

FOCUS

Femicide

The final report of the first Italian Joint Committee of Inquiry.
Data and Statistics

March 2018

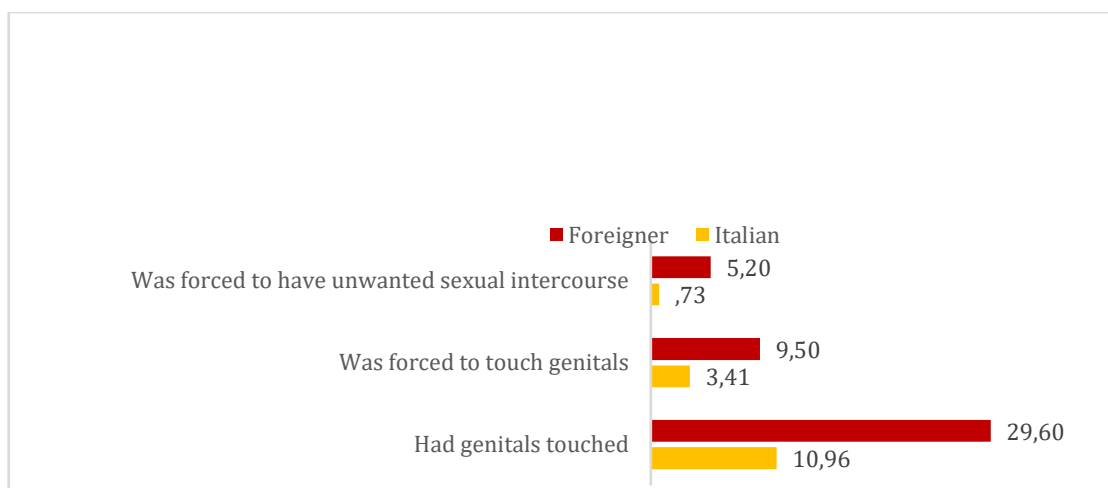
*In 2014, according to ISTAT figures, **4.4 million women in Italy were physically or psychologically abused by their partner**: one woman in four, among the ones in a relationship. In 2016, **149 women were murdered**, 111 of whom (that's three in four, about 75%) by a family member. **More than 4,000 women reported sexual violence**, over **13,000 were victims of stalking** – that's almost a 50% increase compared with 2011 – and **14,000 reported being abused**.*

*Who are these victims? What is the common thread running through the perpetrators, aside from the gender (men in 90% of the cases)? The **parliamentary investigation Committee on femicide and gender violence**, instituted at the Senate on 18 January 2017, has drawn **the first Italian map of violence on women**. The final report, unanimously approved on 6 February 2018, was presented in New York during the 62nd session of the UN Commission on the Status of Women.*

The starting point

In 2013 the Italian Parliament ratified the Istanbul Convention and approved the anti-femicide decree-law (number 93 of 14 August). An *Extraordinary Action Plan Against Sexual and Gender Abuse* was adopted in July 2015.

Figure 1. Women aged 16 to 70 who suffered sexual abuse before age 16. By type of violence suffered and citizenship - Year 2014 (per 100 women)



Source: ISTAT Survey on Violence Against Women.

1. Violence Against Women: An Italian Overview

Gender-based violence has, for some years, been the subject of statistical measurement: ISTAT has carried out two surveys, one in 2006 and one in 2014, and this input was received by the Committee on 27 September 2017.

According to data from the latest *Survey*

on women's safety (2014), in the course of their lives **just under 7 million women between 16 and 70 years of age (6,788,000)**, almost one in three (31.5%), **report having been subjected to some form of physical or sexual abuse**, from less severe forms (such as rough handling or harassment) to more serious cases of attempted strangulation or rape.

The perpetrators of the most serious abuse (physical or sexual) are mainly current or former partners: 2,800,000 women have been the victims of this.

10.6% of women report having suffered some form of sexual violence before the age of 16.

More than one in three women, among the victims of partner violence, **received bruises, contusions or other injuries (37.6%).**

About 20% were hospitalised as a result of the injuries received.

More than a fifth of those who were hospitalised suffered permanent damage.

The percentage of foreign women who report having suffered physical or sexual abuse is almost identical to that of Italian women (31.3% as against 31.5%).

The most severe forms of sexual abuse are more often reported by foreign women (7.7% of rapes or attempted rapes as against 5.1% for Italian women), and they

are more frequently committed by current or previous partners (68.3% of rapes and 42.6% of attempted rapes).

In most cases (**68.5%**), **the violence inflicted by a partner, current or previous, began in the country of origin**, while in 20% of cases it relates to a relationship which began in Italy.

Foreign women are more likely to

report the abuse (17.1% compared to 11.4% of Italian women) and **request help** from anti-violence centres and services (6.4% as against 3.2%). It is also true that foreign women have a less strong support

network than Italian women and this necessarily drives them to seek help from such services.

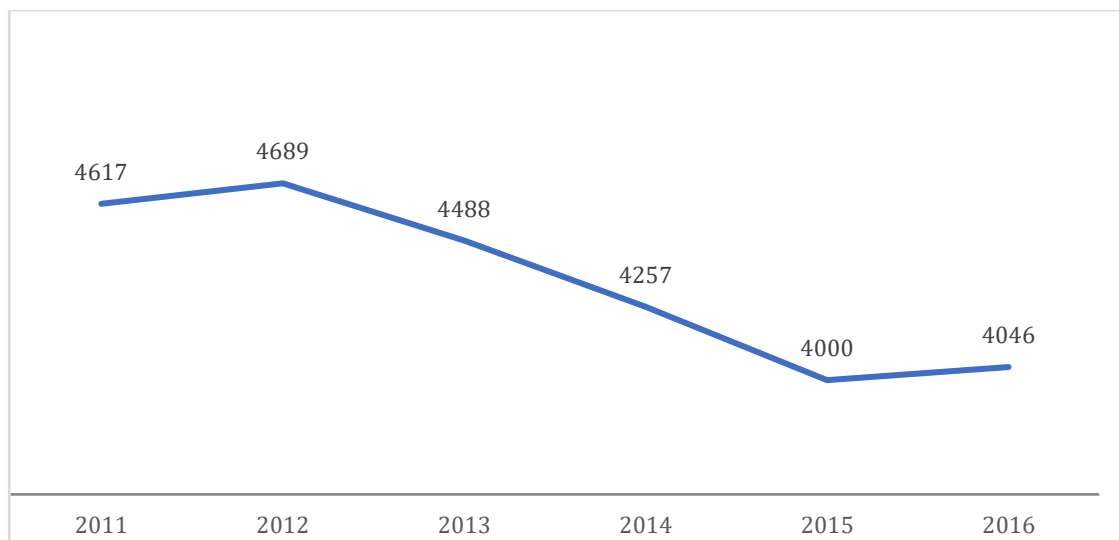
2. Sexual Abuse. Reporting and Sentencing

