

Mapping child protection systems in the EU (27)

Italy

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1. Legislative and regulatory framework and policies

1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

There is not a comprehensive legislative text governing child protection in Italy: the regulatory framework is made of several legislative Acts and policy documents adopted by different institutional bodies (i.e., Parliament, Government and Ministries), either implementing EU and international law, and adopting internal legislative Acts. The legal and regulatory framework dates back to 1991 when the UN Convention on the Rights of the Child of 1989 was ratified (Law No. 176 of 27 May 1991) and it is constantly updated with the annual Budget Law which earmarks financial resources for the different Funds which finance child protection policies and instruments existing in Italy. Some milestones of this framework are the following: the 1997 law establishing the Parliamentary Commission on Childhood and Adolescence, as well as the National Observatory on Childhood (Law No. 451/1997); the 2011 Law establishing the national Authority for Childhood and Adolescence (Law No. 112/2011); the 2017 Law introducing protection measures for unaccompanied migrant children, as well as voluntary guardianship (Law No. 46/2017); the 2017 Law on countering bullying and cyber-bullying (Law No. 71/2017); the 2018 Legislative Decree governing the juvenile criminal system (Legislative Decree No. 121/2018). As for the public actors involved in the child protection system, these include institutions active at all level of governance, namely national level (Parliament, Government and its Ministries, other bodies with a national mandate such as the National Authority or the Observatory), regional level (Regions have relevant legislative and policy competences when it comes to education, healthcare assistance and social services), local level (Italian municipalities govern the social services system, as well as the protection and reception measures for migrant children).

The Italian child protection system is also governed by the Civil Code and the Criminal Code. The Italian Civil Code envisages the right of the children to be cared for, sustained, educated and morally supported by the parents and to have meaningful relationships with all family members. Moreover, the Civil Code governs all issues concerning the protection of children in family conflicts, custody cases and conflictive parenthood, including the right to be heard by the judicial authorities in charge of their family's case. The Italian Criminal Code governs the age of imputability for criminal offences – which is established in Italy at the age of 14 – and it governs all criminal offences where children might be involved as victims or witnesses.

1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
1.2.1. Does the constitution contain any provisions on children's rights and child protection?	X		Several constitutional dispositions protect the rights of the children as subjects entitled to rights and support measures. These include: - Article 2 of the Constitution protecting human dignity and the inviolable rights of each person,

			<p>both as individual and as member of a social group.</p> <ul style="list-style-type: none"> - Article 3 of the Constitution governing the principle of formal and substantial equality of all individuals. - Art. 9 (reformed in 2022) establishing environment and biodiversity protection, also in view of protecting future generations. -Article 10 of the Constitution governing the status of non-citizens in compliance with EU and international legislation. International legislation also concerns all the international law treaties and conventions on child protection and rights. - Article 30, paragraph 1, concerning the obligation and right of parents to provide for support and education to their children. - Article 31 concerning the obligation of State to introduce specific measures and policies to support families and childhood. - Articles 33 enshrines the right to a free education system. - Art. 34 establishes the free and universal right to education, as well as compulsory education (which in Italy is up to the age of 16). - Art. 37 establishes the principle of equal treatment between men and women, as well as the necessity of measures and actions to reconcile work and family life.
1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?		X	No initiative is in place for the unification of child protection legislation.

1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Law No. 55/2015	6 May 2015	Protection of children in case of divorce of the parents.
Law No. 101/2015	18 June 2015	Ratification of the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-

		operation in Respect of Parental Responsibility and Measures for the Protection of Children.
Law No. 173/2015	19 October 2015	Reform of the discipline of foster care
Law No. 199/2015	16 November 2015	Ratification of Optional Protocol to the Convention on the Rights of the Child on a communications procedure
Decree of the President of the Italian Government No. 234/2016	10 November 2016	Procedure for the age assessment of unaccompanied migrant children
Law No. 47/2017	7 April 2017	Protection measures for unaccompanied migrant children and voluntary guardianship
Law No. 71/2017	29 May	Measures tackling bullying and cyber-bullying
Law No. 4/2018	11 January	Measures protecting orphans of gender-based violence victims
Legislative Decree No. 121/2018	2 October	Reform of the juvenile criminal system

1.3. Policy framework

Question	YES	NO	Comments
1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? <u>If yes</u> , does it require an integrated approach to child protection?	X		The 2022-2023 5 th National Action and Intervention Plan on Child Protection ¹ was approved by the Department for Family Policies of the Italian Government. Focusing on Education, Equality and Empowerment, the Plan provides an integrated approach of intervention to child protection, involving all level of governance as well as civil-society organisations.
1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?	X		Italy has introduced some protection measures targeting specific sub-groups of children with peculiar necessities. This is the case of unaccompanied migrant children: in 2017, an overly

¹ Dipartimento per le Politiche della Famiglia. Presidenza del Consiglio dei Ministri (2022), “5° Piano Nazionale di Azione e di Interventi per la Tutela dei Diritti e lo Sviluppo dei Soggetti in Età Evolutiva 2022-2023. Educazione, Equità, Empowerment”, 2022.

			ambitious Law was passed (Law No. 47/2017) ² , introducing a unified regulatory framework for their identification, referral and reception. The Law also introduced the role and mission of voluntary guardians, whose training and appointment is governed by both the National Authority and Local Juvenile Courts.
1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?	X		In April 2015, the National Authority for the Protection of Childhood and Adolescence introduced specific guidelines for preventing and tackling bullying and cyberbullying ³ . Moreover, the Observatory to combat paedophilia and child pornography adopted the 2022-2023 National Action Plan for preventing and combating sexual abuse and exploitation of children ⁴ . Chapter 5 of the Plan – titled “Empowerment” – addressed digital security with four key actions to be implemented: Action 12 Educate and train in digital skills; Action 13 Introduce a regulatory age verification requirement for access to certain online services; Action 14 Provide a minimum obligation for the detection, reporting, blocking and removal of child sexual material on websites; Action 15 Support the establishment of the European Child Sexual Abuse Prevention Centre.
1.3.4 Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children’s rights forum, child surveys, child participation platform?	X		The National Authority has established a “Girls and boys' council” (<i>Consulta dei ragazzi e delle ragazze</i>): it is made of 26 adolescents aged 14-17 (14 boys and 12 girls), who are regularly consulted by the Authority on all matters concerning child and adolescence protection ⁵ . The National Youth Council (<i>Consiglio Nazionale Giovani – CNG</i>) is the advisory and representative body of young people. It was set up in 2019 with Law No.145/2018 ⁶ . According to

² [Legge 7 aprile 2017, n. 47](#), “Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati”.

³ AGIA (2015), „[Linee di orientamento per azioni di prevenzione e di contrasto al bullismo e al cyberbullismo](#)”, April 2015.

⁴ Osservatorio per il contrasto della pedofilia e della pornografia minorile (2022), “[Piano nazionale di prevenzione e contrasto dell’abuso e dello sfruttamento sessuale dei minori 2022-2023](#)”.

⁵ AGIA (2021), „[Insediata la nuova Consulta delle ragazze e dei ragazzi dell’Autorità garante](#)”, 17 March 2021.

⁶ [Legge 30 dicembre 2018, n. 145](#), “Bilancio di previsione dello Stato per l'anno finanziario 2019 e bilancio pluriennale per il triennio 2019-2021”.

<p>If yes, are appropriate child protection and safety measures in place?</p>		<p>its statute, it is an independent and democratic association that promotes the rights and interests of young people “to the public authority in particular to the President of the Council of Ministers or the delegated political authority and is heard at the request of the Ministers competent on political matters that have an impact on the younger generations”. The CNG is a member of the European Youth Forum which represents the interests of young Europeans in international institutions. The CNG is made up of Italian youth associations with at least 300 members, 70% of whom are under the age of 35, and of regional Councils/Forums⁷. UNICEF established in December 2021 the Youth Advisory Board⁸ in collaboration with the Department for Family Policies of the Presidency of the Council of Ministers and the Ministry of Labour and Social Policies, with the technical support of the <i>Istituto degli Innocenti</i>. It includes 23 girls and boys between 14 and 21 years of age from all over Italy, young people with various backgrounds and personal stories, as well as volunteers involved in various capacities in their communities. It is the participation mechanism of the EU Commission Child Guarantee.</p>
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1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

⁷ European Commission (2022), “[YouthWiki. Italy: 5. Participation](#)”, last updated March 2022.

⁸ UNICEF (2022), “[Povertà minorile ed esclusione sociale in Italia: la parola a giovani e adolescenti dello Youth Advisory Board](#)”, 25 February 2022.

