

Prisons in Europe 2005-2015

Italy Country Profile

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This country profile on Italy is taken from the report *Prisons in Europe 2005-2015* ([link](#)), which contains 51 profiles on the prison populations in the Prison Administrations of the 47 member States of the Council of Europe.

Prisons in Europe 2005- 2015 presents data on prison populations across Europe from 2005 to 2015. It is divided in two volumes: Volume 1 presents country profiles based on several indicators concerning prison populations, and Volume 2 includes all the data used for the report. The report has been prepared by the University of Lausanne and co-funded by the European Union and the Council of Europe.

Each country profile includes a Table with Key Facts about the country, which are presented in the form of several indicators referring to the latest available year and to the evolution during the latest ten years, as well as the relative position of the country (low, medium or high) for each indicator compared to the 28 member States of the European Union (“EU 28”) and the 47 member States of the Council of Europe (“CoE 47”). The classification in “low”, “medium” and “high” is based on the comparative indicators presented in Part 2 of the study. The country profile is divided in four sections and includes 8 Figures. The four sections are the following:

- Key facts
- The country in brief: This section summarizes the trends shown in the key facts from 2005 to 2014/15. It illustrates which indicators have increased, which have decreased and which have remained stable. The indicator is considered as showing a stable trend if the variation is lower than 5%.
- The country in comparative perspective: This section compares each country to the rest of the countries included in the study.

General comments:

This section includes eight Figures, comments to these Figures and some possible explanations of the observed trends. The eight Figures are numbered from 1 to 8 within each country profile and also include, between brackets, their absolute number from 1 to 408.

The Key facts include indicators of stock and flow. The stock indicators refer to the situation on 1st September 2015. The flow indicators refer to the situation during the year 2014. On the basis of the data included in this study, we have calculated for each indicator the average for the 10 to 11 years under study. This average is presented in the fifth column of the country profiles.

Finally, the last column of the country profiles provides a graphic indicator of the trend observed when one compares the last year of the series (2014 and 2015 respectively) to the first one (2005). The arrows included in this column reflect the evolution of the indicator according to the following table:

↔	+/- 4.9%	stable
↑	+5 to +9%	slight increase
↑↑	+10 to +19%	moderate increase
↑↑↑	+20 to +49%	substantial increase
↑↑↑↑	+50% and more	huge increase
↓	-5 to -9%	slight decrease
↓↓	-10 to -19%	moderate decrease
↓↓↓	-20 to -49%	substantial decrease
↓↓↓↓	-50% and more	huge decrease

COUNTRY PROFILE

ITALY

TRENDS 2005-2015

Key Facts

	2014/15	Comparative		Evolution 2005-2014/15	
		CoE 47	EU 28	Average	% Change
Prison population rate (inmates per 100,000 inhabitants) on 01.09.2015	86.4	Medium	Medium	97.1	↓↓↓
Rate of entries into penal institutions in 2014 (inmates per 100,000 inhabitants)	82.6	Low	Low	132.5	↓↓↓↓
Rate of releases from penal institutions in 2014 (inmates per 100,000 inhabitants) – Available since 2009	107.7	Low	Low	122.8*	↓↓↓
Average length of imprisonment in 2014 based on the total number of days spent in penal institutions (in months)	13.7	High	High	---	---
Average length of imprisonment in 2014 based on stock and flow (in months)	13.0	High	High	9.4	↑↑↑↑↑
Prison density on 01.09.2015 (inmates per 100 places)	105.6	High	High	128.0	↓↓↓↓
Median age of the prison population on 01.09.2015 (in years)	39.0	High	High	36.8	↑
Percentage of female inmates (01.09.2015)	4.1	Medium	Low	4.4	↓↓↓
Percentage of foreign inmates (01.09.2015)	33.0	High	High	35.0	↔↔
of which: in pre-trial detention	42.2	Medium	High	52.8	↓↓↓
Percentage of non-sentenced inmates (01.09.2015)	35.2	High	High	45.8	↓
Rate of deaths per 10,000 inmates in 2014	17.0	Low	Low	25.2	↓↓↓↓
Rate of suicides per 10,000 inmates in 2014 (n=43)	7.9	Medium	Medium	9.0	↓↓↓
of which: % in pre-trial detention (n=21) – Available since 2013	48.8	Medium	Medium	53.4	↑↑↑↑
Ratio of inmates per staff (number of inmates per 1 staff person)	1.2	Low	Low	1.3	↓
Percentage of custodial staff in the total staff	79.6	High	High	81.5	↓
Total budget spent by the prison administration (in Euro) – Available since 2011	2 714 126 966	NAP	NAP	3 001 892 337**	↓↓↓
Average amount spent per day for the detention of one inmate (in Euro) – Available since 2008	141.8	High	High	127.2***	↑↑

