

What does the bill on “legitimate defence at home” say?

Pubblicato: Martedì 5 Aprile 2016



The signatures are for the introduction of “**urgent measures for maximum protection at home and for legitimate defence**”. Over the last few days, the invitation has been circulating on the social networks, often with little information on what the initiative, which promises to introduce harsher punishments for burglars, is about.

What has recently become a viral chain on the social networks is actually **an initiative that was promoted in February by the political party *Italia dei Valori***, who started collecting signatures for a popular initiative bill that will make the punishments established by two laws in the Penal Code harsher.

A POPULAR INITIATIVE LAW

So, what is being promoted by *Italia dei Valori* is a **popular initiative law**, that is, a procedure, provided for by the Constitution, that allows a group of citizens, who **have collected 50,000 valid signatures**, to present a bill to the Presidents of the Chamber and the Senate, for it to be discussed and voted on in Parliament. The collection of signatures is valid only if it takes place in the presence of an authenticator.

THE PARLIAMENTARY BILL

Specifically, the bill presented by IDV, for which signatures are being collected at banquets, aims to integrate and **modify two articles in the Penal Code**. The bill seeks to punish more severely anyone who **breaks into a house**, by doubling the punishments, and removing any responsibility for harm suffered by anyone who intentionally enters a private home. Furthermore, the bill seeks to extend the

possibility of **legitimate defence**, without being guilty of culpable excess.

THE BILL IN DETAIL

The text of the bill is as follows:

Article 1 (Modifications to Article 614 of the Penal Code)

1. The following modifications are made to Article 614 of the Penal Code:
2. a) In the first paragraph, the words “from six months to three years” are replaced by the following: “from one to six years”;
3. b) In the third paragraph, the following words are added: “But proceedings are officially begun if the deed was carried out to commit a crime that is punishable by law”;
4. c) In the fourth paragraph, the words “from one to five years” are replaced by the following: “from two to seven years”;
5. d) The following is included after the fourth paragraph: “Anyone that commits a criminal deed covered by the previous paragraphs cannot ask for compensation for any harm suffered as a result of his entering places described in the first paragraph”.

Article 2 (Modifications to Article 55 of the Penal Code)

1. Finally, the following paragraph is added to Article 55 of the Penal Code: “Culpable excess in legitimate defence does not exist when a deed seeks to protect one’s safety or that of other people, or the safety of one’s property or that of other people, in cases covered by the second and third paragraphs of Article 52.”

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