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## ARTEMIS:

Promoting the right of protection of women through the  
application of the EC Directive 2011/99/EU and the European  
Protection Order

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# THE APPLICATION OF THE EC DIRECTIVE 2011/99/EU AND THE EUROPEAN PROTECTION ORDER

*ITALY*



## LEGAL NOTICE

This report is the result of a research carried out by Eleonora Borrelli within the implementation of the project “ARTEMIS - Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order”.

All reasonable efforts have been made to ensure the accuracy of the data referred to in this report, including through data verification. We regret, however, any data errors that may remain.

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## **INTRODUCTION**

### ***Introduction to the project***

The project *ARTEMIS - Promoting the right of protection of women through the application of the EC Directive 2011/99/EU and the European Protection Order* arises from the need to better understand the reasons behind the non-application and/or the incorrect application of the Directive on the European Protection Order, a tool available to all victims of violence to enable the application of judicial protection orders issued in criminal proceedings in another Member State in a European Member State.

Research carried out before the drafting of the project revealed that since 2011 only 7 EPOs have been issued throughout Europe (4 in Spain, 2 in UK and 1 in Italy) and, considering the amount of victims of violence that each year is recorded in the European context, the number is rather low.

Therefore, the aim of the project is to study the state of application of the Directive in the project partner countries (Italy, Cyprus, Greece, Croatia and Czech Republic) and, subsequently, to improve information on the Directive and to increase the knowledge of lawyers, legal experts and European citizens.

### ***Country context***

Research recently published by *ISTAT – the National Institute of Statistics* – showed that in Italy 31.5% of 16-70 years old women (6 million 788 thousand) have suffered some form of physical or sexual violence during their lifetime: 20.2% (4 million 353 thousand) have experienced physical violence, 21% (4 million 520 thousand) sexual violence, 5.4% (1 million 157 thousand) the most serious forms of sexual violence such as rape (652 thousand) and attempted rape (746 thousand). In addition, a relevant percentage of women declared that they also have suffered persecution (stalking). It is estimated that 21.5% of women between the age 16-70 (2 million 151 thousand) have suffered persecution from an ex-partner during their life.

The most interesting finding of this research is that 78% of the victims did not turn to any institution and did not seek help from specialised services; only 15% turned to the police, 4.5% to a lawyer and 1.5% sought help from an anti-violence or anti-stalking service or centre. Among the victims who did not turn to institutions or specialist services, one in two said they did not do so because they managed the situation on their own.

After the ratification of the *Istanbul Convention* in Italy (27 June 2013), *Law no. 119 of 15 October 2013 - the law on Femicide* was enacted, which converted into law the Italian *D.l. no. 93 of 14 August 2013* containing urgent provisions on security and the fight against gender-based violence, as well as civil protection and commissioning of the Provinces. The

law provided the adoption of an *extraordinary two-year Action Plan against sexual and gender-based violence (2015-2017)*<sup>1</sup>, that was adopted on 7 July 2015 and was funded with over 40 million euros. It was the first instrument to implement an integrated system of public policies aimed at safeguarding and promoting the human rights of women and their children, respecting their dignity, and fighting this phenomenon.

In 2017 the Italian Government adopted the new national anti-violence strategic plan - *National strategic plan on male violence against women (2017-2020)*<sup>2</sup> which is characterized by its intervention strategy based on partnership and integrated policies. The document re-proposes the 3 strategic axes of the Istanbul Convention (prevent; protect and support; pursue and punish) and a transversal axis related to integrated policies. This plan considers women to be victims of all forms of violence regardless their social or economic status, also involving those living in complex situations of disadvantage and violence, such as migrants, refugees and asylum seekers, Roma, and disabled women. It is aimed at combating male violence against women in all contexts of public and private, personal and professional life, by introducing specific measures focused on critical areas, such as the workplace.<sup>3</sup> One of the most interesting section of the document, in relation to the scope of our research, is *Axis 3 – pursue and punish* and its three objectives: to ensure the protection of women victims of violence through effective and rapid assessment and management of the risk of lethality, severity, repetition and recurrence of violence; *to improve the effectiveness of judicial proceedings to protect victims of abuse and violence and crimes related to male violence against women*; to strengthen the capacity to prosecute and punish violence against women migrants, refugees and asylum seekers. It is not directly related to protection measures or to the EPOs, but it strongly focuses on strategies to improve the judicial proceedings, strengthening the management, monitoring and data collection, as well as the promotion and communication of the role of the main stakeholders involved in these processes (such as anti-violence centres).

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<sup>1</sup> <http://www.pariopportunita.gov.it/wp-content/uploads/2018/01/Piano-violenza-2015-2017.pdf>

<sup>2</sup> <http://www.pariopportunita.gov.it/wp-content/uploads/2018/03/testo-piano-diramato-conferenza.pdf>

<sup>3</sup> It should be noted that the Plan does not deal with other forms of violence against women, which are the specific subject of other Plans. In this sense, reference is made to the National Action Plan against trafficking and graves exploitations of human beings 2016-2018, the National Plan for preventing and combating sexual abuse and sexual exploitation of children 2015-2017 and the Third National Action Plan of Italy, in implementation of the United Nations Security Council Resolution, 1325 (2000), 2016-2019.

## NATIONAL LEGISLATION

National Italian legislation and policy documents on gender-based and domestic violence are:

- ❖ Law no. 66 of 15 February 1996 "*Regulations against sexual violence*";
- ❖ Law no. 154 of 4 April 2001 "*Measures against violence in family relationships*";
- ❖ Law no. 38 of 23 April 2009 "*Urgent measures in the field of public safety and the fight against sexual violence, as well as persecutory acts*";
- ❖ Law no. 119 of 15 October 2013 on combating gender-based violence
- ❖ D.Lgs. no. 212 of 15 December 2015 "*Implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Framework Decision 2001/220/JHA*"
- ❖ Law no. 69 of 19 July 2019 "*Amendments to the Criminal Code, the Criminal Procedure Code and other provisions on the protection of victims of domestic and gender-based violence*".

Law no. 154 of 4 April 2001 allowed the introduction into the Italian legal system of specific protection orders against family abuse regulated both in civil and criminal matters. In the first case, we refer to Art. 342-bis and Art. 342-ter of the Civil Code, while in the second case, we refer to the preventive measure of removal from the family home (Art. 282-bis of the Code of Criminal Procedure), to which was added, with D.Lgs. no. 11 of 23 February 2009, the measure of "prohibition to approach the places frequented by the offended person" (Art. 282-ter of the Code of Criminal Procedure). The difference between the civil and the penal procedure is that if in the system of criminal protection a typical conduct constituting a crime is required for the application of the protection measure, on the contrary on the civil field, the legislator preferred to stress the injury that violent behaviour arrives to the passive person.

Statistically, civil measures in practice have been less widely used than the criminal precautionary measures referred to in Art. 282-bis and Art. 282-ter of the Code of Criminal Procedure, which have been largely used in recent years to combat violence, especially gender-based violence. Among the many reasons for the better fortune of the penal measures there is certainly the increased sensitivity, timeliness and efficiency of the penal system to protect victims of domestic abuse. The purpose of the civil law measure is, however, to react to family abuse not in the perspective of a future sanction (as in the criminal field where the precautionary measure is accompanied by the initiation of criminal proceedings) but with an intervention that is as rapid as possible and in a precautionary and preventive sense that can ensure the interruption of domestic abuse and the reduction of the risks of reiteration of violence.

## ***Methodology***

This report presents the main findings of the desk review and of the online survey on the gender-based violence topic related to existing protection orders in Italy and the role of the European Protection Order (EPO) in national context.

The researcher has carried out a desk review on the phenomenon of gender-based violence and domestic violence in Italy and on the main legal basis related to protection orders and the EPO, analysing their procedures of implementation, the impact in national context and the level of awareness and information among citizens, legal professionals and NGO. The research has been carried out by the analysis of laws, policies, reports, available statistical data and specialised studies.

The online survey seen the development of questionnaires targeted to citizens, lawyers and legal professionals and NGOs and was shared and disseminated by social media channels, websites and newsletters, as well as among the organization's networks. The scope of the survey was to analyse the level of knowledge on and awareness of national protection orders and of the EPO and comparing them with findings highlighted by the desk review.



## OVERVIEW OF PROTECTION ORDERS IN ITALY

### *Types and prevalence of protection orders*

The type of protection measures in Italy varies depending on the nature of the protection order, whether it is administrative, civil or criminal. The crimes for which protection orders are mostly imposed are *domestic violence, stalking, threats and injuries*.

In case of *civil law*, with Art. 342-bis the judge orders the spouse or the partner who has behaved in a prejudicial manner to stop the conduct and orders the removal from the family home of the partner or spouse who has behaved in a prejudicial manner, also prescribing, where necessary, not to go near the places usually frequented by the victim, and in particular the place of work, the home of the family of origin, or the home of other close relatives or other persons and near the places where the children are educated, unless the spouse or the partner has to go to the same places for work reasons. The protection measures provided for in Art. 342-ter of the Civil Code can be issued when "*the conduct of the spouse or other cohabiting partner is a cause of serious prejudice to the physical or moral integrity or freedom of the other spouse or partner*". The duration of the protection order may not exceed one year and may be extended, at the request of a party, only if there are serious reasons and only for the time strictly necessary.