Data gathered by the Committee show, over the last 6 years, **a gradual reduction** (with a slight increase in 2012) **in the number of crimes of sexual violence reported**: they fell from 4,617 episodes in 2011 to 4,046 in 2016 (approximately -12%).

In the first nine months of 2017 there was a very slight further decrease (-0.2%) in the total number of crimes of sexual abuse reported compared with the same period of 2016: **from 3,095 to 3,035**.

Regardless of numerical variations, a constant is the high incidence of women as victims and **men as perpetrators in over 90% of the cases** recorded from 2011 to 2016.

Figure 2. Number of crimes of sexual abuse reported in Italy - 2011-2016



Source: Minister of the Interior

Table 1. Crimes of sexual abuse reported in the first nine months of 2016 and 2017

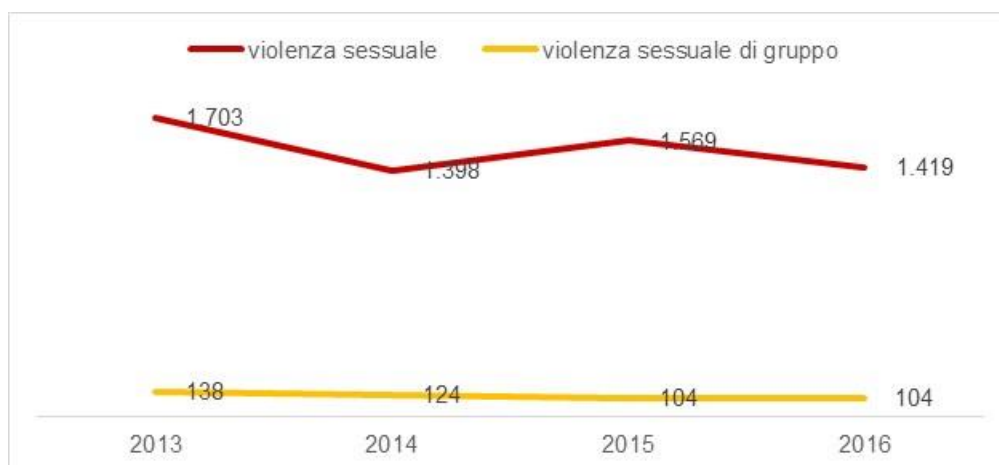
Sexual Abuse		
Year	Total no. of female victims	Female victims as percentage of total
January - September 2016	3095	88.95%
January - September 2017	3035	88.79%

Source: Minister of the Interior

The **divergence between the number of crimes of sexual abuse reported and the smaller number of convictions also appears evident.** In this regard it is necessary to consider the incidence of cases where the perpetrator is not identified, acquittals or

other forms of discharge, and cases in which the same person is charged with several crimes. Finally, it should be considered that the data on convictions refer to convictions during a specific time period and are not specifically related to the offences reported.

Figure 3. Persons convicted with at least one crime of sexual violence or group sexual violence - Years 2013-2016

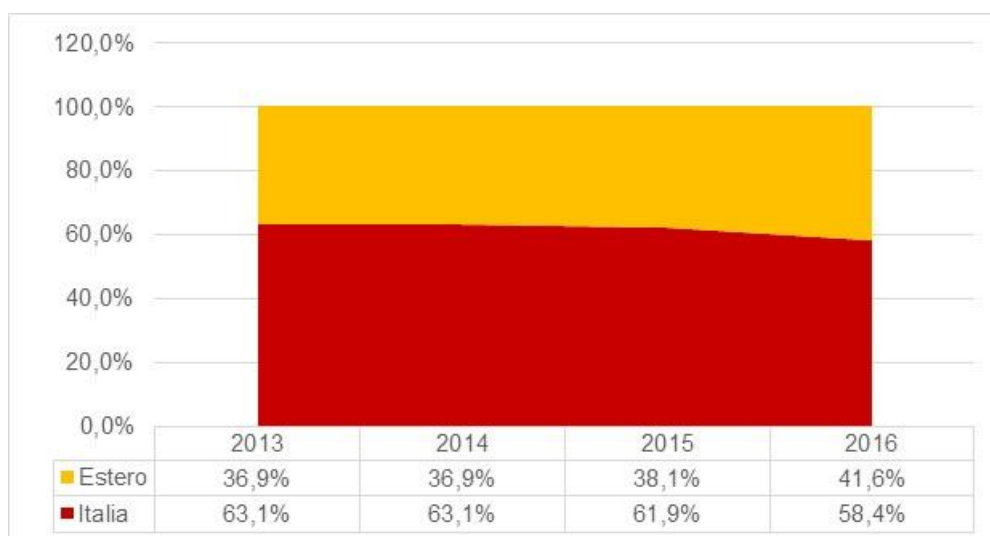


Red line: RAPE - Yellow line: GANG RAPE

Source: ISTAT

These are crimes committed **mainly by Italians**, though the percentage of foreign perpetrators has risen.

