress on Adult Capacity 2022 (WCAC2022) with the intention of facilitating the

planning by future hosts of later World Congresses, or indeed of events of a similar nature. We are happy for this report to be shared as may be required.

This report also serves to highlight to our sponsors the success of the congress and thus the value of their generous support.

2. Format of report

The report is in two parts - Part A is an overview of the WCAC2022 academic programme, learning outcomes, future focus etc, and Part B covers the logistics of organising such an event.

3. Introduction by Adrian D Ward

I was approached about the possibility of Scotland hosting a World Congress at a workshop in Göttingen on 12th August 2016. It was an exciting prospect, but also a challenging one. No-one could then have predicted how challenging!

Despite the challenges, we delivered. But what did we deliver, and how? How was it received? In the circumstances, it was an achievement to deliver at all; achieved – however – with much learning along the way.

The aim of this report is to answer those questions and share that learning. We hope that it will be found useful by others, particularly those contemplating organising future World Congresses, and other similar events.

4. World Congresses, overview

The concept of such worldwide Congresses emerged from a relatively small prototype event in Bergen, in the Netherlands, on 11th – 13th September 2007, attended by several international experts including those who were to lead the organisation of the first four World Congresses. The first full-scale Congress took place in Yokohama, Japan, in 2010. The planning and delivery of it was led by Professor Makoto Arai. It was followed by Australia in 2012, the United States in 2014, Germany in 2016, and (South) Korea in 2018. The workshop in Göttingen formed part of the preparations for the 2016 Congress, drafting a proposed update of the original Yokohama Declaration that had been adopted at the 1st Congress. The updated Declaration is reproduced in Appendix A to this report. Subject to any further updates, it should be read in particular by future prospective organisers.

Originally, both Argentina and Scotland had been approached for the 2020 event. Scotland's offer to step aside for 2020, and instead host the 7th event in 2022, was

accepted. To avoid future uncertainties, and strengthen arrangements, an International Advisory Board (IAB) was established in 2017. Its constitution, and a description of its functioning, are replicated in Appendix B. That document also, subject to any further updates, is essential reading for future prospective hosts.

All Congresses up to and including the 5th were entitled “World Congress on Adult Guardianship”. At its meeting on 23rd October 2018 (during the 5th World Congress) IAB approved the suggestion of Adrian Ward to change the Congress title to “World Congress on Adult Capacity”, in order to update but with minimum change to “brand recognition”.

PART A: Aims and outcomes of the 7th Congress

5. Target audience

Before we could design an academic programme we first had to consider the target audience for the congress.

In common with all previous Congresses, the content of WCAC2022 was intended to appeal to a wide audience including legal professionals; health & social care professionals; governments; strategic & policy development professionals; but also people with lived experience, encompassing the variety of conditions that can impact on cognition. People with lived experience importantly also includes those who provide informal care (such as a spouse, son/daughter, friend).

6. Time of year?

Previous congresses had been held in the autumn. More important than we realised at the time was that we accepted the request of several overseas colleagues to hold the event over the summer recess. This would allow them to optimise their academic holiday period and link a visit to Scotland with a vacation, at a time with better weather prospects than the usual late autumn for the event. We opted for June, as July and August see a marked increase in visitors to Edinburgh, making accommodation difficult to secure, as well as expensive. Significantly, however, it later emerged as being in the best point of the annual cycle of impact of the pandemic, proving to be one of the critical factors in support of our decision to proceed with an in-person event (see below). That aside, we advocate that future organisers consider the optimal timing for their audience.

Another consideration for organisers is avoidance of conflicting dates with other potentially competing events. Examples that WCAC2022 faced were the Alzheimer's Association International Congress in San Diego from 31st July to 4th August 2022 and, even more critically, the Alzheimer's Disease International Congress in London with overlapping dates, 8th – 10th June 2022. Both of these events were arranged after the dates for WCAC2022 had been made public, so there was little we could do, but future organisers need to be mindful of such conflicts, which have the potential to impact on delegate numbers. As it transpired, there was little impact on our event, and greater potential for those two events to impact each other.

7. Designing the academic programme

The design of the academic programme followed the LOC settling on some of the logistical arrangements set out in Part B.

In respect of the academic programme, the LOC spent a relatively short time 'brainstorming' what would likely be the key topics of interest. Our debate on this was maybe two years ahead of the actual congress taking place, so we needed to assure ourselves that topics planned were likely to remain relevant. We selected only those that we felt would continue to have currency.

Adult capacity law and related practice and policy cover many health and welfare, financial and property matters. We noted that particularly topical areas relating to persons with disabilities across the world include:

- The UN Convention on the Rights of Persons with Disabilities (CRPD) and giving effect to its 'paradigm shift' approach to human rights of persons with mental disabilities in terms of non-discrimination and much greater respect, and active support, for their autonomy.
- The authorising and regulating of interventions (such as guardianship) relating to persons with mental disabilities.
- Supported decision-making, and support for the exercise of legal capacity.
- The financial abuse of persons subject to such interventions.
- Law reform in adult capacity.
- The impact of the Covid-19 pandemic and other national and international emergencies.

Our focus therefore was on these themes, with the intention of allowing keynote speakers and presenters to inform delegates of developments within their own

jurisdictions and internationally, to showcase research and practice, and to provide critiques of relevant law, policy and related practice.

8. Call for Abstracts

We included the following themes in the Call for Abstracts for parallel sessions:

Achieving respect for the adult's rights, will and preferences - 1

Capacity assessments, the meaning of 'capacity', appropriateness of capacity thresholds, support for the exercise of legal capacity, supported decision-making (the role of, types, anticipatory and advance care and treatment planning, supported decision-making in challenging circumstances), equality and non-discrimination, substitute/proxy decision-making, and supported decision-making.

Achieving respect for the adult's rights, will and preferences - 2

The role of guardians/deputies/trustees and attorneys (financial and welfare), undue influence and conflict of interest, the balance between autonomy and protection, concepts of vulnerability, support and protection of adults at risk of harm, the interface between laws and services.

Monitoring, regulation, remedies and enforcement

The role and activities of Public Guardians, National Human Rights Institutions and Commissions, the role of courts and tribunals, specialist courts and tribunals, access to justice, legal representation, cross-border issues, the police.

Law, policy and practice review and reform

Examples, lessons learned, lived experience and family/carer involvement, achieving CRPD compliance, unified mental health and capacity legislation, achieving underlying culture change.

Rights, ethics and the law during national emergencies

Experiences from COVID-19 including lessons learned, use of emergency measures, resource allocation, human rights, the ethics of care and treatment including equality of access, supporting the adult, anticipatory care and treatment planning in emergencies.

The adult and research

Clinical and social research, ethical issues, inter and multi-disciplinary research, benefits, disadvantages, valid consent to participate in research.

These themes were also reflected in the Congress plenary sessions which were

‘Adult Capacity – The Present and Future’,
‘Law Reform – Balancing Protections and Freedoms’,
‘Supported Decision-Making’ and
‘WCAC2022 and Beyond’

The finalised programme reflected abstracts actually submitted, which meant that some themes were more popular, and some countries better represented in it than others. We note the feedback received, set out below, that certain countries, particularly developing countries, and some cultural/religious perspectives were under-represented in the WCAC2022 programme. Future congresses may wish to consider how to more proactively address this under-representation.

9. Selection of speakers

To have relevance to such a wide target audience it was important to select speakers representative of the diversity of the target audience and topics to be covered. In each of the plenaries we planned inclusion of a speaker with lived experience, and a policy/government speaker, as well as speakers from academia. Efforts were also made to encourage abstracts for short presentations and/or posters across all areas. For example, one poster was co-presented by a gentleman with a learning disability, who is involved in research into the impact on couples with a learning disability when one is given a diagnosis of dementia.

Our restricted budget, referenced at various points below, meant we were constrained, compared with some previous events, in the extent to which we could contribute to travel and accommodation costs for selected participants, both as regards the numbers whom we could support, and the extent to which we could support them. We established clear criteria which allowed us to offer limited support equitably. We advise any future organisers to establish clear, consistent and fair criteria for such support.

10. Inclusion of lived experience

We considered that it was essential that the voice of lived experience (people with mental disabilities, their families and unpaid carers) was heard. Whilst the Call for Abstracts could not ensure that people with lived experience would present in all parallel sessions, we did achieve this in the plenary sessions. We accept that our Call for Abstracts could, on reflection, have been more specific that submissions from people with lived experience was encouraged, and that support (where necessary) would be provided for this. We made proactive contact with Scottish and

UK representative organisations to invite submissions, but more continuing contact might also have assisted.

We are aware that all of this may well only be achievable with adequate funding, to allow people with lived experience and their carers/supporters to attend at no or low cost. We comment further about this in the sponsorship section. Future hosts may wish to include this in their considerations, and in their budgeting strategy.

11. Academic Programme Committee

To support the LOC in designing a programme with strong academic content, the LOC decided to establish an academic programme committee (APC). The remit of the APC was:

- To advise the LOC on the structure and content of the congress programme.
- To ensure the academic and practice relevance and quality of the programme.