In case of *administrative law*, the protection measure is the *ammonimento*, a short-term barring order with which the police invite the offender to behave according to the rules. This provision is used in case of stalking, as provided by Law no. 38/2009 - Art. 11 and for cases of injuries and severe threats in the context of domestic violence (Law no. 119/2013).

Regarding the *criminal law*, the Code of Criminal Procedure provides some types of protection orders, such as "no contact" orders and prohibition to enter a certain area or no communication orders (Art. 282-bis and Art. 282-ter). On the one hand, the judge can order the accused to abandon the family home and prohibit him from returning without previous authorisation or from approaching specific locations which are frequently visited by the victim. On the other hand, the legislation includes a sort of barring orders – urgent measure adopted by the police: Art. 380 allows police to arrest the aggressor in case of maltreatment "in flagrante", while Art. 384-bis allows it to expulse him from the family home, also prohibiting him to enter specific places. The average duration usually is one year, and they end once the sentence is provided; this can take up to four years, but the protection orders that are considered not needed last less.

As stated in the GREVIO's report<sup>4</sup>, in 2016, 2017 and 2018, respectively, 266, 281 and 362 removal orders were issued in accordance with Art. 384-bis of the Code of Criminal

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<sup>4</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), Secretariat of the monitoring mechanism of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, "*GREVIO's Baseline Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) - ITALY*", 13 January 2020.

Procedure. The figures regarding the ammonimento are slightly higher: in this period, 948, 992 and 1,263 ammonimento were issued for cases of stalking and 518, 576 and 878 for cases of violence in intimate relationships. However, the report shows that these numbers seem to be very low compared to the available data on reporting rates, probably due to the fact that criminal courts and authorities do not collect data on precautionary measures issued in cases of violence against women and on civil barring and protection orders. Therefore, there is no possibility to verify how effectively these measures are used to protect victims, representing a serious obstacle to the ability to monitor their use.

### ***Procedures for applying for protection orders***

In Italy, protection orders can be requested only for specific types of crimes, i.e. sexual violence, domestic violence (which also includes child abuse), injuries and stalking. According to the Italian legislation, protection orders can be requested and issued by different types of subjects depending on the nature of crime committed.

Many kinds of organizations and authorities are involved in applying for and issuing protection orders. In case of *civil law*, only the claimant (victim) has the competence in applying for a protection order. The defendant can contest the claim and the judge has the role to decide whether the protection order can be issued or not. In emergency and urgent cases, the civil judge has up to max 15 days to decide also without hearing the "*altera parte*". When the judge issues the protection order, he/she gives up to 8 days for the *altera parte* to put forward a rejection, based on own information the victim wants to provide.

In the *administrative context*, only the police are involved either independently or based on request of the victim in issuing protection orders. They are imposed only after the victim is heard and the police have done the requested investigation. The offender has (in 30 days) to provide enough elements to nullify the elements brought forward from the victim to prove that no stalking has taken place (Art. 8 of Law no. 38/2009) or injuries (Law no. 119/2013). In *criminal law*, finally, protection orders are issued by the judge/court based on request of the public prosecutor. In this case victims cannot apply for a protection order, although they can express their desire to get one directly to the public prosecutor or via a legal representative. The request is done in absentia by the public prosecutor to the judge, but the day in which the protection order is issued, the offender needs to be present.

### ***Examples of procedures***

In case of *family abuse*, the request to obtain a protection order in criminal proceedings presupposes the initiation of investigations for corresponding offences (mistreatment in the family, injury, sexual assault, private violence, etc.), which normally have to be preceded by a report (or complaint) made to the competent authority by the victim or other person informed of the facts. While, in civil law, the measure may be requested by the victim, if of age, against the spouse or a cohabitant or other adult family member, if the perpetrator of the prejudicial behaviour. With the order of protection, the judge:

- ❖ requires the person responsible to stop the prejudicial conduct;
- ❖ arranges for him/her to be removed from the family home of his/her spouse or cohabiting partner;
- ❖ where necessary, instructs the person in charge not to approach the places usually frequented by the applicant (family home, place of work, home of the family of origin or home of close relatives, places where the children are educated);
- ❖ provides for the intervention of social services if necessary;
- ❖ prescribes the periodic payment of a cheque in favour of cohabiting persons, if due to the absence of the expelled person they are destined to remain without means of subsistence.

In case of urgency, the judge may issue the decree after having gathered approximate information and subsequently can fix the hearing in which the parties must attend and at the end of which there is the confirmation, modification or revocation of the protection order. Finally, it is also possible to challenge the decree by means of a complaint to the Court within ten days from the communication or notification of the decree itself. The Court shall decide in chambers, in a collegial composition, after hearing the parties, with a reasoned decree that cannot be challenged (not even before the Court of Cassation).

In case of *stalking*, the victim can directly request the ammonimento to the police. If the offender, despite the warning, continues his or her persecutory behaviour and the victim reports it to the competent authorities, he or she will be prosecuted without the need for the victim to file a complaint.

### ***Monitoring and sanctions***

The monitoring of protection orders is generally left to the victim that, in case, must report the violations.

Art. 275-bis of the Code of Criminal Procedure regulates the use of technological control device (as the electronic bracelet) through which the movements of the accused person can be tracked. It can only be ordered when the judge applies the measure of house arrest (also in place of pre-trial detention in prison), and only with the consent of the accused and after having verified the effective availability of the devices.

Extra surveillance, such as house visits, can be used at the discretion of the police. Also, the probation service can ask during their meetings with the offender whether he/she obeyed the protection order, and the services for the victims who can indirectly check via victim whether she is safe.

In civil law, non-observance of protection orders is, criminally sanctioned: Art. 6 of Law no. 154/2001 states that "whoever circumvents the protection order provided for by Art. 342-ter of the Civil Code shall be punished with the penalty established by Art. 388, of the Penal Code". Therefore, the penalty foreseen for the intentional non-execution of a measure taken

by the judge is applied is the imprisonment of up to three years or a sanction from 103 euros to 1032 euros, with the particularity of the necessary complaint by the offended person.

Violation of the measures of removal from the family home and the prohibition to approach the places frequented by the injured party is regulated by Art. 387 of the Code of Criminal Procedure, which stated that *“anyone who violates the obligations or prohibitions deriving from the measure applying the precautionary measures referred to in Art 282-bis and Art. 282-ter of the Code of Criminal Procedure or the order referred to in Art. 384-bis of the same code shall be punished by imprisonment from six months to three years”*.

# IMPLEMENTATION AND IMPACT OF THE EUROPEAN PROTECTION ORDER IN ITALY

## ***Legal framework***

In Italy, the EC Directive 2011/99/EU has been transposed with the *Italian D.lgs. n. 9 of the 11<sup>th</sup> of February 2015*, which became effective the 10<sup>th</sup> of March 2015. According to this decree, judicial national authorities and the Italian Ministry of Justice have the competence to apply, issue and recognize the European Protection Orders.

## ***Prevalence of EPOs***

Even if one of the seven EPOs issued in the European context comes from Italy, the research has highlighted the lack of available data on numbers of European Protection Orders requested and/or executed in the Italian context, as well as the absence of a national public register to record and monitor the number of EPO's. This lack of data and information has been revealed even by the survey targeted to citizens, legal professionals and NGOs offering victim support services that has been carried out through the research activity and, after the analysis of the answers, the researcher found that most of the people who responded to the survey that they had experienced violence did not request a national protection order because they did not know they could do that. As a result, they could never have requested a European Protection Order as well.

There are only a few cases in Italy for which a European protection order can be requested. In fact, it may be issued by the judge who orders one of the precautionary measures provided for in *Art. 282-bis* and *Art. 282-ter* of the Code of Criminal Procedure.<sup>5</sup> Therefore, it can only be requested in cases of *domestic violence* and *family abuse*, as well as when the spouse has shown prejudicial conduct that has resulted in the violation of a right of personality, and when the judge has already imposed one of the following protective measures: eviction from the family home; prohibition of approaching places frequented by the victim (such as the place of work or the home of the family of origin) or by close relatives of the victim or persons in a stable relationship with the victim; prohibition of communicating by any means with the victim, his/her family members or persons close to the victim with a stable relationship.

Similarly, Italian legislation only recognises a European protection order if the protection measure has been ordered with reference to facts that constitute a crime in Italy, as well as cases of domestic violence and family abuse.

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<sup>5</sup> Italian D.lgs. n. 9 of the 11<sup>th</sup> of February 2015 implementing in the national legislation the EC Directive 2011/99/EU

## ***Procedures for applying for an EPO***

In Italy, the competent authorities intervening in the case of request, execution, and recognition of an EPO, according to national legislation, are the *Ministry of Justice* and the *judicial authorities*, as for example judges and Courts of Appeal. Specifically, the competence to issue and recognise European protection orders belongs to the Ministry of Justice, but direct correspondence between judicial authorities is allowed in only two specific cases:

- a) when the judge issues the European protection order and subsequently transmits it without delay to the Ministry of Justice;
- b) when the Ministry of Justice receives a European protection order and transmits it to the President of the Court of Appeal competent for the territory in which the victim has declared to be resident or stay.