Figure 4. Persons convicted with a final sentence and for at least one crime of sexual abuse, arranged by place of birth (percentage) - Years 2013-2016



Yellow: Born abroad - Red: Born in Italy

Source: ISTAT

3. Stalking

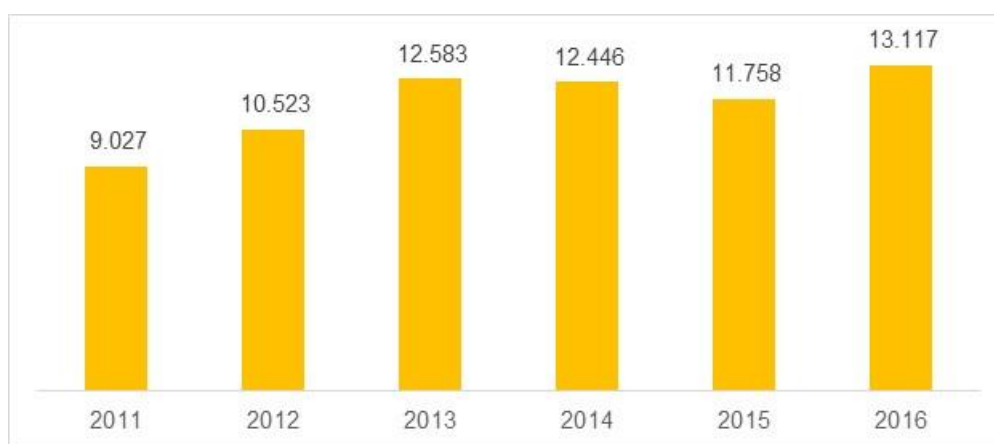
In 2009 the crime of "stalking"¹ was introduced into the Italian Criminal Code as Article 612-bis.

The data reported by the Minister of the Interior show **a growing readiness (in absolute terms) to report a stalker: from the**

9,027 "instances of stalking" reported in 2011 there was an increase to 13,177 in 2016, a jump of 45%.

In the first nine months of 2017 there was a drop of 15.7%: compared to the same period of 2016, the reported instances of stalking fell from 10,067 to 8,480.

Figure 5. Number of stalking crimes reported in Italy - 2011-2016



Source: Minister of the Interior

Table 2. Number of stalking crimes reported in the first nine months of 2016 and 2017

Stalking		
Year	Total female victims	Female victims as percentage of total
January - September 2016	10067	73.71%
January - September 2017	8480	72.60%

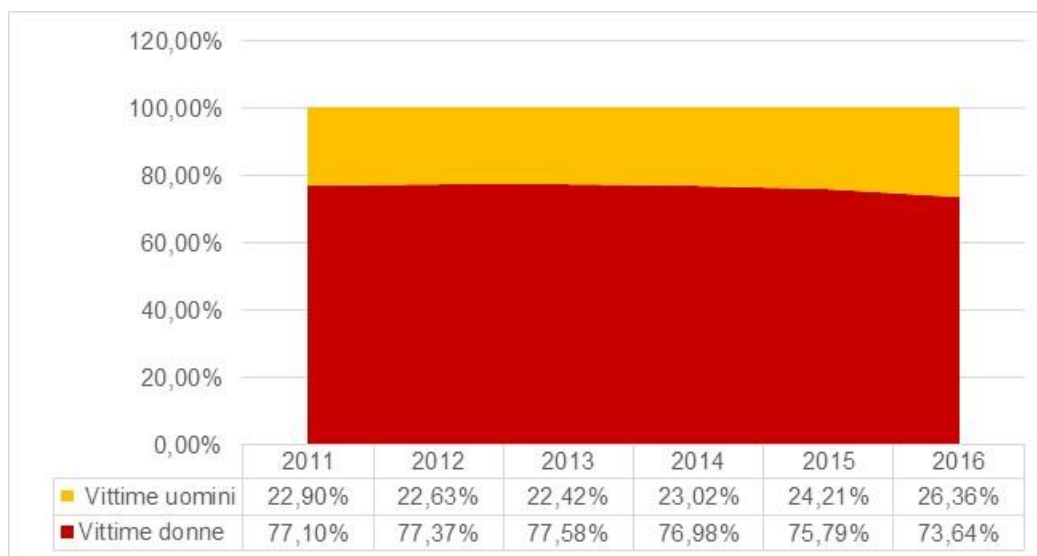
Source: Data provided by the Minister of the Interior at the hearing on 8 November 2017

Women are at greater risk than men when it comes to stalking. The percentage of female victims ranges **between 77%, recorded in the years 2011-2014, and 74% in 2016.**

¹ The criminal paradigm, inserted in the context of crimes against moral freedom, punishes with imprisonment anyone who, through repeated conduct, threatens or harasses someone in such a way as to cause a persistent and severe state of anxiety or fear

or to generate a grounded fear for the person's own safety or that of a close relative or of a person connected to him or her by a bond of affection; or in such a way as to force him or her to alter his/her own lifestyle.

Figure 6. Victims, by gender, of instances of stalking reported in Italy (percentage) - Years 2011-2016

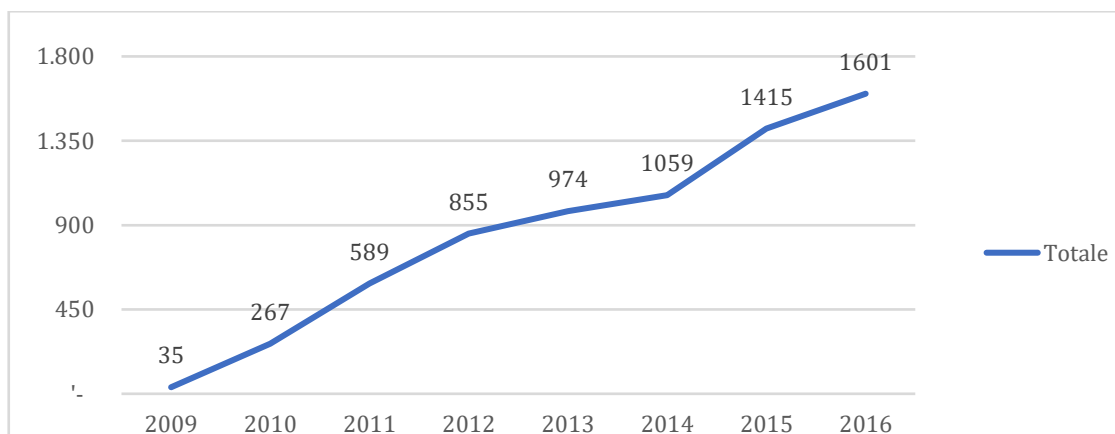


Yellow: male victims - Red: femail Vivtims

Source: *Minister of the Interior*

As for prosecutions for the crime of stalking, since its introduction there has been a **significant increase in convictions: from 35 in 2009 to 1,601 in 2016.**