*Average calculated from 2009 to 2014

** Average calculated from 2011 to 2014

*** Average calculated from 2008 to 2014

Italy in brief

- Comparing 2014/15 to 2005, the following indicators show a *decrease*: prison population rate (-15%), rate of entries into penal institutions (-46%), rate of releases from penal institutions (-12%), prison density (-24%), percentage of female inmates (-15%), percentage of pre-trial detainees among foreign inmates (-14%), percentage of non-sentenced inmates (7%), rate of deaths per 10,000 inmates (-41%), percentage of suicides (-17%), ratio of inmates per staff (-7%), percentage of custodial staff in the total staff (-6%), and total budget spent by the prison administration (-13%).
- Comparing 2014/15 to 2005, the following indicators show an *increase*: average length of detention based on stock and flow (+63%), median age of the population (+8%), percentage of suicides in pre-trial detention (+40%), and average amount spent per day for the detention of one inmate (+17%).
- Comparing 2014/15 to 2005, the following indicators remain *stable*: percentage of foreign inmates (0%).

Italy in comparative perspective

- Compared to other European countries, in 2014/15 Italy presents:
 - **Low**: Rate of entries into penal institutions, rate of releases from penal institutions, rate of deaths per 10,000, ratio of inmates per staff.
 - **Medium**: Prison population rate, percentage of pre-trial detainees among foreign inmates, percentage of suicides.
 - **High**: Average length of detention based on stock and flow, average length of detention based on the total number of days spent in penal institutions, prison density, median age of the prison population, percentage of foreign inmates, percentage of non-sentenced inmates, percentage of custodial staff in the total staff, average amount spent per day for the detention of one inmate.
- When the percentage of female inmates is calculated, the Italian percentage is medium compared to the member States of the Council of Europe, but low compared to the member States of the European Union.
- When the percentage of foreign inmates in pre-trial detention, the Italian percentage is medium compared to the member States of the Council of Europe, but high compared to the member States of the European Union.

General comments

Figure 1 (169)

