

Italy: information for victims of rape and sexual assault

If you've been sexually assaulted it's important to remember that it was not your fault. Rape and sexual assault is always wrong – no matter who commits it or where it happens. It is traumatic and it can affect you both physically and emotionally. Do not be afraid to get help.

This information is provided to help British nationals overseas make informed decisions about whether and how to:

- Seek medical advice and attention
- Report to local police
- Engage with foreign legal authorities following a rape or other form of sexual assault overseas.

For information on support available in the UK, see Rape and Sexual Assault: Returning to the UK (<https://www.gov.uk/government/publications/rape-and-sexual-assault-abroad-returning-to-the-uk>).

First steps

It is your choice about what you do next, but this information may help you in coming to a decision. The most important thing is to make sure that you are as safe as you can be. You can:

- Contact the international emergency number on 112.
- Contact your tour operator if you are travelling with one.
- Contact your nearest British embassy, high commission or consulate on +44 20 7008 5000. Embassy staff will be empathetic, and non-judgmental, and can provide information on local police and medical procedures. Anything you tell them will be treated in the strictest confidence. They can contact your family or friends for you if you wish.
- You can find details of your nearest embassy or consulate in Italy here:

<https://www.gov.uk/world/organisations/british-embassy-rome>

If you want to report the incident to the police in Italy

- If you have a tour operator, they should be able to arrange for someone to support you. If you are in an area where there is a British embassy or consulate, they will try to send a consular officer to support you, where timing and location allow. You will always be able to speak to trained consular staff on the telephone 24/7.
- If you approach the police directly, you can also ask them to inform the nearest British embassy or consulate on +39 06 4220 0001 and they can offer you consular support.
- If you choose to report the crime, try to do so as soon as possible, so forensic evidence can be retained. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence. If you change your clothes, think

about taking those you were wearing to the police. You may wish to preserve evidence by retaining items such as condoms, toothbrushes, or texts.

- Tell the police if you think you have been drugged.
- Insist you get a copy of the police report. This will be in Italian and it is unlikely that it will be translated into English.
- In Italy there are two different law enforcement forces that work at a national level: the 'Polizia' and the 'Carabinieri'. Depending on where you are in Italy, officers of either of these forces could attend to you. In this information, 'police' refers to both types of law enforcement officers.
- [Some police stations in Italy are equipped with dedicated interview rooms](#)
- The police will interview you and you can request to speak to a female officer. In case there are no police officers who speak English, the police will locate an interpreter for you if you do not speak Italian, but you will usually have to wait for one to be made available. The consulate does not offer interpreting or translation services, but may be able to assist you in exceptional circumstances.
- The types of questions that will be asked include: the identity or description of your attacker; where and when the incident happened; what happened; the circumstances and if there were any witnesses.
- Your statement will be in Italian. You will be asked to read it or the interpreter will read it to you to check the information is correct and then you will have to sign it. A copy of this police report should be given to you so please insist you receive a copy. On rare occasions, the police may withhold the report for reasons related to the investigation.
- In Italy, domestic violence, rape and sexual assault crimes have a fast track system for the prosecution called 'red code' ('codice rosso'). Once you make your report, the police are obliged to start investigations and refer the case to the local public prosecutor (PM). You will be heard by the public prosecutor within three days of notification of the offence.
- You do not have to surrender your passport whilst the investigation is carried out although you will be asked to provide an address in Italy as well as contact details in the UK.
- You will not be automatically assigned a lawyer. You will need to appoint one should you wish to.

If you do not want to report the incident to the police in Italy

- The British embassy or consulate will be able to help you. This includes helping you to contact your insurance company, your family, making arrangements to travel back to the UK and/or provide you with information on local support in the UK.
- They can provide you with lists of English-speaking medical facilities, lawyers and translators.
- If you are travelling with one, you can also report the incident to your tour operator and ask them for assistance. If you wish, the tour operator may accompany you to the local hospital. If you wish, and depending on location and timing, a member of consular staff may be able to accompany you.