Figure 7. Persons convicted with an unappealable verdict of at least one count of stalking - Years 2009-2016



Source: *ISTAT*

If the victims are predominantly women, **the perpetrators are largely men (Italians, for the most part)**. The incidence of male conviction on at least one count of stalking

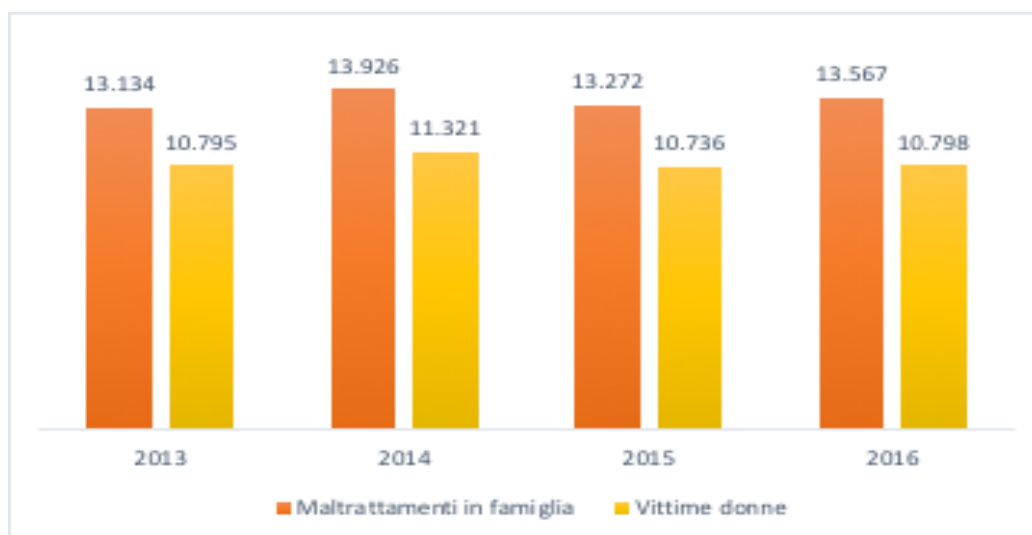
(which is most frequently associated with crimes of personal violence, injury and insults) has been over 90% for each year since 2009.

4. Domestic Violence

Article 572 of the Criminal Code punishes with imprisonment anyone who mistreats a person in the family, a partner, or a person subject to their authority or entrusted to them for the purposes of upbringing, education, care, supervision or custody, or for the exercise of a profession or an art. The anti-femicide decree-law introduced the aggravating circumstance of "witnessed violence" for ill-treatment committed in front of children, that is "*in the presence or to the detriment of a minor under eighteen years of age*" or "*to the detriment of a pregnant person*".

For ill-treatment - as for stalking – the statistics show a progressive **increase in reported cases: from 9,294 cases in 2011, more than 14,000 cases were reported in 2016, with a 17% increase between 2012 and 2013** (the year of entry into force of the Anti-Femicide decree-law). In **2017**, there was a **9.7% drop in cases reported in the first 9 months** compared to the same months of 2016.

Figure 8. Reported cases of domestic violence - Years 2013–2016



Orange: total cases of ill treatment in the family Yellow: ill treatment in the family with female victims

Source: Minister of the Interior

Table 3. Cases of domestic violence reported in the first nine months of 2016 and 2017

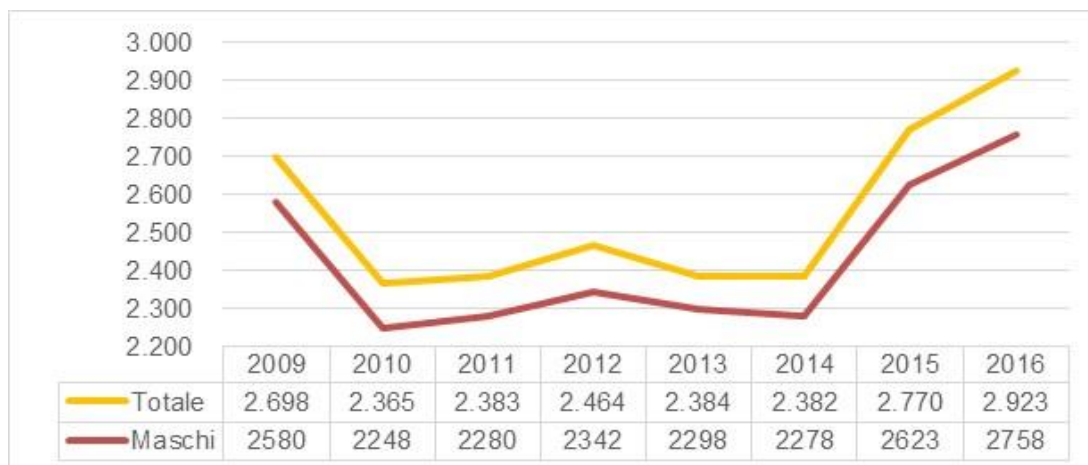
Cases of Domestic Violence		
Year	Total of Female Victims	Female Victims as a percentage of the total
January-September 2016	10876	79.37%
January-September 2017	9818	79.07%

Source: Minister of the Interior

The crimes reported, according to a reworking of the statistics by the Carabinieri, mainly affect **women victims, with a constant percentage of about 80%**.

