

AI and the cost of speaking out

An Austrian case and the gap between rights and protection



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A detailed account of how legal proceedings can exhaust people reporting risks, what the Pribela–Povalová documents establish, and how AI can help make institutional responses verifiable.

By the Antimafia Austria team led by Pavol Pribela and Michaela Povalová. An account by the affected participants, with public sources and explicit evidential limits.

The public question

A right offers little practical comfort if a person cannot afford to use it, cannot obtain the signature required to reach a court, or receives protection only after the feared harm has occurred. This account examines that gap through one Austrian couple's records and a wider European comparison. Its central proposal is an evidence matrix: connect every claim to its original source, preserve contrary material and test the authority's actual answer.

Reading map

- The human starting point and why VERHO is being built
- A reader's guide to the files and Austrian terminology
- The case record, financial comparisons and selected chronology
- Judges, lawyers and the treatment of evidence
- AI research and a practical matrix method
- Tragic European cases, eight decisions and the protection gap
- Sources and the limits of what has been established

Why our team is building VERHO

Behind a court file is a person who needs a safe home, access to a doctor and enough money to live. Someone who reports a possible threat to health or the public interest can find themselves facing another task: defending their credibility, financing legal representation and responding to new filings while their money and energy run out. In our case, these pressures have become intertwined in our life together. We need effective protection before the struggle to obtain it consumes the person seeking it.

When litigation, applications for penalties or enforcement measures are used to silence a person reporting wrongdoing, pressure on their ability to survive takes the place of an examination of the facts. Each deadline and payment can divert resources from medication, housing and continued defence. This is how procedural exhaustion can work: someone may lose the capacity to defend themselves before any final judgment on the merits. In each proceeding, that effect must be documented and any alleged intention must be proved.

Precise evidence matrices can begin to rebalance this unequal position. Each assertion needs its original document, date and page; each item of evidence needs the question it answers and the limits of what it establishes. A matrix should record the other party's response, the authority's action, the applicable rule and the outcome. It must also include contrary evidence. This produces a verifiable map of the case in which a specific contradiction, an unanswered request or unequal treatment can be identified.

AI can substantially accelerate this work. It can help a person with limited resources compare extensive files, locate earlier statements and check whether a new response actually addresses the evidence submitted. A verified contradiction can then be presented precisely and reproducibly. Money, connections and social standing should not outweigh evidence when facts are tested. AI outputs must also withstand comparison with the originals.

That is why we, the Antimafia Austria team, are developing VERHO. We want to give affected people and those reporting wrongdoing a tool for organising evidence, comparing proceedings and preparing precise questions for lawyers, courts and oversight bodies. The system should help identify errors in our own reasoning and distinguish suspicion from a documented finding. That precision can reduce the imbalance between a party supported by a professional apparatus and another defending themselves with their last reserves.

Democracy must ensure that a reported risk can be examined on its merits and that a person can obtain effective protection. This article shows the documents and concrete comparisons on which that demand can be based in our case.

A guide for readers encountering this case for the first time

Pavol Pribela and Michaela Povalová are the couple behind the civic initiative Antimafia Austria. They describe a struggle to obtain investigation of reported health and environmental risks while defending their public statements, home and ability to pay for legal help. This is their source-based public account, not a report by a court-appointed investigator. Their proximity to the events gives the account a human centre; it also makes explicit attribution and inclusion of adverse material essential.

The central public question is straightforward. Can a person ask authorities to investigate a risk without becoming so occupied by defence that the original question disappears? The answer cannot be obtained merely by counting files or accepting the most forceful description of events. It requires following what happened to each reported concern, each request for protection and each piece of evidence. This edition explains that process for readers unfamiliar with Austrian institutions.

Several strands rather than one continuous lawsuit

Hallein concerns residential chemical findings and health documentation. Kohfidisch concerns reported injuries and belongings alongside police references to the couple's public activity. Fischbach concerns several separate environmental and housing questions, together with restrictions on statements about another person. Graz and Eisenstadt appear in documentary links between proceedings and in judicial or prosecutorial decisions. A shared person or topic can connect files without making them legally identical. [S1]

For readers, this means asking a modest question before drawing a large conclusion: which authority was deciding which issue? A body checking a business's use of a chemical may not have established the source in an apartment. A water laboratory may not have examined a hillside. A civil court deciding an interim speech restriction may not have determined criminal responsibility for contamination. The boundaries matter because a narrow answer can be presented publicly as if it resolved a much broader concern.

How to read the source labels

S1–S8 identify the supplied case material and direct personal communication. Within S1, codes such as E03 or E79 point to evidence entries and reproduced originals; they are not separate confirmations by independent investigators. V1–V16 identify public legal, policy and research sources. I1–I10 support the European tragic-case and case-law comparison. Page references identify locations in those sources, not pages of this article.

Four descriptions remain distinct throughout: what a party alleges; what an original document records; what an authority or court actually found; and what interpretation or question follows. A filed accusation proves that an accusation was made. A decision proves that an authority decided something, within its stated scope. Neither automatically establishes every underlying fact recited in the document. Readers should be able to move backwards from a sentence here to the type of source supporting it.

A short vocabulary for an unfamiliar system

Verfahrenshilfe means procedural legal aid. The dispute here concerns whether professional assistance was necessary and accessible, not merely whether the court charged a fee. A Rekurs is the procedural appeal referred to in the cited civil files; a Rekursbeantwortung is the opposing party's response. These

English descriptions explain the documents and do not turn different Austrian remedies into one universal appeal.

BG abbreviates Bezirksgericht, a district court. OLG abbreviates Oberlandesgericht, a higher regional court. StA refers to Staatsanwaltschaft, the public prosecutor's office. BH refers to Bezirkshauptmannschaft, a district administrative authority. The PVA is the pension-insurance institution appearing in the disability review. ON is the file-item numbering used in the court export. The ZPO is the civil-procedure code; EO and MedienG are the enforcement and media-law legislation referenced in the filings.

An interim measure is a provisional form of relief. A decision on whether a filing is admissible concerns whether the court can proceed with it in that form; it is different from deciding whether its factual case is correct. A recusal request challenges a judge's participation on impartiality grounds. These distinctions explain why someone can encounter an adverse formal decision without having the substance of the complaint resolved.

What the article asks the public to examine

The strongest questions do not require readers to assume a conspiracy. Who investigated the source of the residential finding? Why was a lawyer unnecessary in one procedural setting but an indispensable signature unavailable in another? What response did an urgent protection request receive before the housing intervention? How were financial means assessed? These questions can be answered with records. If the records show a lawful explanation, that explanation belongs in the account; if they do not, the gap deserves scrutiny.

Following the case record

When a person reporting a health or environmental risk spends years defending themselves in parallel proceedings, justice cannot be assessed solely by whether an individual procedural step was formally correct. The combined effect also matters: the cost of defence, whether a lawyer is actually accessible, how evidence is assessed and whether the original risk remains insufficiently explained while the reporting person comes under scrutiny.

