

Criminal and Civil Law against Intra-Family Violence

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For a long time in Italy, as in many other European countries and in the United States of America, the offenses committed within the family did not have any legal consequences for the responsible person. In this sense one spoke, in fact, of an immunity, which was effective both in relations between spouses and in the relationship between parents and children.

However, the immunity doctrine is nowadays outdated and the rules of the criminal law and the civil law also apply to offenses within the family.

For several years, some specific rules also entered into force in Italy, which provide for “protection orders against family abuses” (Law of April 4, 2001, no. 154). The foreseen measures are particularly effective, such as the prohibition - at the expense of the violent spouse/father - to approach the family home, and have allowed a specific protection certainly commendable and widely applied. The social problem, however, remains and, indeed, the chronicles refer to a dramatic increase of cases, especially of killings of wives and partners.