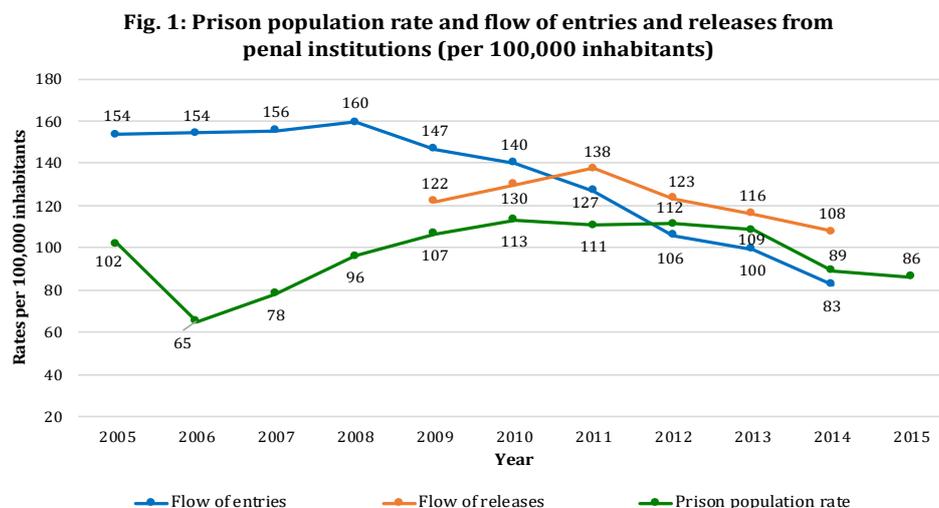


Figure 1 shows that, from 2005 to 2015, the prison population rate of Italy (stock) decreased by 15%. In 2005, the country had 102 inmates per 100,000 inhabitants, while in 2015 it had 86. The decrease in the prison population rate from 2005 to 2006 is due to the Act of collective pardon no. 240, which entered into force on 1st August 2006 and led to the liberation of roughly one third of the inmates. According to the information provided by the SPACE national correspondent the reasons for the relative stabilization of the prison population from 2009 to 2011, and its decrease after that, are related mainly to the measures adopted by the Italian Government in its fight against prison overcrowding. Since 2009, these measures included a provision for the admission to “home detention” of prisoners having to serve a prison sentence of up to 1 year (Law 199/2010). Since 2012, a number of other measures were taken, aimed also at reducing prison overcrowding. In particular, one should mention:

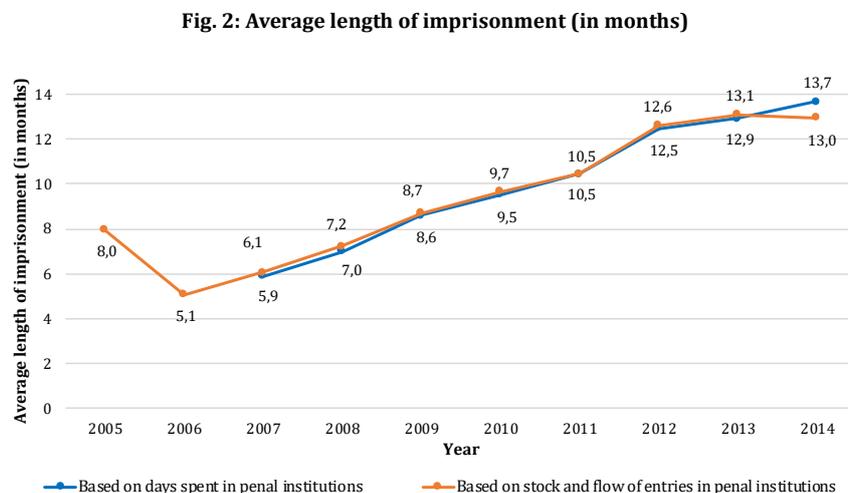
- Law of 17 February 2012, No. 9, amending the Law 199/2010 relevant to the execution of sentence at the offender’s domicile.
- Law of 9 August 2013, No. 94, converting the Law-by-Decree No. 78 of 1 July 2013 which eliminates recidivism as an obstacle to the suspension of the order of execution of punishment.
- Law-by-decree of 23 December 2013, No. 146, "Urgent measures for the protection of the fundamental rights of prisoners and for the controlled decrease of prison population". Converted into law on 21 February 2014, law No. 10.
- Judgment of the Constitutional Court No. 32/2014 of 12 February 2014 on the way the sanctions for drug-related offences should be applied: It repealed the aggravation of the punishment for drug-related crimes, thus enabling a larger number of offenders to serve community sanctions and measures as an alternative to imprisonment.
- Law of 28 April 2014, No. 67 which introduced the probation (*Messa alla prova*) for adults, consisting in suspending the penal procedure during the first-instance trial upon request of the accused person, in the cases of less serious crimes.
- Law-by-decree of 26 June 2014, No. 92, "Urgent provisions in matter of compensatory remedies in favour of prisoners and internees who suffered a treatment in violation of article 3 of the European Convention of Human Rights and Fundamental Freedoms and in matter of amendments to the Code of Criminal Procedure and to the relevant enforcement provisions, to the regulations of the Corps of Penitentiary Police and to the Penitentiary Act, also for juveniles. Converted into law on 11 August 2014, law No. 117

From 2005 to 2014, the rate of entries (flow of entries) decreased by 46%. In 2005, there were 154 entries into penal institutions per 100,000 inhabitants, while in 2014 there were 83.

From 2009 to 2014, the rate of releases (flow of releases) decreased by 12%. In 2009, there were 122 releases from penal institutions per 100,000 habitants, while in 2014 there were 108.

The flow of entries and the flow of releases show dissimilar rates but similar trends.

Figure 2 (170)



From 2005 to 2014, the average length of imprisonment computed on the basis of the ratio between the stock and the flow increased by 63%. In 2005, the average length of imprisonment was 8.0 months, while in 2014 it was 13.0 months.