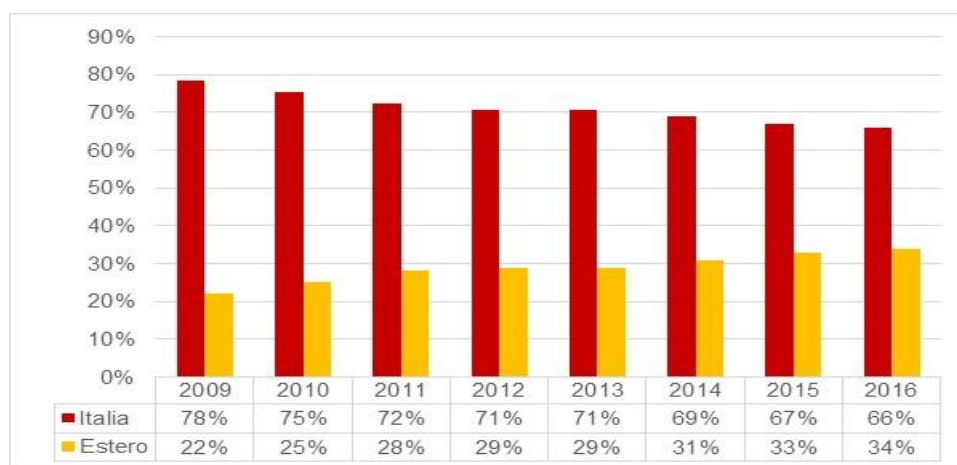
As regards prosecution, **convictions are on the rise: from 1,320 in 2000 they reached 2,923 in 2016**. The trend is essentially due to **convictions of Italian-born men**.

Figure 9. Persons, by gender, convicted with a final sentence on at least one count of ill-treatment in the family - Years 2009-2016



Yellow: total - Red: male - Source: ISTAT

Figure 10. Persons, by country of birth, convicted on at least one count of ill-treatment in the family - Years 2009-2016



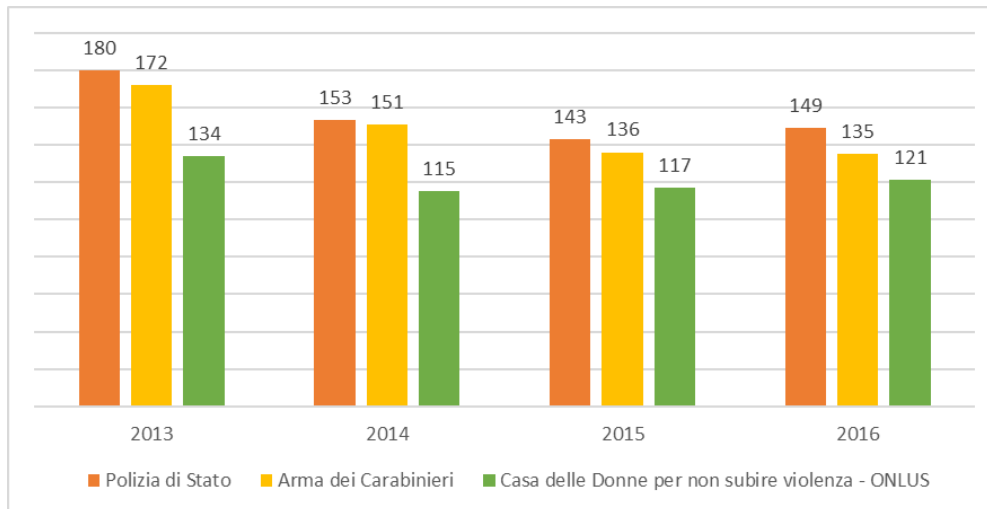
Red: Italy - Yellow: Abroad - Source: ISTAT

5. Femicide

Italian legislation does not contemplate a definition of "femicide" as the killing of a woman on account of gender, i.e. where the victim's being female is an essential and driving motive for the murder itself.

An integrated data collection and processing system was not even provided for until the *Extraordinary Action Plan Against Sexual and Gender Abuse* was adopted in 2015.

For this reason, the number of ascertained femicides differs according to who carried out the survey and the classification criteria followed. In particular, data provided by law enforcement agencies refer to all the murders with female victims and not only to those in which the motive for the crime is that of gender (i.e. proper femicides).

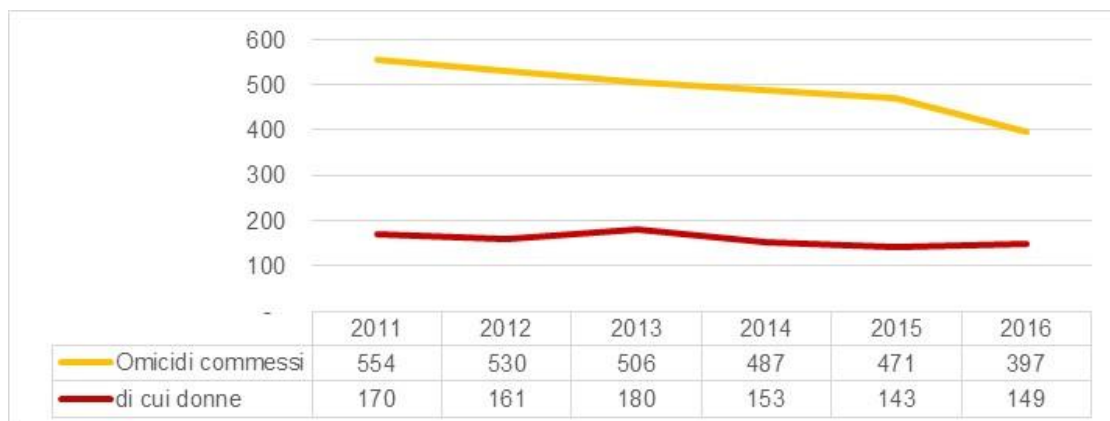
Figure 11. Murders of Women: Different Surveys – 2013-2016

Orange: State Police - Yellow: Carabinieri - Green: non profit making society, as shown

Source: Committee of Inquiry

Regardless of the specific number, however, the statistical data show **a basic stability** - with slight reductions alternating with increases - of **homicides with female victims**: in the last four years they represent **more than a quarter of total homicides committed**.

This trend is not in line with voluntary homicides, which are on the wane. In fact, the total number of homicides fell by about 39% from 2011 to 2016, while homicides with female victims decreased by only 14%.