The European Protection Order is *issued by the judge who orders the protection measures* provided by Art. 282-bis and/or Art. 282-ter of the Code of Criminal Procedure, but the request to the judge is made by the victim or by his/her legal representative. The ordinance of the EPO must be issued in accordance with the Annex A<sup>6</sup> foreseen by the D.lgs. n. 9 of the 11<sup>th</sup> of February 2015 which is structured according to the model of Annex I of the EU Directive<sup>7</sup>. In this document the victim must indicate the place where he/she resides or will reside and the duration and reasons of his/her permanence in that place<sup>8</sup>, as well as:

- the identity and citizenship of the protected person, as well as identity and nationality of the tutor or the representative if the protected person is a minor or legally unable;
- the date from which the protected person resides/stays (or plans to reside/stay) in the State of execution and period of stay, if known;
- address, telephone and fax numbers and address of certified electronic mail of the authority that issued the order;
- the date of filling of the order containing the protection measure according to which the EPO has been issued;
- summary of the facts and circumstances that led to the adoption of the protection measure;
- prohibitions and restrictions imposed by the protection measure, including the eventual use of a technological control device in compliance with the provisions of Art. 275-bis of the Code of Criminal Procedure, and its period of application;
- the identity and nationality of the person causing the danger, as well as the contact details of that person;
- the possible admission of the protected person to legal aid and the date of issue of the measure.

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<sup>6</sup> [https://www.gazzettaufficiale.it/do/atto/serie\\_generale/caricaPdf?cdimg=15G0002000100010110001&dgu=2015-02-23&Art.dataPubblicazioneGazzetta=2015-02-23&Art.codiceRedazionale=15G00020&Art.num=1&Art.tiposerie=SG](https://www.gazzettaufficiale.it/do/atto/serie_generale/caricaPdf?cdimg=15G0002000100010110001&dgu=2015-02-23&Art.dataPubblicazioneGazzetta=2015-02-23&Art.codiceRedazionale=15G00020&Art.num=1&Art.tiposerie=SG)

<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0099&from=EN>

<sup>8</sup> It should be noted that the request to indicate the reasons why the victim moves to another Member State, provided by the national legislation, is not required in the EU Directive.

Once the competent judicial authority has issued the European protection order, it shall, *without delay*, forward the measure to the Ministry of Justice so that it can transmit it to the competent authority in the executing State by any means which can prove the authenticity of the document, after its translation into the language of the executing State. If the competent authority of the executing State refuses to recognise a European protection order, the Ministry of Justice shall, without hesitation, communicate it to the competent judicial authority that issued the protection measure, so that the protected person can be informed.

On the contrary, the *procedure for receiving a European Protection Order* in Italy foresees that the recognition is decided by the Court of Appeal of the district where the protected person declares to stay or reside. It is the Ministry of Justice who receives the request of an EPO transmitting it, without hesitation, to the President of the Court of Appeal competent for the territory in which the victim will reside or stay that shall decide without formality no later than *ten days* from the date of reception of the EPO. In case of incomplete information, the President of the Court shall notify the Ministry of Justice, which shall request the necessary integrations and the limit of ten days shall be suspended from the date of communication until the missing information is received.

When the Court of Appeal recognises the European Protection Order, it orders the application of one of the precautionary measures provided for in Art. 282-bis and Art. 282-ter of the Code of Criminal Procedure, so as to ensure compliance with the obligations prescribed in the protection measure. Finally, the Court of Appeal shall inform the Ministry of Justice, which shall inform the protected person and the person who determines the danger also through the competent authority of the issuing State. The measure is communicated to the judicial police and social welfare services of the place where the protected person, at the time of the request, has declared to reside or stay.

The Court of Appeal does not recognise the European Protection Order when:

- the information provided by the issuing State is incomplete;
- the protection measure involves obligations that cannot be linked to those of the precautionary measures regulated by Articles 282-bis and 282-ter of the Code of Criminal Procedure;
- the protection measure has been ordered with reference to an act that does not constitute an offence under national legislation;
- the person has been finally judged for the same acts by one of the Member States of the European Union provided that, in the case of a conviction, the sentence has already been served or is in the process of being served, or can no longer be served under the law of the sentencing State;
- the facts for which the protection order has been issued could be judged in Italy and a cause for extinction of the offence or penalty has already occurred;
- for the facts for which the protection order has been issued, a judgement has been passed not to proceed, unless the conditions of Article 434 of the Code of Criminal Procedure for the revocation of the judgement are met;
- there is a case of immunity recognised by Italian law;

- the protection measure has been applied by the issuing State against a person who, on the date on which the act was committed, was not liable under Italian law;
- the protection measure was adopted in the issuing State in respect of offences which, under Italian law, are considered to have been committed in whole or in part within the issuing State of the territory of the State or in another place equivalent to it.

It is not specified how long the recognition of an EPO in Italy lasts and if there is the possibility of simultaneously issuing an EPO to different States when the victim expresses the intention to stay in all of them.

Italian legislation does not provide specific indications on the possibility of offering free legal assistance to victims who are eligible for an EPO.

### ***Level of protection and monitoring mechanisms***

The Italian legislation does not provide specific information on the level of protection. It is only stated that an EPO is not recognized when the protection measure involves obligations that cannot be linked to those of the precautionary measures regulated by Articles 282-bis and 282-ter of the Code of Criminal Procedure, so the person to which these measures are directed is subject to criminal prosecution.

No monitoring measures are foreseen, so it is up to the victim to report violations, as well as it is not indicated how monitor that the executing State is truly enforcing the provision of the EPO.

According to the provisions of Art. 10 of the decree, if the person causing danger violates the prescriptions of the protection order, the judicial police shall inform the General Prosecutor and the President of the Court of Appeal. If the conditions for the applicability of a more serious measure are met, the Court of Appeal shall, at the request of the General Prosecutor, proceed taking into account the extent, reasons and circumstances of the violation and determining its deadline within a period not exceeding thirty days. However, it is not specified what kind of sanctions are foreseen for breach of an EPO.

According to Art. 12, the Court of Appeal declares the end of the effectiveness of the recognition of the European Protection Order when:

- receives notification that the competent authority of the issuing State has annulled or revoked the protection measure at the basis of the European protection order;
- receives notification that the competent authority of the issuing State has modified the content of the protection measure and there is no correspondence between the requirements imposed and those resulting from the application of the measures regulated by Articles 282-bis and 282-ter of the Code of Criminal Procedure;
- there are indications that the protected person is not within the national territory;



- with reference to the fact in relation to which the protection measure has been ordered and subject to its qualification based on national legislation, the time limits provided for in Art. 308 of the Code of Criminal Procedure have elapsed;
- the issuing State has communicated the execution, regarding the person causing danger, of a judgment imposing a custodial sentence or a custodial supervision measure also for acts other than those underlying the European protection order;
- it results that the person causing danger is subject in Italy to a custodial sentence or to a precautionary custodial measure by virtue of a measure issued by the national judicial authority and in relation to facts other than those underlying the European protection order;
- the person causing danger has been recognised, for the purposes of enforcement in Italy, as having been sentenced to imprisonment in another Member State under Legislative Decree No 161 of 7 September 2010 implementing Framework Decision 2008/909/JHA.

Only when an EPO is recognised in Italy, notification of the recognition measure is also given to the judicial police and social welfare services of the place where the protected person has declared to reside or stay. However, the decree does not provide additional information on the role of these actors involved, so it is not possible to establish whether they should intervene in the monitoring and control of compliance with the EPO's provisions

### ***Awareness and access to information***

In Italy there is a lack of information and awareness on the possibility to request a European protection order by the victims of violence. There is no evidence of awareness raising campaigns, as well as of information campaigns and training courses targeted to citizens or of information campaigns, public training and organized courses on the EU Directive targeted to lawyers or judges in contact with victims in need of protective measures.

This is also confirmed by the results of the questionnaires in which both citizens and legal experts are not aware of the existence of the EU Directive on the EPO. Consequently, even the information to apply for an EPO in the Italian context is not easily available to victims and this is even more serious considering that the request must be made by the victim himself/herself or by his/her legal representative.

Following GREVIO's suggestions to the national authorities, Italy must necessarily raise the awareness of victims about their rights and entitlement to access protection and support services; develop and improve the accessibility of protection and support services for these victims (especially of gender-based violence victims).<sup>9</sup> Similarly, training courses and information campaigns to the most relevant stakeholders involved in this field must be encouraged, expanding the available initial and in-service training opportunities for members of the judiciary and legal professionals to address all forms of violence against women and

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<sup>9</sup> Ivi, p. 93.

ensuring that all law-enforcement officials who might enter into contact with victims receive continuous training on violence (especially on gender-based violence). This evidence is therefore in line with the aim of the ARTEMIS project, which intervenes to address these needs at national level.

## **SURVEY RESULTS**

The survey was targeted to three different audience: EU citizens, legal professionals and CSO's/Victim Support Services living and working in Italy. The data collection period was June 2020 – September 2020.

The purpose of the research was to explore the level of awareness of protection mechanisms available for victims of gender-based violence against women in the Italian context.

### ***Survey for EU citizens***

The target group of the survey for EU citizens were men and women >18 years that are EU citizens or EU residents. The purpose of the online survey was to explore the level of awareness of protection mechanisms available for victims of gender-based violence against women in Italy, as well as on European Protection Order. This information will be used to design training and awareness raising activities for legal professionals and NGOs working in the field of gender-based violence against women.

The online survey aimed to reach as many respondents as possible without purposive monitoring of sample characteristics such as region, age, and gender. The relatively small sample does not allow any generalization of the results. Therefore, study is intended to be indicative of the level of awareness of protection measures and does not allow for any generalisation of the results.