The case of Pavol Pribela and Michaela Povalová provides concrete material for that examination. Laboratory reports, medical records, civil restrictions on public statements, disability reviews, a housing dispute and rejected legal-aid applications converge in the lives of the same couple. Their accumulation raises a serious question about a possible deterrent effect on public scrutiny. The documents do not, however, establish a single unlawful plan shared by every authority involved. Distinguishing a documented intervention, disputed conduct and an alleged intention makes this criticism testable. [S1–S3]

Proceedings can exhaust a person before any final judgment

SLAPP means abusive legal action aimed at restricting public participation. Its force can lie in the burden of defence itself: costs, repeated deadlines and uncertainty. In Recommendation CM/Rec(2024)2, the Council of Europe's Committee of Ministers identifies indicators including power imbalance, disproportionate claims and delaying tactics. Its framework also covers domestic, administrative and criminal contexts. This is a recommendation, not a judgment classifying the present case. [V1]

EU Directive 2024/1069 has a narrower scope: civil and commercial matters with cross-border implications, including interim measures. Its transposition deadline was 7 May 2026. That does not automatically make it applicable to every Austrian criminal or administrative proceeding. Nor is every

claim against an activist a SLAPP: concrete indicators of abuse and other people's legitimate rights must be assessed. [V2]

The CASE 2025 report records 234 additional cases collected: 167 initiated in 2024 and 67 in earlier years. These are cases identified under the organisation's methodology, not final judicial findings that a SLAPP occurred or a complete census of Europe. The figures demonstrate a wider concern; the Austrian case must stand on its own documentation. [V3]

Hallein and the unresolved source of contamination

The Hallein strand begins with three IBO reports on 1,2-dichloroethane in the living room of apartment Top 6. They report concentrations of 98, 160 and 33 µg/m³. Compared with the provisional guide value of 1 µg/m³ used in those reports, these are numerically 98, 160 and 33 times that value. This is not the same as exceeding a universally applicable statutory limit or establishing an individual toxic dose. The reports recommend investigating the source. [S1, E01, E02, E88]

The chemicals inspectorate carried out an inspection in August 2020 and found no indication of unauthorised use of the substance in the business premises examined. It expressly stated, however, that establishing the source of contamination in the apartment fell outside its remit. There is a decisive difference between 'no use was detected at the inspected business' and 'the source of the residential finding was established'. The first statement does not prove the second. [S1, E03, pp. 443–445]

A legitimate oversight question follows: which authority took responsibility for the unresolved issue, and using what technical method? Sampling location, timing, method and conditions must be compared. Without that comparison, a formally completed inspection may still leave a substantive gap. The gap alone does not prove any particular official's intention.

The medical documentation records serious respiratory and functional limitations and, in CT reports, a condition following intoxication. It does not thereby establish an offender, intention or the chemical cause of every diagnosis as a forensic finding. The same precision is needed when discussing the couple's acquittal on 13 September 2021: the judgment states that the subjective element of the charge was not proved. That was an important defence outcome, not a judgment identifying who caused the exposure. [S1, E04, E77, M01]

Kohfidisch and scrutiny of the reporting persons' public activity

The Kohfidisch strand contains a medical record of Michaela's injuries, accounts of missing belongings and conflicting explanations. The police report dated 10 October 2024 also refers to inquiries concerning both individuals in connection with Antimafia Austria, under file number 9 St 191/24b. This is a direct documentary link. It raises the question of what investigative steps concerned the reported harm and what steps concerned the reporting persons' public activity. [S1, K01, pp. 284–338]

The report includes interviews and medical material. It would therefore be inaccurate to say that absolutely nothing was investigated. The stronger, verifiable question is whether specific contradictions were resolved and evidence secured to the extent necessary for effective protection.

The later link between Fischbach and Eisenstadt goes beyond a resemblance between events. An instruction dated 12 December 2025 links Graz proceeding 29 St 299/25w to Eisenstadt 8 St 101/24k. A procedural bridge is documented. This does not itself prove unlawful coordination or permit every other file number to be merged into the same proceeding. [S1, E75, pp. 840–841]

Disability review and the circulation of personal information

In a letter dated 24 October 2025, the PVA confirmed receiving an anonymous report questioning Pavol's health status. A later passage also referred to police information describing him as

‘amtsbekannt’, meaning known to the authorities. The subsequent review ended with a letter dated 3 December 2025: his disability continued and his benefit remained unchanged. [S1, E09–E10, pp. 484–488]

These documents support a precise question: what information came from the police, for what reason, and with what influence on the pension authority’s action? A generic label about a person must not replace a medical assessment. The PVA’s power to review benefit eligibility is not, in itself, retaliation. The author of the anonymous report and any coordination remain unproved. Confirmation of the pension is part of the outcome that a fair account must report.

Fischbach and the separate technical questions

In Fischbach, water, waste, slope stability and housing intersect. These are not interchangeable technical issues. AGROLAB records a pH of 5.8 and a reservation concerning an indicator parameter, but also a favourable drinking-water assessment within the scope of its tests. A later result gives pH 6.7. Those favourable findings cannot be omitted. Similarly, a water analysis or a waste inspection does not, by itself, answer the geotechnical question of slope stability. [S1, E16–E20, E82]

In the file, the figure of 1,751 people relates to the claimed reach of a possible slope movement towards the valley, not the number of water users. In the reviewed summary, it is not an independently verified geotechnical calculation. Public-interest scrutiny therefore needs a precise technical assessment, without turning a scenario into an established expert conclusion. [S1, E24]

The BG Weiz interim order of 9 December 2025 prohibited two specific statements concerning Rosmarie Krenn: operating an illegal waste dump on her land and serving guests water unfit for consumption. It was not a general ban on reporting risks. The decision mentions documents and hearings and uses the couple’s own material to establish publication. Scrutiny should address how the substantive content of that material was assessed and whether the speech restriction was proportionate. It is insufficient to assert that the judge admitted no evidence at all. [S1, E34]

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A RIGHT MUST BE POSSIBLE TO EXERCISE

Legal aid, fair procedure
and effective access to a court.

ILLUSTRATIVE IMAGE.

A lawyer is unnecessary in one proceeding and an entry condition in another

The clearest procedural imbalance concerns legal representation. In proceeding 32 C 1393/26h, the court rejected legal-aid applications on 1 October 2026. It noted that a lawyer was not compulsory, found no particular procedural difficulty and anticipated no further costs. The decision also records a disability pension of €1,192.65, paid fourteen times annually, and that Michaela received no benefits. It transposes the labels for the first and second applicants, so the income information must be attributed using the other documents. [S2, pp. 291–292]

Section 64(1)(3) of Austria's Code of Civil Procedure, the ZPO, provides for appointment of a lawyer when the circumstances of the case require it, even beyond compulsory representation. Absence of a mandatory-lawyer rule therefore does not settle whether assistance is necessary. The court also assessed the case as insufficiently complex, but the relationship between that assessment, health, multiple proceedings and a professionally represented opponent requires concrete examination. [V4]

In another strand, the absence of a lawyer had the opposite effect. On 13 August 2026, the OLG Graz rejected an appeal in recusal proceedings as inadmissible. Its decision describes the previous refusal of aid and insists on a lawyer's signature. It also records the couple's account of unsuccessfully seeking a lawyer and approaching the bar association. It treats filing in knowledge of the formal requirements as an abuse and offers no further opportunity to remedy the defect. [S1, E79, pp. 858–862]

These are different procedural regimes, so their difference is not automatically a legal contradiction. Together, however, they expose a practical access question: at one point the citizen is expected to proceed alone; elsewhere, without a professional signature, there is no examination on the merits. Scrutiny must establish whether a genuinely accessible route existed between those requirements.

