

NATIONAL REPORT ITALY 2016

DETAILS REPORT WRITING ORGANISATION

Country: Italy

Organisation writing report: Relive – Relazioni Libere dalle Violenze

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Representing any other organisations? Yes

Names of these organisations:

Centro di Ascolto Uomini Maltrattanti (CAM), Firenze

Centro di Ascolto Uomini Maltrattanti (CAM), Ferrara

White Dove Evoluzione del Maschile Onlus, Genova

Centro SAVID (Stop alla violenza domestica Insegn. di Criminologia/ Università degli Studi di Milano

Fondazione Famiglia Materna, Rovereto

C.I.P.M Centro Italiano per la Promozione della Mediazione, Milano

C.I.P.M Emilia

Forum Lou Salomè – Progetto Uomini - non più violenti - si diventa, Milano

Il Cerchio degli uomini, Torino

Alfid, Trento

Associazione Centro di Ascolto Uomini Maltrattanti (CAM), Roma

Cambiamento Maschile, Montebelluna

Centro Ares, Bassano del Grappa

Cerchio delle Relazioni, Genova

Gruppo R, Padova

Interpares, Trieste

1. ORGANISATIONS/PROGRAMMES

WHAT TYPE OF ACTIVITIES RELATED TO DOMESTIC VIOLENCE PREVENTION HAS YOUR ORGANISATION CARRIED OUT DURING THE LAST THREE YEARS?

- 1) Promotion of perpetrator programmes at a local, regional and national level
- 2) Promotion of standards and guidelines for services provided by perpetrator programmes
- 3) Training of service providers and professionals on male accountability, domestic violence, victim safety, risk assessment and perpetrator programmes
- 4) Promotion of legal reform and law implementation, and liaisons with the Ministry of Interior and the Ministry of Equal Opportunity relating to procedures and the National Plan on domestic violence

WHAT WOULD YOU DEFINE AS THE BIGGEST OBSTACLES/CHALLENGES REGARDING VIOLENCE PREVENTION TO YOUR ORGANISATION/S? PLEASE FOCUS ON THE LAST THREE YEARS.

- 1) Achieving recognition for the importance of working with perpetrators as a part of a community-integrated response to violence against women, particularly through a gendered perspective, and with a focus on victim safety
- 2) Securing funding
- 3) Developing standards and procedures of evaluation
- 4) Developing collaboration with specialised victim support services

2. COUNTRY

PLEASE GIVE AN OVERVIEW OF GENERAL SITUATION IN YOUR COUNTRY REGARDING WORK WITH PERPETRATORS.

Specialised services for perpetrators of domestic violence were introduced in Italy in 2009. Since then, there has been a growing interest in the issue, and many services have been established. In 2013, the law specifically included perpetrator programmes in the National Plan for the first time. The plan was then drafted and voted on in 2015. In 2014 a national organisation was founded to unite the various perpetrator programmes in Italy. Presently, there are about 25 programmes that provide different levels of service. Around half these programmes have stable funding, while the rest are run by volunteers or are funded by start-up projects.

PLEASE GIVE AN OVERVIEW OF YOUR COUNTRY'S CRIMINAL AND CIVIL RESPONSE TO DOMESTIC VIOLENCE, ESPECIALLY ANY CHANGES WITHIN THE LAST 3 YEARS? (I.E. WHAT ARE THE MOST IMPORTANT LEGAL AND POLICY MEASURES AND HOW HAVE THEY BEEN IMPLEMENTED?)

In recent years, certain civil and criminal laws have been amended in Italy.¹ As a result of these recent reforms, the legal system is currently equipped with many useful tools to ensure access to justice for women survivors of male violence. Nevertheless, Italy still lacks a comprehensive legal strategy and an organic, articulated and consistent social policy that ensures the effectiveness of existing legal instruments. Discriminatory biases against women still jeopardise the enforcement of legal provisions. Most of the recent legal reforms were included in the so-called “security packages” that contained various measures inspired by security and public order principles.² Law No.119/13 deals with violence against women (VAW) in a fragmentary way, giving priority to criminal law and

¹ Law No.154/2001; Law No. 54/2006; Law No.219/12; Legislative decree No. 154/2013; Law No.38/2009; Law No.119/2013; Law No.38/2009; Law No.119/2013

² Law No. 77/2013; see Law No.38/2009 and Law No.119/2013

neglecting prevention measures such as training and awareness-raising. To date, no official monitoring activity has been conducted, however women's organisations report that, contrary to statements of the Ministry of Interior, arrests in cases of domestic violence and stalking are very rare, as is the enforcement of protection orders, and warnings for stalkers and domestic violence perpetrators.³

Law 119/14 also acknowledges, for the first time, the importance of work with perpetrators. The law indicates that the National Plan should include the development of perpetrator programmes and the elaboration of relevant guidelines for such work. An interesting innovation of Law 119/2013 is the introduction of a "civil warning", in the form of a warrant, that is directed towards men who have committed acts of violence. The Head of Police (Questore) issues the warrant, and in doing so, the Questore is required to inform the perpetrator of any perpetrator programmes available to him. If the perpetrator commits further violence, criminal charges will proceed. The civil warning is a promising tool and prevention measure however it has been marginalised in current police procedures. Relive has been lobbying with the relevant Ministry to push for changes in the implementation of the warrant.