1.4.1. Children victims of abuse, exploitation, or neglect

In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)

Policy developments	Legislative developments
<p>In 2017, the Italian Coordination of Services Countering Child Abuse (<i>Coordinamento Italiano dei Servizi contro il Maltrattamento e l'Abuso all'Infanzia</i> – CISMAI) released Guidelines for Home Visiting Interventions in the Prevention of Child Abuse⁹. The Guidelines provide clear indications to the professionals on how using Home Visiting Intervention as an effective tool to support children at risk of abuse and mistreatment, with a specific focus on risk assessment strategies and the importance of the creation of a network of services and institutions that can intervene in this kind of situations. These Guidelines include no reference to online sexual violence and abuse.</p> <p>In January 2018, the Italian Data Protection Authority signed a Protocol of Understanding with the Italian Police aimed at tackling cyber-bullying¹⁰. Thanks to the Protocol, in cases where it is necessary to identify the data controller or the operator of the website or social media where a content (information, photos, videos, etc.) deemed to be an act of cyberbullying has been published or where it is necessary to implement the decisions taken, the Authority may request the intervention of the Postal and Communications Police. The</p>	<p>In 2017, the Law No. 71 was approved on “Dispositions for child protection against bullying and cyber-bullying”¹³. The objective of this law is to combat the phenomenon of cyberbullying in all its manifestations, with actions of a preventive character and with a strategy of attention, protection and education towards minors involved, both in the position of victims as well as perpetrators of offences, ensuring the implementation of interventions without distinction of age within of educational institutions.</p> <p>In 2018, the Law No. 4/2018 was approved on support measures for orphans of victims of domestic violence¹⁴. The Law reformed dispositions of the Italian Civil Code, Italian Criminal Code and Italian Criminal Procedure Code as to provide an effective support to the orphans. For instance, the Law established that free legal aid must be ensured to the orphans in all types of judicial proceedings, regardless of the income threshold envisaged by the in-force legislation governing this provision.</p> <p>In 2019, the Law No. 69/2019 was approved on the protection of victims of gender-based and domestic violence¹⁵. The Law introduced faster judicial</p>

⁹ CISMAI (2017), “[Linee Guida per gli Interventi di Home Visiting nella prevenzione del maltrattamento all’infanzia](#)”, 13 November 2017.

¹⁰ Garante per la Protezione dei Dati Personali (2018), “[Garante per la Privacy e Polizia di Stato insieme contro il cyberbullismo: siglato Protocollo di Intesa](#)”, 13 January 2018.

¹³ [Legge 29 maggio 2017, n. 71](#), “Disposizioni a tutela dei minori per la prevenzione ed il contrasto del fenomeno del cyberbullismo”.

¹⁴ [Legge 11 gennaio 2018, n. 4](#), “Modifiche al codice civile, al codice penale, al codice di procedura penale e altre disposizioni in favore degli orfani per crimini domestici”.

¹⁵ [Legge 19 luglio 2019, n. 69](#), “Modifiche al codice penale, al codice di procedura penale e altre disposizioni in materia di tutela delle vittime di violenza domestica e di genere”.

Postal Police will be responsible, for its part, for finding data and information on the data controller or the operator of the website or social media, as well as on any further web sources on which the unlawful content has been disseminated, and, if necessary, for taking any further action necessary on the basis of the procedures and tools, also in order to enable the Authority to take appropriate action. The Protocol also envisages the launch of joint educational initiatives in favour of children and further activities also in the framework of European and international cooperation, always with the aim of preventing and combating violations of the cyberbullying discipline.

In 2021, the Ministry of Education updated the 2017 Guidelines for preventing and tackling bullying and cyber-bullying¹¹. Compared to the previous version, updated Guidelines provide: useful tools and good practices to counter the phenomena of bullying and cyberbullying; Safer Internet centre-Generations Connected project; e-learning training for ELISA platform teachers on anti-bullying strategies; indications of operational procedures to be implemented through effective actions, divided into "priority" and "recommended"; prevention models at multiple levels (universal-selective and indicated) and examples of implementation; invitation to set up Working Groups (Anti-bullying Team and Emergency Team) at school and territorial level, supplemented by specialist reference figures; intervention protocol for an initial examination of emergency cases; recommendations and responsibilities of school bodies and staff; evidence on institutional school websites of the bullying and cyberbullying contact persons; appendix with a template for reporting offences or risk situations to the Police Force/Judicial Authorities.

As reported above, the 2022-2023 National Action Plan for preventing and combating sexual abuse and exploitation of children¹² was adopted. The Plan is structured into three intervention areas,

procedures, more effective prevention measures and harsher detention sentences for gender-based violence and domestic abuse cases, including those targeting children.

¹¹ Ministero dell'Istruzione (2021), "[Decreto ministeriale 18 del 13 gennaio 2021 emanato con nota 482 del 18 febbraio 2021. Linee di Orientamento per la prevenzione e il contrasto del Bullismo e Cyberbullismo - aggiornamento 2021 - per le istituzioni scolastiche di ogni grado](#)", 18 February 2021.

¹² Osservatorio per il contrasto della pedofilia e della pornografia minorile (2022), "[Piano nazionale di prevenzione e contrasto dell'abuso e dello sfruttamento sessuale dei minori 2022-2023](#)".

each establishing key actions. The three areas are: Education, focusing on sensitization and interventions in schools to counter abuse and violence against children, with the involvement of all relevant stakeholders (teachers, families, public authorities, local institutions, etc.); Equity focused on the improvement of quality and consistency of services and public policies supporting children who are victims of violence and abuse and/or are involved in criminal proceedings; Empowerment focused on actions to counter digital violence and cyber-bullying and to improve data collection on these issues.

1.4.2. Children with disabilities

Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities

Policy developments

The 2023 programming document of the Ministry of Disabilities¹⁶ includes measures protecting the rights of children with disabilities and fostering their inclusion. These include a specific fund aimed at enhancing independent living and communication and communication for pupils with disabilities at pre-school, primary school and secondary schools: the Fund amounts to EUR 200 million to be destined to regions and municipalities. Other measures included in the document do not specifically target children but more broadly the inclusion of people with disabilities; however, their implementation will also benefit children.

Legislative developments

In 2021, the Law No. 227/2021 was approved, delegating competences to the Government in the disability field¹⁷, as a measure implementing the Italian Recovery and Resilience Plan (*Piano Nazionale di Ripresa e Resilienza – PNRR*). This Law certainly represents a great opportunity to rethink the whole approach to disability, starting with the recognition of this condition, the definition of disability and persons with disabilities, the revision of assessment processes, as well as the guarantee of being able to fully exercise the right to draw up an Individualised Life Project making the related supports fully enforceable, precisely, from the first days of life and for all the subsequent phases¹⁸.

¹⁶ Ministero per le Disabilità (2023), [“Direttiva generale per l’azione amministrativa e la gestione del dipartimento per le politiche in favore delle persone con disabilità. Anno 2023”](#).

¹⁷ [Legge 22 dicembre 2021, n. 227, “Delega al Governo in materia di disabilità”](#).

¹⁸ Gruppo di lavoro per la Convenzione sui diritti dell’Infanzia e dell’Adolescenza (2022), [“12° Rapporto di aggiornamento sul monitoraggio della convenzione sui diritti dell’infanzia e dell’adolescenza in Italia”](#) 2022, p. 102.

1.4.3. Children in the context of migration

Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children

Policy developments	Legislative developments
<p>The 2015 Italian Stability Law¹⁹, transferred the management competence of the Fund for the Reception of Unaccompanied Migrant Children (established in 2011) from the Ministry of Labour and Social Policies to the Ministry of the Interior. The goal of the Fund is to sustain the costs of reception of unaccompanied migrant children at local level. According to the Budget Law 2022, the Fund can count on a total allocation of approximately EUR 138 million for 2022, EUR 118 million for 2023 and EUR 166 million for 2024.</p> <p>In 2020, the Authority for the Protection of Childhood and Adolescence issued Guidelines for the Selection, Training and Enrolment in the lists of Voluntary Guardians²⁰, as established by Art. 11 of the above-mentioned Law No. 47/2017. The Guidelines established basic principles concerning voluntary guardianship, i.e. promptness of guardians' appointment, non-discrimination, independence and impartiality, quality and appropriateness, transparency and accountability, participation of unaccompanied migrant children to the procedures they are concerned by. Moreover, the Guidelines provide operational information on the three phases of guardians' appointment, which is pre-selection, training and enrolment.</p> <p>In May 2022, the Ministry of the Interior approved the National Plan on Unaccompanied Migrant Children²¹. The Plan provides updated and clear indications to all public authorities, at all levels of</p>	<p>In 2022, the Decree of the President of the Italian Republic No. 191/2022³³ was approved, providing implementing measures of the above-mentioned Law No. 47/2017 on the protection of unaccompanied migrant children. The Decree contains important rules for the application of immigration regulations that guide, among other things, the work of the Police headquarters with regard to the types of residence permits, the prerequisites and procedures for issuing them, and renewals. Moreover, unaccompanied children are in fact included among the categories that do not have to present a passport or equivalent document to apply for a residence permit (for minor age or family reasons). The duration of the residence permit for children has also been extended and now covers the entire period up to the age of majority. The possibility for unaccompanied children with a permit for minor age or for family reasons to carry out self-employed or subordinate work (or training, aimed at work) is also clarified and regulated - clearly in compliance with the regulations on child labour. Another key point: Law 47/2017 introduced the possibility, for unaccompanied minors, to obtain custody to the social services even after they have reached the age of majority, in order to favour the successful outcome of the social integration path previously started. The Decree defines the residence permit ('for integration') and regulates the procedures for its issuance: a reasoned decree of the Juvenile Court will be required. Another</p>

¹⁹ Art. 1, co. 181-182, [Legge 23 dicembre 2014, n. 190](#), “Disposizioni per la formazione del bilancio annuale e pluriennale dello Stato (legge di stabilità 2015)”.