Channels used for the dissemination of the online survey in Italy included:

- social media channels (Facebook, LinkedIn, Instagram),
- organisations website
- electronic dissemination to organisation contact database (newsletter)

The survey questionnaire was completed by *825 citizens and/or residents in Italy*.

All data and information analysed in this report have been gathered up to *10 September 2020*.

### ***Part A - Demographics information***

The 13.3% of respondents are 18-24 years old, 24.2% is under the category 25-34, 17.9% is 35-44 years old, 19.3% is 45-54 years old and 25.2% is under the category 55+. Most of them are women (68.7%), men (26.7%) and 4.6% preferred not to say. It is interesting to highlight that among women, most of them were over years old (26.63%), while among men, the most numerous category is the one aged between 25 and 34 years old (28.18%) - (Figure 1).

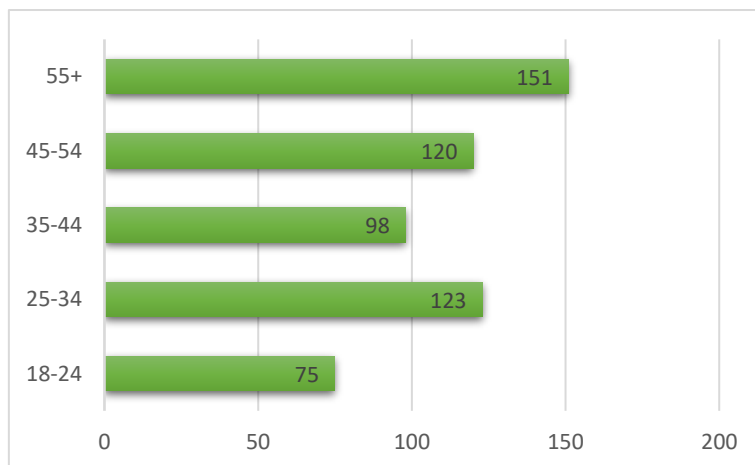


Figure 1 – categories of women in relation to age

95.3% of respondents are EU citizens, while 4.7% are not; 82.1% are resident in Italy and 17.9% are not. The school background of the respondents is divided as follows - (Figure 2):

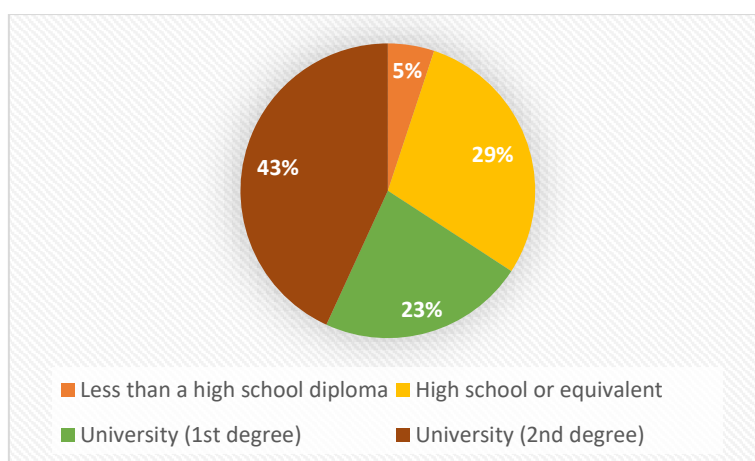


Figure 2 – highest level of school reached by the respondents

### Part B - Level of awareness of support services/information for victims of violence

Question 6 aims at understanding whether the respondents are aware of services available to victims of violence: 19.3% declared to be not aware of any kind of services, 42.1% declared to be “not enough aware”, 29% “enough aware” and only 9.7% is “fully aware”.

The following graphs show the percentage of *women* in relation to their age and the level of awareness.

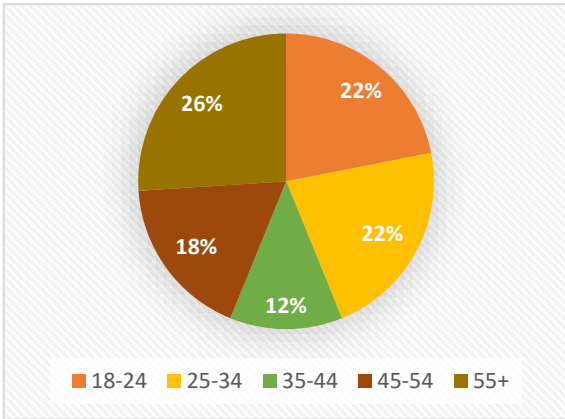


Figure 3 – percentage age of women who responded “not aware” to question 6

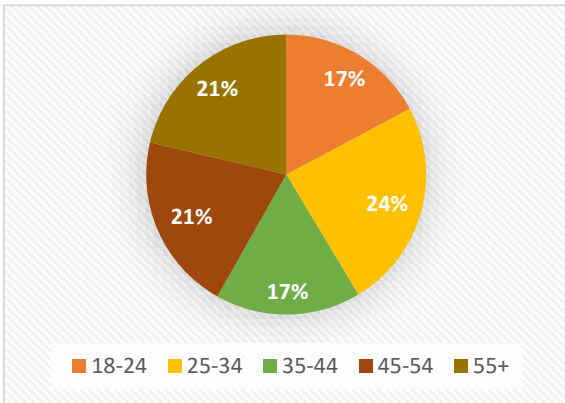


Figure 4 – percentage age of women who responded “not enough aware” to question 6

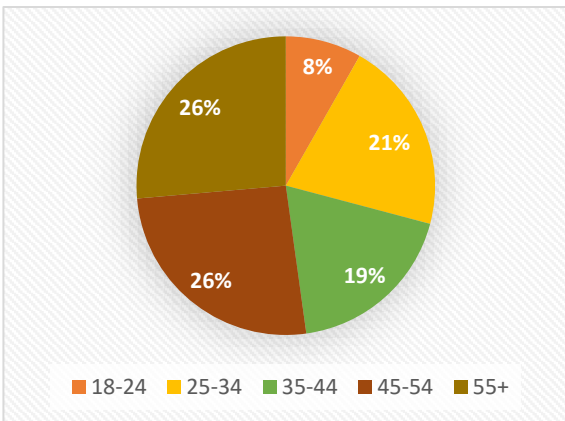


Figure 5 – percentage age of women who responded “enough aware” to question 6

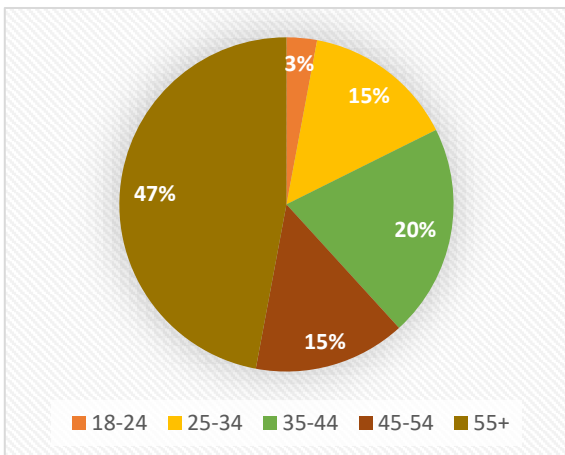


Figure 6 – percentage age of women who responded “fully aware” to question 6

75.4% of people would seek help from the police, 19% from a lawyer, 29.6% from NGOs and associations, 3% would not seek any kind of help and 6.2% do not know. Other answers - which are not statistically significant - referred to anti-violence centres and network of nearest people (particularly family and friends). The graphs below show the percentage of women in relation to their age and to the type of help they would seek for.

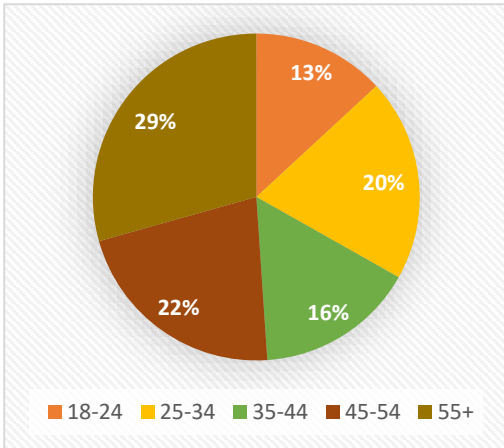


Figure 7 – percentage age of women who responded “Police” to question 7

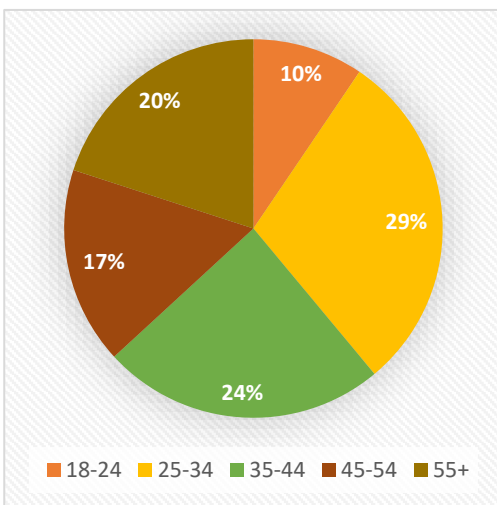


Figure 8 – percentage age of women who responded “Lawyer” to question 7

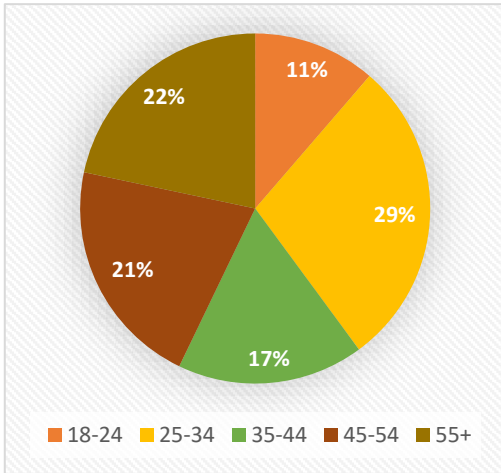


Figure 9 – percentage age of women who responded “NGOs/Association” to question 7