In order to ensure clear reporting lines to the LOC the APC included three members of the LOC - Professor Jill Stavert (lead), Kate Fearnley (deputy lead) and Adrian Ward. Thereafter the APC included invited members from jurisdictions across the globe with a range of areas of expertise and experience. These are shown in Appendix C.

The LOC members of the APC, led by Professor Stavert, took responsibility for the overall structure and content of the programme. This involved allocating accepted abstracts to parallel sessions in the programme and determining, in discussion with the LOC, topics and speakers for the plenary sessions. Other APC members' involvement with the shape of the programme was less direct but their assistance with reviewing submitted abstracts made a significant contribution to the process. Individual APC members reviewed all the submitted papers (for parallel sessions) as well as poster abstracts, with two members reviewing every submission.

Abstracts were sent to reviewers on the basis of their broad or specific expertise and knowledge in the subject area of the abstract, and with a view to gauging international interest in each proposed paper or poster. It was clear that each committee member conducted this exercise carefully and took this role extremely seriously.

Each abstract was scored on a scale of 1-4 (with 4 being the highest score) using the following criteria:

1. Alignment with identified theme / topic
2. Robustness of evidence
3. Quality of abstract
4. International interest in topic.

Based on the APC's reviews and scores, LOC members of the APC then determined which were to be included in the programme's parallel sessions. Considerable care was taken to allocate papers to parallel sessions according to the congress theme identified by the author, to ensure that within such parallel sessions the papers were complimentary and, where possible, provided a jurisdictional spread.

Whilst executive decision making regarding the programme lay with the LOC representatives of the APC, the contribution of the wider APC members was invaluable in ensuring the quality, inclusiveness and international interests of the papers and posters presented at the congress. The LOC are grateful for the assistance of such an esteemed panel.

12. Learning outcomes

The intended learning outcomes for WCAC2022 were that delegates would:

- Learn about developments in human rights-driven provision for people with mental and intellectual disabilities within and across various jurisdictions.
- Learn about existing and developments in adult capacity law, policy and practice across the world.
- Gain information and insight into how to give effect to international human rights requirements in law, policy and practice relating to adult capacity.

The level of interaction by and between delegates during the event, verbal commentary to members of the LOC, as well as comments on the formal evaluation (see below) suggest these outcomes were met.

13. Congress closing summary

Professor Wayne Martin, an inspired choice, was invited to summarise the conference. His closing comments are embedded in Appendix D. WCAC2022 commend his contribution. He is the only person known to us who could have done that. We recommend future organisers should consider finding and inviting someone to play a similar role for them.

The congress was closed by its President, Adrian Ward, assessing the place of WCAC2022 in the development of our subject as a whole, worldwide. Adrian's closing address is shown at Appendix E.

14. Future topics / focus

Feedback on the academic programme was very positive (see below). The following areas were highlighted, either as additional topics for future congresses, or on which more discussion would be welcomed at future events.

- More on financial exploitation.
- The way in which adult capacity is addressed within predominantly Islamic states, or within Buddhist/Hindu/Sikh communities.
- Comparative laws, policy, and practice of those countries who have most engaged with/ratified the CRPD.
- Discussion on a UN Convention for Persons who are Aging.
- More in-depth discussion on capacity assessments, and practical content for those who undertake them.
- More empirical legal research to support claims regarding supported decision-making.
- More about monitoring individuals' safety, whether they are subject to guardianship or in a supported decision-making situation.
- More around how capacity fits in Scotland as the host nation - particularly with reference to Adult Support and Protection legislation and practice
- The Western European approach to adult capacity.
- Lived experience view of the use of advance statements/directives.

We hope this assists future hosts in planning their programme content.

15. Feedback from delegates on the academic programme

We circulated an electronic evaluation form after the event to all delegates (274) and had 32 returns. This was a disappointing response rate, but there were nonetheless some useful insights. In addition to this formal evaluation, we include also verbal feedback received during the event by various members of the LOC and several by emails sent following the event, almost all of it congratulatory. In respect of the academic programme we received the following evaluation.

Event content

Three quarters of respondents felt the content exceeded their expectations, and almost all the others felt it met expectations. Only 9% felt it was below expectations.

The plenary speakers were very highly rated; 81% felt their knowledge, experience and ability to respond to questions exceeded expectations, and a further 16% felt they met expectations, with only 3% disappointed. Parallel session speakers scored almost as highly, with 78% of respondents saying they exceeded their expectation and 19% saying that they met expectation; again, only 3% of respondents were disappointed.

Asked about which was the most helpful or enjoyable session, a number of people said 'everything', and the specific favourites were very varied. The opening and closing plenaries got a number of mentions, as did many of the plenary speakers; and several people mentioned the benefit of sharing real-life practice examples.

We also asked about the least useful or enjoyable session. About a third of those who commented said there was nothing which was not useful, one person saying, 'The choices we had helped me not to attend to something which could have been unuseful'. Several people commented that some sessions described the legislation in a particular jurisdiction but would have been more helpful with more context and reflection. Others mentioned a particular presenter or session; none of these was mentioned by more than one person.

In terms of what might have been, exactly half felt there was a topic not covered which should have been included. We have listed in the section above topics that people would have liked to have seen included.

We asked about the main learning points and take-home messages. Comments were diverse. Some common themes were:

How much work there is still to do:

- There is so much for us to learn from each other, we must find better ways to communicate what is working, what isn't, and bring global awareness to our efforts.
- My take home message is that there is still a lot of work to do regarding adult capacity and the support of persons with disabilities.

The value of international comparisons and how much we have in common:

- This was my first time at the congress and it was amazing to hear from so many people from around the world all of whom are working towards the same outcomes around empowerment, choice and dignity.
- CRPD compliance may be a minority interest internationally, but some jurisdictions are working to address it.
- We all seem to be aiming for the same goals of trying to balance protection vs. autonomy of vulnerable adults.
- What a large community there is, across the world, striving to improve legal systems where they deal with adults with variable decision-making abilities. I was also surprised by the fact that I have never before considered the linguistic and cultural conceptualisation difficulties in attempts to translate Western European Human Rights norms to, say, Confucian societies.

CRPD and human rights:

- The evolving understanding of the challenges of CRPD in reforming guardianship systems.
- In Scotland, we must integrate and make use of the UNCRPD in our daily practice. We need to challenge the authorities that are pushing process & procedures over a person's rights, will & preference.
- Either the CRPD requires updating and/or a new Convention focused on aging is needed.

The adult's rights and empowerment:

- The slant on capacity legislation is changing from protection to empowerment and supported decision making internationally.
- The adult has rights that are not always being taken into consideration.
- Capacity assessments do not always allow the adult to make any decisions for him/herself.
- Need to do more than superficial SDM laws, real changes needed.

We hope these views will assist future organisers in the design of their programme content.

PART B: Organisational logistics

16. Introduction by Adrian D Ward

For Scotland, the main issue at the outset was to follow upon the dauntingly high standards set by all preceding Congresses, when Scotland, with its relevant law and service structures significantly different from those of the other nations of the United Kingdom, would be by far the smallest country to host a World Congress. Our planning had to assume a comparatively small “home audience”, and that it would be relatively harder work to raise essential sponsorship. We did not have available a suitable conference venue, except on commercial terms.

Throughout, we had the support of International Guardianship Network, the steering group, and IAB. I know that for others, working in other fields, the relationship between parent body and local organisers can be fraught. Not so for us: of course, points of coordination, and input in both directions, had to be managed, but with goodwill and friendly personal relations, and a clear shared vision, these were always productive.

It is a continuing cause for regret that some who very much wished to come were not able to do so, largely because of global uncertainties. I expressed that regret when I opened the Congress. My opening address is appended, as Appendix F.

This is the place also to acknowledge the gracious way in which one intending presenter, whose abstract had been accepted, responded to my personal explanation that although our subject-matter and its challenges are universal, and the whole ethos of our World Congresses is to address them with worldwide sharing and cooperation on a fully inclusive basis, we as a strictly non-political organisation had to accept that it was for governments and governmental authorities to make the “hard decisions” for each intending delegate, and I therefore had no option but to pass on the advice of the UK Government that it would not be possible for her to attend the Congress, from Russia. This being the UK Government’s position to Russia following its conflict with Ukraine.

There were a range of hard decisions for the LOC too, which we have narrated in the various sections which follow.

17. Local Organising Committee

Our first step was to recruit what became the LOC. On this, Congress President, Adrian Ward says “My undemocratic recommendation, affirmed by many and varied experiences, is that the lead person should select a quite small team of the very best available people, picked to cover all main required areas of expertise, all of them strong team players, all willing to engage with the really difficult issues, all with a proven record of delivering, all able to think “out of the box”, unafraid to be a lone voice, well aware of the difference between rigorously achieved consensus, and lazy group think, all well able to spot a need and where appropriate just get on with it, all with the enthusiasm and stamina to see a project through the foreseen and unforeseen ups and downs, and – of course – none of them in the least degree passengers only there for the ride”.

