

ACCESS TO JUSTICE

Formally speaking, in Spain, as in other EU member states, older people have recognized access to justice and there are no limitations to the exercise of that right due to age.

However, in practice there are restrictions derived from various causes; mainly due to the complexity of the procedures, which makes it difficult to understand them, and also due to the great slowness of many of them, something that for the elderly is a very important deterrent element.

Furthermore, ageism produces practical discriminations that go unnoticed, for example, when judges recognize the ability of older people to act when initiating proceedings.

On the other hand, as long as the right to an independent life is not guaranteed, a good part of the lives of many older people takes place in private spaces where the violations that are sometimes committed by the people in charge of their care go unnoticed.

It should not be forgotten that difficulties in the field of education and financial resources can also be obstacles when starting judicial proceedings.

Since access to justice is the ultimate guarantee of the other rights, difficulties in this area affect the other rights of older people as human beings.

In this sense, an example of good practice to consider is the "Protocol of legal assistance for older people" of the Judicial Assistance Corporations of the Ministry of Justice of Chile.