

## Hungary

1. The NPM has so far visited two retirement homes for the elderly:

- Retirement Home for the Elderly in Pécel (November 10, 2015)
- Retirement Home for the Elderly of the Segítő Kéz ["*Helping Hand*"] Public Benefit Foundation in Écs (November 12, 2015)

Inspections were carried out from the following aspects on both occasions:

- the institution's utilization rate in terms of capacity
- the professional skills of the personnel
- the treatment of the elderly
- the relationship between the residents and the personnel
- healthcare
- meals
- asset management

In addition to the above, the NPM has visited several places of detention where he met elderly persons, as well; however, those institutions have a mixed profile.

2. Reports are being drafted; therefore, for the time being, we cannot give any more details.

We had the following reasons to visit those two institutions:

There had been an investigation conducted before by the Ombudsman in Pécel. The home is maintained by the State. The submissions received criticized the director's behavior and staff's work. According to a report issued earlier by the Ombudsman, the home failed to comply with statutory provisions, in particular in the fields of material conditions and accessibility. The home was overcrowded, and the existing complaint mechanism did not work properly, either.

Écs was selected because it is an institution maintained by a foundation, which has special OPCAT relevance as far as placement and care are concerned.

In the institutions of mixed profile, the NPM uncovered the following problems:

- placement is not voluntary, the elderly feel having been forced by their relatives
- caged beds are in use
- the environment is non-stimulating
- the elderly are placed together with the psychiatric patients

3. In Hungary, medication-based restrictions on freedom are regulated by the Healthcare Act. In the case of institutions of a social nature, restrictive measures are regulated by another act. In the case of hazardous or threatening behavior, personal freedom may be restricted by psychic, physical, chemical-biological or other means against the will of persons exhibiting such behavior. By "other means" we mean the simultaneous application of the two preceding methods (e.g., tying someone to the bed and administering an injection). When restrictive measures are taken, the patients' rights representative and, if needed, the guardian shall be notified. The two institutions visited by the NPM did not impose medication-based restrictions on freedom; however, residents were given tranquilizers.