You will see below, as Appendix F, the membership of the LOC. Given this was a global conference the committee, we feel, is small in number but, for us, this made for an effective team. You will see a range of expertise and backgrounds, which was one component of making this an effective LOC. The other was the commitment of each member; the majority of LOC meetings, over the course of several years and against the challenges of a pandemic, had full attendance. It is worthy of note too that the LOC membership remained constant throughout the entire planning period, perhaps testimony to members’ commitment. This consistency of the planning team was particularly valuable.

The majority of members were in employment and were released for meetings courtesy of their employer. We need to recognise therefore not only the commitment of the individual LOC members but the commitment of their respective employers, for which we are extremely grateful.

18. Appointment of a Professional Conference Organiser

Whilst several of the LOC members have organised, or been closely involved with the organisation of, sizeable national or international events, the team realised quickly that they did not have the necessary expertise, nor indeed the time, to be able to organise the full detailed running of a global congress.

At item 20, we mention the value of early advice and assistance of an organisation called ‘Marketing Edinburgh’. We had approached Marketing Edinburgh for advice on hosting such a sizeable event in the city. They advised us to recruit a professional conference organiser (PCO). We followed the standard procedure as recommended which enabled us to be assisted with early advice by a PCO called In Conference.

This early advice was extremely valuable in helping us amateurs in determining what we would need from a PCO, thus in developing the advert and in assessing applications.

The caveat for the assistance of In Conference was that they had to be one of our short-listed PCOs. We shortlisted and interviewed three PCOs, In Conference was the successful applicant.

The PCO allocated a lead person, who changed during the course of the planning as the original lead went off on maternity leave, but handover was seamless. The replacement lead and her support assistant were a constant thereafter. We would suggest that consistency of staff is necessary for effective planning.

From the date of their appointment, the PCO were present throughout; they took the lead in arranging meetings, providing agendas and minutes; kept the LOC apprised of general progress; gave us the benefit of much experience when there were decisions to be made, handled all communication with speakers once these were confirmed, and with delegates, and were on site from early until late each day throughout the course of the event, which took much of the administrative pressure off the LOC, freeing the LOC to concentrate on the delivery of the event itself. However, they were clear about the need, which arose occasionally during the course of the event, to refer a particular issue for decision by a member of the LOC.

The LOC have reflected and agreed that the event itself would not have been the success it was had it not been for the constant guidance of an expert PCO. There are comments in Reflections of the LOC, item 28, about the PCO which should be noted.

19. Establishment of a guarantee company

(not-for-profit company limited by guarantee)

Very early in the planning process, the LOC identified the need to establish a legal entity to contract primarily with the conference organiser and the venue. We also identified that the existence of a legal entity would be of assistance in entering into agreements with sponsors.

The LOC sought legal advice on the options available in Scotland for this legal entity to take, and the best format for our purposes. After consideration, it was agreed that the entity would be established as a company limited by guarantee. A company limited by guarantee was chosen as the LOC identified that the company should be a

not-for-profit company, established as a separate legal entity liable for its debts. The liability of the members of the company was limited to a nominal sum of £1. The directors/members would be protected from personal liability for any debts, provided (in the case of the directors) that they complied with some basic rules applicable to directors of all companies in the UK. A particularly relevant requirement was that they would face sanctions if they were to undertake financial commitments without a reasonable prospect of meeting them. That provided an essential discipline at some critical points when we faced the alternatives of finding an adequate solution in the face of the difficulties documented elsewhere in this report, or declaring that we were no longer in a position to proceed with the event.

The company was incorporated in 2019, (some three years before WCAC2022 was to take place) with the majority of the LOC appointed as directors. This was a crucial moment in the planning process, as the establishment of the company allowed the venue to be secured and the LOC to proceed with arrangements without the worry of being held personally liable for large costs in the event that the congress did not go ahead, or ran at a loss. This proved to be crucial when the Covid pandemic hit, with the ensuing uncertainty this caused, for a long period of time, as to whether it would be possible to run the congress in the format the LOC had envisaged, or indeed at all.

While there were administrative costs involved in the establishment and thereafter administration of the company limited by guarantee (including the need to prepare annual accounts for Companies House and the lodging of a Confirmation Statement at least once every year with Companies House), these were minimal and were deemed by the LOC to be essential to allow the congress to proceed.

We would advocate future organisers consider how best they may properly enter into necessary legal contracts, whilst also protecting the Committee officials from potential personal liability.

20. Selection of venue

One of the first decisions of the LOC had been to select the unique, remarkable and historic city of Edinburgh as the host city, believing delegates would be attracted to attend this location.

Thereafter the LOC spent some time considering and visiting potential venues. Despite financial stringency, we did not wish to compromise on the quality of facilities for the Congress. Potential venues included large hotels, various university venues and the purpose-built Edinburgh International Conference Centre.

The LOC were supported by Marketing Edinburgh, who offered free advice on the logistics of bringing such an event to Edinburgh, and were helpful in our search for appropriate venues, as well as in engaging a professional conference organiser, which we have referred to above. We would advise future hosts to use any similar service available to them.

We did not agree formal criteria against which we assessed the venues, but we had a working list of matters we considered for each, for example

- ability to host, safely, maybe 500 or so people
- disabled access and facilities
- room size for plenary session
- number of rooms and room size for breakout sessions
- location of these rooms in relation to plenary room
- traffic flow around the venue to get to breakout rooms
- traffic flow to get to lunch and coffee facilities (we wanted this 'slick' so that we made the most of available time)
- space for poster displays and sponsor exhibitions
- venue staff available to support the event
- expertise of venue staff
- quality of audio-visual facilities
- ability to provide translation facilities if required
- catering facilities
- cost
- access to hotels, where the venue was not itself a hotel
- access to transport links in and out of the city
- access to wider Edinburgh attractions
- access to wider Scottish attractions

Having considered this rather lengthy list against the venues we had in mind we agreed on the Edinburgh International Conference Centre (EICC); a venue close to the castle and the old town, and a short walk from accommodation to venue for most of those attending.

The EICC was the most expensive of the venues, but it was the only one which met all of the above criteria. One of our critical decisions was that, notwithstanding economic stringency, this was an item for which we should not compromise on quality, in order to reduce costs. Feedback suggests we made the right choice. We

would advocate choosing a venue experienced in hosting large, and if possible international, events, and with a proven track record. It was also helpful that our PCO had a good long-standing relationship with EICC, enabling them at various times to agree particular additional benefits and accommodations without cost to the LOC.

21. Underwriting and sponsorship

In addition to income from delegate fees, which we cover in the next section, the LOC also sought underwriting and sponsorship.

Underwriting

By this we mean an undertaking to finance any unmet costs, i.e. a guarantee of payment, and so an acceptance of risk, up to an agreed limit. Perhaps differently to earlier congresses, the Scottish event was independent of the court services and of the academic sector, so there was no other obvious source of underwriting. We were fortunate that, after a long period of uncertainty, we approached the UK Government. They promptly and helpfully committed to supporting the event, and to providing the necessary underwriting for us to remain viable.

The UK Government's support was wider than financial commitment, with the UK Minister for Justice, Tom Pursglove, fitting into his busy schedule a journey from London to Scotland and back in time for parliamentary commitments, to address the Congress, discuss matters of UK-wide significance, and include significant statements in his address. That support enhanced our credibility. It warranted UK-wide publicity, and helped to shift our "home audience" towards a UK-wide one.

Sponsorship

By this we mean financial support. Obtaining necessary sponsorship was hard work. Some potential sponsors told us that in normal times they would have supported our event, but in the current circumstances, (created by the massive economic uncertainty of the global pandemic) they were as a matter of principle not sponsoring anything.

The decision to proceed was made a little easier by the knowledge that we had the UK Government's underwriting mentioned above. Additionally, we had strong and sustained support from the Law Society of Scotland from an early stage. We had notified them of the event at the outset, and they offered early and generous funding.

That included, at a time of significant stringency, remitting the full amount of their promised principal sponsorship to meet early commitments; providing endorsement

of the importance of what we set out to achieve and our ability to deliver; impressing other potential donors; and sustaining our own self-belief. We are extremely grateful to them.

At a time when every last pound of income counted, we are hugely indebted to every one of those who did sponsor us, took marketing space, and provided in-kind support in a variety of ways, including the time and expertise of employees or partners who served on the organising committee. All sponsors are listed in Appendix G.

Seeking sponsorship

In order to keep delegate fees to a reasonable amount we needed additional sponsorship / financial backing. The higher the amount of such backing the lower we could make the delegate fee, and thus the more delegates we were likely to attract.

In conjunction with the LOC, the PCO developed a sponsorship prospectus which offered three tiered packages for sponsors, as follows:

- Gold package – limited to one sponsor - > £10,000
- Silver package – limited to two sponsors - > £7,500
- Bronze package – limited to four sponsors - > £5,000

- The prospectus included costed opportunities including branded conference items such as bags, or to sponsor elements of the programme such as catering.

We had a number of meetings which focused on sponsorship, whom we should approach, how we should 'pitch' the event to the given organisation, what we would cite as the benefits of them funding / being associated this event, and who would be best to make initial contact with each.