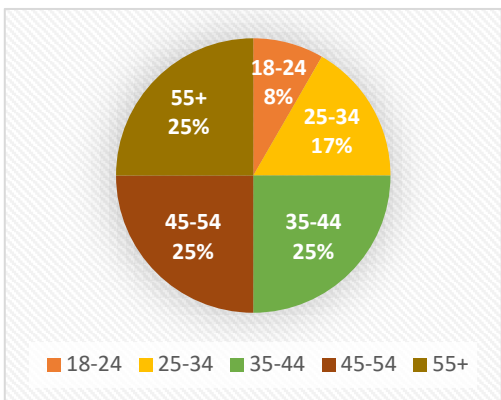


Figure 10 – percentage age of women who responded “I would not seek help” to question 7

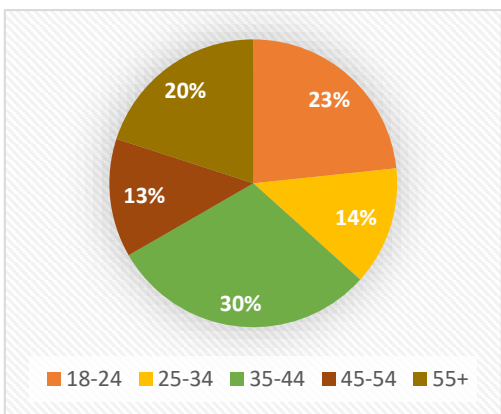


Figure 11 – percentage age of women who responded “I don't know” to question 7

The graphs below show the percentage of women in relation to their age and to the type of actions they would take.

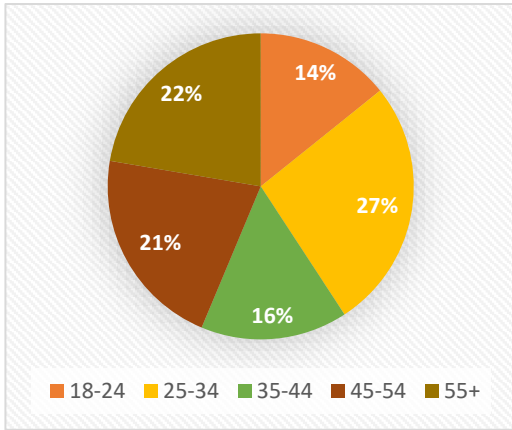


Figure 12 – percentage age of women who responded “contact a help line” to question 8

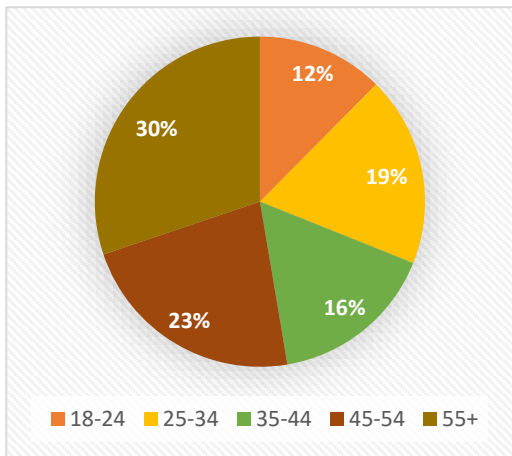


Figure 13 - percentage age of women who responded “report to the police”

to question 8

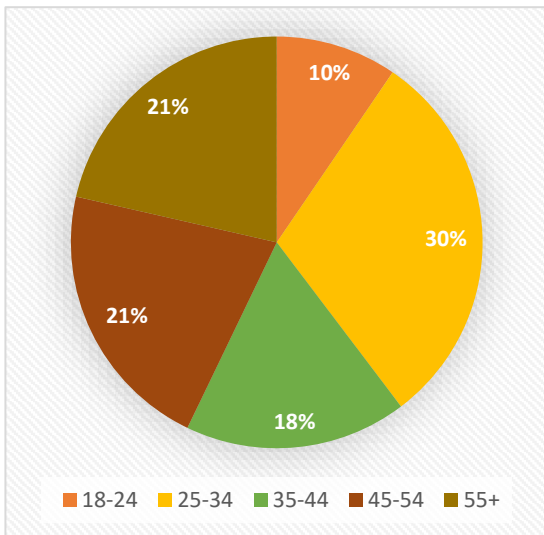


Figure 14 - percentage age of women who responded “legal assistance” to question 8

### Part C - Specific awareness of EPO

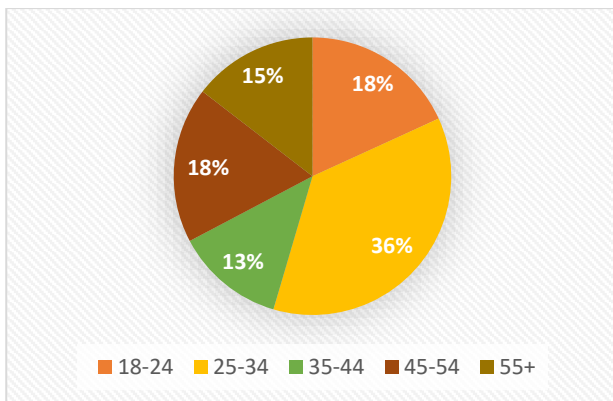
84.2% of people who attended the questionnaire answered they are not aware of the Italian legislation on the European Protection Order (among these 67.77% are women, 27.34% are men and the remaining preferred not to specify their gender), while 15.8% declared to be



aware (73.85% women, 23.08% men, 3.08% not specified) – this level of awareness is probably due to the fact that these citizens are in direct contact with associations or organizations working in this field, so they had the opportunity to reach some information.

#### *Part D – Experiences of violence/abuse*

75.4% of the total of respondents stated they have never been victim of violence, 8.6% preferred not to say and 16% claimed to have been victim of violence, whose 83.33% are women and 15.91% men (the others preferred not to say). In the graphic below, the analysis of the percentage of women who were victim of violence in relation to their age:



*Figure 15 - percentage of women victim of violence in relation to their age*

Sexual harassment is the type of violence most experienced by victims (37.2%), followed by domestic violence (33.3%), stalking (31.8%) and sexual violence (13.2%). Some responses (quantitatively few) also mentioned psychological and verbal violence.

#### *Part E – Level of use and experience of protection orders by respondents*

Comparing 84.1% of the total number of respondents who have never applied for a protection order with 15.9% who have applied for it, it emerges that among those who have been victims of violence only 15.91% have applied for a protection order, while 84.10% have not.

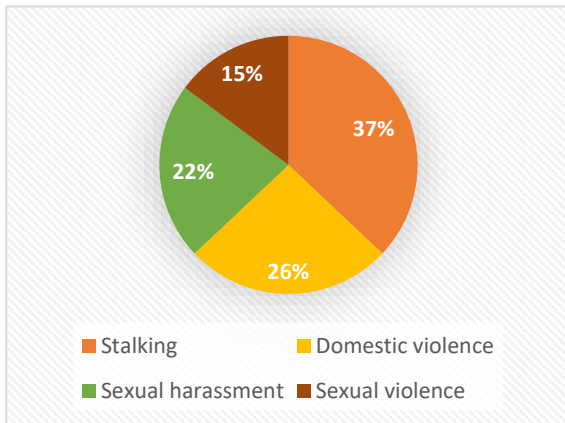


Figure 16 - percentage of protection orders requested in relation to the type of violence experienced

It is interesting to note that most of the protection orders requested are for stalking, a data that confirms what the desk review highlighted: in recent years, in fact, the number of requests for warnings (*ammonimento*) for stalking cases has been much higher than those for domestic violence cases.

The main reasons why victims have not applied for a protection order that have been identified are:

1. victims did not know they could apply for a protection order (41.3%);
2. victims did not feel they needed it (23.9%);
3. victims were too afraid (19.6%);
4. victims had no access to legal assistance (5.4%);
5. victims were too young

#### *Part F - Procedures for the implementation of protection orders*

57.1% of protection orders have been applied by Police, 23.8% by Social Services and 19% by a lawyer: this finding generally confirms the main procedures evidenced by the desk review; however, the role of Social Services is not clear. In fact, 23.8% is a high percentage, but it is not confirmed by national legislation, and cannot be interpreted for research purposes.

However, 47.6% of the protection orders requested were granted, 28.6% were not and 23.8% are unknown. Comparing those who were granted with the type of violence, it emerges that: 41.67% of protection orders were granted for stalking, 33.33% for domestic violence, 16.67% for sexual violence and 8.33% for sexual harassment and that all victims answering this question were women (only one preferred not to specify its gender).