²⁰ AGIA (2020), [“Linee guida per la selezione, formazione e l’iscrizione negli elenchi dei tutori volontari”](#), March 2020.

²¹ Ministero dell’Interno (2022), [“Piano Minori Stranieri Non Accompagnati”](#), 5 May 2022.

³³ [Decreto del Presidente della Repubblica 4 ottobre 2022, n. 191](#), “Regolamento recante modifiche al decreto del Presidente della Repubblica 31 agosto 1999, n. 394, in attuazione dell’articolo 22 della legge 7 aprile 2017, n. 47, recante misure di protezione dei minori stranieri non accompagnati”.

governance, on Identification and referral, reception, temporary guardianship, school integration and healthcare assistance. Moreover, the Plan fosters sound and reliable periodic data collection on the presence and characteristics of unaccompanied migrant children in Italy.

In Italy, specific policy and legislative measures were introduced to support children – both accompanied and unaccompanied- fleeing the war in Ukraine. The Italian government declared a state of emergency of national importance through a Resolution of the Council of Ministers of 28 February 2022²², until 31 December 2022 in relation to the need to ensure relief and assistance to the Ukrainian population on the national territory. The Decree of the President of the Council of Ministers of 28 March 2022²³ transposes in national law the EU Temporary Protection Directive following the Council Implementing Decision (EU) 2022/382 of 4 March 2022. The following categories of persons are eligible for a temporary residence permit: Ukrainian citizens and their family members residing in Ukraine before 24 February 2022; Stateless persons and nationals of third Countries other than Ukraine and their family members who were granted international protection or equivalent national protection in Ukraine before 24 February 2022 displaced from Ukraine as of 24 February 2022; Stateless persons and nationals of third Countries other than Ukraine who were residing in Ukraine before 24 February 2022 and who had a permanent resident permit issued by Ukrainian authorities and cannot safely return to their Country of origin. Family members are considered so, if they were residing in Ukraine before 24 February 2022 on the basis of a valid residence permit in Ukraine and in possession of documentation proving the family relationship: i. Spouse, or partner in a stable relationship with the person concerned; ii. minor unmarried sons and daughters of the person concerned or their spouse,

particularly significant novelty is the introduction of the possibility, for unaccompanied migrant children who are denied international protection on reaching the age of majority, to apply for the conversion of the residence permit for study, work or health needs even beyond the age of majority.

In 2022, the Ministry of the Interior issued a Decree³⁴ providing indications for the reimbursement of voluntary guardians of unaccompanied migrant children. The necessary financial resources of the reimbursement are to be allocated from the Fund for the Reception of Unaccompanied Migrant Children. The reimbursement can cover hours of leave from work; ordinary expenses and a specific indemnity in of particularly difficult and complex guardianship.

²² [Delibera del Consiglio dei Ministri del 28 febbraio 2022](#), “Dichiarazione dello stato di emergenza in relazione all'esigenza di assicurare soccorso ed assistenza alla popolazione ucraina sul territorio nazionale in conseguenza della grave crisi internazionale in atto”.

²³ [Decreto del Presidente del Consiglio dei Ministri 28 marzo 2022](#), “Misure di protezione temporanea per le persone provenienti dall'Ucraina in conseguenza degli eventi bellici in corso”.

³⁴ Ministero dell'Interno, Decreto 8 agosto 2022, “[Disciplina delle modalità dei rimborsi e degli interventi in favore dei tutori volontari dei minori stranieri non accompagnati](#)”.

regardless of whether they are legitimate, natural or adopted; iii. dependent adult children or parents, if cohabiting and belonging to the same household and wholly or partly dependent by the person concerned during the period of interest. the state of emergency was further extended until 31 December 2023 with the Resolution of Council of Ministers of 23 February 2023²⁴. On 13 April 2022 a National Reception Plan for the emergency in Ukraine²⁵ was adopted. According to this Plan, persons in need for accommodation should present themselves to the police headquarters; alternatively, the person who is hosting a Ukrainian person or family need to file a “declaration of hospitality” to the police headquarters of the province of domicile, within 48 hours from their arrival. The coordinating institution for the emergency, that is the Department of Civil Protection, has defined a reception system that provides different forms of support that are complementary to each other, and that supplement the reception ordinarily provided to asylum seekers and international protection holders. Moreover, each Region has established an integrated coordination structure with the local levels of governance which operates in conjunction with the civil-society organisations, private companies and, if available, local representatives of the Ukrainian community. People fleeing the conflict can benefit from these reception measures if they do not have family members or acquaintances in Italy who can accommodate them. The model outlined by the set of emergency measures is articulated in three different forms of assistance/support: i. the “traditional” reception system consisting of Extraordinary Reception Centres (*Centro di Accoglienza Straordinaria* - CAS) managed by local Prefectures, and the second-level Reception and Integration System (*Sistema Accoglienza e Integrazione* - SAI) managed by Italian municipalities; ii. “diffused” reception measures through agreements with organisations and associations of the Third Sector, Volunteer Service Centres, and religious civilly groups; iii. subsistence

²⁴ [Delibera del Consiglio dei Ministri del 23 febbraio 2023](#), “Proroga dello stato di emergenza in relazione all'esigenza di assicurare soccorso ed assistenza alla popolazione ucraina sul territorio nazionale in conseguenza della grave crisi internazionale in atto”.

²⁵ Presidenza del Consiglio dei Ministri – Dipartimento della Protezione Civile, [“Piano Nazionale per l'accoglienza e l'assistenza alla popolazione proveniente dall'Ucraina”](#), 13 April 2022.

contributions for refugees who have found independent accommodation. The distribution of people in the different facilities depends on the availability of places in the centres: a national coordination in place to coordinate the distribution in the different regions. In Italy, temporary protection beneficiaries have complete access to the social services offered by the municipality of residence. In the reception system, basic financial aid and specific support might be available depending on the reception phase of the person. Beneficiaries of temporary protection who have an independent accommodation will receive a monthly allowance of EUR 300 for each beneficiary for a maximum of 3 months from entering the Italian territory (the date of the application for temporary protection will apply). An extra EUR 150 allowance is provided per each dependent child under the age of 18. In Italy, as stressed by the Circular Letter of the Ministry of Education of 4 March 2022²⁶, Art. 38 of the Consolidated Immigration Act (*Testo Unico Immigrazione*) guarantees the right to have access to the education system for: foreign children present on the Italian territory and provides for the application of the relevant national provisions; children seeking international protection; children of applicants of international protection; unaccompanied foreign children. In application of the above provisions, schools and regional education offices oversee the educational integration, including psychological assistance and language and cultural mediation to facilitate interactions and communication, of Ukrainian students fleeing war, ensuring schooling as close as possible to the places where they find accommodation and trying to safeguard, as far as possible, the networks of relations, family or community existing among the refugees, and between them and the Ukrainian citizens already present in Italy. As governed by the Ministry of Education's Communication of 14 April 2022²⁷, Ukrainian children subject to compulsory education are enrolled in the class corresponding to their age, unless the teachers' board decides to enrol the child in a different class, for example due to differences

²⁶ Ministero dell'Istruzione - Dipartimento per il sistema educativo di istruzione e di formazione, "[Accoglienza scolastica degli studenti ucraini esuli. Prime indicazioni e risorse](#)", 4 marzo 2022.

