

Abuse in the family

The abuse in the family supplement, as noted, the offenses provided for and punished by art. Cp 572.

This law punishes with imprisonment from one to five years, everyone is guilty of abuse in the family by providing the specific aggravating circumstances if the conduct in question arise or serious injury to the victim.

It is a crime that usually does not require the criminal nature of individual episodes of abuse that make the offense psycho physical integrity of the taxpayer, and specifically in relation to the effect of their repetition over time. In this regard, however, it was observed that the crime of abuse in the family, for the homogeneity of the legal interests protected, absorb the crimes of beating, injury and insult, but contributes to the lack of such homogeneity, with the seizure of person or sexual violence; conflicting opinions were expressed in law with specific reference to crime reduction in schiaviù, as a part of the competition has established itself on the significance of the discrepancy between the legal interests protected and the other has said the 'absorption by the more serious incriminating rule (that of enslavement) of the rule is less severe (that of abuse in the family).

The conduct of maltreatment may, according to the prevailing view, express itself in demeanors omissions.

A particular profile that has been brought to the attention of the decision it was that if the crime of abuse in the family may be considered integrated if the family did.

The Supreme Court, with a recent ruling, concluded in a positive way by observing how the notion of family codicistica deduced from the norm should be interpreted broadly to encompass in its bed until each consortium of people including, for close relations and customs of lives, fortunes are providing assistance and solidarity for an appreciable period of time.

Criminal Appeal Sec. No VI of January 29, 2008 20647

For the purposes of the configurability of the crime of abuse in the family, is not relevant the fact that the criminal act is committed against a person's cohabiting partner, given that the reference contained in Article. 572 cp to the "family" should be constructed for each consortium of people including, for close ties and habits of life, relationships have arisen assistance and solidarity for an appreciable period of time. (In this case, the SC has identified the existence of a coexistence between durability and characterized more than ten years since the birth of two daughters, which gave rise to a situation qualifies as a "de facto family", which is included as such in ' scope of protection provided by art. 572 cp).

Criminal Appeal Sec. No VI of January 29 20647