Only two types of protection orders were granted: *removal from the family home* (50%) and *prohibition of approaching places frequented by the victim* – such as a restraining order (70%). In the following graphs, the comparison between the protection measure and the type of violence, which in general confirms what was found in the desk review:

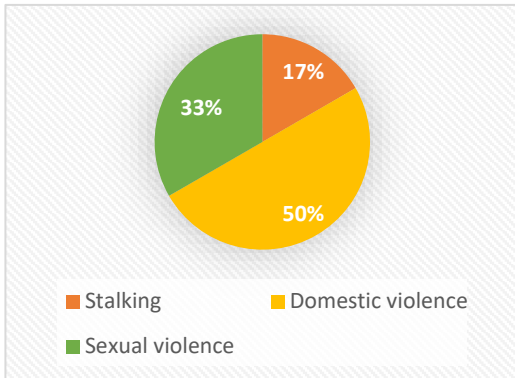


Figure 17 - the removal from the family home in relation to the type of violence

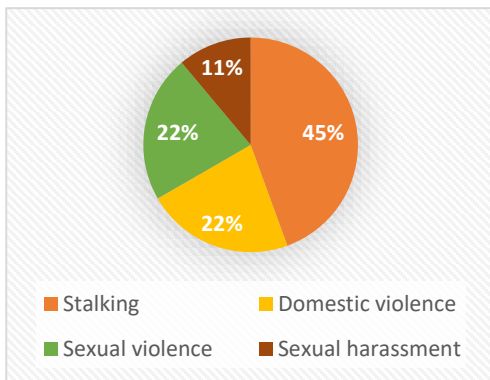


Figure 18 - the prohibition of approaching places frequented by the victim in relation to the type of violence

Regarding the duration of protection measure, the results are totally in line with the provisions of national legislation:

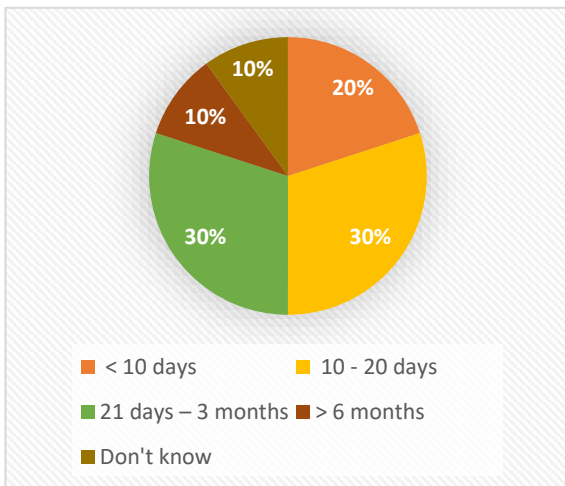


Figure 19 - duration of protection measures

In relation to the type of violence, the results show that:

- less than 10 days was the duration only for the protection measure related to sexual harassment;
- 10 – 20 days only for sexual harassment only,
- 21 days – 3 months was 50% for stalking and 25% respectively for domestic violence and sexual violence;

- more than 6 months for domestic violence only.

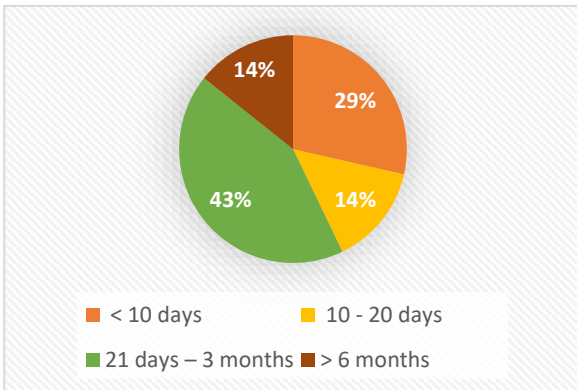


Figure 20 - the duration of the measure of prohibition of approaching places frequented by the victim

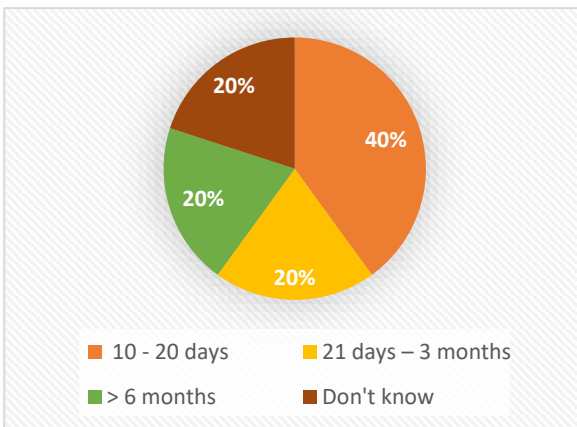


Figure 21 - the duration of the measure of removal from the family home

50% of respondents felt the protection order was not effective, 30% felt the contrary and 20% do not know. Among those who answered “No”, 66.67% has obtained the removal from the family home and the 33.37% the prohibition of approaching places frequented by the victim, and 33.33% was victim of stalking, 50% was victim of domestic violence and 16.67% was victim of sexual violence.

Among those who answered “Yes”, 25% obtained the measure of the prohibition of approaching places frequented by the victim and 75% the removal from the family home, while in relation to the type of violence experienced, 50% of respondents declared stalking and 25% respectively domestic violence and sexual violence.

Finally, among those who answered “I don't know”, 50% experienced sexual harassment and 50% stalking, while the protection measure obtained was the prohibition of approaching places frequented by the victim only.

### Part G – Data on Experience and use of EPO

The total number of people (100%) who answered question 20 stated that they had never travelled during the period when the protection order was effective and, on the basis of the

questionnaire structure, they could not continue it. As a result, the researcher was unable to receive data and information on their experience with the European protection order, the authorities involved, the duration of the order, etc.

However, the open-ended answers obtained in the last question are very relevant for the research purposes. In most of the answers, the problem found is the lack of information and awareness of the victims about their rights, thus recommending a comprehensive training, starting from primary schools, on the issue of violence against women and the protection measures that national legislation offers them and also involving families, one of the main fundamental subject in the field of children' education. Another relevant number of responses concern the role of institutions involved and national legislation: they accuse the slowness and inefficiency of bureaucracy, the ineffectiveness of the measures, the uncertainty of penalties, and the lack of cooperation between national authorities, advising to invest more funds for the social services provided by anti-violence centres and civil society associations.

## ***Survey for legal professionals***

The target group of the survey were legal professionals and lawyers that practice in Europe. The purpose of the online survey was to explore the level of awareness of protection mechanisms available for victims of gender-based violence against women in Italy, as well as on European Protection Order. This information will be used to design training and awareness raising activities for legal professionals and NGOs working in the field of gender-based violence against women.

The relatively small sample does not allow any generalization of the results. Therefore, study is intended to be indicative of the level of awareness of protection measures and does not allow for any generalisation of the results.

Channels used for the dissemination of the online survey in Italy included:

- social media channels (Facebook, LinkedIn, Instagram),
- organisations website
- electronic dissemination to organisation contact database (newsletter)

The survey questionnaire was completed by *176 legal professionals in Italy*.

All data and information analysed in this report have been gathered up to 10 September 2020.

The three most statistically relevant professions chosen by the respondents are: 69.7% lawyer, 20.6% legal consultant, 8% public prosecutor and only 0.6% judges and the type of legal services provided are mainly legal advice (80%) and legal representation (43.4%).

Only 43.2% of respondents participate in the national legal aid programme and 56.8% do not, while 64.8% provide legal assistance to victims of violence according to national legislation and 35.2% do not. Of those who indicated that they provide legal assistance to victims of violence, 77.31% are lawyers, 13.45% are legal consultants and 9.24% are public prosecutors and they mostly provide legal advice (62.75%) and legal representation (37.25%).

51.7% of respondents have never requested a protection order on behalf of a client in a family and/or criminal case according to national law, while 48.3% declared they requested a protection order. The following analysis will take in consideration the relation between who said “Yes” and the answers to question 1 (type of profession) and question 2 (type of legal services). 80% of respondents declared to be lawyers, 8.79% legal consultants, and 11.11% public prosecutors - (Figure 22).

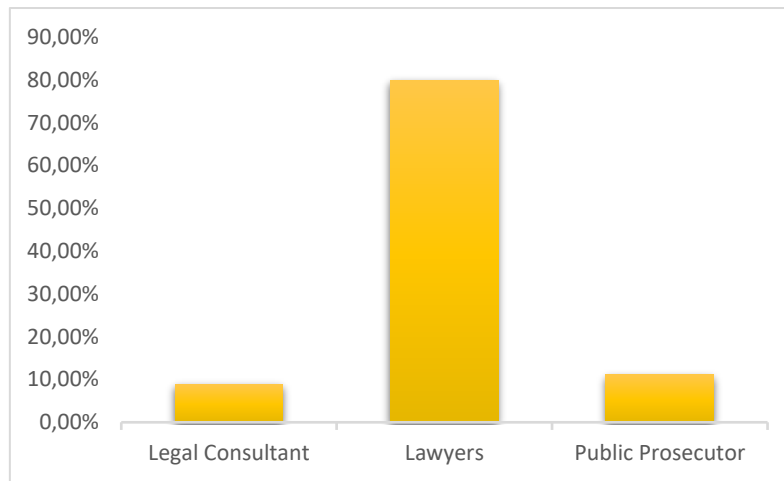


Figure 22 - type of professions practised by the respondents in relation to question 5

The main reasons for requesting a protection order are domestic violence (75.8%), sexual abuse (28.6%), divorce or dissolution of marriage (28.6%) and child abuse (23.6%). Other answers are not statistically and qualitatively significant.

