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Can I appeal against the ruling?

Only a victim who has joined proceedings as a civil party has an autonomous right to appeal, and this is in any case limited to the protection of your own civil interests.

Pursuant to Italian Law No 46/2006, a civil party no longer has a general right to appeal; you may only appeal to the Court of Cassation (*Corte di Cassazione*).

You may file an appeal in the following cases:

- against aspects of the conviction which relate to the civil action;
- against an acquittal ruling regarding civil aspects of the case only;
- against aspects of the ruling concerning your own right to damages and costs.

What are my rights after sentencing?

In terms of review, if you, as a victim, joined as a civil party the trial that has concluded in the judgment of which you wish to request a review, you are entitled, once the hearing stage has begun, to intervene regarding the admissibility of the request itself. This applies even in cases where you have brought an extraordinary appeal against a plea-bargained sentence, it being acknowledged in a special judgment that it is possible to request and obtain a ruling that the offender refund legal fees.

Am I entitled to support or protection after the trial? For how long?

Legislative Decree No 9 of 11 February 2015 lays down rules for implementing Directive No 2011/99/EU, which is based on the principle of mutual recognition and regulates the European protection order to guarantee that measures adopted to protect a person against a criminal act, which might harm that person or endanger their life, their physical or mental health, their dignity, their personal freedom or sexual integrity, are maintained even in the event of that person moving to another Member State. The Directive specifies that a European protection order may only be issued when a protection measure has been previously adopted in the issuing State, imposing on the person causing danger one or more of the following prohibitions or restrictions: a prohibition from entering certain localities, places or defined areas where the protected person resides or visits; a prohibition or regulation of contact with the protected person; a prohibition or regulation on approaching the protected person closer than a prescribed distance. Upon receipt of a European protection order, the competent authority of the executing Member State must, without undue delay, recognise that order and adopt any measure that would be available under its national law in a similar case in order to ensure the protection of the protected person.

What information will I be given if the offender is sentenced?

Once deliberations have been concluded, the presiding judge will draft and sign the operative part of the judgment and a concise summary will be drawn up of the reasons in fact and law upon which the judgment is based. The judgment will be made public at the hearing with a reading of its operative part. Reading of the statement of grounds and of the operative part of the judgment is equivalent to notification of the judgment for the parties present at the hearing or that should be there. The judge will hand down a conviction if the accused is guilty of the crime beyond any reasonable doubt. With the judgment, the judge will detail the sentence imposed and any measures of prevention (*misure di sicurezza*). If the convicted offender is insolvent, the judge will order his or her civil representative to pay the financial penalty. In addition, the judgment will order the convicted offender to pay

the trial costs. The publication of the conviction in newspapers will be ordered by the judge upon request of the civil party and will take place at the expense of the convicted offender, and if necessary also of his or her civil representative.

The judgment will contain:

1. the heading '*in nome del popolo italiano*' ['in the name of the Italian people'] and an indication of the authority that issued it;
2. the personal details of the offender and other personal information which serve to identify him/her and general details of other private parties to the case;
3. the charge;
4. an indication of the submissions of the parties;
5. a concise explanation of the reasons in fact and law on which the decision is based, with an indication of the evidence forming the basis of the decision and an explanation of the reasons why the judge considers the contrasting evidence to be unreliable;
6. the operative part, with an indication of the articles of statutes applied;
7. the date and the signature of the judge.

The judgment will be filed at the office of the clerk of the court after publication. If it is not published within thirty days, or, subject to another deadline, not exceeding 90 days of it being issued, notification that the judgment has been handed down is communicated to the public prosecution service and to the private parties that have a right to appeal, as well as to the offender's defence counsel when the judgment is handed down.

Will I be told if the offender is released (including early or conditional release) or escapes from prison?

Article 90-ter of the Code of Criminal Procedure (*Codice di procedura penale*) establishes that, for violent crimes against the person, you must be immediately informed, if you have so requested, of preparations for release or for the ending of a detention order, and if the defendant absconds from pre-trial detention or from prison, and if the sentenced offender deliberately fails to comply.

Will I be involved in release or parole decisions? For example, can I make a statement or lodge an appeal?

It is not general practice to consult the victim before making these decisions.

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