Steel and Morris v. the United Kingdom, decided in 2005, illustrates the significance of that problem. The European Court of Human Rights found violations in the unusually complex litigation between activists and McDonald's, in which lack of legal aid contributed to an unacceptable imbalance. It did not establish an automatic right to a lawyer in every dispute; it required attention to a person's effective ability to defend their case. [V5]

What €552 means on a disability pension

In the response to an appeal dated 16 October 2026, the opposing lawyer seeks confirmation of the refusal of legal aid and claims €552.66 in costs. He also invokes the couple's stay in Italy as an indication of sufficient means. That is the opposing party's argument, not a proved assessment of wealth. A country of stay, without information about its cost, financing and essential expenditure, does not establish available resources. [S3]

Table 1 The cost of defence

Item	Calculation or meaning
Ordinary monthly pension instalment	€1,192.65
Annual income over 14 instalments	€16,697.10; average €1,391.43 per calendar month
Costs claimed by opposing party	€552.66; a request, not a documented court-imposed obligation
Share of one ordinary monthly instalment	46.34%
Share of annual income averaged monthly	39.72% of the monthly average

The calculations use documents [S2–S3]. They do not measure the household's freely available money or determine legal eligibility for aid. The court's forecast of first-instance costs and a later costs claim for responding to an appeal have different scopes. For the October responses, an essential legal point must be added: section 72(3) ZPO expressly excludes reimbursement of costs in legal-aid proceedings. The amount claimed therefore does not automatically become a legally supported debt or a payment obligation for the couple. [V11]

The home and the timing of protection

The administrative strand includes a BH Weiz notice of 4 September 2026 concerning sealing of the home on 10 September. The authority relies on a final municipal prohibition on use. Abteilung 13 explains it by chimney and electrical-safety deficiencies and says the owners did not appeal. This stated rationale must form part of the criticism: it cannot be called fabricated without technical and legal examination. [S1, E25–E27]

The tenants' position, accessibility of effective relief, proportionality of enforcement and actual conduct of the intervention remain open to scrutiny. The couple's applications also dispute entry and the handling of cameras. The extent and lawfulness of those actions require comparison of official documents with recordings of the event; a complaint alone does not establish them. On 15 October, StA Graz acknowledged complaint 9 St 292/26w concerning the 10 September intervention. The acknowledgement contains no investigative outcome or finding of guilt. [S1, E29, N04]

The couple's civil protection application was received on 25 August 2026. By 1 October, 37 days had elapsed; the index of the file export made available on 16 October does not identify a separate merits decision on the original application, ON 1. It does contain decisions on supplementary requests and procedural matters. This is therefore not a record of complete inactivity. [S2, index and ON 1, ON 9, ON 14, ON 16]

Approximately 40 days passed between the opposing party's action mentioned in the earlier order and the measure of 9 December 2025. From the couple's application on 25 August to 16 October 2026, 52 days passed. That comparison does not prove intentional delay: subject matter, jurisdiction and procedural paths differ, including recusal issues. It nevertheless justifies asking for an explanation of protection times, particularly if the feared housing intervention occurred in the meantime.

The cumulative effect must remain visible

Health vulnerability, loss of use of a home, proceedings concerning public statements, defence costs and loss of income do not arrive in separate compartments in a person’s life. They reduce the capacity to continue public scrutiny. The termination of Michaela’s employment relationships and provisional suspension of her AMS benefit are documented; a retaliatory motive or causal link to a specific person must be established separately. [S1, E45–E50]

The couple also reports the death of their beloved dog on 25 April 2026, during an escalation of the conflict. That loss belongs to their personal experience of grief and pressure. Without veterinary evidence, the death cannot be attributed to stress, the authorities or a particular perpetrator. Respecting the loss does not require converting timing into an unproved cause. [S4]

The cumulative effect is precisely why the case needs to be read as a whole. Lack of proof of a single directing agreement does not relieve authorities of examining individual interventions and the accessibility of remedies. Conversely, the convergence of adverse events does not itself justify identifying all officials and judges as participants in a common plan.

Why a pile of adverse events needs a structured explanation

A family experiences the combined burden of health problems, housing insecurity, social-benefit questions and litigation. An authority often sees only the issue within its own file. This difference can leave a serious practical problem even where no single document contains an instruction to silence anyone. Describing that problem does not require deciding in advance whether it arose from poor coordination, narrow mandates, error, disproportionate procedure or deliberate abuse. Those explanations require different evidence and can coexist in different parts of a case.

A useful public chronology records both the event and the limited inference it supports. It also records developments favourable to the reporting person. The confirmation of a disability pension, an acquittal and a laboratory result favourable within its tested scope are not inconvenient exceptions to hide. They help establish which questions were resolved and which remain open. Excluding them would weaken the same demand for fairness that the article directs at authorities.

Table 2 A selected chronology of the record

Date	Documented event	What it establishes and what remains open
August 2020	Chemicals inspection in business premises. [S1, E03]	No indication of unauthorised use there; the residential source remained outside that inspection’s stated remit.
13 September 2021	Acquittal of the couple. [S1, E04, E77]	The subjective element of the charge was not proved; this does not identify a source or offender.
10 October 2024	Kohfidisch police report. [S1, K01]	References inquiries relating to Antimafia Austria; adequacy of the response to reported harm requires examination.
24 October / 3 December 2025	PVA correspondence and completed review. [S1, E09–E10]	Anonymous report and police information recorded; disability and benefit subsequently confirmed.

Date	Documented event	What it establishes and what remains open
9 / 12 December 2025	Interim speech order and separate file-link instruction. [S1, E34, E75]	Specific speech restrictions and a procedural connection are documented; a common unlawful plan is not established.
13 / 25 August 2026	Recusal appeal rejected; later civil protection application received. [S1, E79; S2, ON 1]	Different procedural routes; signature accessibility and response to protection must be examined separately.
4 / 10 September 2026	Administrative notice and housing intervention. [S1, E25–E29]	Authorities invoke safety and finality; actual conduct and proportionality are disputed.
1 / 7 / 16 October 2026	Legal-aid refusal and opposing appeal responses. [S2,S3,S5]	Refusal and costs requests are documented; requests are not automatically recoverable debts.
15 / 16 October 2026	Complaint acknowledged; court-file export available. [S1, N04; S2]	Receipt and available file status, not guilt or a completed investigation.

This chronology is selected rather than exhaustive. It connects dates already discussed in the case analysis; it does not establish that the same decision-maker controlled every event. The September housing intervention and October legal-aid dispute, for example, raise questions about protective timing without becoming the same legal proceeding. A reader should not have to master the entire archive to understand that distinction.

ANTIMAFIA AUSTRIA
— V E R H O —

INDEPENDENCE NEEDS ACCOUNTABILITY

Decisions must withstand scrutiny
of their reasons and effects.

ILLUSTRATIVE IMAGE

Judicial power and the limits of procedural formalism

A judge must protect rights, examine unlawfulness and apply the responsibilities prescribed by law. If judicial action becomes a means of silencing witnesses and exhausting victims, it fails its democratic purpose. Concrete decisions in this case should be examined against that standard.

An opposing lawyer can request severe measures. The power to decide belongs to the judge. Public scrutiny must therefore also ask the judiciary how differences in money, health and legal knowledge were prevented from becoming unequal access to protection. Criticism of state power cannot stop at an individual lawyer's rhetoric.

Article 87 of Austria's Constitution protects judges' independence in exercising their functions, shielding adjudication from interference. Yet democracy becomes a tear-off calendar when procedural rights are ticked off without a convincing assessment of whether people can actually exercise them. That metaphor describes a risk of arbitrariness; it does not establish a particular judge's corruption. [V15]

Three areas are particularly open to verification here: the brief refusal of legal aid, formal closure of the route to a recusal challenge and the timing of effective protection. Each can be assessed against the decision's text, the procedural record and its consequences for the party.

'Auch bestehen derzeit keine Anhaltspunkte dafür, dass die Führung des Verfahrens mit besonderen, über den gewöhnlichen Verfahrensaufwand hinausgehenden Schwierigkeiten verbunden wäre.'

Editorial translation: 'Nor is there currently any indication that conducting the proceedings would involve particular difficulties going beyond the ordinary procedural effort.' [S2, p. 292, decision by Mag. Alexander Glanz, 1 October 2026]

The judge reaches that conclusion after summarising reasons advanced in the application: overlapping protection and enforcement, extensive evidence, a represented opponent, a sealed home, health circumstances and security concerns. Brevity alone does not prove illegality. The two-page decision nevertheless lacks a concrete explanation of why those circumstances do not increase the need for professional assistance. This is the gap to examine: not only the abstract complexity of litigation, but these individuals' capacity to conduct it effectively.