Figure 12. Voluntary homicides in Italy - 2011-2016

Yellow: Number of homicides - Red: of which, women -

Source: SDI - SSD - consolidated 2011-2015 data and unconsolidated 2016 data

A significant percentage of victims - over 11% in 2012 - are prostitutes.

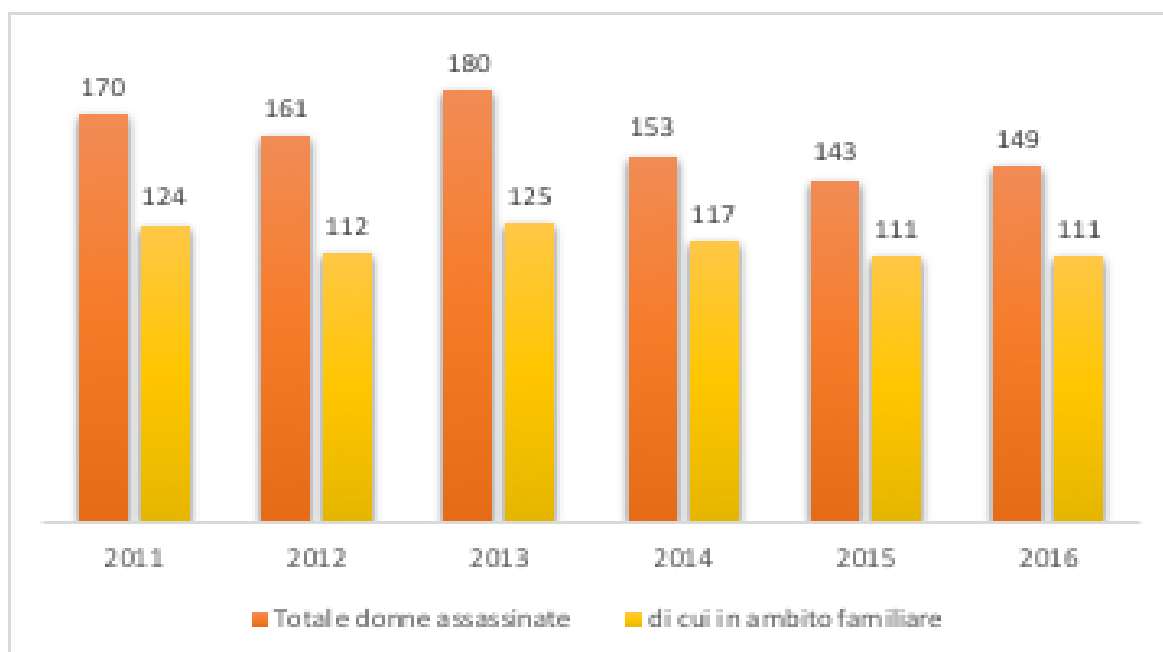
Figure 13. Femicides and prostitute victims - 2009-2016



Source: Casa delle donne per non subire violenza ONLUS. Data collected from the press

The murders of women take place, most of the time, within the family or within a relationship where the perpetrators are linked to the victims by emotional bonds, kinship or acquaintance.

Figure 14. Women murdered in Italy. 2009-2016



Orange bar: Total murders of women. Yellow bar: murders of women in family.

-Source: SDI - SSD - consolidated 2011-2015 data and unconsolidated 2016 data

Table 4. Perpetrators of Women's Murders (Percentages). Years 2009-2016

Year	Current or previous partner	Other relative	Other
2009	48,3%	21,5%	30,2%
2010	39,2%	23,4%	37,3%
2011	48,2%	17,6%	34,1%
2012	46,3%	20,0%	33,8%
2013	42,5%	22,9%	34,6%
2014	54,7%	22,3%	23,0%
2015	49,6%	25,5%	24,8%
2016	51,0%	22,1%	26,8%

Source: ISTAT reformulation of Ministry of the Interior data

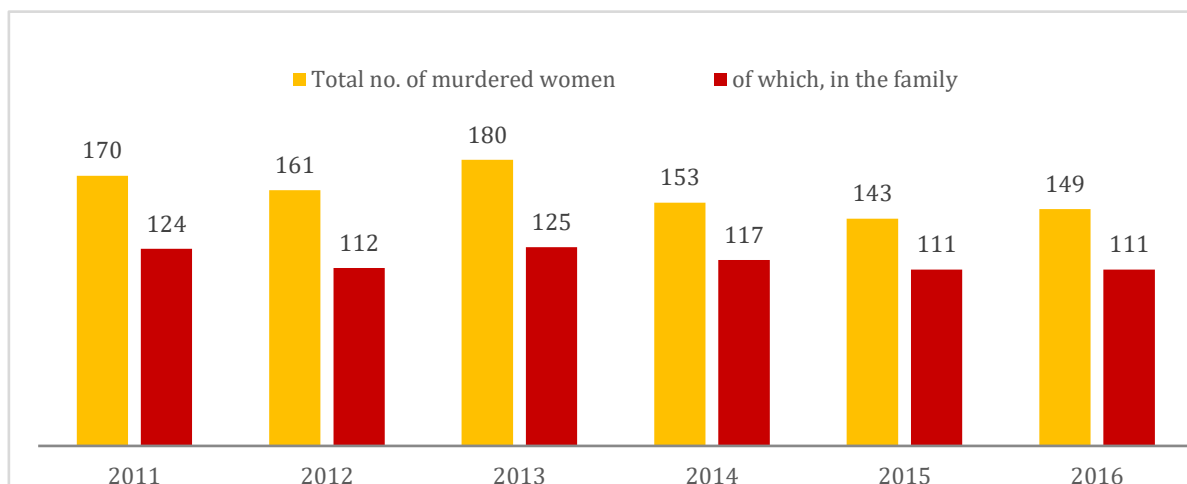
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Figure 15. Femicides and prostitute victims - 2009-2016

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Figure 16. Murders of Women - 2009-2016