We developed a spreadsheet to maintain a record of who had approached whom and the outcomes. We secured funding from a number of organisations but, whilst not wishing at all to undermine the value of any of this funding, this amounted in total to a significantly lower percentage of anticipated costs than we had originally hoped for. Sadly, the search for sponsorship was of limited success, the main reason for which was the advent of the global coronavirus pandemic and the associated massively uncertain economic climate. That naturally makes us all the more grateful

for the individual support from each of those who did sponsor our event, despite those difficulties.

We have mentioned above our desire to offer a fully inclusive Congress. We recognised that in order to attract people with lived experience there needed to be no significant cost to the individual. The LOC could not afford to give free places, thus a guaranteed source of funding needed to be available, to cover core costs of attendance (including administrative and catering costs). Unfortunately, despite significant efforts by the LOC to secure this, no funding was forthcoming, until, with a month to go, we were very grateful that Alzheimer Scotland recognised the challenge being faced and stepped in with a grant to ensure that up to 20 places could be made available for people with dementia, plus additional supporter/s if required.

We discuss in the next section the impact the limited number of sponsors, and the lack of certainty, had on our budgetary planning.

22. Budget

Income

We have covered income from underwriting and sponsorship above. The other main income stream would be from delegate fees. Consequently, as part of our early considerations, in order to assess the financial viability of Scotland hosting WCAC2022, the LOC wished to identify likely delegate numbers, and consider too the delegate fee we might realistically charge, and thus the potential income anticipated from this source. We used former World Congress data. As equivalents of this report were not available for previous World Congresses, we approached individuals who had been involved in running them (principally the President of each) and are most grateful to all those who provided as much relevant data as they could, and responded to our follow-up questions. We then collated the data that we received. To assist future events we include our findings here.

Previous conference data

Date	Location	Delegate numbers	Budget	Average fees per delegate in GBP
2010	Japan	525 (380 from Japan)	\$564k	£250
2012	Melbourne	349	\$198k	£278
2014	Washington DC	373 (268 from US)	\$239k	£318
2016	Berlin	560 (381 from Germany)	€230k	£350 /400
2018	Seoul	683	\$402k	£205
2020	Argentina	Cancelled due to COVID-19 pandemic		
2022	Scotland	274	£170k	£375/£475

With the expert assistance of the PCO we were able to undertake various modelling scenarios, and to develop a detailed budget for our event. We decided on a two-tier structure to the charging of delegates as follows:

Early bird rate of £375

Late rate of £475

Key to the decision on fee structure was to ensure we motivated delegates to sign up and pay in advance, which assisted with cash-flow, but also allowed us to monitor whether the target delegate numbers, which we had used as a basis for the formulation of the budget, were accurate.

Our overall budget had been derived from an assumption of 350 paying delegates, with 70% (i.e. 245 delegates) taking advantage of the early bird rate.

Setting the rates payable by delegates and gauging attendee numbers was inherently difficult, but imperative to allow us to identify the gap between overall costs to run the event and income from attending delegates. This then allowed us to formulate a strategy to secure additional funding from various sources, to allow us to progress with our planning. Underwriting and sponsorship is covered above. All organisers of such events face the challenge of judging the point at which maximum revenue from delegates will be achieved by neither pitching fees so low that maximum potential revenue is not achieved, nor setting them so high that potential delegates are deterred to the point that total income is less.

Expenditure

Our budget sheet assumed income as above and expenditure on the following categories of items. We feel it inappropriate to offer cost detail in a public document but are happy to consider requests to provide more financial information, including accounts as may be appropriate, to any future host, or prospective host. Contacts details are provided at the end of this report.

- Marketing materials
- Website and registration facilities
- Abstract submission facilities and management
- Final programme /book of abstracts /certificates
- Press /PR activities
- Mobile app
- Speakers' expenses
- Venue hire

- Audio-visual
- Exhibition costs / poster boards / signage
- Legal and other professional fees
- Professional Conference Organiser fees
- Administration fees
- Bank and credit card charges
- Delegate materials
- Venue catering
- Social event(s)

When the difficulties with securing both underwriting and any meaningful degree of sponsorship became apparent, and increasingly became a stark reality, the LOC had to refine, and further refine, the budget. We did not want to increase delegate fees, as to do so might have been counterproductive by impacting on attendance.

Therefore, we had to look at where we could reduce expenditure. The first obvious choice was the social programme, as this was desirable rather than essential. The LOC were very disappointed not to be able to offer any social events. The views of delegates on this are reported below, but cutting out this potential expenditure was vital to secure the financial viability of overall of WCAC2022. We were not able to persuade any sponsor to meet the cost of a social event.

The largest item of expenditure, by some margin, was the hire of the venue. We trimmed costs with the venue as much as was possible but there was little flexibility, and in any event we did not wish to impair the quality of this core aspect. We looked at all other heads of expenditure, and had to review other costs, as things progressed.

Budgetary review was on every agenda item and, it has to be said, gave the LOC significant anxiety, particularly at certain critical points. We were always acutely aware that we could not lawfully incur liabilities without reasonable prospects of meeting them, taking us very close indeed at times to having to declare that we could not proceed with the congress.

However, the LOC persisted with it until a point of no return was reached, beyond which there was no option of cancelling, as the costs of doing so would have been as high as the costs of going ahead. We owe a debt of gratitude to the PCO, who generously deferred taking any payment until funds permitted this, and to the venue who gave much latitude on their own payment terms. Additionally, the LOC expressed gratitude to two individual members who were prepared to provide

financing personally at one particularly critical time, had other funds not become available.

Now that WCAC2022 has been held, the only remaining costs to be settled relate to the legal and professional fees associated with the necessary reporting to UK authorities in relation to the results of the activities undertaken by the company and the winding up of the company in due course. We anticipate that the final position will show a very small margin of surplus beyond full uptake of the underwriting provided by UK Government.

23. Format of Event

In-person

Traditionally Congresses have been in-person events with delegates travelling to, and staying in, the host nation. In 2016, when Scotland was first approached as a host, we did not consider other than following that tradition. Around 2018, Scotland was confirmed as the 2022 host, at which time we were two years into planning an in-person event. In 2020 however, the world was impacted by the coronavirus pandemic, which led to the deferral of the Argentinian event. There was debate if Argentina would host 2022 and Scotland 2024 but, for various reasons, it was agreed that Scotland would continue to host 2022 and Argentina 2024.

Knowing, in 2020, in the midst of a global health crisis with the world shut down, that Scotland was planning to host an in-person event in 2022, led to some very challenging deliberations. Should we continue to plan for a fully in-person event, should we move to a fully on-line event, should we try some form of hybrid, or should we cancel the event entirely? There were pros and cons for each of those options, but ultimately finances were the determining factor. The cost of offering a hybrid event was effectively double a fully in-person event, as all in-person facilities had to be provided as well as all of the on-line facilities. With the challenges of our financing, outlined above, we simply could not afford this option. Neither could we afford to cancel at this point, as the costs of this would be nearly as high as running the event, without any delegate income. We therefore had to decide to be fully in-person, or fully on-line. We chose the former. This was a huge judgement call. We are unable to quantify numbers, but we did lose potential delegates who felt unable to commit due to pandemic-related uncertainties and who were unable or unwilling to travel.

We are delighted however, as an exception from our “in-person” policy, we could, and did, arrange for video pre-recordings by a number of key speakers who were unable to attend.

It transpired, by 2022, that with world events a little easier, people, generally, were very glad to have the opportunity to come together, to refresh old acquaintances and meet new contacts. We feel that the in-person event, ultimately and thankfully, proved to have been the right decision. We do note the feedback that 40% of people would have preferred a hybrid option. However, as explained above, that was not an available option for us. Moreover, we believe that much would have been lost by not having a fully in-person event. That is now a decision for future hosts, based on their best assessments at relevant critical points in planning.

Paper v paperless

Traditionally Congresses have been hard copy, paper, events. We decided we should strive for a more environmentally sustainable alternative and move towards a paperless event. We used a mobile app as a way of communicating session information, papers, contacts etc. This received mixed reviews, as can be seen in the section on feedback. That said, it was not used by delegates to full effect, for example many did not insert their name and contact details, so reducing the impact for networking at, and after, the event.

On reflection, it is our view that we could have said more about the value of the app and how it could be used. We would still have opted for this sustainable alternative, but would have had single sheets available each day, showing that day’s programme, and indicating where sessions were taking place.

Parallel sessions

WCAC2022 followed the format of previous events with plenary and parallel sessions. We were rather surprised to receive some negative reactions to this structure. Perhaps the long gap created by the pandemic since the last preceding Congress, and affecting other comparable events, resulted in unfounded expectations: though it was clear on our website that we were adopting the traditional structure. Comments centred mainly around too much choice, with two sessions happening in different rooms at the same time which appeared to be equally attractive. The LOC believe we made the correct decision in neither substantially reducing the number of presentations nor extending the duration of the Congress, as (in our view) neither of those steps would have been reasonable or sustainable. This however is an issue that future organisers will require to consider and confront.