‘Des Weiteren ist derzeit auch nicht mit weiteren Kosten für die weitere Führung des Verfahrens zu rechnen.’ Editorial translation: ‘Furthermore, no additional costs for the continued conduct of the proceedings are currently to be expected.’ [S2, p. 292, same decision]

That forecast must be read in light of its subject and date. A later opposing costs claim does not itself prove it wrong, and reimbursement is excluded in legal-aid matters. The forecast does not, however, explain why obtaining necessary legal assistance and taking further steps should entail no expense for the applicants. A decision on access to protection must consider their actual situation, not merely the possibility of another court fee.

The second example comes directly from OLG Graz. In decision 7 R 44/26h of 13 August 2026, the panel chaired by Dr Dagmar Raschowetz-Kandolf rejected the recusal appeal as inadmissible, giving decisive weight to formal non-compliance. [S1, E79]

‘Das Einbringen der Eingabe in Kenntnis der Formvorschriften ist daher als rechtsmissbräuchlich anzusehen’. Editorial translation: ‘Submitting the filing in knowledge of the formal requirements must therefore be regarded as an abuse of rights.’ [S1, p. 862, first part of the sentence]

The decision also records the parties’ statement that they had not found a lawyer despite their efforts and had approached the bar association. It responds that this changes neither the running of time limits nor the consequences of the missing signature. It does not determine whether the recusal application itself was justified. The critical question is whether, in those circumstances, formalism preserved a genuinely accessible opportunity for examination. Knowing that a signature is required and actually being able to obtain it are different facts.

In the third area, the judge must explain the timing of protection. Not every difference in duration amounts to favouritism, and a judge need not grant a request merely because a party calls it urgent. But if the feared intervention at a home occurs between the application and a merits decision, an understandable explanation of the procedural course is essential to trust in justice. Resolving ancillary procedural matters does not replace an answer to the original protection request.

In the decision of 9 December 2025, Mag. Dalia Tanczos explains the urgency of protecting Rosmarie Krenn’s reputation by the continued online availability of the content and the possibility of continuing harm. [S1, E34, p. 649] That reasoning must be compared precisely with the reasons and course of the couple’s protection proceedings. Different legal grounds can explain different treatment; without comparing the actual reasons, a claim of double standards remains an impression.

In Ruiz Torija v. Spain, the European Court of Human Rights explains that judges must give reasons, although they need not answer every argument in detail. For a potentially decisive objection, however, it must be apparent that it was actually examined. Democratic scrutiny therefore concerns whether the essential answer can be understood from the reasoning, rather than how many statutory provisions are cited. [V16]

The truth and relevance of the opposing party’s assertions are a separate issue. If a judge accepts a decisive claim without explaining why it withstands the identified contrary evidence, that creates a testable reasoning problem. If evidence is refused, the procedural reason must be identifiable and its application reviewable. Judicial protection should not operate as a contest over who can keep paying and filing for longer.

This criticism does not require pretending that corruption, personal agreements or intentional protection of an offender have already been proved. It is enough to identify the actual exercise of power, its reasons and the deficiency to be put before a reviewing court. Judicial independence and accountability reinforce each other: trust grows when a decision survives scrutiny by the person affected by it.

When a protection application becomes a wish list

The additional filings show how the opposing lawyer's language frames the dispute. The following short quotations reproduce the German originals with editorial English translations. The criticism concerns specific phrases and lines of reasoning. It is not a disciplinary finding of wrongdoing by the lawyer.

'eine Art ,Wunschliste' nach einem sorgenfreien Leben'. Editorial translation: 'a kind of "wish list" for a carefree life'. [S6, 3 September 2026, p. 4, first paragraph; inner quotation marks standardised typographically]

This is how MMag. Lukas Putz, acting for Rosmarie Krenn, summarises the couple's protection application. The same filing also addresses the specificity of the requested relief and the danger requirement under section 389 EO: legitimate issues on the merits. The carefree-life metaphor nevertheless shifts attention from alleged threats to home and health towards the idea that the applicants want litigation to remove ordinary difficulties of life. It is reasonable to criticise that minimisation as professional communication and ask for an answer to the specific interventions identified.

'die beiden arbeitslosen AS'. Editorial translation: 'the two unemployed applicants'. [S6, p. 4, fifth paragraph; AS abbreviates applicants]

The phrase appears in an argument that their financial difficulties result from non-compliance with the order. The documentation instead describes Pavol as a recipient of a recognised disability pension. Grouping both people under one social label is inaccurate in relation to their different circumstances and does not assess their actual income. That imprecision does not automatically establish deliberate fraud or an intention to humiliate.

'ihren Wunsch, besserer Mobilität [...] besserer Gesundheit'. Editorial translation: 'their wish for better mobility [...] better health'. [S6, p. 4, final paragraph; omission removes a numerical reference to a point in the application while preserving the original grammar]

In the context of alleged loss of mobility and health vulnerability, this summary diminishes why those circumstances appear in the application. A professional response should explain why a specific consequence is not attributable to the opposing party or falls outside the protection sought. A general wish for improved health and an alleged worsening of vulnerability through an intervention are distinct issues.

Calling a text AI-generated does not refute its contents

'Dieser offensichtlich durch KI generierte Rekurs'. Editorial translation: 'This appeal, obviously generated by AI'. [S5, 7 October 2026, p. 2, point 1]

That phrase introduces objections to the appeal in proceeding 13 C 2/26k. At that point, the filing identifies neither a validated method for attributing authorship nor a particular erroneous citation caused by AI. Substantive objections follow: signature, filing method, repetition of the remedy and legal-aid requirements. They must be assessed separately. The technological label alone does not show whether an argument is true, wrong or admissible.

Here a professional filing can be compared directly with the statute. In addition to an alleged missing personal signature, S5 objects that a lawyer did not submit the appeal. Section 72(3) ZPO, however, provides an exemption from compulsory representation in legal-aid matters. OLG Wien 14 R 109/25i of 27 October 2025 confirms that point. Absence of a lawyer is therefore not, by itself, a ground of inadmissibility in this strand. An alleged missing personal signature and the rules on electronic filing are separate matters that the provision does not automatically resolve. [V11–V12]

There is consequently no need to guess whether the author fears AI. The more precise question is why the opening stresses the alleged drafting tool when one representation requirement it invokes meets an express statutory exception. The contradiction can be checked. Intentionality does not follow automatically.

Digital evidence and the request to disregard it

‘für das gegenständliche Provisorialverfahren daher unbeachtlich’. Editorial translation: ‘therefore irrelevant for the present interim proceedings’. [S6, p. 6, part IV, second paragraph]

That is the conclusion sought by the opposing party for material on a USB device. It argues that documentary evidence is, in principle, tied to paper and that referring to attachments does not replace setting out the facts. The passage identifies no Supreme Court decision by file number. The breadth of the requested conclusion matters: a device containing emails, video and screenshots cannot automatically be equated with a single category of evidence. Individual items, their identification, proposed method of admission and the procedural rules must be examined.

The filing establishes that the opposing party asked the court to disregard the digital collection. It does not establish that the judge granted that request. An accurate account must keep the boundary between a lawyer’s application and a court’s decision visible. A filing error should be identified concretely; extending a conclusion to an entire storage device requires its own reasoning.

Claimed costs and a statutory exclusion of reimbursement

‘Ein Kostenersatz findet nicht statt.’ Editorial translation: ‘There shall be no reimbursement of costs.’ This is the last sentence of section 72(3) ZPO. [V11]

Table 3 Requested costs and their legal context

Opposing filing	Amount requested	Essential context
3 September 2026, ON 8, 32 C 1393/26h [S6, p. 6]	€552.66	Submissions on the protection application; not a response about legal aid.
7 October 2026, 13 C 2/26k [S5, p. 3]	€1,033.91	Response to an appeal against refusal of legal aid; section 72(3) ZPO excludes costs reimbursement.
16 October 2026, 32 C 1393/26h [S3, p. 3]	€552.66	Another legal-aid response, with an express request for costs reimbursement.

