

Austrian experiences and perspectives

There is a legal ban on age discrimination

- But: the anti-discrimination law only applies to the world of work (not for goods and services, e.g.: going to the disco; loans; insurance; car rental)
- Discrimination in political representation. The oldest member of the Austrian parliament is 68 years old, i.e. almost $\frac{1}{4}$ of the population is not represented in parliament, even the 20-30 year olds are better represented
- A positive example of consumer protection to prevent consumers from being cheated; in 1999, the Senior Citizens' Council was granted the power to bring collective action, e.g. for misleading or aggressive advertising

Separation of medical treatment and nursing care

- If medical treatment of healing or improvement is granted, costs are borne by health insurance
- Nursing care, however, is not paid for by health insurance – long term care allowance is funded by the federal budget

The human right to privacy

- The home and private life are protected at all legal levels
- If this human right is violated, however, then it is a matter of a private prosecution, i.e. complaints are made at one's own risk and are therefore very rare
- According to experts, this human right is also largely a dead right in nursing homes – i.e. there is little privacy (e.g., in personal hygiene; not knocking on the door)
- Example smoking: it should not simply be generally forbidden in the nursing home

The human right to personal freedom of movement in conflict with the need for security and protection

- In nursing homes, the restriction of **freedom** is regulated by law since 2004; only permitted if there is a risk of harm to yourself or others due to a mental illness or mental disability and if life or health are seriously and significantly endangered
- In the past, bedrails and restraints with belts were often used, today it is more likely to be kept still with sedative medication
- Procedures are checked by several organisations (e.g. by the residents' association), extensive documentation requirements
- The National Prevention Mechanism (OPCAT) of the Ombudsman is particularly important, since 2012, origins in the UN Disability Convention and in the UN "Anti-Torture Convention"
- A focus of the control is whether human dignity is violated, e.g., someone sits at the toilet chair and is served breakfast at the same time or bedtime at 4:30 p.m.

The domestic sphere is a dark field of human rights

- There is no separate regulation for the deprivation of **personal freedom** in the domestic area, it is always prohibited under criminal law, only permitted in exceptional cases, e.g. in self-defence
- High number of unreported cases - few reports, because privacy is considered to be inviolable
- Typical case: a relative locks the door and leaves the key (for outpatient services coming later)
- Many cases in the family area are reported on the Pro Senectute advice line - mostly by outsiders (e.g. neighbours, including doctors), and not by the victims themselves

Removal laws and the older offender

- Protection Act against Domestic Violence in force since 1997
- Eviction and barring orders set by the police for a certain period of time
- Number of elderly victims growing, providing special challenge
- Elderly offenders who are evicted do not easily find a suitable accommodation
- In rural regions the number of evictions markedly lower
- Interdependence between offender and victim, not so few couples are involved in a long-standing and mutual helping or caregiving relationship parallel to domestic abuse
- Eviction order leads to a gap in necessary caregiving tasks

Women's shelters and older victims

- Obstacles to the admission of elderly women to shelters
- Shelters have not been adjusted to frail clients, staff lacks specific training in interactions with older people
- Shelters are conceived as temporary solutions; the reintegration of older women into a private housing environment appears difficult
- Many older women wish to keep contact with their adult children or grandchildren; since the addresses have to be kept secret, visits appear problematic
- In mixed-age shelters usually children are also living vs. the increased need for rest on the part of the elderly

Ageism

- There is a latent hatred of the elderly, which is also expressed publicly, which has not been the case with other insulting behaviours (racism, sexism) to this extent for a long time
- A case in point: the notion of the supposed excessive “over-ageing” of the population
- But consider: If we want to have an increasing life expectancy, then the only alternative to ageing is growth - but there is only limited space on the planet
- One can and should counteract ageism, e.g. through letters to the editor, discussions on social media