Interpretation

Traditionally, the host country has provided interpretation facilities. Initially we had costed this in, but it was one of the items 'culled' because of budgetary constraints. We advertised the conference as an English speaking event. We offered to provide 'hard facilities' for interpretation if requested, with the country providing, and funding, their own interpreter. Interpretation support was not requested by any attendee. There was no adverse feedback to it being an English speaking event. However, future organisers should pay full attention to potential communication requirements, including special requirements for people with disabilities.

24. Time Commitment

The planning of the event took considerably longer than was anticipated. As mentioned above, Scotland was initially invited in 2016 to consider hosting the 2020 event, which was ceded to Argentina, with Scotland agreeing to host 2022. Consequently, Scotland had six years to prepare. It was felt that this period was necessary. We held meetings approximately every three months in years one, two and five and in year six we increased this to about six weekly in the run up to the event. In years three and four we held meetings about every four months. Each meeting lasted about two hours. There was usually some work in between each meeting for members, for example in visiting venues, in emailing sponsors, in liaising with the PCO and the APC, and so forth. The time commitment to host such an event is considerable and should not be underestimated.

25. Promotion

Promoting WCAC2022 well was particularly important given Covid had led to the planned 2020 Congress in Argentina being postponed. There was therefore a gap, and no opportunity to formally promote WCAC2022 to delegates at the previous Congress, which would normally have been a key means of ensuring that past attendees were aware of the event. However, we had had an opportunity to informally promote Scotland at the 2018 Congress in Seoul.

Despite the uncertainties of Covid, we started our formal promotion around a year in advance. The key channels we used were:

- Personal networks of LOC, including academic, judicial, professional, non-governmental organisation, health and social care contacts, and national and international links and contacts worldwide generally.

- Reference to WCAC2022 by any LOC member at speaking engagements at any time, and delivered or transmitted anywhere in the world, in the planning period.
- Once designed, inclusion of the event logo on relevant papers presented by the LOC at any time in the planning period.
- The inclusion of reference to and logo of WCAC2022 on any presentation slides of any member of the LOC throughout the planning period.
- The inclusion of reference to and logo of WCAC2022 in the signature block of all members of the LOC – with link to the registration page for ease.
- Email flyers (using Mailchimp)
- Hard copy flyers and hand out material (this was less effective as things transpired, as events at which such materials could have been left / handed out were all cancelled).
- WCAC2022 website – We were ably supported by the expertise of the PCO to build a website which contained relevant pages and material. Content was added in stages, and included:
 - Overarching information on the Congress and its themes, and the LOC members
 - Information about Edinburgh
 - ‘Quick read’ information for easy access, including by people with lived experience
 - Opportunity to register interest early (before programme and fees were finalised)
 - Abstract guidance and submission
 - Registration
 - Accommodation options
 - Programme outline
 - Plenary speaker photographs and biographies
 - Full programme
- The inclusion of reference to and logo of WCAC2022 on the website of independent members of the LOC - with link to the registration page for ease.
- A dedicated WCAC2022 Twitter account
- Placing articles in journals and newsletters of key organisations, including:
 - International Guardianship Network
 - Journal of the Law Society of Scotland
 - Scottish Legal News Journal
 - The Mental Capacity Report
 - Scottish institutions of relevance including Mental Welfare Commission, Mental Health Tribunal
 - Key UK institutions

- Lived experience organisations in UK
- Health & social care contacts
- Key organisations circulating our publicity to their mailing lists
- Marketing was escalated as we entered 2022, for example by way of journal articles, to emphasise the nearing of the early bird deadline.

The approximate timetable of our publicity was as set out below.

<i>Months before Congress date</i>	<i>Activity</i>
Approx. 14	<ul style="list-style-type: none"> • Congress logo designed, with Scottish theme, date, location, new title • Website commissioned via PCO • Email footer for LOC members
12	<ul style="list-style-type: none"> • PCO supply online editable database • LOC add contact details for their networks • Email Save the Date with key dates and Call for Papers flyer
11	<ul style="list-style-type: none"> • Website live; includes Congress dates, abstract submission date and guidelines • People can register interest on website • Twitter set up for Congress, PCO lead on building followers by following relevant people/associations and posting updates – deadlines, confirming keynote speakers and sponsors, etc. • Flyers designed for LOC to email out to contacts • Letter from Chair to IGN members sent via IGN
8	<ul style="list-style-type: none"> • Promotional article for Law Society; also shared with other organisations for their newsletters
7	<ul style="list-style-type: none"> • Registration open on website • Email flyer call for abstracts & inviting registrations circulated to database
3	<ul style="list-style-type: none"> • Email flyer and social media encouraging registrations - 2 weeks before early bird deadline, includes how to book accommodation • Email flyer and social media - extension to early bird rate <p>The decision to extend the early-bird rate, by one week, with intensified publicity during that week, producing a substantial</p>

	surge in registrations and is something we would commend future hosts to consider.
2	<ul style="list-style-type: none"> • Email flyer and social media – 1 week to early bird deadline – includes details of key plenary speakers • Email flyer and social media – last chance for early bird registration • Email flyer encouraging registrations, now full rate • Paid adverts Scottish Legal News (weekly for 4 weeks) • Social media promotion of sponsors and exhibitors • Promotion of things to do and see in the area whilst attending the Congress, includes registration link, travel advice, accommodation options
1	<ul style="list-style-type: none"> • Email and social media – one month to the Congress
Last few weeks	<ul style="list-style-type: none"> • Upload final programme details to the website • Email and social media - confirm final programme and reminder to book • Email and social media – 2 weeks to event • Email and social media – 1 week to event, last chance to book

Despite the LOC believing that we had undertaken significant promotion, over several years and in mixed media, anecdotally there were still many people who ought, theoretically, to have known about the event, but who claimed never to have heard of it, even when it was only a matter of weeks away.

LOC reflection on this is that it is important to have a promotion strategy. This can be long running, almost background promotion, where there are no costs to this, but the danger appears to be that familiarity results in people cursorily seeing, but no longer taking in, the message. There are some critical points at which it is vital to escalate visibility with a clear ‘call to action’ message. That was exemplified by the publicity surrounding deferment of the end of availability of the early-bird rate, as mentioned above. Our registration numbers were higher in the final weeks than throughout the rest of the period, as a result of us undertaking high profile and targeted messaging in these latter weeks.

26. Social programme

In keeping with previous Congresses, it had been the intention for there to be a cultural/social programme at WCAC 2022. The LOC included various events in the early programme plan. Such a programme has a number of aims:

- Allow for informal networking
- Showcase the country, encouraging delegates to view Scotland positively and potentially to return as tourists
- Showcase the legal system in Scotland
- Encourage people to attend, by enhancing the experience on offer to beyond the Congress programme

Most regrettably, as has been referred to above, ultimately the social programme had to be withdrawn. Two factors impacted on the provision of a social event. Firstly, financing: there was insufficient certainty of funding in the early planning period and, as time progressed, there was insufficiency of total funding to enable a social programme to be included.

Secondly, it was difficult to estimate the impact of Covid19 on attendance. There was no guarantee on the number of places that would be taken up, and no certainty that countries' travel restrictions would be relaxed sufficiently to allow attendance from across the globe. Further, there was a risk that in the event of a further wave of the pandemic occurring, restrictions would be imposed on social networking.

Taking both these factors into consideration, the LOC could not afford to commit the necessary outlay to include a cultural/social programme.

We were clear, including on our website, that our event was pared down to basics, without any of the "extras" that enhanced previous Congresses. We thus had no Congress dinner, no reception, no associated events, no entertainment. We absolutely do not recommend dispensing with all of those enhancements, except as a matter of necessity; but the clear lesson that we learned is that if budgets are as tight as ours, then rather than attempt to do too much badly, it is better that the basic functioning of the Congress itself should be to the highest standard. So far as we could see, to a large extent participants appeared to accept the limitations on what we could provide, and to create their own solutions, for example making their own arrangements to meet up each evening, and doing so inclusively rather than exclusively.

In our feedback survey we asked for views on a social event. The majority, 88%, would have welcomed some social event. Suggestions included:

- perhaps a morning coffee hour or happy hour reception with structured introductions.

- lunch hour roundtables where similarly interested delegates could sit together and enjoy conversations on particular WCAC topics.

For future hosts, it seems the message is some form of social events is desirable, but not all need to be as grand as some of the events may have been previously.

27. Feedback from delegates on the event administration

As mentioned in Part A, we circulated an electronic evaluation form after the event. At the end of Part A we reported feedback on the academic programme. Here we report the feedback we were given in respect of other aspects.

Event administration

Half of the respondents (50%) said the registration procedure exceeded expectations and almost all the rest (47%) said it met expectations. Only one person felt it was below expectation. Similarly, half (53%) felt that the abstract submission process had exceeded expectations, and all the rest (47%) felt it had met expectations.

The onsite team from the professional conference organisers 'In Conference' exceeded expectations for 88% of attenders.