The two October claims total €1,586.57, equivalent to 133.03% of one ordinary monthly instalment of Pavol’s pension. This is neither a court-established debt nor a documented payment. Decision 6 R 6/26p of 26 February 2026 confirms the interpretation that the opposing party bears its own costs of responding in legal-aid matters. The figure therefore expresses the scale of the demand, not an expense already incurred by the couple. [V14]

This is a sounder basis for substantive criticism of professional conduct than an insult. Readers can see the exact request, amount and statutory provision. A mistaken or unfounded application does not, by itself, prove a knowing lie. Professional standards do require an explanation of the discrepancy, and the court must not turn it into an unjustified payment obligation.

Documented requests for penalties and proportionality

MMag. Lukas Putz's private action, filed through Dr. Leitingner & Dr. Leitingner on 8 July 2026, seeks, among other things, compensation provisionally quantified at €35,000 and removal of specified content. The filing of 16 July seeks, under section 20 MedienG, €1,000 per day from each of the two defendants until proper publication of a notice: a combined demand of €2,000 daily. These are party requests, not proof that every amount was awarded. [S7, pp. 12–14; S8, pp. 2–3, point 10]

This documents the intensity of the requested sanctions. The action's subject cannot be omitted: the claimant challenges specific public allegations of criminal conduct and injury to professional reputation. His right to seek protection does not disappear because the defendants discuss an environmental concern. The factual foundation of the statements, proportionality of the demands and chilling effect of the whole procedural course require examination.

The 16 July filing also correctly invokes the narrower material scope of Directive 2024/1069. That legal argument cannot be labelled false simply because it is adverse to the couple. It does not exhaust a separate examination of fundamental rights or the broader SLAPP indicators in the Council of Europe recommendation. [S8, p. 3, points 13–14; V1–V2]

Investing the last reserves and losing trust in representation

For a person on limited income, paying a lawyer may mean spending the last savings or borrowing from loved ones. If understandable advice, an agreed filing or protection against a missed deadline then fails to materialise, money, time and confidence in a remedy can be lost together. That failure can feel like betrayal precisely because help was sought from a position of vulnerability.

The risk must be described without invented statistics: the five additional filings do not establish that most lawyers betray clients. They are the opposing party's filings, not records of the couple's own paid representation. Establishing a specific failure by one's lawyer requires the retainer, fee agreement, payments, material supplied, communications and the steps actually taken or omitted.

Section 9 RAO requires lawful, faithful and conscientious representation of accepted matters and protects confidentiality. It permits vigorous advocacy within the law. For a client, professional service also means honest explanations of risk, agreed necessary steps and disclosure of material mistakes. Rejecting an unsustainable argument or obtaining an adverse outcome is not, by itself, betrayal. [V13]

The public demand should be verifiable accountability for actual work, rather than blind trust in a title. AI can help clients keep track of documents supplied, deadlines and agreed actions. It does not replace a procedural act requiring professional representation or discharge a lawyer's obligations.

CLAIM. SOURCE. RESPONSE.

AI can connect the record.
Originals decide what is supported.

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ILLUSTRATIVE IMAGE

What the research says about AI speed and accuracy

The randomised study *Lawyering in the Age of Artificial Intelligence*, published in 2024, found significant acceleration with GPT-4 on students' legal tasks, but small and uneven quality improvements. The subsequent *AI-Powered Lawyering* study, in its 2026 registered version, reports productivity gains of 50–130% on five of six tasks with the tools tested. This is not a measure of shorter real-world trials or successful defence. Results from students and assigned tasks cannot automatically be transferred to judges or a specific Austrian file. [V6–V7]

A 2024 Stanford study of legal-research tools also recorded hallucinations in approximately 17–33% of tested responses. The figures concern particular products and methods at that time, not a universal error rate for today's AI. They show why a fast, convincing text does not guarantee correctness. Legal citations, dates and conclusions must be checked against the originals. [V8]

AI's speed can reduce professionals' informational advantage: even with limited resources, a person may compare files faster and prepare a precise question. That possible shift in power is central here. The studies do not prove fear on the part of a particular judge or an entire profession. Concerns about false citations and data disclosure have concrete foundations; any refusal to submit decisions to scrutiny needs separate evidence.

Matrices turn suspicion into a question that can be checked

AI's greatest value in this case is repeated checking of the relationship between assertion, document and official response, rather than the number of pages generated. A matrix must preserve precise sources and contrary evidence. It must not become an automatic device for attributing corrupt intent to every adverse decision.

Table 4 Documented situations and open questions

Documented situation	Key comparison	Open question
Hallein residential findings [S1, E01–E03, E88]	98, 160 and 33 µg/m ³ in the apartment versus negative samples in other premises.	Who established the source and comparability of sampling?
PVA review after an anonymous report [S1, E09–E10]	Disability questioned, then confirmed on review; benefit maintained.	What weight did police information carry and where did it originate?
Legal aid in October 2026 [S2, pp. 291–292; S3, S5; V11]	Aid refused; costs sought despite section 72(3) ZPO.	How was defence capacity assessed and how did the court decide costs?
Recusal challenge [S1, E79]	Aid refused; a later filing rejected for lack of a lawyer's signature.	Was the required signature actually obtainable?
Timing of protection [S1, E34; S2, ON 1 and index]	Earlier measure after about 40 days; 52 days to the later export without an identified decision on ON 1.	What differences in applications and procedural obstacles explain the timing?
Intervention on 10 September 2026 [S1, E25–E29, N04]	The authority invokes safety; the couple challenges the action and seeks review.	What is the outcome of independent review of lawfulness and proportionality?

This matrix gathers material for scrutiny. Its rows are not final findings of abuse. Repeatable review requires more detailed registers with consistent fields.

Table 5 Matrices for examining the case

Matrix	What it should record	Question in this case
Assertions and evidence	Exact statement; original and page; evidential scope; contrary evidence; uncertainty.	Which measurement concerns the apartment and which concerns other premises?
Procedural equality	Comparable applications from both parties; rule; deadline; reason; result.	How is different treatment of the parties' protection requests explained?
Legal aid	Scope; income; expenses; health-related capacity; complexity; reason for refusal.	Was legal help actually available where a signature was compulsory?
Information flows	Sender; recipient; date; exact content; document; legal basis.	What information did the PVA receive from police?
Consequences and remedies	Specific intervention; documented consequence; amount; causal link; review status.	What is income loss and what is proved damage from specific conduct?

Review might measure time from application to decision, the proportion of substantive objections actually addressed or the evidence whose significance is explained in the decision. Denominators, selection and definitions must be public. Ten documents from one party do not automatically outweigh one from another. Refusing evidence is not necessarily concealing it: inadmissibility, lateness or irrelevance may be offered as reasons, and those reasons must be checked.

Nor should the system invent a percentage of 'proved corruption' or 'SLAPP certainty'. Its output should be a specific contradiction or unresolved question with its source, not a seemingly scientific score. In that form, AI can also assist a lawyer by reducing retrieval time and leaving room for legal judgment.

Digitalisation must also strengthen the weaker party

Support for AI now also comes from European institutions. On 20 November 2025, the European Commission adopted DigitalJustice@2030, promoting AI in justice and better availability of legal data. The objective is faster and more effective justice. The document does not tell citizens to replace lawyers with chatbots. [V9]

The judiciary of England and Wales also published updated AI guidance in October 2025. It stresses responsibility for outputs, confidentiality and the risk of inaccurate information. The institutional response therefore includes governed use as well as resistance. [V10]

If courts receive new analytical tools while people without means still lack file access and necessary legal assistance, technology can worsen inequality. Readable digital files, traceable reasoning, control over data handling and support proportionate to actual litigation capacity are therefore essential. Being able to prepare a text with AI should not automatically be treated as proof that a person can handle every legal and procedural task alone.

