



European network of legal experts in gender equality and non-discrimination

FLASH REPORT

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| Country: | Italy |
| Title: | New bill regarding gender-based and domestic violence approved |
| Date: | 14 October 2019 |
| Expert: | Simonetta Renga |
| Update of flash report nr: | Italy - The Government's commitment in tackling gender-based and domestic violence (PDF 91 kB) |
| <u>Context</u> | |
| Issue at stake: | Gender violence |
| Grounds of discrimination: | Gender |
| Field of application: | Violence against women |
| Source: | National legislation |
| Applicable law: | Bill S.1200 on amendments of the Penal Code, Code of Criminal Procedure and of other provisions aimed at the protection against gender-based and domestic violence |

Content

Legal development: On 17 July 2019, the Senate has definitively approved Bill S.1200 on the improvement of criminal protection and redress for victims of violence.¹ The Bill, described in the flash report of 1 July 2019,² has been called the 'Red Code' referring to the colour red as a reminder of the bill's necessity, as the problem of violence is extremely present in Italy. The latest reform is also targeted at accelerating legal proceedings regarding domestic violence and gender-based violence and consequently the issue of emergency orders for preventing violence.

Key points of analysis: The overall agreement on the urgency and necessity of this law reform is well illustrated by the fact that a large majority of the Government approved it: 194 votes in favour, 47 abstentions and none against. Nevertheless, the vote was accompanied by a sharp split between right and centre right parties, which voted in favour, and left and centre left ones, which chose to abstain, confirming the position already taken in the Chamber of Deputies.

The choice to abstain has been strongly criticised on social networks. In contrast, newspapers published victorious headlines and comments of politicians sustaining the reform underlined the increase in protection of the victims of gender violence and the reduced time it takes for an intervention to take place. Laura Boldrini, a representative of a left Party, explained in a video that the abstention is aimed at highlighting the opinion of several experts (opposing to the law) as well as a critical point underlined by the *Consiglio Superiore della Magistratura* (the autonomous governing body of the Magistracy) which

¹ Bill S.1200 on the improvement of criminal and redress protection of victims of violence, 17 July 2019, <http://www.senato.it/service/PDF/PDFServer/BGT/01118871.pdf>.

² <https://www.equalitylaw.eu/downloads/4909-italy-the-government-s-commitment-in-tackling-gender-based-and-domestic-violence-pdf-91-kb>.

has not been taken into consideration at all, as all amendments to the text have been rejected by the majority.

In any case both parties recognized that the Bill provides for some important changes, although a further improvement of the criminal protection for victims of domestic violence is to be pursued.

Internet link source: Bill S.1200 on the improvement of criminal and redress protection of victims of violence <http://www.senato.it/service/PDF/PDFServer/BGT/01118871.pdf>.

Video by Laura Boldrini: <https://www.repubblica.it/politica/2019/07/18/news/boldrini-231510705/?ref=RHRS-BH-I231511431-C6-P12-S1.6-F3>.