The trend is similar when the average length of imprisonment is estimated on the basis of the number of days spent in penal institutions, even if in that case data for the first two years of the series were not available.

Figure 3 (171)

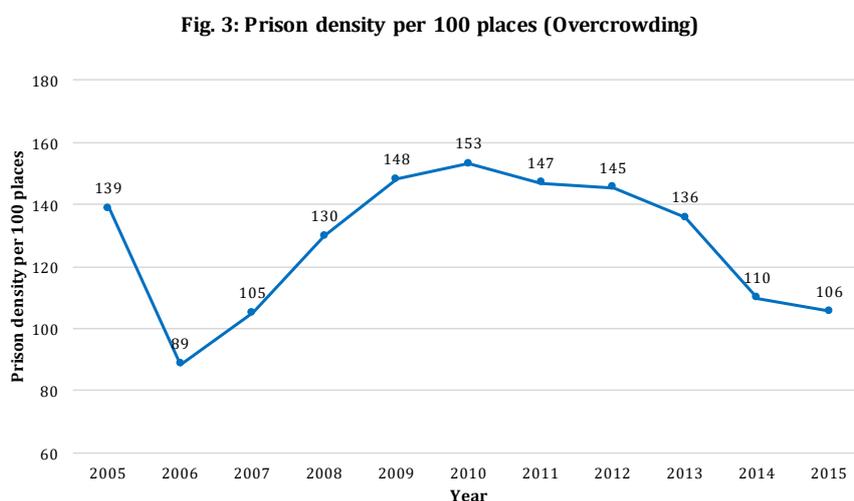


Figure 3 shows that, from 2005 to 2015, the prison density of Italy decreased by 24%. In 2005, the country had 139 inmates per 100,000 inhabitants, while in 2015 it had 106.

Figure 4 (172)

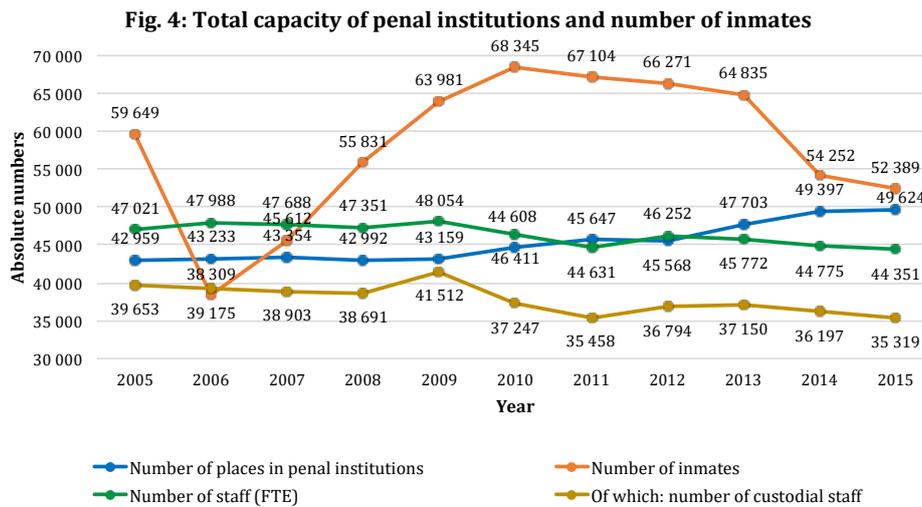


Figure 4 shows that, from 2005 to 2015, the total number of places in penal institutions in Italy increased by 16%. In 2005, the country had 42,959 places, while in 2015 it had 49,624. According to the information provided by the SPACE national correspondent, the increase in the number of places available is due to a big effort of the Penitentiary Administration in recovering the unused spaces in each prison of the country, as well as to the building of some new wings and new prisons.

During the same period, the total number of inmates decreased by 12%. In 2005, the country had 59,649 inmates, while in 2015 it had 52,389.

From 2005 to 2015, the total number of staff decreased by 6%. In 2005, Italy had in total a staff of 47,021 persons, while in 2015 it had 44,351.