Repeated professional contact among judges, lawyers and officials in a local environment calls for particular transparency. This case does not support a ranking of small and large courts or prove that the problem is identical everywhere. Any alleged protection of ‘their own’ must be demonstrated through concrete links, unequal treatment and conduct lacking an adequate explanation.

How an evidence matrix can change the quality of a challenge

A matrix is a structured comparison, not a verdict generator. Start with a claim small enough to test: for example, whether an inspection resolved the source in the apartment. Record the exact wording and page of the inspection’s mandate and conclusion. Record the location and date of the residential sample. Then state the supported conclusion in equally narrow terms. If the inspection says that the residential source was outside its remit, the matrix can expose an unanswered source question without accusing the inspector of identifying and protecting a polluter.

The next column should contain the strongest contrary material. In the water strand that includes the favourable assessment within the laboratory’s tested scope and the later pH result. A matrix that stores only unfavourable measurements would reproduce selective advocacy rather than correct it. Another column should state what additional material could change the conclusion: a comparable sample, an expert assessment of the pathway, a complete decision or a documented explanation of jurisdiction. Uncertainty then becomes a task that can be investigated.

A second example concerns money. The original demand, its date, legal subject and amount belong in separate fields. The €552.66 requested in September protection submissions and the €552.66 requested in an October legal-aid response are numerically identical but procedurally different. Copying the number into a single running total without that distinction would mislead readers. The matrix should also distinguish a request, an award, an enforceable obligation and an actual payment. [S3,S6]

A third example concerns delay. Define the start event, end event and relevant application before calculating elapsed days. Record other steps, including supplementary applications, jurisdictional issues and recusal proceedings. The result might show a period for which an explanation is missing. It should not silently convert that period into a proved intentional delay. A comparison between parties is strongest when it also asks whether urgency, legal basis and procedural stage were sufficiently comparable.

A proposed workflow for VERHO

First preserve the original file and assign a stable identifier. Keep the original language alongside any translation, with page numbers and the date obtained. A searchable copy can make retrieval easier, but

it should not replace the original scan, attachments or complete correspondence. Track whether a passage is a quotation, a translation or a summary. Those are different editorial operations and need different checks.

Next use AI for candidate retrieval: locate repeated claims, suggest possible conflicts and group documents by a defined issue. Every suggested conflict should then be checked by a person against both originals, including nearby context. An updated result, a different room or a separate procedural regime may explain the apparent discrepancy. The final public formulation should state what survived that check, rather than repeat the model's confident first impression.

Then ask for an answer capable of being evaluated: identify the document, the apparent omission and the question. Record the response in the same matrix. If it resolves the issue, update the public conclusion. If it introduces a new factual assertion, connect that assertion to its evidence. If it challenges admissibility, distinguish that objection from an answer on truth. This makes the process open to correction rather than a machine for confirming the team's existing view.

Finally maintain a corrections and version record. Public-interest work gains credibility when readers can see that an earlier inference was narrowed after a new document arrived. Confidential medical and personal material should be handled deliberately: preserve what is needed for review and avoid publishing unrelated details. The proposed system is an aid to organisation and accountable reasoning; its name should not be treated as certification that a particular allegation has been proved.

Why speed and reliability need separate measures

A tool may retrieve a passage quickly yet summarise its legal meaning incorrectly. It may accurately quote a statute while overlooking the kind of proceeding to which it applies. A useful assessment should therefore distinguish retrieval success, factual accuracy, completeness of context and legal relevance. More output is not necessarily more knowledge. A shorter verified account may be stronger than hundreds of generated pages.

For public comparisons, every performance number needs a defined task and denominator. The research percentages discussed above concern the studies and tools cited there. They cannot be used to claim that AI is universally more accurate than lawyers, that judges are unnecessary or that a specific filing will succeed. The practical promise is narrower and substantial: lowering the cost of finding and checking material can make a person's evidence harder to overlook.

What meaningful accountability would look like

For courts, this account proposes decisions that explain decisive objections and assess actual defence capacity in the circumstances of the person. A legal-aid refusal should allow the reader to understand why the identified barriers do not require professional assistance. A formal rejection should be examinable against a record of whether compliance was practically available. These are questions for assessment, not a claim that every applicant must win.

For lawyers, accountability means distinguishing robust advocacy from personal disparagement and answering evidence rather than attributing motives to its author. A description such as AI-generated is relevant when tied to a demonstrated defect, such as a nonexistent citation. It is weak when substituted for a substantive answer. Clients also need a record of instructions, scope, fees and work performed so that genuine professional failures can be distinguished from disagreement or an unfavourable result.

For administrative and investigative bodies, the proposed standard is traceability: what question was examined, what remained outside the mandate, where the unresolved issue was referred and what happened next. Merely receiving a complaint cannot be treated as proof of protection. Nor does an unresolved question itself identify a criminal offender. The objective is a chain of responsibility that allows the public to see whether the reported concern obtained a meaningful answer.

For journalists and readers, the same discipline requires accurate quotation, clear source status and space for a documented reply. Criticism can be forceful without treating suspicion as a conviction. Where a response supplies a specific contrary document, it should be assessed on the same terms as the couple's material. That symmetry is part of the proposed defence against unequal power: the evidential rule remains the same whoever benefits from it.

PROTECTION MUST ARRIVE IN TIME

Daphne Caruana Galizia and
Hrant Dink: memory and accountability.

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ILLUSTRATIVE IMAGE

When judicial pressure accompanies a tragic outcome

Intimidatory proceedings can drain resources, isolate a person and obstruct public-interest reporting. When threats and violence accompany that pressure, protection must arrive while the person is still alive. The following cases illuminate different aspects of that danger. The existence of litigation before a murder does not, by itself, establish that a particular lawsuit caused the killing.

Daphne Caruana Galizia and litigation that outlives its target

Maltese investigative journalist Daphne Caruana Galizia was killed by a car bomb on 16 October 2017. A June 2019 report by the Parliamentary Assembly of the Council of Europe records 47 pending libel cases at her death; many were then continuing against family members as heirs. It describes judicial harassment and personal attacks. That figure is not a collection of 47 final judicial findings of abuse. It documents the scale of pressure and the possibility that the burden continues after the reporting person dies. [1]

Malta's 2021 public inquiry, recalled at a PACE hearing on 9 September 2026, distinguished unproved participation by the state in the murder from its responsibility for creating a climate of impunity. At that hearing the family criticised the continuing absence of convictions for commissioning the murder, following Yorgen Fenech's acquittal the previous week. The public inquiry's conclusion is not a criminal conviction of individual officials. Its institutional lesson is concrete: allowing a journalist to defend lawsuits is insufficient if threats and isolation are not met with effective protection. [2]

Hrant Dink and the duty to protect a threatened voice

Hrant Dink, a Turkish journalist of Armenian origin, was assassinated on 19 January 2007. He had been convicted in 2005 of denigrating Turkishness and faced nationalist hostility and threats. In Dink and

Others v. Turkey, decided on 14 September 2010, the European Court of Human Rights found violations concerning protection of life, the effectiveness of the investigation, freedom of expression and an effective remedy in connection with the right to life. [13]

Dink concerns criminal repression of speech and failure to protect life, rather than a civil SLAPP within the EU directive. It nevertheless demonstrates why judicial stigmatisation and personal vulnerability must be considered together: the state must create conditions for participation in public debate without fear of violence. A judgment after an assassination can recognise a violation; it cannot restore the life lost. [13]

Eight decisions against which protection can be tested

Case law does not automatically determine the outcome of every later dispute. It provides standards for examining a decision: effective access to court, procedural balance, freedom of criticism, protection of public-interest disclosure and proportionate sanctions. These decisions concern different jurisdictions and facts. Applying them to the Pribela–Povalová record requires the complete file, the procedural stage and the remedy actually available.