Comments included:

- Onsite Conference team, specifically the pre-presentation support with PowerPoint and materials, were very helpful! Thank you!
- An absence of a printed programme to easily refer to each day was frustrating.
- Technically the info was available through devices but clunky to go in and out of when a quick scan of a page would have worked.
- The administration process was smooth and administrators very helpful.
- The app was great !!!So is the book of extracts.

Venue

All respondents felt the venue met their expectations, with 75% saying it exceeded them. Opinions were slightly more divided on the catering: half (53%) felt it met expectations, 28% said it exceeded them but 19% felt it was poor.

Comments included:

- Appreciated the coffee, tea, and snacks. Veg lunch day 1 was great, but day 2 was lacking. Facilities were very good.
- Catering very unimaginative and minimal. Lots of scope for something better without moving to seated food.
- Coffee was very poor - would have expected much better than stewed filter coffee.
- During lunch, there were almost no tables and you had to eat with the plate in your hands. This was not very convenient.
- The catering generally was good although the absence of coffee on arrival every morning was a bit of a disappointment.
- There was no catering on the last day of the conference. Cookies are not enough.

Format of event

We asked respondents about their preferences on the format of a future event. 60% chose fully in-person event : 40% would prefer a hybrid.

There were various comments about the mobile app, see section above on “Format of event” and below in “Advice to future organisers”.

There were no comments about lack of interpretation facilities.

As mentioned above, there were a number of comments about too much choice of competing parallel sessions.

Advice for future organisers

We asked what advice respondents would give to future organisers. There were many suggestions, including:

- Allow more time for speakers in parallel sessions
- Allow more time for discussion in parallel sessions
- Printed information about the venue

- Social events for networking and cultural exchange so that delegates can get to know each other, and the host city
- An online event pre-Congress for questions and information, particularly for first time attendees
- An easier way to contact other people on site
- Guidance on use of electronics to reduce distraction when people take notes during presentations
- Involve more frontline practitioners and more practical sessions that bridge the gap between theory and practice
- Handouts available during presentations
- Use the conference app again; provide ready access to contributors' websites & presentations on the app
- Advance information on when each abstract appears in the programme, to plan attendance
- Shorter days
- Reduced fee for PhD Candidates
- Space to re-run video presentations
- Data in a standard format before the event by country/state/area regarding guardianship, supported decision-making, LPA etc

Overall rating

We asked people to rate the Congress overall on a scale of 1 (waste of time/money) to 10 (brilliant).

75% scored it 8 or above – of which 31% gave it a 10.

26% scored it 5 to 7.

9% gave it a 1.

28. Reflections of the Committee

We asked the LOC what messages they would offer future organisers. Their comments were:

- Appointment of an expert PCO is vital, as too is ensuring you have a formal agreement. The agreement should include the PCO's service standards post congress, when they may be occupied by the next conference.
- Take advantage of any available providers of relevant conferencing and marketing expertise, for example Marketing Edinburgh in our case.

- Organising a major international conference is an exciting challenge at any time. When we started, we could not have predicted the additional challenges. Adrian Ward talked about 'war, pestilence and famine', and we did indeed have all three to contend with. The hostilities in Ukraine, influencing attendance and preventing at least one speaker from contributing. The pandemic, influencing attendance due to concurrent illness as well as travel restrictions, and also resulting in last-minute alterations to the programme when speakers themselves contracted Covid 19. Famine, in the sense of financial starvation of funding from all sources, including registrations, arising principally from the pandemic and related financial stringency for potential delegates.
- The wider ramifications of the pandemic included an understandable reluctance on the part of companies to sponsor the congress. The lack of financial certainty meant that we could only continue to plan the congress with fingers crossed; not knowing until the very last that we could run a viable congress. Insufficient registrations, a new wave of the pandemic and countries changing their regulations were all risks which were very real and meant that mitigations and contingencies were virtually impossible. We only succeeded because of three things: 1) the early commitment by the Law Society of Scotland, 2) the support from UK Government, and 3) the resilience and commitment of everyone on the LOC.
- It's crucial to use contacts. Key to our success was the support of Lord Wallace of Tankerness and officials in the UK Government civil service, who offered unwavering assistance, even when the prospect of success was, at times, small.
- More needs to be done early and more proactively to involve persons with lived experience and their carers in such events. However, under the circumstances and given the challenges we faced we did the best we could.
- The time commitment to host such an event is considerable and should not be underestimated.
- The importance of an interesting programme with high quality plenary and parallel sessions, covering a wide range of topics - which I believe we achieved.

- It is important to have a promotion strategy. There are some critical points at which it is vital to escalate visibility with a clear 'call to action' message.
- We are glad we sought formal feedback from delegates but we perhaps could have handled it differently to get a higher volume of responses.
- The critical importance of an LOC. Do not agree to organise a world congress unless you have expert support; a strong engaged team; able to cope with challenge; willing to speak out; with enthusiasm and most certainly with stamina.

29. The President's reflections

'For me personally, there was the transformative experience of reaching financial break-even point days before the event, then arriving at my hotel in Edinburgh by chance at the same moment that our professional conference lead was delivering her colleague to that hotel, because she would be on duty from so early each morning. They were very well known from all our online discussions. I had never actually met either of them face-to-face. My first encounter in the hotel was with a delegate dancing along a corridor towards me: "You're here, I'm here, everybody is here together!". That was the prelude to the highlight of my entire career in this subject of over 50 years: standing up to open the Congress next morning in front of 274 delegates from all over the world, so many of them well known, in the electric atmosphere of excitement generated by all of them, and which continued to buzz throughout the entire event. Ranking next after that was the volume of responses from individuals celebrating that we had not only delivered the Congress, "against ridiculous odds" as one of them put it, but that it was widely perceived as a very good Congress'.

30. Conclusion

The fact that the 7th Congress (WCAC2022) happened is proof that the positives outweighed the many, and often significant, challenges. Much greater challenges emerged than we ever imagined, with the pandemic, hostilities in Ukraine, and the impact of both of those upon national and international economies. Balancing all of the positives and negatives led in particular to two critical and challenging decisions. First, we opted to proceed with a pared-down Congress rather than none at all, and to prioritise having the best available facility and professional support, in the best location in Scotland. Second, the developing challenges required us to decide on the format. We took the best advice available, but it was still a huge judgement call. We opted for an in-person event. To our huge relief, it transpired that on both issues

we made the correct decision. The whole diverse community of people with an interest in our subject-matter was ready, after such a period of being starved of personal contact, to come together at last, physically in the same place.

Most significant of all the positives was all the support, goodwill and enthusiasm for our project from almost everyone with whom we interacted or who played any specific role: far more than are expressly identified in this report. If you should read this, you all know who you are, and we remain permanently grateful to you. Foremost of all were the participants in the Congress – all of them, with whatever roles. They generated and sustained a superb atmosphere in which so many issues were addressed and discussed to the highest standards of presentation and debate, and so many personal contacts and friendships renewed or established.

The LOC of WCAC2022 hope this paper has achieved its intention of supporting future world congress potential hosts and indeed potential hosts of other equivalent events. Prior to WCAC2022 it was known that the World Congress 2024 would be held in Argentina. It has since been confirmed that it will be held at the University of Buenos Aires, School of Law, on 27 to 30 August 2024.

Immediately before issue of this report, it has been confirmed that the 2026 World Congress will be hosted and organised by the Free University, Amsterdam, in the Netherlands; and that the World Congress 2028 will be hosted and organised by the National University of Ireland, Galway, Ireland. The lead organisers of both personally attended WCAC2022, and made contributions. We are delighted that, in the aftermath of our event, the future of World Congresses is thus now secured through to 2028. We send our very best wishes to all future organisers for successful events.

If you wish to speak in more detail about any aspect of this paper, please feel free to make contact. We would be happy to assist where at all possible.

Adrian Ward on adrian@adward.co.uk or

Sandra McDonald on sandra@ex-pg.com

Updated Yokohama Declaration

This can be viewed on the [website of the International Guardianship Association](#)

Remit of the International Advisory Board (IAB)

The IGN International Advisory Board (IAB)

Functions

While it is envisaged that the IAB will be a largely informal body, its purpose will be to provide a permanent coordinating and advisory function, principally in relation to successive World Adult Guardianship Congresses (“Congresses”). Specific functions would include:

- Identifying suitable hosts for future Congresses, and where appropriate giving them an exclusive option to do so, to justify their expenditure of resources to study feasibility.
- Making proposals to IGN for the formal allocation of future Congresses.
- Insofar as able to do so, acting in an advisory capacity to organisers and potential organisers of Congresses, and facilitating the exchange of information among past and future organisers of Congresses.
- Providing advice with a view to protecting and enhancing the “brand” of successive Congresses.

Structure and meetings

The initial members will be as listed under “Membership” below. The structure will comprise the full IAB and a smaller steering group. The functions of the steering group will be to deal with matters of a straightforward administrative nature, but also to act where a quick decision is required. The steering group would nevertheless refer to the full IAB where time and the importance of the matter permits that, or where the steering group is in doubt or disagreement.