One of the most interesting questions is number 7, which asks whether the protection measures provided by national legislation are effective or not.

55.6% of people believe that protection measures are not effective, while 21.6% answered "Yes" and 17% "I don't know". However, for research purposes it is also relevant to analyse open-ended responses, which confirm what was found during the desk review. In fact, many answers mention the problem of non-application or incorrect application of protection measures, often caused by ignorance and lack of competences by legal practitioners, as well as the lack of concrete support to victims (i.e. shelter homes or financial support).

These evidences are confirmed also by answers to question 8: even if most respondents declared the main barrier to victims obtaining a protection order is the lack of awareness of their rights (69%), followed by the lack of support to victims (44.8%) and the lack of access to legal aid (27%), there were also many answers relating to the lack of training for judges, prosecutors and police, as well as the length and inefficiency of the national judicial system. Some respondents also indicated the difficulty in providing evidence of the violence suffered and the fear, among the victims, that the measures are not effective.

Furthermore, 54.5% of respondents are not aware of the provisions of the Directive EU on European Protection Order and of the Italian D.lgs. 9/2015, compared to 45% which is aware of these legislations. The most interesting aspect evidenced is that among those who answered "Yes", 80% provide assistance to victims of violence, while 29% do not provide any kind of assistance and 69.41% requested a protection order on behalf of a victim compared to 30.59% of respondents that have never requested a protection order. Most of them are lawyers (84.15%), but also legal consultants (9.76%), public prosecutors (4.88%) and judges (1.22%) - (Figure 23).

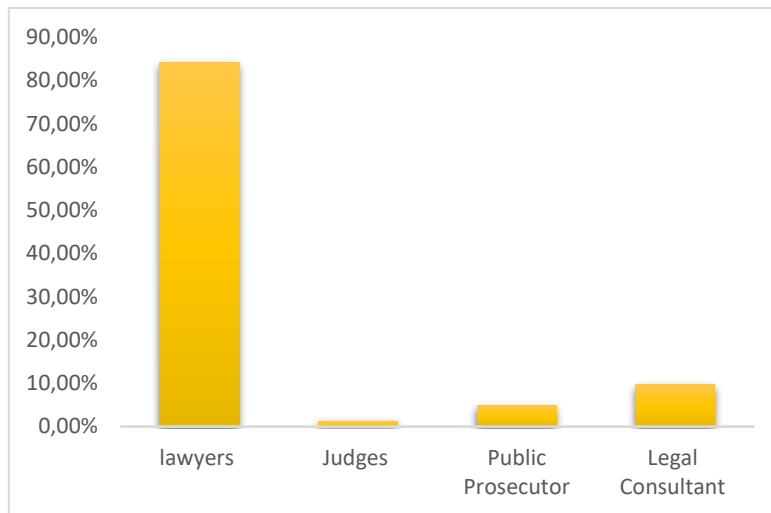


Figure 23 - type of professions practised by the respondents in relation to question 9

77.5% of respondents declared they provide information to clients/victims of their right to request an EPO, while the 22.5% do not. Among those who answered “Yes” there are lawyers (87.69%), Public Prosecutors (6.15%) and legal consultants (6.15%). In addition, the 83.58% provide legal assistance to victims of violence according to national law, (16.42% do not) and the 73.13% have requested a protection order on behalf of a victim/client, while 26.87% did not.

Referring to question 11, only 6.3% of the total respondents have offered legal advice and/or assistance to a client/victim from another EU country with an EPO, while the 93.8% answered “No”.

Question 12 received the 100% of “No”, so questions 13, 14 and 15 did not receive any answer.

Referring to question 16, the main form of collaboration is with Police (70.9%), followed by Social Welfare Services (65.8%), Courts (55.7%) and NGOs (26.6%) – only 2 respondents declared collaboration with anti-violence centres and 5.1% do not collaborate with other services.

Only 7.5% of respondents have participated in specific training on the application of the European Protection Order and 92.5% did not, confirming national trends highlighted by the desk review. Among those who answered “Yes”, 100% of respondents are aware of the provisions of the Directive EU on European Protection Order and of the national legislation and provide information to victims of violence or clients of their right to request an EPO if they want to travel or move to another EU Member State. Two respondents (40%) declared they have offered legal advice/assistance to a victim from another EU country with an EPO, but these answers do not correspond to what has been highlighted by the desk research – considering that only 7 EPOs has been issued in European Union. Finally, the 100% of respondents declared they have never requested a European Protection Order on behalf of a victim of violence.



Most of the participants to the questionnaire (93.2%) indicated they would benefit from participating in a specific training in the application of the European Protection Order, while the 6.8% answered “No”. Considering the purposes of the research, it is relevant to analyse this question, and particularly who responds “Yes” in relation to questions 9, 10, 11 and 12. The 50.30% of respondents stated they are aware of the provisions of the Directive EU on European Protection Order and of the Italian D.Lgs. 9/2015, only 5 people declared they provided information to victims of their right to request an EPO, but anyone offered legal advice and/or assistance to a victim from another EU country with an EPO.

The most important considerations highlighted by answer 19 – “*Is there anything else you would like to add?*” are that in Italy there is the necessity of specialised training courses targeted to the main stakeholders involved in this field, as for example lawyers, judges, Police forces and Public Prosecutors.

## **Survey for NGOs/Victim Support Services**

The target group of the survey were NGOs/victim support services that operate in Europe, providing services to victims of gender-based violence or victims of crime more generally. The purpose of the online survey was to explore the level of awareness of protection mechanisms available for victims of gender-based violence against women in Italy, as well as on European Protection Order. This information will be used to design training and awareness raising activities for legal professionals and NGOs working in the field of gender-based violence against women.

The relatively small sample does not allow any generalization of the results. Therefore, study is intended to be indicative of the level of awareness of protection measures and does not allow for any generalisation of the results.

Channels used for the dissemination of the online survey in Italy included:

- social media channels (Facebook, LinkedIn, Instagram),
- organisations website
- electronic dissemination to organisation contact database (newsletter)

The survey questionnaire was completed by *99 NGOs/victim support services in Italy*.

All data and information analysed in this report have been gathered up to 10 September 2020.

The 88.9% of the respondents came from associations or support services indicated that they provide services to victims of gender-based violence or other forms of violence, while only the 11.1% did not provide any kind of service and/or support.

Beneficiaries of organizations' services are victim of several kind of violence and crimes: 71.6% are victim of domestic violence, the 26.1% answered trafficking in human being, the 67% sexual violence, the 59.1% sexual harassment and, finally, the 43.2% of respondents declared stalking.

The main service that organizations offer to victims of violence is psychological counselling (49.4%), followed by the provision of information services (47.2%), the legal advice/counselling/advocacy (43.8%), the case advocacy services *i.e. assistance in accessing housing, financial assistance, employment, social care etc* (40.4%) and, finally, *shelter services* (18%). In addition, national organizations also offer this kind of services: awareness-raising (79.1%), policy advocacy (44%) and training of professionals (33%).

The research highlights that in the Italian context there is a good experience of collaboration among the organizations and other public entities when dealing with victims of violence: the 69.2% with Social Welfare Services, the 56% of organizations answering the questionnaires cooperates with the Police; the 53.8% collaborates with other associations and NGOs and the 51.6% with national Courts. However, the 5.5% of respondents do not collaborate with any other entity.

One of the main interesting findings of the survey is that the 79.8% of organizations provide information of protection measures available in Italy according to the national legislation, while only the 20.2% do not. However, the interesting aspect highlighted is that the 63.6% of organizations answered that in Italy information on the processes of requesting a protection order are not easily available and the 74.7% of the respondents declared that one of the main barriers to victims of violence accessing protection orders is lack of awareness on their rights. This is an important paradox to take in consideration because it demonstrates how much work still needs to be done to increase and improve the role of civil society organizations and the awareness among citizens on their rights. The other barriers that are identified as obstacles to access protection orders are lack of support to victims (61.1%) and lack of access to legal aid (50.5%), while only the 4.2% answered "*I don't know*".

On the contrary, there is a considerable percentage of organisations (16.2%) which responded that in Italy the procedures for requesting protection orders are easily available, while the 20.2% selected "*I don't know*".

With regard to the provision of legal assistance by the State, the questionnaire addressed question 10 to find out whether clients of the organisations have adequate access to legal assistance: the 66.7% answered "*No*", the 19.2% chosen "*Yes*" and the 14.1% "*I don't know*". These responses reflect the trend observed in question 8, where 50.5% stated that lack of access to legal aid is one of the barriers preventing victims from applying for a protection order.

Finally, the last question on national protection orders is aimed at knowing whether the protection measures for victims of violence are adequately respected: the 55.6% answered "*No*", the 23.2% "*Yes*" and the 21.2% "*I don't know*".