Airey v. Ireland explains that access to justice must be practical and effective. Complexity and personal circumstances may make legal assistance necessary in a civil dispute. It does not create an unconditional entitlement to publicly funded counsel for every lawsuit. *Steel and Morris v. the United Kingdom* shows how lack of representation can undermine fairness in lengthy, complex defamation proceedings against a much stronger opponent. [15,V5]

Lingens v. Austria distinguishes facts, which can be proved, from value judgments, whose truth cannot be established in the same way. Political criticism receives broad protection, without turning every factual accusation into an opinion immune from verification. *Halet v. Luxembourg* assesses public-interest disclosure through the whistleblower criteria as a whole: available channels, public interest, authenticity, detriment, good faith and sanction severity. In the *LuxLeaks* circumstances, the criminal conviction failed the proportionality assessment. [14,I6]

OOO Memo v. Russia examines a public executive body suing in defamation: protection of an administration's reputation cannot automatically be treated like a private person's reputational interest. *Real Madrid Club de Fútbol and Others, C-633/22*, concerns enforcement across borders. Where disproportionate damages would manifestly violate press freedom through their chilling effect, enforcement must be refused to the necessary extent. It does not authorise an unrestricted reopening of the foreign judgment's merits. [17,I8]

In Italy, Constitutional Court judgment 150/2021 struck down a provision mandating imprisonment together with a fine for a particular form of press defamation. It did not abolish defamation or every possibility of imprisonment. It retained imprisonment for exceptionally serious cases under a constitutionally compliant interpretation of Article 595(3) of the Criminal Code. This is a limit on punitive power, not a licence to defame. [19]

Table 6 Eight decisions and their practical limits

Decision and reference	Protection recognised	Practical test and limit
<i>Airey v. Ireland</i> 9 October 1979 6289/73 [15]	Practical and effective access to court; legal assistance may be necessary in civil proceedings.	Assess complexity and the person's capacities. No automatic right to free counsel in every dispute.
<i>Steel and Morris v. UK</i> 15 February 2005 68416/01 [V5]	Fairness and freedom of expression in litigation against a much stronger opponent.	Duration, complexity, resources and actual defence capacity matter. Wealth inequality alone does not decide a case.

Decision and reference	Protection recognised	Practical test and limit
Lingens v. Austria 8 July 1986 9815/82 [I4]	Broad protection for political criticism; facts distinguished from value judgments.	Proof of the truth of a value judgment cannot be demanded. Factual accusations remain subject to verification.
Dink and Others v. Turkey 14 September 2010 2668/07 and others [I3]	Protection of life, effective investigation, freedom of expression and an effective remedy.	Protection must precede violence. Criminal repression and threats, rather than a typical civil SLAPP.
Halet v. Luxembourg Grand Chamber 14 February 2023 21884/18 [I6]	Public-interest disclosure in LuxLeaks; proportionality of sanctions.	Assess whistleblower criteria together. Not every disclosure of confidential material is automatically protected.
OOO Memo v. Russia 15 March 2022 2840/10 [I7]	Limits on a public executive body's defamation action for its own reputation.	Distinguish the administration from individual officials and publicly owned companies trading on the market.
CJEU Real Madrid and Others 4 October 2024 C-633/22 [I8]	Refusal of foreign-judgment enforcement where disproportionate damages manifestly violate press freedom.	Examine proportionality and chilling effect. Not a fresh trial of the underlying facts.
Italian Constitutional Court Judgment 150/2021 Filed 12 July 2021 [I9]	Invalidation of mandatory imprisonment combined with a fine under Article 13 of the press law.	Defamation remains punishable; imprisonment is not excluded in exceptionally serious cases.

The gap between a written right and protection in real life

The gap becomes visible in timing and consequences. A person may eventually win and meanwhile lose income, health, housing or the capacity to keep reporting. Protection should therefore be examined by when it intervenes, what harm it prevents and what it costs to activate. Formally correct reasoning does not establish that the system as a whole is effective. Equally, an adverse decision alone does not prove corruption or criminal coordination.

A VERHO matrix should record the right invoked alongside the request date, the response, elapsed time and the effect on the person. For legal aid, scrutiny needs to identify who assessed the application, using which documents, for what activities and with what route to challenge a refusal. For evidence, admission, non-acquisition, substantive evaluation and an unanswered argument are different problems. They require different, accurately framed criticisms.

Threatened people also need timely risk assessment. Council of Europe guidance on implementing Recommendation CM/Rec(2016)4 identifies concrete protective responses where authorities know, or ought to know, of a real and immediate risk to journalists' life or physical integrity. These are protection guidelines, distinct from binding judgments in individual cases. Their value depends on effective activation of measures, not how many policy documents exist. [I10]

AI can make this gap visible by connecting each step to an original, comparing a decision with the application, flagging unanswered points and building a checkable chronology. It cannot assign secret intentions or decide guilt. The strongest output is a reproducible challenge: this evidence was available on this date; this request received no identified answer; this delay had this documented effect. Written rights then become a concrete standard of accountability.

Testing the state's capacity to protect public scrutiny

The Pribela–Poalová case can be presented as a documented study of the risk of silencing through accumulated proceedings. Its strongest points are concrete: repeated laboratory findings with an

unresolved source, scrutiny shifting towards public activity, a documented information flow to the PVA, defence costs and the formal obstacle of a lawyer's signature. Each has its own factual and legal question.

A claim that the entire state apparatus deliberately coordinated silencing would require further evidence of intention and coordination. That is no reason to postpone scrutiny of measures whose effects are already documented. The state must explain, understandably, why it restricted speech and refused assistance, how it checked the reported risk and what effective protection it offered those affected by its decisions.

AI's role here is concrete: helping citizens preserve links, verify quotations and formulate questions that cannot be answered adequately without addressing the documents. The quality of justice is then measured by whether a decision withstands that scrutiny, not by the volume of text produced.

Sources and scope of review

The case analysis draws on the consolidated file and checks of selected decisive originals reproduced in its annexes and the later court-file export. It is not a page-by-page independent review of all 914 pages or an expert forensic assessment. Party submissions, official findings and open hypotheses are distinguished. Later procedural developments are not assumed. This expanded English public edition includes European comparisons referenced I1–I10 alongside explanatory commentary, a reader's guide, a selected chronology and a worked evidence-matrix method. Recommendations are identified as recommendations, not existing findings against the parties or authorities.

[S1] VERHO_15-10-2026_JEDNOTNA_LINIA_SPIS.pdf, 914 pages. Main analysis pp. 3–45; Hallein E01–E04 and E88; Kohfidisch K01; PVA E09–E10; civil proceedings E34–E37; access to justice E79; enforcement E25–E29; StA Graz acknowledgement N04, p. 47. Codes refer to internal evidence sheets and attached reproductions, not additional independent sources.

[S2] 682 032 C 1393_26 h - Gesamtakt(8).pdf, 477 pages, available from 16 October 2026. Checked particularly: index pp. 1–2, application pp. 3–8, decisions pp. 291–294 and deadline-setting application passages pp. 297–299. Party submissions are not judicial findings.

[S3] Rekursbeantwortung (1)(1).PDF, identical in content to the previously reviewed Rekursbeantwortung (1).PDF, MMag. Lukas Putz for Rosmarie Krenn, 16 October 2026, 32 C 1393/26h, 3 pages. Full text checked; €552.66 is requested costs, not a judicial award.