During the same period, the total number of custodial staff decreased by 11%. In 2005, the total custodial staff was 39,653 persons, while in 2015 it was 35,319. According to the information provided by the SPACE national correspondent, the decrease in the number of custodial staff (Penitentiary Police officers) is due to the so-called “spending review” carried out in the Italian Public Administration. In order to deal with this issue, and also with the aim of starting a new model of detention in the Italian prisons, the Italian Administration introduced the so-called “dynamic surveillance”, which is a way of supervising inmates’ behaviour based on staff mobility throughout the structure, rather than occupying steady posts. Thus, with a lower number of personnel it is possible to control the same number of inmates and of places.

Figure 5 (173)

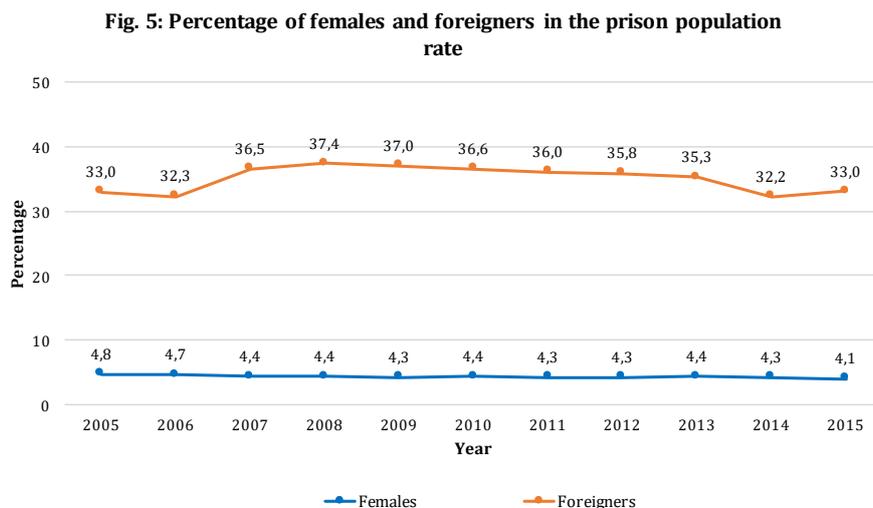


Figure 5 shows that, from 2005 to 2015, the percentage of female inmates decreased by 15%. In 2005, 4.8% of the inmates were females, while in 2015 they represented 4.1% of the total prison population.

During the same period, the percentage of foreign inmates remained stable. In 2005 and 2015, 33% of the inmates were foreigners.

Figure 6 (174)

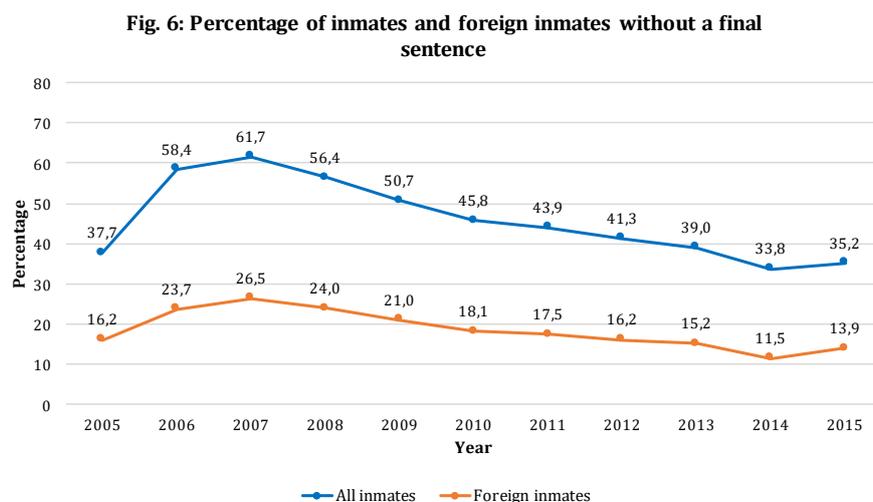


Figure 6 shows that, from 2005 to 2015, the percentage of inmates without a final sentence decreased by 7%. In 2005, 38% of the inmates did not have a final sentence while, in 2015, inmates without a final sentence represented 35% of all inmates. According to the information provided by the SPACE national correspondent, the decrease in the number of inmates without a final sentence is basically due to the policy agreed with law enforcement agencies and the judiciary to reduce the very short detention stays (a few days). Moreover, in April 2015, a Law on the reduction in the use of pre-trial detention entered into force.