IAB and the steering group will have a leader/chairperson. More than one person may fulfil that function jointly.

The full IAB will meet every two years, at each successive Congress. The hosts should provide a room for that meeting and waive Congress fees for members of the IAB. It is understood that at any particular Congress one or more members of IAB may be invited by the hosts to perform a particular function, such as a speaking function. Any arrangement for travel costs or otherwise will be entirely a matter between those hosts and that individual. Hosts will not otherwise be required to reimburse travel costs for IAB members.

Between formal meetings, communication (including consultation and decision-making) will be by email. The initial membership of the IAB will be the president or other “lead person” for past and future Congresses, and the members of the drafting group for the Yokohama Declaration (as revised in 2016). They will however be appointed in a personal capacity, and will retain membership regardless of alterations in employment and other status. Vacancies will be filled, and future members appointed, by the IAB itself, subject to the oversight of IGN. Membership and recruitment will be based upon personality, competences and experience. The role of IAB membership will be voluntary and free, creating no special rights or duties beyond those outlined above.

Initial Members of IAB

Makoto Arai (Japan, Author of the Yokohama Declaration, Host WCAG 2010)

Jochen Exler-König (Germany, Founder and Chairperson IGN, Member Yokohama Declaration Drafting Group 2010 and 2016)

Anita Smith (Australia, Host WCAG 2012)

Sally Hurme (USA, Host WCAG 2014)

Volker Lipp (Germany, Host WCAG 2016, Member Yokohama Declaration Drafting Group 2016)

Cheolung Je (South Korea, Host WCAG 2018)

Isolina Dabove (Argentina, Host WCAG 2024)

Adrian Ward (Host WCAG 2022, Member Yokohama Declaration Drafting Group 2016)

Dagmar Brosey (Germany, Member Yokohama Declaration Drafting Group 2016)

Kees Blankman (Netherlands, Member Yokohama Declaration Drafting Group 2010 and 2016)

Michael Ganner (Austria, Member Yokohama Declaration Drafting Group 2016)

Laura Tamblyn Watts (Canada, Member Yokohama Declaration Drafting Group 2010)

The steering group: Those who have *de facto* been performing that function up till now, namely Makoto Arai, Jochen Exler-König, Volker Lipp and Adrian Ward.

Joint leaders/chairpersons: Makoto Arai and Jochen Exler-König.

A modern world congress title

The speed and diversity of developments across the world have reached beyond the emphasis on guardianship with which our World Congresses started. To preserve continuity yet recognise those changes, the title “World Congress on Adult Guardianship” (WCAG) of previous Congresses has changed to “World Congress on Adult Capacity” (WCAC).

Basic guidelines about hosting future world congresses

(Adding the notes from the IAB meeting on 23rd October 2018?)

We are realistic and of course do not expect every member of IAB to attend every Congress. While we do not propose a formal quorum, we reasonably anticipate that enough will attend to create continuity and ensure the intended functioning of the IAB.

Further the IAB should decide about world congress applications starting with the world congress 2026.

The 7th World Congress will be held in Scotland 2022.

The 6th World Congress will be held in Argentina 2024.

Makoto Arai and Jochen Exler-König

Academic Programme Committee

Internal, LOC, Advisors

Professor Jill Stavert
Kate Fearnley
Adrian Ward

External Advisors

Professor Makoto Arai, President of the Japan Adult Guardianship Law Association,
Chuo University

Professor Peter Bartlett, Nottinghamshire Healthcare NHS Trust Professor of Mental
Health Law, School of Law and Institute of Mental Health, University of Nottingham

Professor Kees Blankman, Endowed Professor Elder Law, Vrije Universiteit
Amsterdam

Professor Issi Doron, Dean, Faculty of Social Welfare and Health Sciences,
University of Haifa

Jan Killeen, Consultant, Supported Decision-making

Professor Volker Lipp, Full Professor of Law, University of Göttingen

Professor Colin McKay, Centre for Mental Health and Capacity Law, Edinburgh
Napier University

Mary-Francis Morris, Vice Convenor Alzheimer Scotland/Non Practising Barrister,
Alzheimer Scotland

Professor Martin's Closing Comments



WCAC Martin Synthetic Remarks for Adrian.pdf

Congress President, Adrian D. Ward, closing summary

[My closing address was partly spontaneous, partly pre-planned. Below I have sought to reflect the spontaneous parts. Because some (but not all) of the fascinating preceding content of this session over-ran, I was concerned not to inconvenience any delegates who had to leave promptly, so I abbreviated some parts of the pre-planned text. For the record, those parts have been “edited back up” below.]

Firstly, I must thank John Scott for all of the input by him, and the team on the Scottish Mental Health Law Review, including his chairing of this final session. I hope that participation in the Congress will be useful in the huge amount of work, in the short period that remains, before the Review Team is required to produce its Final Report. Their further consultation on three topics has already been issued during the course of the Congress.

For you, John, the transition from present out into the future that has been the theme of this session coincides with your personal transition from John Scott QC, Solicitor Advocate, to Lord Scott, Senator of the College of Justice here in Scotland. We wish you well through that transition, coupled with our delight that on taking it up you sought and received the permission of the Lord President to continue your leadership of the Review through to issue of the Final Report.

In reverse order, Isolina Dabove’s video presentation was pre-recorded yesterday. She has given us an exciting preview of some of the themes being developed in South America, which will no doubt be reflected in the next World Congress in Buenos Aires in 2024. We do not yet have precise dates, but following yesterday’s meeting of the International Advisory Board I am able to give you an indication that you can probably anticipate that it will occur in or around the second half of August in 2024. Buenos Aires will still face substantial challenges, including issues with their economy and exchange rate, but at least all of us from elsewhere can probably take advantage of those exchange rate issues to ensure that as many of us as possible do attend that next World Congress.

Before that, Mary-Frances Morris contributed powerfully towards keeping the actual lived experience of people, including that of families and carers, at the centre throughout this event. Each of them has focused us, often movingly, on the human reality that our subject is all about.

Wayne Martin has presented us with a breathtaking vision, elegantly and thoughtfully constructed, drawing comprehensively on so much that we have heard. It is a vision of where our subject has got to and where it is going. It has confirmed that this has indeed been a world class event. I disagree with him only on one point: I asked him, and did not instruct him, to attempt the near-impossible that he has so magnificently achieved! Few if any in the world could have delivered that address even if given a month to prepare it. To my knowledge, from nocturnal exchanges of emails, he prepared his overnight last night.

On his “Humanity plus what?” question, having heard his presentation immediately followed by Mary-Frances, with her strong plea for justice, reminding me how the one word “justice” was the slogan of the campaign to achieve our Incapacity Act for Scotland in 2000, I wonder whether “Humanity plus justice” might point towards an answer.

We in Scotland will leave this event humbled and challenged by Wayne’s assertion that “the world is watching you”.

This slide shows that we have 274 participants. If this event was a success, that was done not only for you, but by you. We took a collective deep breath and opted for a live-only Congress. It would not have been possible if, despite the difficulties and hazards, you had not similarly decided yes – you were going to take the often brave decision to come, and to pay for registration on top of your other costs, to make our event financially viable. I can tell you that no-one paid a penny too much – we reached break-even a little over a week ago. Above all, you made this event a success by your enthusiasm, which was palpable in every session, and buzzed through each break time. You came from 30 countries, counting each country with multiple jurisdictions, such as the United Kingdom, as one. 144 of you submitted abstracts, 11 of you posters. Our thanks to you in particular, and a special thanks to all who served on our academic programme committee – listed on this slide – all our speakers, the Chairs of our 28 sessions, and the many multiply active in several of those roles.

I again thank our sponsors and supporters, without whom – in such difficult times – our event, again, would not have happened.

What seems like half a lifetime ago I was taken on a tour of possible venues. I saw these areas empty. I dreamed the dream of that emptiness filled with all the friends,

and new friends, such as I had met at previous excellent World Congresses. You deserved the best. This venue, and its staff, have given us that.

That dream, despite all the extraordinary reasons why at times it seemed so close to being an impossible dream, has come true. That it is now no longer only a dream is due above all to eight extraordinary people. No-one could have predicted the huge burden placed on the six whom I asked to join our organising committee; I had no right to expect anyone to shoulder such a burden – least of all a team of volunteers – if indeed my recruitment tactics elicited the level of free and informed consent which would have satisfied this above all audiences! Instead – two words. They delivered.

They were:

Alison Hempsey

Allison Gibson (not here just now for professional reasons)

Jill Carson

Jill Stavert

Kate Fearnley

Sandra McDonald

Our team grew from six to eight: with Sharon Kerr and Amy Love from our professional organisers, In-Conference. Particularly for the really tough end of our preparations, they too delivered.

These, with the assistance of one of our overseas delegates, are some personal gifts as a token of my gratitude to each of you.

Together, as a team, we did it!

There is however a vastly larger and more important task, and a much bigger team. The team is all of us. Soon we will disperse across the world, remembering that we are in the midst of such an exciting period as Wayne has described and, like me, better informed, enthused and motivated to pursue, through all the challenges, not a dream, but a purpose.