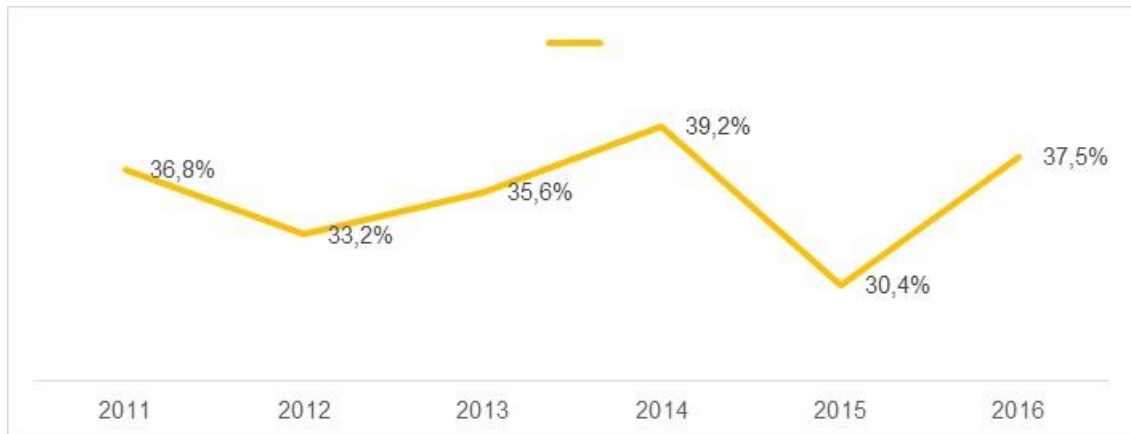


Source: SDI - SSD - Consolidated 2011 - 2015 data and unconsolidated 2016 data

Table 4. Perpetrators of Women's Murders (Percentages)

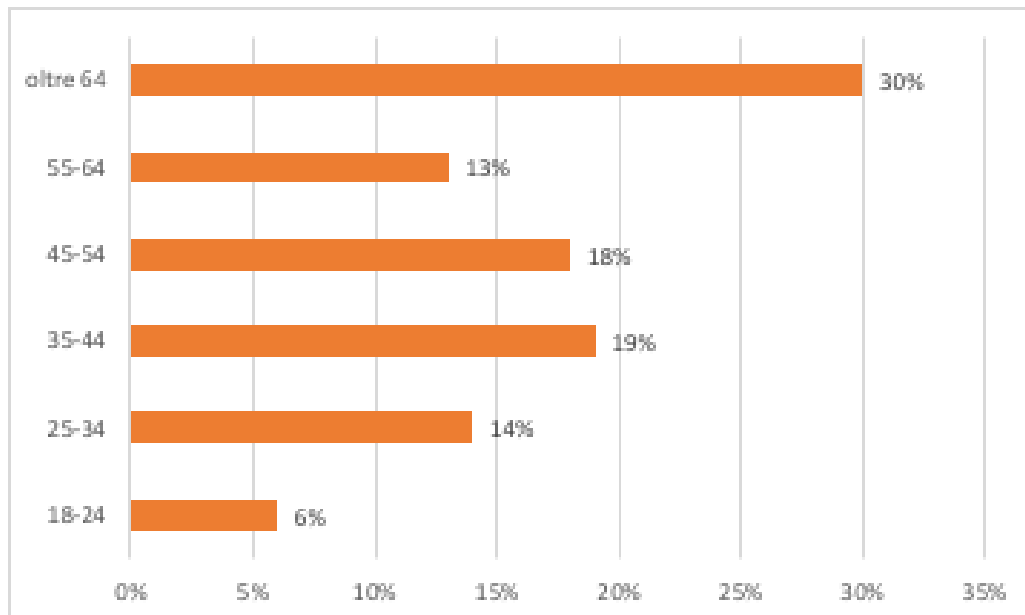
Year	Partner or former partner	Other relative	Other
2009	48.30%	21.50%	30.20%
2010	39.20%	23.40%	37.30%
2011	48.20%	17.60%	34.10%
2012	46.30%	20.00%	33.80%
2013	42.50%	22.90%	34.60%
2014	54.70%	22.30%	23.00%
2015	49.60%	25.50%	24.80%
2016	51.00%	22.10%	26.80%

Source: ISTAT reformulation of Ministry of the Interior data

Figure 17. Occurrence of domestic voluntary homicide in Italy, 2011-2016

Source: SDI - SSD - Consolidated 2011 - 2015 data and unconsolidated 2016 data

The overall **downward trend** of homicides in the family is confirmed in the first nine months of 2017: in the January 1st to September 20th period, 86 murders were committed, i.e. 23.89% less as against 113 murders in 2016. The percentage of women victims has gone down from 73 to 71%

Figure 18. Murdered women by age group - 2012-2016

Source: SDI data –General Command of the Carabinieri - Operations Room

The highest number of victims – one in three – is over 64 years of age. 19% of the women murdered were aged between 35 and 44, 18% between 45 and 54.

Table 6. Distribution of homicides with women victims (percentage) - Years 2012 – 2016

Region	Murders of women
Basilicata	4.1
Molise	3.8
Valle D'Aosta	0
Abruzzo	5.9
Calabria	6.8
Campania	6.5
Emilia Romagna	5.1
Friuli Venezia G.	6.4
Lazio	4.2
Liguria	5.6
Lombardia	4.3
Marche	4
Piemonte	5.8
Puglia	4.1
Sardegna	4.7
Sicilia	5.3
Toscana	6.1
Trentino-Alto Adige	3
Veneto	3.5
Umbria	7.8

In proportion to the resident female population, **the highest number of homicides occurs in Umbria (7.8%), Calabria (6.8%) and Campania (6.5%).**

6. Harassment at Work

Another specific aspect of gender-based violence is sexual harassment and blackmail in the workplace:

- Based on a survey conducted by ISTAT in 2016, it is estimated that **1,403,000 women, during their working life, have suffered sexual harassment or blackmail in the workplace.**
- **This accounts for about 9% of current or past workers**, including women jobseekers.
- In particular, **sexual blackmail** to get a job, to keep it or to achieve career progression, **involved over the course of their lives 1,100,000 women (equal to 7.5% of female workers).**

7. Economic support for victims: paid leave

To support victims of gender-based violence, in addition to compensation, a three months' paid leave is provided both to employed and temporary workers (Legislative Decree no. 80 of 15 June 2015).