²⁷ Ministero dell'Istruzione - Dipartimento per il sistema educativo di istruzione e di formazione, "[Accoglienza scolastica degli studenti ucraini esuli. Indicazioni operative](#)", 14 April 2022.

in the study system of the country of origin, which may determine enrolment in a class that is immediately lower or higher than the one corresponding to their age. A specific section focusing on the Ukraine emergency was created at the website of the Ministry of Education²⁸. This section collects updated data on school integration, education materials that can be useful for Italian teachers (including an overview of the functioning of the Ukrainian school-system), the in-force legislation, a collection of direct experiences of Ukrainian students arrived in Italy during the war. The Note of the Head of Department for the Education and Training System of 24 March 2022²⁹ suggests three distinct time frames for the schools' actions: a first phase of "slow reception time", until the end of the school year 2021/2022, aimed primarily at the reconstitution of socialisation groups, the acquisition of initial communicative skills in Italian, dealing with traumas and, as far as possible, to give continuity to interrupted educational paths; a second phase of "consolidation and strengthening", also with the collaboration of the territorial communities, through community pacts, during the Summer period; a third phase of "school integration", in the 2022/2023 school year, with diversified modalities depending on the availability of schools at local level to integrate Ukrainian students and on the wider conflict situation. Eventually, as far as unaccompanied Ukrainian children are concerned, the Deputy Commissioner for the coordination of measures and procedures for the assistance to unaccompanied children from Ukraine adopted the Plan for Unaccompanied Foreign Children on 25 March 2022³⁰ that defines the activities carried out by the various institutional bodies involved. On 13 April 2022 an Addendum to the Plan³¹ was published to establish the appropriate procedures to optimise communication flows between Institutions and associations to ensure the necessary reception and protection, in the best interests of the minor, in the event of transfers of

²⁸ The section is available at the [website](#) of the Ministry.

²⁹ Ministero dell'Istruzione - Dipartimento per il sistema educativo di istruzione e di formazione, "[Studenti profughi dall'Ucraina. Contributi alla riflessione pedagogica e didattica delle scuole](#)", 24 marzo 2022.

³⁰ Ministero dell'Interno, "[Piano minori stranieri non accompagnati](#)", updated as of 5 May 2022.

³¹ The Addendum is available at the [website](#) of the Italian Government.

unaccompanied Ukrainian foreign children to Italy. This demonstrated particularly crucial in preventing possible displacement/disappearance of the children from the place identified for their reception and to tackle human trafficking. Eventually, the Deputy Commissioner drawn on 20 May 2022 specific [Guidelines](#)³² to prevent the displacement and disappearance of children from Ukraine.

1.4.4. Children in alternative care

Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)

Policy developments

In August 2021, the National Plan of Interventions and Social Services (*Piano Nazionale degli Interventi e dei Servizi Sociali - PNISS*)³⁵ was approved, which includes the National Social Plan 2021-2023 and the Plan for Social Interventions and social services to combat poverty 2021-2023. The PNISS 21-23 also refers to the revival of the family foster care system that should be implemented by the Government in collaboration with UNICEF, as part of the Child Guarantee pilot action. With the approval of the Budget Law 2021³⁶, it was established the strengthening of the Professional Social Service, providing an essential level of the system in terms of a ratio of social workers to population of at least 1:5000', as well as the provision of the necessary resources to achieve this objective within the public service. Furthermore, it has come to identify, within the framework of fiscal federalism, new resources specifically earmarked for the strengthening of social

Legislative developments

The Budget Law 2018³⁷ introduce the Fund for the growth and assistance for those who, upon reaching the age of majority, come from foster care settings following a court order. Thanks to these resources, a pilot project started in 2019 – named “*Care Leavers*” – under the coordination of the Ministry of Labour and Social Policies, aimed at providing support and guidance to young people leaving the foster family and attempting to achieve integration in society.

³² Ministero dell’Interno, “[Piano minori stranieri non accompagnati. Ricerca in caso di scomparsa](#)”, 20 May 2022.

³⁵ Ministero del Lavoro e delle Politiche Sociali (2021), “[Piano Nazionale degli Interventi e dei Servizi Sociali 2021-2023](#)”, August 2021.

³⁶ [Legge 30 dicembre 2020, n. 178](#), “Bilancio di previsione dello Stato per l'anno finanziario 2021 e bilancio pluriennale per il triennio 2021-2023”.

³⁷ [Legge 27 dicembre 2017, n. 205](#), “Bilancio di previsione dello Stato per l'anno finanziario 2018 e bilancio pluriennale per il triennio 2018-2020”.

<p>services. These resources are in addition to the refinancing and strengthening of the various national social funds.</p>	
<p>1.4.5. Children affected by custody disputes, including parental abduction</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2020, the Ministry of Foreign Affairs and International Cooperation issued a document providing Guidance and Orientation on children involved in international custody disputes³⁸. The document provides practical indications to Italian citizens who have to deal with international custody disputes, especially when it comes to asking and obtaining consular and diplomatic assistance.</p>	<p>In 2021, the Law No. 206/2021³⁹ reformed the Italian Civil judicial proceeding. Among the several innovative dispositions included in the reform, it envisages a single judicial procedure for disputes concerning persons, children and families that has as its primary objective the effective protection of children, in addition to parents, in family crises. The reform also promotes the institution of family mediation, understood as a path of restructuring and regeneration of the parental relationship aimed at restoring effective communication and respect for the different parental roles. Moreover, the Italian legislator decided the attribution of competences in the field of international abduction to the district chambers of the new Court for persons, children and families.</p>
<p>1.4.6. Missing children</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2021, the Head of the Department for Family Policies and the Government's Extraordinary Commissioner for Missing Persons signed a memorandum of understanding⁴⁰ committing the Department and the Office of the Extraordinary Commissioner to work together to combat the phenomenon of missing persons, with particular reference to the world of childhood</p>	<p>No developments to report in this area.</p>

³⁸ MAECI (2020), "[Minori contesi. Orientamento e guida all'assistenza consolare](#)", December 2020.

³⁹ [Legge 26 novembre 2021, n. 206](#), "Delega al Governo per l'efficienza del processo civile e per la revisione della disciplina degli strumenti di risoluzione alternativa delle controversie e misure urgenti di razionalizzazione dei procedimenti in materia di diritti delle persone e delle famiglie nonché in materia di esecuzione forzata".

⁴⁰ Centro Nazionale di Documentazione e Analisi per l'Infanzia e l'Adolescenza (2021), "[Minorenni scomparsi, accordo Dipartimento famiglia-Commissario straordinario per le persone scomparse](#)", 12 January 2021.

and adolescence. The protocol provides for various actions: promoting initiatives to raise awareness of the missing persons phenomenon; developing projects for analysis and in-depth knowledge; fostering the exchange of information, both qualitative and quantitative (data collection) to deepen the reference scenario with the aim of activating dynamic networks to support the family in the event of the disappearance of a member and, in particular, a minor; outlining the motivations that give rise to the disappearance of the most vulnerable persons, so as to facilitate the development of more effective policies and response actions to counter the phenomenon.

1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)

Policy developments

In 2020, the 2020-2022 pilot phase of the EU Commission’s Child Guarantee initiative started in Italy in cooperation with UNICEF. The aim of the pilot – which takes place in seven EU Member States – is the testing of intervention systems to combat child poverty and social exclusion as possible models for EU Member States. With the Child Guarantee, UNICEF in Italy supports institutions through two levels of intervention: Research - In-depth research is conducted on all current policies that contribute to the fight against child poverty and social exclusion, in order to identify the children most in need, the efforts already underway at the national and local policy level and the most critical issues; Experimentation of intervention models - Pilot operational models for the support of girls, children and adolescents in conditions of particular vulnerability and social exclusion are tested, which may be integrated in the national action plan and contribute to the construction of the European Child Guarantee and which may be replicated in the other

Legislative developments

The 2018 Budget Law⁴⁵, in Article 1, co. 230, assigned the National Institute of Statistics (ISTAT) the task of defining the parameters and measurable indicators in order to identify priority intervention areas for the implementation of specific urgent educational interventions to combat child educational poverty on the national territory. Thus, the Index of Educational Poverty (*Indice di Povertà Educativa – IPE*) (referring to a target of young people aged between 15 and 29) – was defined through four dimensions referring to: Participation, Resilience, Ability to establish relationships and Standard of living.

⁴⁵ [Legge 27 dicembre 2017, n. 205](#), “Bilancio di previsione dello Stato per l'anno finanziario 2018 e bilancio pluriennale per il triennio 2018-2020”.

Member States⁴¹. Some priority lines of action will concern: re-launching family foster care in Italy, through the valorisation and actualization of the Guidelines for family foster care, approved in 2012, and of the Guidelines for the accompaniment of families in vulnerable conditions (2017); the valorisation of foster care experiences activated on the national territory in favour of foreign children and unaccompanied children; accompaniment to autonomy of young adults coming out of protection paths following an order of removal from their family of origin, through actions aimed at preventing conditions of poverty and social exclusion, enabling young adults to complete their growth path towards autonomy, with particular attention to the aspects of social housing and co-housing, as well as the enhancement of the school-to-work transition and job placement; promotion of actions on combating educational poverty and protecting the most vulnerable groups of children; experimentation on the participation of children and young people.