Go for it.

Chair, I hand back to you to close this final session of the 7th World Congress on Adult Capacity 2022.

Congress President, Adrian D. Ward, opening address

Good morning all. I am Adrian Ward, President of this Congress, and I am delighted to welcome you all to the World Congress on Adult Capacity! [Useful housekeeping information provided at the outset.]

It is four years since the last World Congress. Much has changed for all of us since then, but we must start by celebrating that 263¹ of us are all here together from across the globe, and that this event is happening.

I don't have a figure for those who wanted to come but couldn't for reasons beyond our and their control. A few have had to cancel at the last minute, resulting in some adjustments. An addition to the programme is that a 33-minute film on the experiences of elderly people in care homes, and their families, during the initial phase of the pandemic, here in Scotland, will be shown from 12.30 each lunchtime in this area.

Two who were ready to come to the Congress, then had to cancel, are Professor Makoto Arai, whose vision and commitment created the first World Congress in Yokohama, and the worldwide series following upon it; and Isolina Dabove. Even her prodigious commitment and energy could not overcome the hurdles that prevented the 6th World Congress from happening in Buenos Aires in 2020 or 2021, so that we look forward to it in 2024.

The heartfelt disappointment expressed by both of them that they cannot be here is matched by ours. Makoto will present by pre-recorded video, and we hope that last-minute arrangements will be in place in time for Isolina to do the same.

Many of you have faced challenges to be here. We as organisers have faced challenges to put on the event at all. We have had to do our best to concentrate on the core content of the Congress itself, rather than additions such as have enhanced previous Congresses. Without the generosity and support that we have received, this Congress would not be happening at all.

At the outset the Law Society of Scotland showed total commitment towards what we strive to achieve, by becoming our Gold Sponsor. It is splendid that the Society did that, notwithstanding all the constraints of helping its members through the pandemic.

¹ Actual attendance 274. See my closing address for further details.

Later, when despite our best efforts we were on the verge of cancelling, the United Kingdom Government stepped in with the support necessary to ensure that the event would indeed happen. Tom Pursglove, United Kingdom Minister for Justice, will join us towards the end of tomorrow morning's plenary session. We are grateful also to all of our sponsors and exhibitors listed in the Congress programme. Time limits me from mentioning each specifically, but we are hugely grateful to every one of them: please do read about them fully in the Congress programme.

Our subject is as old as humankind, but at the same time it is new, only developing as a subject in its own right during the course of my professional life. During that time, it has made a fundamental journey away from treating people with disabilities that affect their capacity, or that make them particularly vulnerable, as people set apart; set apart by their disabilities from the mainstream of human life, and denied the rights, status and opportunities that others have. It has travelled away from that towards recognising that they are full citizens with the same status, rights, protections and opportunities as everyone else; and towards striving to achieve that in reality. That is the ideal which we all seek to achieve, across the world. This Congress will, I hope, help us all, individually in our own ways, and collectively, along that hugely important road that we tread together.

Any of you who were at the 2016 World Congress in Erkner, near Berlin, might remember that even then I suggested that our Congresses were moving substantially beyond the original focus on guardianship. We have continued to explore and develop all ways of supporting the full exercise of capacity, so that – seeking to retain a valued “brand identity” – the title “World Congress on Adult Guardianship” has become the “World Congress on Adult Capacity”, a significant change achieved by altering only one word.

We are delighted that this opening session will now be chaired by Lord Wallace of Tankerness, still better known to many of us as Jim Wallace. I was among those who lobbied him in the 1990s for our Incapacity Act. Upon creation of the Scottish Parliament, he became Scotland's Deputy First Minister and Minister for Justice, steering that Incapacity Act through a brand-new Parliament as its first major piece of legislation. It was seen as world-leading at the time, but our subject has continued to develop, and here in Scotland we have perhaps delayed too long in catching up. In some of our sessions you will hear about our own strenuous efforts to do that now.

Jim has kindly agreed to chair the remainder of this opening plenary session. Jim is a politician who is highly respected across the political spectrum and beyond. He is highly, and often quietly, effective, and has stayed with issues in the long term, so that

from time to time I have been able to access his help when critically needed, not least to save this Congress when we seemed to have run out of possibilities to make it viable. It is typical that beyond impeccably discharging his public duties during his recent year as Moderator of the General Assembly of our national church, the Church of Scotland, last month he was personally present in Ukraine giving church support there.

Now, let the work of the Congress begin.

Over to you, Jim.

[Jim Wallace, Lord Wallace of Tankerness, took over as Chair of the opening plenary session and addressed the meeting, prior to introducing the other speakers]

Local Organising Committee



President Adrian D. Ward

Prior to his retirement Adrian was an enrolled solicitor. He has a long international record as expert and campaigner in law, rights, policy and practice relating to people with psycho-social, intellectual and cognitive disabilities. He is a member of the steering group of the International Advisory Board for these World Congresses; expert adviser to the Centre for Mental Health and Capacity Law, Edinburgh Napier University; and a research affiliate to Essex Autonomy Project, University of Essex. He has been convener of the Law Society of Scotland's Mental Health and Disability Sub-Committee for over 30 years.



Jill Carson

Jill worked in the National Health Service in the UK for over 30 years; she is currently a Consultant in Public Policy for Alzheimer Scotland. She co-leads current work on developing a care co-ordination approach for people with dementia in Scotland. Jill led on planning and delivery of services for people with dementia in NHS Greater Glasgow & Clyde from 2012, and managed the development and production of Glasgow City's Dementia Strategy, which was published in 2016. From 2013, Jill managed the successful My Power of Attorney campaign.



Kate Fearnley

Kate was Executive Director – Engagement and Participation at the Mental Welfare Commission for Scotland. Her role included leading on the engagement of people with lived experience and carers in the Commission's work, on information and advice, and on promoting a human rights focus. Kate was previously Deputy Chief Executive of Alzheimer Scotland. She is the author of publications including *Coping with Dementia*, *Dementia: Money and Legal Matters* and *Facing Dementia*.



Allison Gibson

Allison is an accountant with Azets. her role was to guide the committee on finance and governance matters. In her spare time Allison is a director of Project Ability, a Glasgow-based visual arts organisation with an international reputation for excellence. They create opportunities for people with disabilities and people with lived experience of mental ill-health, aged 5 years to 80 plus, to express themselves and achieve their artistic potential.



Alison Hempsey

Alison is a Partner within T C Young's Private Client team and has a particular interest in Adult Incapacity matters. She acts as Financial Guardian for a number of adults and has acted as Safeguarder for Adult Incapacity matters. She is a member of the Society of Trust and Estate Practitioners, having completed the STEP Diploma.



Sandra McDonald

Sandra was the Public Guardian for Scotland for 14 years. She now draws on this experience to offer independent mental capacity/incapacity advice and training as Director of her own business, EX-PG Ltd. Sandra has been independent since 2018. She was on contract to Scottish Government one day per week as a specialist adviser to the adults with incapacity reform team. She was commissioned by the Review of Scottish Mental Health Law (SMHLR) to review and report on Scotland's approach to capacity. She is currently on contract to the SMHLR Executive Team to support the review of adult capacity matters. Sandra is a member of the Law Society of Scotland's Mental Health and Disability Sub-committee and author of 'One Stop Guide to Power of Attorney'.



Jill Stavert

Jill is Professor of Mental Health and Capacity Law and Director of the Centre for Mental Health and Capacity Law at Edinburgh Napier University. Her areas of expertise are mental health and capacity law and related human rights. Formerly involved with the Scottish Government review of the Adults with Incapacity (Scotland) Act and an expert adviser to the Independent Review of Learning Disability and Autism in the Mental Health Act she is now a member of the Scottish Mental Health Law Review Executive Team and of the Law Society of Scotland's Mental Health and Disability Sub-committee.

Her previous activity includes the Three Jurisdictions (UK capacity laws compatibility with Article 12 UNCRPD) and Employer Responses to Dementia in the Workplace projects, and the Scotland's Mental Health and Capacity Law: the Case for Reform report (co-authored with Colin McKay (Mental Welfare Commission)). She is currently leading a project examining experiences of the Mental Health Tribunal for Scotland.

Our Sponsors and Supporters

- Alzheimer Scotland, for funding lived experienced places
- Azets UK for the gift of Allison Gibson's time during her tenure with them
- CLS Property Insight
- Dementia Services Development Trust
- Edinburgh Napier University, for the gift of Professor Stavert's time
- Faculty of Advocates [of Scotland]
- Finders International
- Fitzallan, Chartered Financial Planners and Investment Advisors
- Law Society of Scotland
- The Mental Welfare Commission of Scotland, for the gift of Kate Fearnley's time prior to her retiral
- The National Guardianship Association [of the United States of America]
- The Office of the Public Guardian for Scotland, for the gift of Sandra McDonald's time prior to her retiral, as well as for early administrative support
- Scott Moncrieff, for the gift of Allison Gibson's time during her tenure with them
- TC Young solicitors, for the gift of Alison Hempsey's time
- UK Government