

Sexual Violence

Originally, the Italian **Criminal Code**, within the category of "Crimes against morality and decency", envisaged two distinct types of crime related to sexual violence, in particular:

- Rape (*Violenza carnale*) - (art. 519 of the Italian criminal code) which punished whoever forced someone to have sexual intercourse using violence or threat;
- Indecent assault (*Atti di libidine violenti*) (art. 521 of the Italian criminal code) which punished whoever committed an indecent assault on someone other than sexual intercourse.

Law no. 66 of February 14, 1996, has re-shaped the legal framework and placed sexual violence within the category of "Crimes against personal freedom". In this way, the Law has put on the same level all conducts that infringe a legal right (the sexual freedom of the individual), eliminating the distinction based on the occurrence of sexual intercourse, introducing much harsher punishments.

Sexual violence is now regulated by articles 609-bis et seq. of the Criminal Code, which punish not only rape - understood as sexual intercourse without consent - but more generally any other form of coercion to perform or submit to sexual acts.

Law no.69/2019 (the so-called "Red Code") has increased the penalties: anyone who forces someone to perform or submit to sexual acts using violence or threat or through abuse of authority is punished with imprisonment from six to twelve years. The punishment is increased by one third if aggravating factors apply: e.g., the crime is committed by a parent, including an adoptive parent or a guardian; the offender used a weapon or a narcotic substance; the victim is a minor under eighteen years of age.