The 2022-2023 5th National Action and Intervention Plan on Child Protection⁴² was approved by the Department for Family Policies of the Italian Government. As far as poverty and social exclusion are concerned, the “Equality” Axis of the Plan envisages specific measures – involving all levels of governance – aimed at countering absolute poverty affecting children and adolescents, as well as fostering education opportunities as key action to tackle social exclusion.

In 2021⁴³, the Italian Government introduced the Single and universal allowance to families with children aimed at financially supporting families, an economic benefit granted, on a monthly basis, for the period between March of each year to February of the following year,

⁴¹ More information on the European Child Guarantee Italy is available at the [website](#) of UNICEF.

⁴² Dipartimento per le Politiche della Famiglia. Presidenza del Consiglio dei Ministri (2022), “[5° Piano Nazionale di Azione e di Interventi per la Tutela dei Diritti e lo Sviluppo dei Soggetti in Età Evolutiva 2022-2023. Educazione, Equità, Empowerment](#)”, 2022.

⁴³ [Decreto Legislativo 29 dicembre 2021, n. 230](#), “Istituzione dell'assegno unico e universale per i figli a carico, in attuazione della delega conferita al Governo ai sensi della legge 1° aprile 2021, n. 46”.

<p>to households with children on the basis of the household's economic situation.</p> <p>In 2022⁴⁴, the Government established a Fund with an endowment of EUR 58 million for the year 2022, intended to finance initiatives of municipalities to be implemented in the period from 1 June to 31 December 2022, also in cooperation with public and private entities, aimed at: promotion and enhancement of activities - including those aimed at counteracting and facilitating recovery from the critical issues arising from the impact of pandemic stress on the psycho-physical wellbeing and development and growth paths of minors - to be carried out at summer centres, territorial socio-educational services and centres with an educational and recreational function for minors; promotion, among boys and girls, of activities concerning the study of STEM subjects, to be carried out at summer centres, territorial socio-educational services and centres with an educational and recreational function for minors.</p>	
<p>1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2022, the Italian Government approved the National Roma and Sinti equality, inclusion and participation strategy (2021-2030). Implementation of the Recommendation of the Council of the European Union of 12 March (2021/C 93/01)⁴⁶. The Strategy foresees specific measures and lines of action fostering Roma people – including children – integration targeting all policy fields, including education, housing and healthcare. The Strategy’s sections do not focus specifically on the situation of Roma children; however, many of the envisaged measures would have an impact on the wellbeing of these children. For</p>	<p>No developments to report in this area.</p>

⁴⁴ Art. 39, [Decreto-legge 21 giugno 2022, n. 73](#), “Misure urgenti in materia di semplificazioni fiscali e di rilascio del nulla osta al lavoro, Tesoreria dello Stato e ulteriori disposizioni finanziarie e sociali”.

⁴⁶ UNAR (2022), [“Strategia Nazionale di uguaglianza, inclusione e partecipazione di Rom e Sinti 2021-2030”](#), May 2022.

instance, a set of interventions is envisaged, defined as “tools of school inclusion”, which include: launch of a national research project on the level of inclusion of Roma and Sinti children in the school system; territorial sample survey on the level of early school drop-out of children from Roma and Sinti communities; interventions on "families and school" to co-design policy measures and facilitate access to services in the 0-6 age bracket; cultural and linguistic mediation; positive action to promote continued education and training; training of teachers and school staff.

1.4.9. Children involved in judicial proceedings as victims or witnesses or parties

Policy developments

The European project E-Protect is dedicated to the protection of child victims of crime, promoted by Defence for Children International Italy and other organisations from four states (Bulgaria, Austria, Romania and Greece). The project has several objectives: to support the implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 (establishing minimum standards on the rights, support and protection of victims of crime and replacing Framework Decision 2001/220/JHA) with reference to children and adolescents; to create a multidisciplinary network of professionals working in the field (doctors, social workers, psychologists, etc.); to develop a methodology for assessing the individual needs of child victims of crime; to raise awareness on the rights of under-18s. The first phase of the initiative was dedicated to research activities aimed at understanding the level of transposition of the directive of 25 October 2012 in the five States involved in the project and at deepening the topic of the individual assessment of victims (Article 22 of the directive). E-Protect also envisaged other activities, including the creation of an online platform, the development of guidelines to identify a methodology for the individual assessment of the needs of juvenile victims of crime, and the holding of seminars on the

Legislative developments

No developments to report in this area.

<p>subject. The project started in October 2017 and ended in September 2019⁴⁷.</p>	
<p>1.4.10. Children involved in judicial proceedings as suspects or accused persons</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>In 2019, the Italian National Authority for Childhood and Adolescence issued a policy document on the rights of children involved in criminal proceedings⁴⁸. The document is based on the opinions and points of view expressed by both the staff working for the juvenile criminal system and by children involved in criminal proceedings who are benefitting from alternatives to detention. Thanks to this active listening approach, the Authority developed recommendations destined to public and judicial authorities. These include: ensuring, during the course of the juvenile criminal trial, spaces for qualified and attentive listening, adapted to the personality and abilities of the juvenile defendant; making the roles of the actors in the juvenile criminal trial understandable, as well as the procedure and language used in the hearing; reinforcing interpretation and cultural mediation services in proceedings that involve foreign children; offering the child and their family appropriate spaces for help, listening and discussion, also by intensifying the frequency of appointments with judicial social services; supervising and monitoring the procedures put in place by the police when arresting a person under the age of 18, especially in relation to privacy, affective and psychological assistance provided for by the code of Juvenile Criminal Procedure (early warning to parents), and the respect of the procedural safeguards envisaged by the UN</p>	<p>In 2018, the Legislative Decree No. 121/2018⁴⁹ reformed the Juvenile Criminal System, especially as far as the enforcement of judicial sentences is concerned. This reform represents a pivotal step since – up to that moment – the discipline of judicial sentences’ enforcement was the same for adult and child defendants (whereas the discipline governing the juvenile criminal proceeding was already a specific one, different compared to ordinary proceedings). According to the Legislative Decree, the execution of sentences in detention and in community facilities must favour paths of restorative justice and mediation with crime victims, as well as aiming to foster the empowerment, education and full psychophysical development of the child, the preparation for free life, social inclusion and to prevent the commission of further offences, also by means of education, vocational training, education to active and responsible citizenship, and to socially useful, cultural, sports and leisure activities. With regard to the choice of the type of measure to be adopted by judicial authorities (detention facility, community centres, home custody, etc.), account must be taken of the primary need to ensure the child’s rapid social integration, with the least sacrifice of personal liberty. Except in specific situations, the execution of the measures takes place mainly in the living context of the child, in respect of those already existing and positive socio-familial relations, and their duration corresponds to that of the sentence to be served. In case of detention in prison – which must nonetheless be a last-resort decision – an individual educational project is drawn up, within three months of the commencement of the execution, on the basis of aptitude and personality of the child, always after</p>

⁴⁷ Information on the project and the materials developed during its implementation are available at the [website](#) of the E-Protect project.

⁴⁸ AGIA (2019), „[AgiAscolta. I diritti dei ragazzi di area penale esterna. Documento di ascolto e proposta](#)”, 2019.

⁴⁹ [Decreto Legislativo 2 ottobre 2018, n. 121](#), “Disciplina dell’esecuzione delle pene nei confronti dei condannati minorenni, in attuazione della delega di cui all’art. 1, commi 82, 83 e 85, lettera p), della legge 23 giugno 2017, n. 103”.

Convention on the Rights of the Child and Adolescent.	listening to the subject. Of fundamental importance is then the guarantee of adequate psychological provided to the child by specialised personnel available in the detention facility. Eventually, the reform also establishes clear rules on life within detention facilities: children must be strictly separated from young adults; defendants from children with definitive sentences; girls must be detained in separate facilities. Detention facilities and community centres must be located as close as possible to the child’s family and social context.
1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence	
Policy developments	Legislative developments
No developments to report in this thematic field.	The above-mentioned Law No. 69/2019 ⁵⁰ on gender-based and domestic violence, also introduced a new article in the Italian Criminal Code countering forced marriages. The new Article 558-bis of the Italian Criminal Code states that whoever, by violence or threat, forces a person to contract a marriage or civil partnership is liable to imprisonment for a term of between one and five years. The same punishment shall apply to anyone who, taking advantage of a person's conditions of vulnerability or psychological inferiority or need, with abuse of family, domestic, employment or authority deriving from entrusting the person for reasons of care, education or education, supervision or custody, induces them to contract a marriage or civil partnership. The penalty is increased if the acts are committed to the detriment of a child under eighteen years of age. The penalty is two to seven years' imprisonment if the acts are committed to the detriment of a child under fourteen. The provisions of this Article shall also apply when the act is committed abroad by an Italian citizen or a foreigner resident in Italy or to the detriment of an Italian citizen or a foreigner resident in Italy.
1.4.12. Children whose parents are in prison/custody	
Policy developments	Legislative developments

⁵⁰ [Legge 19 luglio 2019, n. 69](#), “Modifiche al codice penale, al codice di procedura penale e altre disposizioni in materia di tutela delle vittime di violenza domestica e di genere”.