- It is your choice on whether to report the crime. If you don't report it, your case may not be investigated. In Italy, you have one year in which to report the crime although it is advisable to report it as soon as possible. Once reported it cannot be revoked. The crime report is known as a 'Querela/Denuncia'.
- If you do not report the crime you will still be able to get medical attention and you should go to the nearest hospital.
- All Accident and Emergency departments ('pronto soccorso') in major Italian hospitals should have the necessary facilities, equipment and staff prepared to assist victims of sexual assault. Smaller hospitals may lack specialised staffing however. Should this be the case, you will be directed to the local anti-violence organisation that works with the hospital.

If you want to report the incident to the police in the UK

- The support available to you, and your access to justice may vary according to where you report the crime. In many countries, you need to report the crime before you leave the country if you want it to be investigated and police to obtain important evidence.
- If you are staying in the country where the crime took place, you should report the crime in that country. If you are a British national and you need help to report the crime, you can contact the nearest [British embassy, high commission or consulate](#), or the Foreign, Commonwealth & Development Office in London.
- If you do not report the crime in the country where it happened and you return to the UK, you can still report the matter to your local UK police.
- The UK police should send the information you provide to the country where the crime happened. However, it is for foreign police forces to decide whether to investigate a crime in their jurisdiction and they may not take action.
- You can report the crime to the UK police even if you are not seeking an investigation abroad. The UK police can offer you access to victim support in the UK. They may still send some details of the crime to police in the country where it happened. This might be necessary in order to protect vulnerable people, or to stop more crimes being committed.

See [Rape and Sexual Assault: Returning to the UK after rape or sexual assault abroad](#) for more information.

Reporting the crime in Italy - what happens next?

- If you choose to report the crime in Italy, try to do so as soon as possible, so forensic evidence can be retained. Washing yourself or your clothes may make it difficult for the police to obtain forensic evidence.
- If you change your clothes, think about taking those you were wearing to the police. You may wish to preserve evidence by retaining items such as condoms, toothbrushes, or texts and social media messages.
- Tell the police if you think you have been drugged.
- Insist you get a copy of the police report.

- You will have to make a statement about the incident. The types of questions that will be asked include: the identity or description of your attacker; where and when the incident happened; what happened; the circumstances and if there were any witnesses.
- The police may retain your clothes or electronic items including phones and tablets as evidence.
- Once you have made your report, it is not possible to withdraw it.
- After the initial reporting, police may accompany you to the nearest hospital. Where possible, and if you want, consular staff can accompany you.

The medical examination – what to expect

- All Accident and Emergency departments in major Italian hospitals provide specific treatment for victims of sexual assault.
- If a member of consular staff is available, they will be able to accompany you to the hospital if you so wish. Some hospital staff may speak English, but the majority will speak only Italian. Consular staff are able to help you understand what is going on or may ask the hospital staff to request the assistance of an English-speaking member of their staff.
- Doctors will require your consent to report the results of any examination to the police. Doctors are required to notify the police with or without consent only in the case of minors or in the case of an injury requiring more than 20 days' hospitalisation.
- Female victims will be examined by a gynaecologist and male victims by a surgeon.
- You will undergo some routine laboratory tests such as a blood test, pregnancy test, toxicological tests, tests for HIV and sexually transmitted diseases as well as the collection of DNA and biological samples.
- With your consent, doctors may take photographic evidence of any injuries when deemed necessary and collect clothing items or any other objects containing relevant biological evidence.
- If you have already changed your clothing, please keep any evidence safe in a paper bag as plastic can alter the samples.
- Once discharged from the hospital, you will be given a copy of your medical report and hospital file. In accordance with Italian law, the hospital file must contain information relevant for the judicial case that might take place. This will constitute an important part of the police report, should you decide to report the assault to the police.

Treatment

- Hospital/medical staff can provide a prescription for Post-Exposure Prophylaxis (PEP) which is a treatment that can prevent HIV infection.
- HIV PEP medication needs to be taken within 72 hours of the incident for it to be effective. The treatment needs to continue for 28 days. If you are going back to the UK the NHS may be able to commence or continue the 28-day treatment on your return.