According to data reported to the Commission, applications received up to 5 October 2017 by all regional offices **totalled 159**.

8. Protection of Foreign Victims: Residence Permit

To protect foreign victims of domestic violence and abuse - these are women who owing to language and cultural barriers are in a position of greater vulnerability - the anti-femicide decree-law introduced the possibility of issuing a special residence permit. Since the entry into force of the decree-law up until last May, **111 women had benefited** from this, i.e. an annual average of over 30 people

9. Preventing violence: the EVA project

Among the initiatives implemented by law enforcement for the prevention of gender-

based violence, the EVA Project (*Esame Violenze Agite*) is of undoubted importance. This is an operational protocol for flying squad police agents in cases of domestic violence: by compiling special check lists, even in the absence of formal complaints, it is possible to "track" cases of ill-treatment.

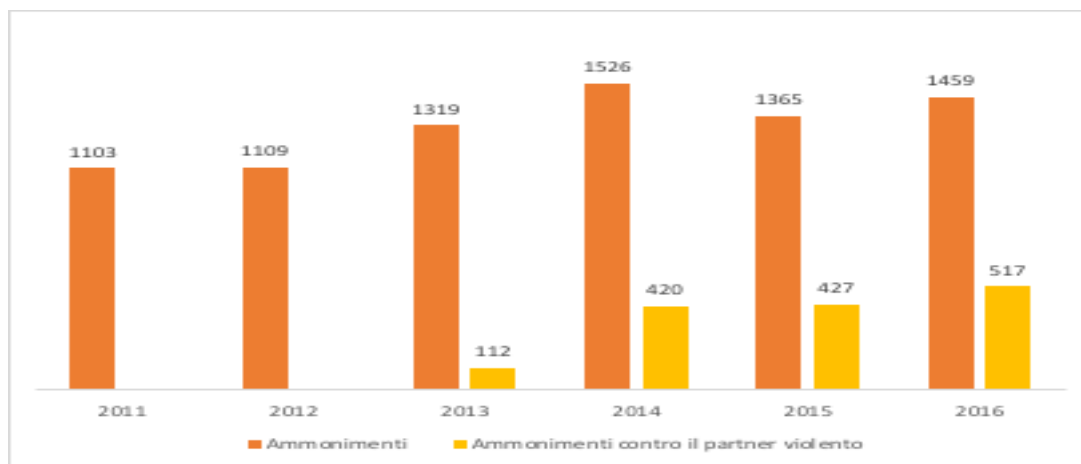
According to the Chief of Police:

- **in the first 9 months of 2017, 3,607 cases of domestic violence were reported**
- **in 3061 cases the attackers were male, with an average age of 42**
- **the victims were female on 2944 occasions. Average age : 41**
- **on 1,228 occasions (34% of cases) the attackers were of foreign nationality**
- **in 2,872 cases (almost 80%) the event took place in the home.**

10. Administrative and judicial measures to protect victims

- **Warning**

A local police chief's warning is an instrument of early protection for prevention of gender and domestic violence. Originally intended for the crime of stalking, it was extended by the decree-law on femicide to cases of violence that could be prosecuted on the basis of a complaint filed with the police by persons other than the victim.

Figure 20. Warnings by Police Chief - 2011-2016

Orange: total warnings Yellow: warnings against a violent partner *Source: SDI - SSD operational data*

According to estimates by the Chief of Police, **in the period 2011-2016, over 6,000 warnings were issued** to prevent stalking, **including 1,476 against a violent partner**.

From 2013 – the year of their introduction – to 2016, warnings issued to violent partners **increased by 78%**. As for 2017, the warnings issued against violent partners in the last nine months numbered 432.

- **Emergency removal from the family home (Article 384-bis of the Code of Criminal Procedure)**

This measure, introduced by decree-law no. 93 of 2013, enables the police – after authorisation by the public prosecutor – to arrange the urgent removal from the family home of an abuser. There may also be a prohibition on approaching the places usually frequented by the injured person(s) if there is a danger of a reiteration of the conduct.

According to data from the Ministry of the Interior, **in the three-year period 2014-2016 urgent removal orders** adopted by judicial officers and the police **totalled 863**. Up to 30 September 2017, 198 orders had been issued.

Figure 21. Emergency removals from the family home - Years 2013-2016

Source: Minister of the Interior

Conclusions

According to the investigation committee, the Italian laws against gender violence are satisfactory, on the whole. The

several measures taken have gradually bridged the gaps concerning safeguard and/or inadequacy of the regulation.

The final report, however, underscored the possibility of introducing new measures:

Sexual harassment: this should be reconsidered, from a criminal standpoint. The soft punishments and the fact that they are statute-barred very quickly (it is almost inevitable, should the trial come about, for the crime to be declared expired), make this accusation hardly deterring.

The same goes for **domestic abuse** (punishable with two to six years in prison) **and persecution** (from six months to five years).

Violence committed in the presence of minors: this should simply be converted from aggravating circumstance to a crime per se.

Removal from the family home: it is necessary to impose sanctions following the violent partner's violation of the removal order.

Identity murder: we need strict rules to punish felonious assault that disfigures or

slashes the face, leaving permanent marks. The crime is currently punishable with 6 to 12 years in prison. Considering that the penalty becomes softer in the event of fast-track proceedings, and considering the further penalty reductions envisaged by the prison system benefits, there is a significant risk that the response given to crimes that devastate the victim's life is very feeble.

Femicide: the current sanctions, based on homicide (article 575 of the criminal law) and on a number of aggravating circumstances (abuse, sexual violence, persecution and/or committed by family members) ensure hefty sentences, including life in prison. However, the acknowledgement of the specific crime of 'femicide' would have a very relevant cultural impact.

This report was issued on February the 6th, 2018 by

COMMISSIONE D'INCHIESTA SUL FEMMINICIDIO E LA VIOLENZA DI GENERE

Senate of the Italian Republic

Focus by

IMPACT ASSESSMENT OFFICE

Senate of the Italian Republic



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