During the same period, the percentage of foreigners held in pre-trial detention decreased by 14%. In 2005, they represented 16% of the total number of inmates, while in 2015 they represented 14% of them.

Figure 7¹²³ (175)

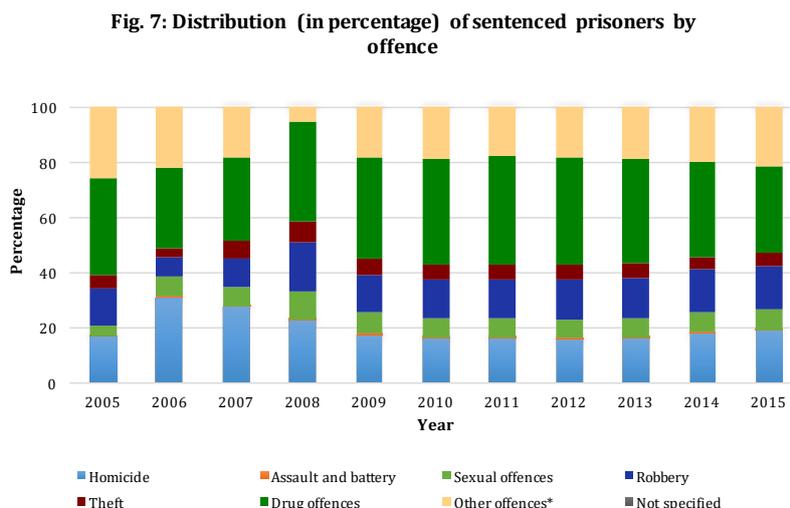


Figure 7 shows that, from 2005 to 2015, the percentages of prisoners serving sentences for homicide, assault and battery, sexual offences, and robbery have increased; while the percentages of those serving sentences for drug offences, and other types of offences have decreased.

Figure 8 (176)

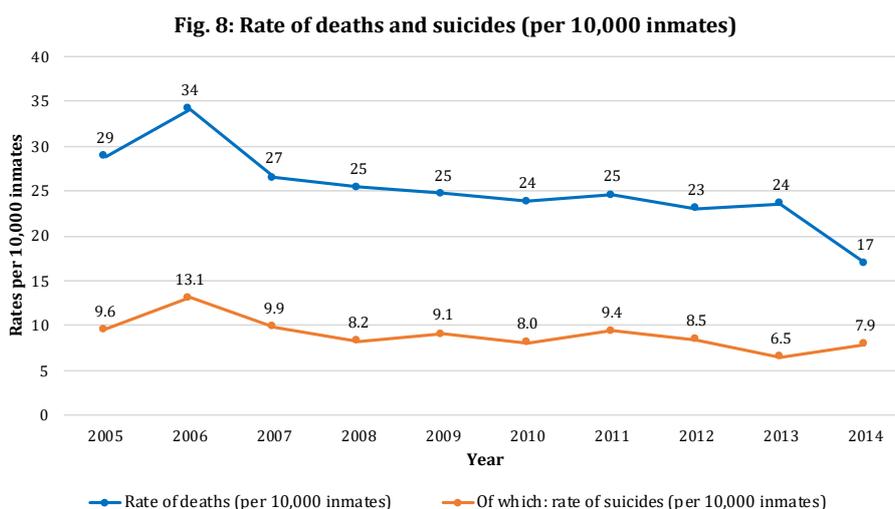


Figure 8 shows that, from 2005 to 2014, the rate of deaths of inmates in penal institutions per 10,000 inmates decreased by 41%. In 2005, there were 29 deaths per 10,000 inmates, while in 2014 there were 17.

During the same period, the rate of suicides of inmates in penal institutions per 10,000 inmates decreased by 17%. In 2005, there were 9.6 suicides per 10,000 inmates, while in 2014 there were 7.9.

¹ The figures provided by the country do not always add to 100%.

² Sexual offences include (1) rape (included in the SPACE questionnaire since 2005), and (2) other sexual offences (included in the SPACE questionnaire since 2008).

³ Other offences include (1) economic and financial offences (included in the SPACE questionnaire since 2008); (2) terrorism (included in the SPACE questionnaire since 2007); (3) organised crime (included in the SPACE questionnaire since 2007); (4) cybercrime (included in the SPACE questionnaire since 2014); and (5) other cases (included in the SPACE questionnaire since 2005).