[S4] Direct communication from Pavol Pribela reporting the dog's death on 25 April 2026. No veterinary finding of causation is established here.

[S5] Rekursbeantwortung(1).PDF, MMag. Lukas Putz for Rosmarie Krenn, 7 October 2026, 13 C 2/26k, 3 pages. Full text; AI quotation and formal objections p. 2, requested costs of €1,033.91 p. 3.

[S6] 682 032 C 1393-26 h - ON 8 Stellungnahme zum Antrag(4).pdf, MMag. Lukas Putz for Rosmarie Krenn, dated 3 September 2026, electronically filed on 7 September according to the ERV record. Six pages of submissions and two ERV pages; quotations pp. 4 and 6. Drafting and filing dates differ.

[S7] 637_005_HV_40-26_p-Vollmachtsbekanntgabe_Privatanklage...(20261017-051902).pdf, Dr. Leitinger & Dr. Leitinger for MMag. Lukas Putz, 8 July 2026, 14 pages. Full text; €35,000 pp. 12–13. Statements attributed to defendants are allegations in the action, not independent verification of their truth.

[S8] 637_005_HV_40-26_p-Antrag_gemaess_Par_20_MedienG_Aeusserung_zur_Stellungnahme_der_Angeklagten_Urkundenvorlage(4).pdf, Dr. Leitinger & Dr. Leitinger for MMag. Lukas Putz, 16 July 2026, 4 pages. Full text; requested daily penalty point 10, response to SLAPP arguments points 11–25.

[V1] Council of Europe Committee of Ministers, Recommendation CM/Rec(2024)2, 5 April 2024. Official explanation of scope and indicators. https://www.coe.int/en/web/cm/news/-/asset_publisher/hwwluK1RCEJo/content/council-of-europe-urges-member-states-to-counter-abusive-lawsuits-aimed-at-silencing-journalists-and-other-watchdogs/16695

[V2] Directive (EU) 2024/1069, particularly Articles 2 and 22. <https://eur-lex.europa.eu/eli/dir/2024/1069/oj>

[V3] CASE, A 2025 Report on SLAPPs in Europe: Democracy in the Dock, published in 2026. Figures 234/167/67 checked in indexed text; direct PDF access was blocked. <https://www.the-case.eu/wp-content/uploads/2026/01/CASE-2025-Report-layoutted-vf.pdf>

[V4] Austrian RIS, Zivilprozessordnung, section 64(1)(3), version NOR40243638. <https://www.ris.bka.gv.at/Dokumente/Bundesnormen/NOR40243638/NOR40243638.html>

[V5] ECtHR, Steel and Morris v. the United Kingdom, 15 February 2005, application 68416/01. Official Council of Europe summary. <https://www.coe.int/en/web/impact-convention-human-rights/-/justice-for-environmental-activists-in-mclibel-defamation-case>

[V6] Choi, Monahan and Schwarcz, Lawyering in the Age of Artificial Intelligence, Minnesota Law Review 109, 147, 2024. <https://scholarship.law.umn.edu/minnrev/vol109/iss1/3/>

[V7] Schwarcz et al., AI-Powered Lawyering: AI Reasoning Models, Retrieval Augmented Generation, and the Future of Legal Practice, Journal of Law & Empirical Analysis 3, 220, 2026. University-recorded abstract version used; an earlier public version gave a different range of gains. https://scholarship.law.umn.edu/faculty_articles/1207/

[V8] Magesh et al., Hallucination-Free? Assessing the Reliability of Leading AI Legal Research Tools, 2024, Stanford RegLab. <https://reglab.stanford.edu/publications/hallucination-free-assessing-the-reliability-of-leading-ai-legal-research-tools/>

[V9] European Commission, Communication on DigitalJustice@2030, adopted 20 November 2025. https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/digitalisation-justice/communication-digitaljustice2030_en

[V10] Courts and Tribunals Judiciary, Artificial Intelligence Judicial Guidance, 31 October 2025. <https://www.judiciary.uk/guidance-and-resources/artificial-intelligence-ai-judicial-guidance-october-2025/>

[V11] RIS, Zivilprozessordnung, section 72(3), NOR40057879. Exemption from compulsory representation and exclusion of costs reimbursement in legal-aid matters. <https://www.ris.bka.gv.at/eli/rgb/1895/113/P72/NOR40057879>

[V12] OLG Wien, 14 R 109/25i, 27 October 2025, official RIS. Reasoning point 1 confirms admissibility of legal-aid appeals by unrepresented parties without a lawyer's signature. https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Justiz&Dokumentnummer=JJT_20251027_OLG0009_01400R00109_25I0000_000

[V13] RIS, Rechtsanwaltsordnung, section 9(1)–(2), NOR40263825, effective from 1 January 2025. Faithful and conscientious representation, lawful means and professional secrecy. <https://www.ris.bka.gv.at/eli/rgb/1868/96/P9/NOR40263825>

[V14] Decision 6 R 6/26p, 26 February 2026, official RIS, final reasoning passages. Costs of responding to a legal-aid appeal remain with the responding party. https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Justiz&Dokumentnummer=JJT_20260226_OLG0639_00600R00006_26P0000_000

[V15] RIS, Bundes-Verfassungsgesetz, Article 87(1), NOR40139674. Judicial independence in adjudication. <https://www.ris.bka.gv.at/eli/bgbl/1930/1/A87/NOR40139674>

[V16] ECtHR, Ruiz Torija v. Spain, 9 December 1994, application 18390/91, particularly §§ 29–30. Reasoned decisions and response to a decisive objection. <https://hudoc.echr.coe.int/app/conversion/pdf/?filename=001-57909.pdf&id=001-57909&library=ECHR>

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[I2] PACE, hearing with the Caruana Galizia family, 9 September 2026; recalls the 2021 public inquiry and discusses the criminal proceedings at that hearing. <https://pace.coe.int/en/news/10400/members-of-daphne-caruana-galizia-s-family-at-a-pace-hearing-denounce-the-failure-to-convict-anyone-for-ordering-her-murder>

[I3] ECtHR, Dink and Others v. Turkey, 14 September 2010, applications 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09. Official legal summary and press release. <https://hudoc.echr.coe.int/eng?i=002-808> | <https://hudoc.echr.coe.int/app/conversion/pdf/?filename=003-3262169-3640194.pdf&id=003-3262169-3640194&library=ECHR>

[I4] ECtHR, Lingens v. Austria, 8 July 1986, application 9815/82, especially § 46. <https://hudoc.echr.coe.int/eng?i=001-57523>

[I5] ECtHR, Airey v. Ireland, 9 October 1979, application 6289/73, especially §§ 24–26. <https://hudoc.echr.coe.int/eng?i=001-57420>

[I6] ECtHR, Grand Chamber, Halet v. Luxembourg, 14 February 2023, application 21884/18. <https://hudoc.echr.coe.int/eng?i=001-223259>

[17] ECtHR, *OOO Memo v. Russia*, 15 March 2022, application 2840/10. Official legal summary. <https://hudoc.echr.coe.int/fre?i=002-13588>

[18] CJEU, Grand Chamber, *Real Madrid Club de Fútbol and Others*, 4 October 2024, C-633/22, ECLI:EU:C:2024:843. Official Italian summary in the Court's 2024 Panorama. <https://curia.europa.eu/panorama/2024/it/judicial-activity.html>

[19] Italian Constitutional Court, judgment 150/2021, decided 22 June, filed 12 July 2021. Official judgment and operative part. <https://www.cortecostituzionale.it/scheda-pronuncia/2021/150>

[10] Council of Europe, Early warning, rapid response and protection, implementing Recommendation CM/Rec(2016)4, guidelines 8–10. <https://www.coe.int/el/web/freedom-expression/early-warning-rapid-response-protection>