

## 16. ITALY

Area in sq. miles	.	.	120,540
Population.	.	.	39,000,000
Capital	.	.	Rome
Population of Capital	.	.	692,000

Italy has no probation law, but under the Law of Conditional Sentence voluntary committees in certain towns carry out some supervision of offenders. Criminal responsibility of children under nine years is nil, nine to fourteen years partial.

No official report has yet been received, but Miss Fanny Dalmazzo, a Roman lawyer and a well-known authority on child welfare, has been kind enough to send me a letter which is included below.

Miss Dalmazzo's latest contribution to juvenile court work is contained in an admirable brochure on "The Functioning and Results of Children's Courts in the Different Countries, with Reference to the Protection of Children morally Abandoned." She gives concise statements concerning juvenile courts in Belgium, France, England and Spain.

Miss Dalmazzo's letter, as given below, was written in English and was dated the 8th September 1926. She says:

"I reply to your letter of the 18th August without using the form of questionnaire you sent for the reason that we have up to this date no law concerning probation.

"For juvenile offenders and for women in the case of sentences ordering imprisonment for not more than one year (for adult men up to six months only) we have the conditional condemnation (*condanna condizionale*)—that is, if their behaviour is good for the following five years, the sentence is not executed; should they commit a new crime in the meantime, the recent and the old sentence are executed. In consequence of this law, dating from 1907, private committees—the idea of which was given in Italy for the first time by Miss Lucy Bartlett, who married the Italian advocate Re in Rome—have been founded in relation to juvenile offenders only, limiting their activity in Turin to the age of sixteen years, in Rome, Palermo, Genova, Napoli, up to eighteen.

"The institution in Turin continues the work always directed by the founder, viz. the magistrate Giuseppe Cesare Pola, with the help of voluntary officers chosen among ladies (teachers, lady advocates) and young men. The number of offenders is about twenty in the year, two of whom perhaps are girls. The greatest number of cases require the placement of the offender in some institution (Governmental or private), because the friendship of the family is such as to be deleterious. We have no probation officers, but the lady secretary (paid) takes care of some offenders, and is in this case the most diligent of probation officers. I believe that the work in a large

city is very difficult to carry on with good results by volunteers.

" We have records of the offenders, because our greatest work is their defence, and we have a physician specialised who fills their biographical card.

" We also protect children in any event up to the age of sixteen years against cruelty, immoral influences, etc.

" p.p. Il Presidente,

(Signed) " av. F. DALMAZZO."

#### SUPPLEMENTARY INFORMATION

(1) *Correction paternelle* (*vide* France, p. 84) prevails as a legal method, but is modified to the extent that the presiding judge of the children's court is empowered, in lieu of sending the offender to prison, to send him to an educational establishment for correctional purposes if under the age of eighteen years.

Under Articles 53, 54, 55 of the penal code children under nine years of age can only be proceeded against in a court of law in very exceptional cases. Those between nine and fourteen must be shown to have acted " with discernment," otherwise no penalty can be inflicted, and then only on a diminished scale. Between fourteen and eighteen years a child who commits a crime is punishable by a more severe sentence. Reformatories, of which ten for boys were in existence, together with ten private houses of correction, in which the Government defrayed the expenses of those committed by the court, together provided 6,000 places for offenders (boys). Whilst the accommodation for girl offenders is sufficient, that for boys has led to the use of still other establishments, or other methods. At the time this report was published, 1921, there was in Italy no special magistracy for dealing with minors.

(2) I have been informed by those entitled to speak with authority, that Italian experiments in probation work are not regarded as encouraging up to the present. I learn, however, that Italian experts definitely favour Belgian methods.