In Italy, immediate protection for women facing violence is not granted continuously or uniformly, due to an underestimation of the dangers posed by men who perpetrate VAW. It is often the case that violence is confused with intra-family conflict.⁴ More recently an amendment was passed that institutes a formal structure for ER procedure in cases of "vulnerable victims". The non-gendered formulation of the law, and the formal link between the judicial system and specialized victim support services, has raised heavy criticism. In particular, there are concerns that mandatory reporting poses a potential risk for women accessing the health care system, both in terms of violations of privacy and in

³ Associazione Differenza Donna, Report sull'attuazione della legge n. 119/2013 recante disposizioni contro la violenza di genere, 12/6/2014

⁴ See the national network of lawyers of women's shelters who asked for a monitoring process for the latest reforms.

terms of the capability of the system to protect women once reporting has taken place.⁵

Access to justice:

The way in which courts and prosecutors' offices are organised prevents fast and effective access to justice for women. Despite recommendations for training and specialisation from the Supreme Council of the judiciary, the last monitoring process revealed disparities in practices. The mandatory prioritisation of criminal proceedings for domestic violence, sexual violence and stalking, is not respected. When interviewing victims of crime who are particularly vulnerable, the courts lack basic structural requirements, such as dedicated entrances and rooms.

Penal code 572 is a domestic violence law that punishes any kind of recurrent and repeated violence within the family through the exercise of power and control. This includes psychological violence.

PLEASE TELL US ABOUT THE PROGRESS YOUR COUNTRY HAS MADE IN RELATION TO ISTANBUL CONVENTION.

The Istanbul Convention was ratified in June 2013 and entered into force on 1 August, 2014. Law 119/2013 enforces some requirements of the Istanbul Convention including information processes for victims, severe punishment for crimes related to domestic violence, and specific measures for women asylum seekers, and immigrant women requesting residency permits, who are experiencing DV. The law also includes aspects of article 16, through its reference to the necessity of including and developing perpetrator programmes (article 5). The legislation also contains references to education, and the government has contributed a grant of four million euros for projects undertaken in Italian schools. Problems of funding have been partially (though not adequately) addressed thorough two national funding plans. The first has already transferred resources to regional

⁵ Emendamento Giuliani 451 bis and ter 2016.

areas, and the second is to be implemented before the end of 2016. There has also been a national call for projects in need of grants, but these have not yet been evaluated and funded.

Provision of protection for victims of DV remains lacking. This is not due to a lack of legislation, but rather a result of non-implementation.

DO YOU KNOW ANY OTHER ORGANISATIONS/PROGRAMMES IN YOUR COUNTRY THAT CARRY OUR DOMESTIC VIOLENCE PERPETRATOR WORK? IF YES, PLEASE, LIST THEM.

See: <http://www.casadelledonne-bs.it/elenco-dei-centri-per-uomini-maltrattanti/>.

3. BEST PRACTICES

TELL US ABOUT BEST PRACTICES IN WORK WITH PERPETRATORS IN YOUR COUNTRY.

- NGO conventions with the general public
- Public services

The Italian political system is based on the autonomy of the various regions, and these regions have issued different laws regarding domestic violence. Some regions modified their laws between 2011 and 2014 in order to include a focus on perpetrator work, increase the safety of women, prevent the recurrence of violence, and increase perpetrator responsibility. Seven regions have instituted changes regarding work with perpetrators (Piemonte, Campania, Umbria, Emilia-Romagna, Sardegna, Lazio and Puglia). Eleven regions in total have promoted or sustained perpetrator work in the public system or through private NGOs, including them in community support systems addressing violence against women.

The public institution that has been most responsive to requests for work with perpetrators is the Regional Health Care System, both through its direct provision of services, and through its collaboration with private NGOs. This experimentation has resulted in two

forms of best practice. Firstly, in the Tuscan Region, the private NGO CAM has been working in collaboration with the local health care system since 2010. Secondly, in the Emilia-Romagna region, the local health care systems of Modena and Parma have created perpetrator programmes within family clinics that were traditionally dedicated to women's issues specifically. There have also been widespread training efforts for professionals in the ER, general practitioners, etc.

4. NEEDS AND RECOMMENDATIONS

WHAT HAS TO BE DONE TO PREVENT DOMESTIC VIOLENCE IN YOUR COUNTRY (REGARDING WORK WITH PERPETRATORS)?

- 1) Protection of victims and a wider application of restriction orders to abusive men
- 2) Implementation of electronic tracking devices for convicted perpetrators, or in situations evaluated as high risk
- 3) Preventive work with police and social service on the use of warrants
- 4) Implementation of possibilities for preventive work through police warrants
- 5) Stable funding
- 6) Better collaboration with victim support systems
- 7) Implementation of programmes in jail settings

WHAT ARE THE MOST IMPORTANT TASKS AND STEPS THAT YOU FEEL SHOULD BE FOCUSED ON IN YOUR COUNTRY IN ORDER TO TACKLE DOMESTIC VIOLENCE ON A GENERAL LEVEL?

- 1) Coordinated support systems
- 2) High-risk management

- 3) Protection for victims – the legal system is still not responding adequately to women's requests for protection, and pressing charges still places women at risk
- 4) Better application of protection measures by judges/law enforcement
- 5) Development of structured work on rape/specific rape crisis centres – the prevalence of victim-blaming attitudes must also be addressed
- 6) Press coverage of the phenomena
- 7) The controversy surrounding gender sensitisation in schools must be addressed. In the last year very vocal groups of Catholic parents have protested against the inclusion of gender-focused programmes in the syllabus. This has made it very difficult for school authorities to continue the implementation of national guidelines on the inclusion of anti-discrimination programmes in schools.

Written by Alessandra Pauncz, Relive – Relazioni Libere dalle Violenze

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