- Antibiotics, vaccinations and the morning-after pill can also be prescribed. The latter must be purchased at a local pharmacy and the hospital doctor can provide a prescription. On rare occasions a doctor may be unwilling to prescribe this. In this situation you will be signposted to the local Health Centre ('consultorio') where you can obtain a prescription.
- Emergency contraception needs to be taken within 72 hours of the incident for it to be effective.
- If you are prescribed medication, you will need to go to your nearest pharmacy with your prescription. There are 24-hour pharmacies in Italy and there should always be an emergency pharmacy open during the night and weekends on a rota system. The address of the nearest emergency pharmacist should be displayed in the windows of the pharmacies in the area where you are. It is not possible to buy painkillers such as paracetamol in supermarkets in Italy. You have to buy them from the pharmacy but you do not need a prescription.
- If you are a visitor to Italy, treatment in a state/public hospital will be covered by your [UK Global Health Insurance Card \(GHIC\) or European Health Insurance Card \(EHIC\)](#). Contact Overseas Healthcare Services on +44 191 218 1999 if you don't have your EHIC/GHIC card with you. However, victims of sexual violence will always receive free medical care in Italy.
- If you have had medication administered overseas, you may wish to keep the label or make a note of the name of the medication, so that you can tell your doctor the details of your medication when you return home.
- You will also be able to keep your medical file.

Police investigations in Italy – what to expect

- In Italy, the public prosecutor has a duty to initiate criminal proceedings. Domestic violence, rape and sexual assault crimes have a fast track system for the prosecution called 'red code'. Once you've made your report the police are obliged to start an investigation and refer your case to the prosecutor. You will be heard by the public prosecutor within three days of notification of the offence. During this time, you may be requested to remain in Italy.
- Police may ask you to visit the scene of the crime, or visit where you think the attacker is located to try to identify and arrest the person.
- You will not be expected to meet or speak to the suspect at the court or at the police station.
- During the investigation, you could be asked by the court to return to Italy to attend an identity parade or provide a further statement.
- If the police make an arrest, the suspect has to be taken before the court within 72 hours of being arrested. At this stage the judge and the prosecutor will decide whether to detain the suspect in prison pending further investigation, or release them without charge.

Court procedures – what to expect

- Once the investigation has ended, the public prosecutor will either decide to dismiss the case or request to the judge that a trial takes place.

- You may not be required to attend the preliminary hearing of the trial as this is a decision for the public prosecutor. If a decision is made to further investigate the case, you may have to give an additional statement.
- You need to hire a lawyer in order to obtain updates on your case and be represented in court. Without a lawyer it may be more difficult to liaise with the local authorities.
- It is not possible to drop charges once you've filed your report.
- In Italy the defendant is entitled to file a counter charge for being falsely accused. It will be for the judge to decide whether there are grounds for the above claim i.e. if the victim has accused the perpetrator whilst knowing he/she was innocent.
- Italian law provides two ways for you to obtain compensation. You can join the criminal proceedings against the offender as a civil party or you can bring an independent civil action. Your lawyer will be able to advise you on which option is best for your specific case.

Trial procedures

- Once the investigation has ended, the public prosecutor will either decide to dismiss the case or make a request to the judge that a preliminary hearing takes place ahead of the trial.
- You will receive a notification from your lawyer of the date of the trial. The trial will be held in Italian and the court will appoint a translator.
- If you are in the UK, you may be asked to attend in person, but you do not need to be present at every court session as your lawyer can represent you.
- Your lawyer may recommend a pre-trial hearing ('incidente probatorio') at which you will be required to attend in person and evidence will be heard from all parties.
- The preliminary investigation can take between 6 months to 2 years to complete before the case goes to trial.
- A trial usually lasts an average of 2 years, after which a sentence is passed. If found guilty the defendant has an automatic right of appeal ('appello'). This means a second trial could be heard, unless the defendant settles for a plea-agreement. The case can extend to a third trial at the Supreme Court ('Cassazione'). A sentence from the Supreme Court is final. Because of the number of possible appeals a final sentence may not be passed for many years.
- If you are obliged to attend a specific hearing in person, your travel expenses may be refunded with prior authorisation. Your lawyer will be able to advise you on this.

Hiring a lawyer

- Your lawyer in Italy will be able to obtain updates on your case and will represent you in court. They can answer any questions you may have about the legal process and advise you on legal aid and compensation.