In 2021, the Italian National Authority for Childhood and Adolescence renewed for further four years the memorandum of understanding between the Ministry of Justice, the Authority and the NGO “Bambini senza sbarre” concerning the Children of Detainees’ Charter of Rights (*Carta dei diritti dei figli di genitori detenuti*)⁵¹. The 'Charter', the first of its kind in Italy and in Europe, recognises the right of children to the continuity of the affective bond with detained parents and aims to support their right to parenthood. The protocol provides for judicial authorities to be made aware of and invited to a series of actions to protect the rights of the children of detained persons. The agreement is intended to promote initiatives on remand, places of detention, children's spaces in waiting and interview rooms, visits on days compatible with school attendance, video calls, training of prison staff who come into contact with children, information, assistance and support for parents. Data collection and monitoring on the implementation of the protocol is also foreseen. The 'Charter also contains a number of measures to protect the rights of children forced to live in a detention facility with their mothers.

The monitoring of the Charter is fostered through a pilot programme named “National Project 2020-2023” (*Progetto Nazionale 2020-2023*)⁵². This is a privileged observatory of 10 governorates of as many regional areas of the prison administration, 18 institutions located from north to south of the national territory with the possibility of involving children, who enter prison to meet the parent, in activities aimed at consolidating the relationship with the parent. In the programme is provided for an extensive training activity for the prison police focused on the importance of their role in their role in carrying out the daily work of welcoming children, contributing to the

The Italian Budget Law 2020⁵³ earmarked EUR 4.5 million for the period 2020-2023 aimed at the creation of protected family-houses (*case-famiglia protette*) which were formally introduced in 2011 to receive mothers in detention with children aged less than 3. These facilities had always strived to be a reality due to the lack of financial resources: the 2020 Budget Law therefore contributes to the realisation of family-houses, thus avoiding mothers to be detained with such young children.

⁵¹ The memorandum is available at the [website](#) of the Authority.

⁵² Information available at Progetto Nazionale 2020-2023 [website](#).

⁵³ [Legge 30 dicembre 2020, n. 178](#), “Bilancio di previsione dello Stato per l'anno finanziario 2021 e bilancio pluriennale per il triennio 2021-2023”.

improvement of relational aspects that see the prison as a bridge with the outside world.	
1.4.13. Children who drop out of compulsory education and working children under the legal age for work	
Policy developments	Legislative developments
<p>To counter the phenomenon of school drop-out, an alliance has been established between Foundations of Banking Origin, civil-society organisations and the Government to set up a Fund to fight against child educational poverty (<i>Fondo per il contrasto della povertà educativa minorile</i>), extended for the years 2022 and 2023. Overall, the Fund is worth more than EUR 600 million. As of today, the Fund's operations have resulted in the selection of more than 400 projects throughout Italy, supported with a contribution of over EUR 335.4 million, reaching half a million children and young people together with their families. Through the projects more than 7,150 organisations, including the third sector, schools, public and private bodies, have been networked, strengthening the “educating communities” in the territories⁵⁴.</p> <p>The Italian Recovery and Resilience Plan includes action tackling school drop-out, both in its Mission No. 1 on “Digitalisation, Innovation, Competitiveness, Culture and Tourism” (Investment No. 1.7), fostering basic digital competences in the entire population; and in its Mission 4 on “Education and Research”. In the context of this latter Mission, a Working Group to combat dispersion and overcome territorial disparities was set up in March 2022 at the Ministry of Education. The Plan earmarked EUR 1.5 billion to finance actions against school dropout and territorial disparities.</p> <p>In 2022, the Italian National Authority for Childhood and Adolescence issued a policy document on actions and recommendations to</p>	No developments to report in this area.

⁵⁴ Further information on the Fund is available at the [website](#) of one of the banking foundations participating in the initiative.

tackle school dropout⁵⁵. The document – which is the result of an intense round of consultations of the Authority with key institutional stakeholders and civil-society organisations – attempts to explain the reasons of this social phenomenon, as well as to describe its characteristics in Italy. Moreover, the Authority highlights prevention strategies and provides recommendations to public authorities, which include: increased financial resources to finance school policies, better training of educational staff dealing with young children, an increased involvement of families in the educational path of young children.

In 2022, the Observatory for the Prevention of Health Damages from Regular and Irregular Child Labour (*Osservatorio per la prevenzione dei danni alla salute da lavoro minorile regolare e irregolare*) was established, with the participation of UNICEF, academic experts, the Association of Italian Paediatric Hospitals, etc. The Observatory's mission is to start the analysis of the damages caused to the health of minors, due to exposure to labour risks and the ways of identifying such risks and dangers in the workplace⁵⁶.

In 2022, data concerning school drop-out in Italy was released. According to the association implementing the programmes of the Fund to fight against child educational poverty⁵⁷, in 2021 12.7% of students of compulsory-school age (6-16) abandoned the education system, ranking Italy third in the EU after Romania (15.3%) and Spain (13.3%). Southern Italian regions are the most concerned by school drop-out: in Sicily, 21.2% of residents aged between 18 and 24 left school early, almost 10 points higher than the national average. Two large southern regions follow, both above the 15% mark: Apulia

⁵⁵ AGIA (2022), "[La dispersione scolastica in Italia: un'analisi multifattoriale. Documento di studio e di proposta](#)", June 2022.

⁵⁶ Centro Nazionale di Documentazione e Analisi per l'Infanzia e l'Adolescenza (2022), "[Insediato l'Osservatorio per la prevenzione dei danni alla salute da lavoro minorile](#)", 5 July 2022.

⁵⁷ Con i bambini impresa sociale (2022), "[Osservatorio. Abbandono scolastico: in Italia 3 regioni superano ancora il 15%](#)", 14 September 2022.

(17.6%) and Campania (16.4%). According to the National Institute for the Evaluation of the Education and Training System (*Istituto nazionale per la valutazione del sistema educativo di istruzione e di formazione* – INVALSI), implicit school drop-out – that is the number of students that despite concluding compulsory education do not reach the competence targets within the entire 13 years of schooling – is another major issue in Italy: whereas in 2021, it stood at 9.8%, growing by two and a half percentage points nationally compared to 2019 (7.5%), in 2022 it retreated to 9.7%⁵⁸.

As for children working under the legal age, in 2023 the NGO “Save the Children” issued a report on children labour in Italy⁵⁹. The survey was conducted on a sample representative of the population of students enrolled in the first two years of the secondary school. Between December 2022 and February 2023, 2,080 questionnaires were completed by children aged between 14 and 15 years old, in 15 Italian provinces and 72 sample schools. In the age group surveyed with this study, 18.2% of the respondents had worked during the year preceding the survey, while 1.8% stated that they had not worked during the last year, but had done so in the past. In total, the 14–15-year-olds who worked before the permitted legal age are one in five (20%). The majority of children who claim to have worked during the last year or in the past started working after the age of 13 (53.8%), 23.8% at 13 and 11.1% at 12. A not insignificant percentage, among the children who have done some form of work, started working when they were 11 (4.7%) and 6.6% before the age of 11. Approximately two thirds of those who experience/have experienced forms of child labour are male (65.4%) and 5.7% have a migration background. Work experience is/was carried out mainly in the catering (25.9%), in particular as a bartender, waiter and, in some cases, assistant cook; in the sales activities in shops and businesses (16.2%), as a shop assistant, cashier, but also in offices and

⁵⁸ INVALSI (2022), “[La dispersione implicita nelle Prove INVALSI 2022](#)”, 15 July 2022.

⁵⁹ Save the Children (2023), “[Non è un gioco. Indagine sul lavoro minorile in Italia](#)”, 4 April 2023.

warehouses; in the countryside (9.1%). This is followed by work on building sites, as a bricklayer, painter, plumber or electrician (7.8%), support at home in the care of brothers, sisters or relatives (7.3%) (excluding, as already mentioned, 'help at home' for short intervals), babysitting (4.8%), street vending or take-away services (4.3%) and in smaller percentages (under 3%) activities in craft workshops, workshops and petrol stations. It is worth mentioning the appearance of new forms of online work (e.g. advertising, videos, paid social content, buying and selling online) affecting 5.7% of the respondents who stated that they had worked in the last year. It is also worth noting that 65% of minors who carry out care work for brothers, sisters or relatives, at home on a continuous basis, are female. This percentage rises to 90% for babysitting work. While males are largely preponderant in all other tasks surveyed.