The responses relating to the European Protection Order and the Italian D.lgs. n. 9 of the 11<sup>th</sup> of February 2015 confirm the national trends also highlighted by the desk review and questionnaires for citizens and legal experts: the 72.7% declared they were not aware of the provisions of either the national legislation or the Directive 2011/99/EU and the 27.3% answered "*Yes*".

It is important to correlate the question 12 to other ones: questions 1,2,3,4 and 6.

The following analysis will take in consideration only those who answered "*Yes*" to question 12: all these respondents also provided information and/or assistance to clients/victims of protection measures available in the Italian context according to national law. There is the 87.10% who provided services to victims of violence, while only the 12.90% said "*No*". Among these respondents, the 29.17% provide information services, the 16.67% legal advice/counselling/advocacy, the 10.42% shelter services, the 22.92% psychological counselling, and the 20.83% case advocacy. In addition to these services, organizations also provide these ones: awareness-raising (53.85%), training of professionals (17.95%), and policy advocacy (28.21%) - (Figure 24).

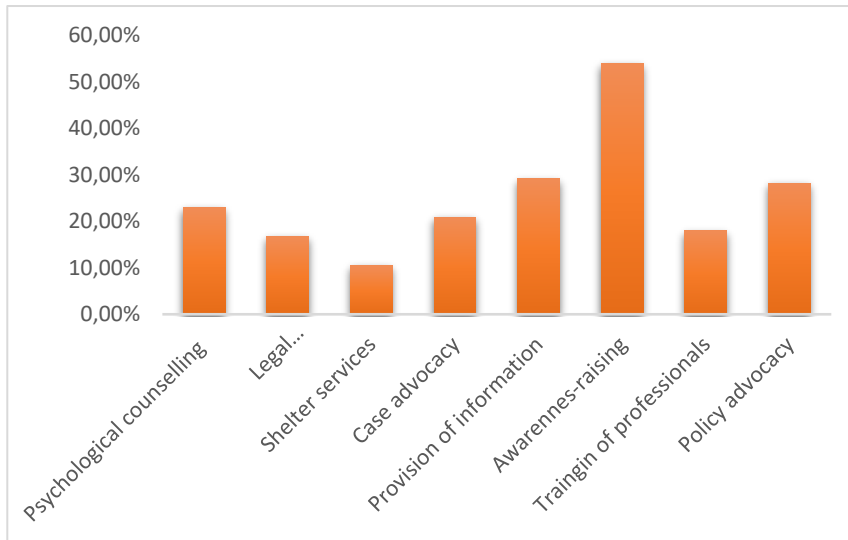


Figure 24 - type of services provided by organisations to victims of violence

Clients of these organizations are mostly victims of domestic violence (28.57%), of sexual harassment and violence (22.22%), of stalking (14.29%) and of trafficking of human being (12.70%) - (Figure 25).

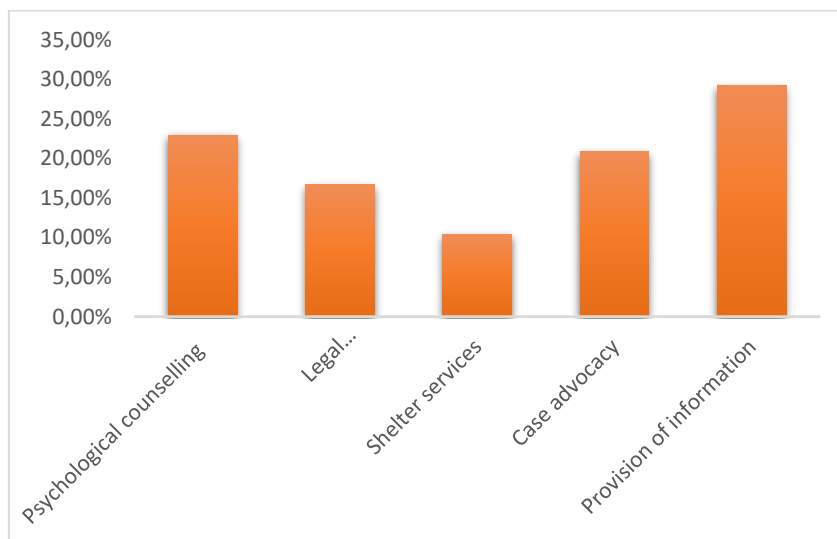


Figure 25 - type of violence experienced by victims/clients of the organizations answering the questionnaires

Analysing question 13, it emerges that 77.8% of the total respondents to the questionnaire inform victims or their clients about their right to apply for an EPO if they wish to travel or move to another EU country, while the 22.2% do not. It is interesting to analyse the answers to this question also in relation to organisations that have knowledge of the EU Directive on the European Protection Order or of the Italian D.lgs. n. 9 of the 11<sup>th</sup> of February 2015 – that are those who answered yes to question 12. In this case the percentages are not different: the 77.78% inform victims or their clients about their right to apply for an EPO and the 22.22% do not.

The latest questions confirm the evidence found by the desk review: 85.2% of respondents think that the information on the process of requesting an EPO are not available in Italy and only 14.8% believe the opposite. These results are also confirmed by the successive questions: 81.5% of respondents are not aware of any information or awareness-raising campaigns aimed at victims on their right to apply for an EPO, while 18.5% answered “Yes”.

58.6% never had access to training courses or information campaigns on the European Protection Order, 23.2% replied “I don’t know” and only 18.2% said “Yes”.

87.9% of those who attended the questionnaire stated that they had never participated in specific training on the application of the European Protection Order, while 12.1% replied “Yes”. This question and in particular the answer “Yes” have been analysed in relation to question 12, which shows that 50% are aware of the Directive 2011/99/EU on the EPO or related national legislation, while the remaining 50% are not. Another 50% of respondents, among the 12.1% of respondents in question 12, declared they provide information to clients/victims of their right to an EPO; the remaining answers are empty. Finally, among those who answered yes to question 12 there are 22.73% who provide psychological counselling to victims, 22.73% who provide information, 31.82% legal advice/counselling/advocacy, 9.10% shelter services, and 13.64% case advocacy - (Figure 26).

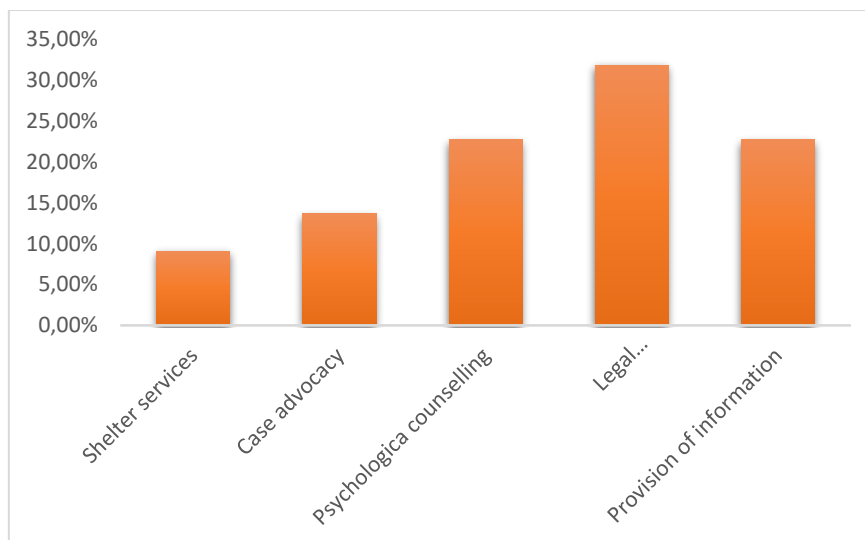


Figure 26 - type of services provided by organisations to victims of violence

82.8% of respondents declared they would benefit from a training course on the European Protection Order, 10.1% answered “I don’t know” and 7.1% chosen the option “No”. Among those who answered “Yes”, 87.65% are from those who had never participated in specific training on the application of the European Protection Order, confirming national trends and what the desk review found.

Question 21 – “Is there anything else you would like to add?” did not receive quantitatively and qualitatively significant answers for research purposes.

## **FINDINGS AND RECOMMENDATIONS**

### **The European Protection Order in Italy**

- ❖ *There is a low level of knowledge and awareness of the European Protection Order in Italy among citizens and experts in the field.* The lack of training and information activities and the lack of awareness raising campaign on the victims' right both at national and European level is a very fundamental problem that needs to be faced by institutions and national authorities.
- ❖ *The information and the statistical data on national protection orders and EPOs are not collected in an efficient way.* Even if the national legislation on the EPO states that the Ministry of Justice has to produce a report on the number of protection orders issued and recognized in Italy every year, the data are not available and there is not much literature on this topic.

Italian authorities have to ensure the wider dissemination of information on the support services and legal measures available to victims of domestic and other forms of violence against women through the dissemination of posters and leaflets, social media campaigns as well as the intensification of efforts to ensure that professionals of all relevant institutions take a more proactive approach towards informing victims.

Italy has to invest more in education and training activities on the issue of violence against women and their rights in order to mainstream gender equality, disseminating national guidelines throughout schools and targeted to different categories of young people (i.e. children, teenagers). Also specialised training courses targeted to legal professionals and social operators need to be developed and implemented at local, regional and national level, addressing all issues related to gender-based violence and the Italian and European legislation.

Italian institutions have to enforce the role of civil society organizations and support victim services, as well as telephone helplines and anti-violence centres with the investment of more funds and with the implementation of a structured action plan against gender-based violence.

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