- Your lawyer will also provide you with an address ('elezione di domicilio') which is required in order to receive legal notifications, particularly if you do not reside in Italy. Having a lawyer can be particularly helpful to ensure that you have benefited from all legal protections available in Italy.
- When the preliminary investigation is complete, your lawyer will have access to the file from the public prosecutor. The file includes all the statements including those provided by the defendant. If you instruct an English-speaking lawyer, you will be informed in English about the progress of the investigation and court proceedings.
- If you wish to appoint a lawyer please consult our list of [English-speaking Italian solicitors \(avvocati\) specialising in rape, sexual assault and domestic violence](#)

Communication

- Your lawyer will keep you updated and will be in direct contact with the court. You do not need an Italian address. Any correspondence will be sent to the address of your lawyer. If you do not appoint a lawyer you need an Italian address to be notified of the proceedings but liaising with authorities and obtaining information is likely to be complicated.

Legal aid

- In Italy victims of sexual violence or abuse are entitled to free legal representation, regardless of income.

Sentencing

- Sexual assault and rape are considered crimes in Italy and are classified as a crime against the person.
- The Italian 'red code' legislation covers rape and sexual assault as well as the dissemination of private videos and photos with the intent of harm as well as coercion to marriage.
- Where a child is a victim of rape and sexual assault the state is obliged to bring charges against the perpetrator.
- A trial usually lasts an average of 2 years, after which a sentence is passed. However, several appeals may be filed so the final sentence may take considerable time.
- Offences are generally punishable with a prison sentence and its duration will depend on the type of offence (sexual abuse, rape). The maximum sentence is 14 years.
- If the alleged perpetrator is found not guilty, there will be no criminal responsibility assigned to them.

Compensation

- If found guilty the judge may order the offender to pay compensation to the victim. If the offender is not in a position to pay, there is a state-funded

compensation scheme to cover physical or psychological injuries suffered as a result of a sexual or violent crime. This can be a lengthy process.

When you return home to the UK

- You may want to let your GP or a Sexual Assault Referral Centre (SARC) know what has happened to you so that you can talk about the experience and seek further support and advice where you live.

England	NHS Choices website, or search the internet for 'NHS SARC' https://www.nhs.uk/service-search/other-services/Rape%20and%20sexual%20assault%20referral%20centres/LocationSearch/364
Scotland	Archway SARC: phone 0141 211 8175 https://archway.sandyford.org/what-is-archway/
Wales	New Pathways SARC: phone 01685 379 310 http://www.newpathways.org.uk/sexual-assault-referral-centre/ Ynys Saff Sexual Assault Referral Centre - Cardiff and Vale University Health Board https://cavuhb.nhs.wales/our-services/sexual-health/services-provided/ynys-saff-sexual-assault-referral-centre/
Northern Ireland	Rowan SARC Northern Ireland: phone 0800 389 4424 http://therowan.net/

- If you believe you may be at risk of having contracted a sexually transmitted infection (STI), you should ask your local health provider to test you. You should do this even if you have been tested in Italy.

Support organisations in Italy

- It is your choice to let people know about an assault. If you are ready to talk about the assault, these organisations may be able to help you:

D.i.Re

National Anti-violence Network

Tel. + 39 392 720 0580

Email: segreteria@direcontrolaviolenza.it

Differenza Donna

Association combating, preventing and overcoming gender-based violence

Phone: +39 06 678 0537

Email: d.donna@differenzadonna.it

Further resources:

1522 is the anti-violence toll free number you can dial in Italy where you can be signposted to the nearest anti-violence centre ('centro anti violenza').

If you prefer, you can use the "App1522", which you can download with the most common IOS and Android systems. The App will enable you to communicate with the operators via a chat rather than by a call. It also features emergency lighting and a sound signal which can be used to deter a perpetrator. You can also make a quick call to 1522 via the app.

The YOUPOL app can also be used to report gender- based violence. You can request assistance directly with the Police Headquarters Operations Centres via the app.

The YOUPOL app can be activated on smartphones, tablets and computers. If you do not wish to register and provide your data, there is the possibility of making notifications anonymously.

Disclaimer: This information has been prepared by HMG officials who are not legally or medically trained. It should therefore never be used as a substitute for professional medical or legal advice. It is intended to help British nationals overseas make their own informed decisions. Neither HMG nor any official of the Consulate accept liability for any loss or damage which you might suffer as a result of relying on the information supplied.

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