1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (*add rows as needed*)

Policy developments

Legislative developments

In Italy, in March 2015, a Protocol⁶⁰ was signed by the Department of Youth and National Civil Service and the Department for Anti-Drug Policies of the Presidency of the Council of Ministers. The aim of the protocol is to provide correct information on the risks and effects of drugs, raising awareness among younger generations. Moreover, it is meant to promote the fight against youth discomfort in all its forms by strengthening the active role of young people in social, institutional, cultural and economic life, with the aim of fostering their social inclusion. Thus, the culture of prevention becomes increasingly important, combating the phenomenon of psychoactive substance use, especially in disadvantaged and

No developments to report in this area.

⁶⁰ [Protocollo d'Intesa tra Dipartimento della Gioventù e del Servizio civile nazionale e Dipartimento per le Politiche Antidroga in materia di prevenzione e contrasto all'uso di sostanze stupefacenti da parte delle giovani generazioni](#), 18 marzo 2015.

vulnerable areas that are often more exposed to the risk of exclusion.

A similar Protocol⁶¹ was signed in 2017 between the Presidency of the Council of Ministries and the Ministry of Education to foster prevention and awareness-raising measures in schools. The Protocol included plans, educational programmes and ad hoc initiatives to involve students, parents, teachers, as well as targeted information and communication campaigns. The Protocol also mentioned specific training activities for students and teachers to be carried out by qualified and scientifically accredited subjects. EUR 3 million was made available for the implementation of the interventions.

Eventually, in August 2020 the National Prevention Plan 2020-2025⁶² of the Ministry of Health was adopted. According to the Plan, prevention of alcohol use among children is becoming a priority, confirmed by epidemiological data on binge drinking. Therefore, it is necessary to strengthen actions to countering the supply of alcohol, but also health-promoting interventions in targeted settings (leisure places, sports venues, schools, etc.).

1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

The 12th Monitoring Report of the Working Group for the Convention the Rights of Childhood and Adolescence⁶³ – released in 2022 – provides useful recommendation on how to address the shortcomings of the Italian child protection system. Italian authorities are recommended to allocate adequate human,

⁶¹ [Protocollo d'intesa tra la Presidenza del Consiglio dei Ministri e il Ministero dell'istruzione, dell'università e della Ricerca in Materia di Prevenzione dell'uso di Droghe e Alcol in Età Scolare](#), 7 August 2017.

⁶² Ministero della Salute (2020), "[Piano nazionale della prevenzione 2020 – 2025](#)", 6 August 2020.

⁶³ Gruppo di lavoro per la Convenzione sui diritti dell'Infanzia e dell'Adolescenza (2022), "[I Diritti dell'infanzia e dell'adolescenza in Italia. 12° Rapporto di Aggiornamento sul Monitoraggio della Convenzione sui Diritti dell'infanzia e dell'adolescenza in Italia](#)", 2022.

financial and technical resources at all levels of government for the implementation of all policies, plans, programmes and legislative measures aimed at children, especially those belonging to disadvantaged and marginalised communities. Regular evaluations should be conducted of the impact of budget allocations on children to ensure that they are effective, efficient, sustainable and consistent with the principle of non-discrimination. A rights-based approach should be adopted in the national budget process on children's rights by including specific indicators and a tracking system for the allocation and use of resources for children throughout the budget and across relevant sectors and between relevant departments and use this tracking system of traceability for an impact assessment on how the investments in any sector can come to the aid the best interests of the child, ensuring that the different impact of such investments on children is also measured by gender. The Italian Government is requested to monitor and report annually on the funding dedicated to children and adolescents, ensuring coordination between the different administrations so as to ensure their effectiveness. The Government should also establish Essential Levels of Services to guarantee the exercise of the rights of children, starting with those indicated in the 5th National Childhood Plan, and in the National Childhood Guarantee Plan, providing adequate resources adequate resources for Local Authorities. As far as children poverty is concerned, the Ministry of Labour and Social Policies is requested to adopt a real organic and structural intervention against child poverty that takes into account multidimensionality and operates with a multi-level strategy, capable of flanking mere monetary transfers with services and individualised accompaniment, in the protection of the child's best interests.

1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

As stressed in the 2014 report, the Italian child protection legislation is fragmented and no initiative is in place to adopt a consistent and comprehensive legislative framework governing this field. Normative provisions do not show any programmatic or organic features: this, sometimes, results in a combination of different forms of protection; it multiplies the number of involved subjects (public and private, legal, administrative and social parties, civil-society organisations), and that often happens to the detriment of the effectiveness and efficacy of the protection provided; it poses the need for a co-ordination among the different systems of protection. Furthermore, binding legislation is oriented toward intervention; prevention is generally carried out through non-binding policy documents, such as guidelines, action plans, strategies which often can count on limited financial resourced.

1.7. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

During the period 2014-2022, some major steps have been taken in the field of child protection. Most of them have been described in the sections above and they can be summarised as follows: a comprehensive and strong protection framework was introduced in 2017 to protect the rights of unaccompanied migrant children, from the moment of the arrival and identification until the end of the reception project; in 2018, the juvenile criminal system was reformed as to introduce a specific enforcement regime of judicial sentences that could comply with the principle of the protection of the child's best interest, thus making

detention in prison effectively a last-resort measure; additional participation mechanisms were introduced to allow participation of children in the decision-making processes they are concerned by; the Strategy for the Inclusion of Roma people, including children, was finally approved, filling a gap that had been evident in recent years; a specific legislation was introduced to fight forced marriages and to introduce effective instrument countering bullying and cyber-bullying. These can be all considered improvements and achievements of recent years in the Italian child protection system.

However, some gaps and critical aspects persist: these mostly concern the lack of adequate financial resources and funds supporting the intervention measures; the fragmentation of the child protection system in different levels of governance which do not work sufficiently in synergy; the persistence of huge territorial gaps – in terms of wealth, services and opportunities – between Italian regions; the rampant poverty affecting marginalised social groups that has an impact on children and families, as well. The Covid-19 pandemic had a huge impact on children, especially in terms of social marginalisation and school drop-out: public authorities have to make the most of the resources provided by the Italian Recovery and Resilience Plan to address the inequalities emerged during the pandemic, which affect the most vulnerable those children, namely those living in disadvantaged social context, with disabilities, foreign children, etc.

1.8. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

EFRIS - European Family Reunification Innovative Strategies – is a project implemented by the Ferrara-based cooperative society Cidas in partnership with UNHCR⁶⁴. The project was set up to respond to the need to improve the effectiveness of family reunification procedures under the Dublin III Regulation concerning unaccompanied foreign children seeking asylum. The overall objective of the project is to reduce the secondary movements of children, i.e. their removal from the protection network, and the consequent risk of exposure to illegal and unsafe networks. The project set up a multidisciplinary team that provides timely support for all those needs that may be encountered during a family reunification procedure: the emergence of individual cases of family reunification of children present in the reception facilities; the drafting of documentation for the submission of the family reunification application and the facilitation of relations with the Dublin Unit; the holistic and multidisciplinary care of children in the procedure the contact and maintenance of the relationship with the child's family members throughout the procedure until the transfer to the Member State; the correct and effective use of the tool for early identification of the need for family reunification formulated and proposed by the Efris project and that can integrate the Social File of the minor. The project staff also developed the Early Identification Assessment Sheet for Family Reunification need of UASC under Dublin III Regulation: this bilingual tool (in Italian and English) provides a practical guide on how to conduct a structured interview to effectively identify unaccompanied foreign children potentially eligible for the reunification procedure. The Sheet is intended for social workers, legal and reception staff, public or voluntary guardians, and all those involved in defining and protecting the best interests of the child. It was designed to be supplementary to the unaccompanied migrant children's Personal File prepared by the Department of Civil Liberties and used to date in the reception system for unaccompanied minors. Specific training on the issue of family reunification of unaccompanied migrant children is also proposed, addressed to social workers, educators, referents and coordinators of reception facilities, voluntary guardians, municipal social service officials, and more generally to all professionals involved in taking care of these children.

⁶⁴ More information is available at the project's [website](#).

2. Governance, coordination structures, and services

2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		<ul style="list-style-type: none"> - Ministry for Sport and Young People (<i>Ministro Sport e Giovani</i>), whose mandate also includes youth policies and civil service programmes - Family Policies Department (<i>Dipartimento per le Politiche della Famiglia</i>) of the Council of Ministries - Ministry of Education and Merit (<i>Ministero dell’Istruzione e del Merito</i>) - Ministry of Disabilities (<i>Ministero per le Disabilità</i>) - Ministry of Justice (<i>Ministero della Giustizia</i>), whose mandate also includes the juvenile Criminal system, guardians appointment procedures, foster care procedures, international children abduction in cooperation with the Ministry of Foreign Affairs - Ministry of Labour and Social Policies (<i>Ministero del Lavoro e delle Politiche Sociali</i>), whose mandate also includes the monitoring and data collection on unaccompanied migrant children - Ministry of the Interior (<i>Ministero dell’Interno</i>), whose mission also includes identification and referral of unaccompanied migrant children, as well as the management of reception facilities at local level through territorial Prefectures - Ministry of Health (<i>Ministero della Salute</i>) - Ministry of Foreign Affairs and International Cooperation (<i>Ministero degli Affari Esteri e della Cooperazione Internazionale</i>)

<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X	<ul style="list-style-type: none"> - National Observatory on Childhood and Adolescence (<i>Osservatorio Nazionale per l'Infanzia e l'Adolescenza</i>), set up in 1997 and governed by a specific regulation of 2017. It is composed of approximately 50 members, representing the various central administrations responsible for children's policies, the Regions and Local Authorities, the National Statistics Institution, social partners, the institutions and bodies of major importance in the sector, as well as eight associations and eight experts appointed by the presidents. Moreover, with the aim of guaranteeing forms of collaboration, synergies and support between the Observatory and the National Authority for Childhood and Adolescence, a permanent guest was designated to participate in the Observatory's work as a representative of the Authority. The Observatory has the task of preparing, every two years, the National Plan of Action and Intervention for the Protection of the Rights and Development of Persons of Childhood and Adolescence, with the aim of prioritising programmes aimed at children and strengthening cooperation for the development of childhood in the world. The National Plan of Action and Interventions, after consulting the Parliamentary Commission for Childhood and Adolescence, is approved by the Council of Ministers and adopted by Decree of the President of the Republic. Also every two years, the Observatory prepares the Report on the condition of children in Italy and on the implementation of their rights (Report to the United Nations). The Observatory also has the task, every five years of drawing up the outline of the Government's report to the UN on the implementation of the 1989 International Convention on the Rights of the Child. - Parliamentary Commission for Childhood and Adolescence, set up in 1997. It is composed of twenty deputies and twenty senators. The Commission has the task of guiding and monitoring the concrete implementation of both international agreements and domestic legislation relating to the rights and development of persons of developmental age (children and adolescents). These functions are exercised by requesting information, data and documents on the results of activities carried out by public administrations and bodies dealing with child and adolescent issues. The law provides for the Commission
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to report annually to the two Chambers of the Parliament on the results of its activities, making observations and proposals on current legislation, its effects and limitations, as well as proposing possible adjustments, in particular to ensure its compliance with European Union legislation and with reference to the rights provided for in the Convention on the Rights of the Child.

- Observatory to combat paedophilia and child pornography (*Osservatorio per il contrasto della pedofilia e della pornografia minorile*), by the Family Policies Department. This is the strategic body for studying and monitoring the prevention and combating of sexual abuse and sexual exploitation of children. It was set up in 1998 with the task of acquiring and monitoring data and information on the activities carried out by all public administrations for the prevention and repression of sexual abuse and sexual exploitation of minors. The Observatory is composed of representatives of central state administrations, law enforcement agencies and civil society.
- Observatory of Guarantees for Children and Fundamental Rights of the Person on the Internet (*Osservatorio delle garanzie per i minori e dei diritti fondamentali della persona su internet*), set up by the Italian Data Protection Authority in 2014. The Observatory's mission is to analyse issues related to the use of the Internet and social networks and to verify the effectiveness of the procedures adopted by operators. The phenomena monitored will be: incitement to hatred, threats, harassment, bullying, hate speech and the dissemination of deplorable content. The Observatory operates through two strands: the collection, processing and publication of data on user behaviour in relation to the Internet and social networks; the analysis of the policies adopted by operators to safeguard the most sensitive values and users and the assessment of their effectiveness.
- Working Group for the Convention on the Rights of the Child (*Gruppo di Lavoro per la Convenzione sui Diritti dell'Infanzia e dell'Adolescenza – CRC Group*), a network currently composed of more than 100 CSOs that have been actively involved in promoting and protecting the rights of children and adolescents for at least three years and is coordinated by Save the Children Italy. The CRC Group was established in December 2000 with the priority objective of

			<p>preparing the Report on the Implementation of the Convention on the Rights of the Child (CRC) in Italy, supplementary to the one presented by the Italian Government, to be submitted to the UN Committee on the Rights of the Child at the United Nations High Commissioner for Human Rights. Since then, the network regularly produces annual and periodic update reports.</p> <ul style="list-style-type: none"> - National Observatory on Family (<i>Osservatorio Nazionale sulla Famiglia</i>): the Observatory is established at the Presidency of the Council of Ministers - Department for Family Policies, as a scientific and technical support body for the elaboration of national policies for the family. The Observatory performs study, research, documentation, promotion and advisory functions on policies in favour of families. In performing its functions, the Observatory ensures the development of the functions of analysis and study of the family condition and problems, also through the production of a biennial report on the family condition in Italy aimed at updating knowledge on the main demographic, sociological, economic and family policy dynamics; promotes initiatives and seminar meetings to foster awareness of the results of research and surveys and the dissemination of good practices through the exchange of experiences; it coordinates its research and documentation activities with those of the National Observatory for Childhood and Adolescence with regard to the Plan of Action and Interventions for the Protection of the Rights and Development of Persons of Developmental Age.
<p>2.1.3. Are there child focal points or similar in different ministries or agencies?</p> <p><u>If yes</u>, in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?</p>		X	

Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
Government	National	Legislation, policy making, financing	
Parliament	National	Legislation, financing	
Regional Councils	Regional	Regional legislation, financing	In each Region, a regional law identifies areas and provides guidelines on the basis of which municipalities can operate in the field of social welfare. Moreover, Regions are the level of governance with the wider competence in the field of healthcare.
Regional Government (especially the Social Services Department)	Regional	Policy making, financing, implementation, monitoring	

Municipalities - family counselling, social services and social workers.	Local	implementation, monitoring	The role of municipalities is particularly important in the delivery of social services and home care. Moreover, local municipalities are the authority in charge of managing second-level reception facilities for protection status holders and unaccompanied migrant children, that is the Integration and Reception System (<i>Sistema Accoglienza Integrazione – SAI</i>).
NGOs	National/regional/local	Training, implementation	

2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

No changes to report.

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

Service providers	Type of services	Target groups	Funding
<i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country</i>	<i>(national budget, EU funded, other)</i>

		<i>nationals and irregular immigrants are entitled to such services)</i>	
Ministry of Labour and Social Affairs (public authority)	Supervision, care institutions, public administrative services	Unaccompanied migrant children, child labour, child exploitation	national budget
Ministry of Education, University and Research (public authority)	care institutions, public administrative services.	Education, training, monitoring, children with disability	national budget
Ministry of Justice (public authority)	Administration of justice, supervision	Children who are victims of criminal offences, children involved in criminal proceedings, children in foster care and community centres, adoptions	national budget
Ministry of the Interior (public authority)	Public services	Unaccompanied migrant children: identification and referral, management of reception centres through local Prefectures	national budget
Ministry of External Affairs (public authority)	international relationships	Immigrant children, adoption, children deprived form parental care, international trafficking	national budget
Department for Family Policies	Supervision, policy recommendations, policy making, studies and data collection	Families	National budget

Observatory against paedophilia and child pornography (public authority)	studies, research, data collection	Paedophilia and Child pornography	national budget
Telefono azzurro (private)	counselling, legal advice	Telefono Azzurro promotes the rights of children and adolescents, protecting them from abuse and violence that could jeopardise their well-being and development.	private funds
Municipal social services	care institution, counselling	Social Services Family collect and analyze requests for help, develop projects and activate the plans according to the need. They cater to families with minor children in difficulty, but also directly to children who are in a state of neglect material or moral, or are devoid of parents, or in conflict with them, or that are subject to maltreatment and abuse, or mandate of the Judiciary child.	Local and national budget
Working Group for the Convention on the Rights of the Child (<i>Gruppo di Lavoro per la Convenzione sui Diritti dell'Infanzia e dell'Adolescenza</i> – CRC Group),	Advocacy and awareness raising	All child policies existing in Italy	Private Funds

Integration and Reception System (<i>Sistema Accoglienza Integrazione – SAI</i>)	Reception and integration services	Unaccompanied migrant children	National budget
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2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

There is not a single and institutionalised participation mechanism: *ad hoc* feedback and participation mechanisms can be activated upon decision of the competent public institution and administration. This was the case of the drafting and approval of the 2022-2023 5th National Action and Intervention Plan on Child Protection: the Plan is the result of an intense co-designing activity that has involved all the subjects and entities participating in the National Observatory and also civil society and the third sector, public subjects such as central administrations, public bodies and territories, private subjects, experts, universities and research. For the first time, in order to fully affirm the central role of children and adolescents within the Plan, the National Observatory promoted an online consultation on the Plan's themes, in which children/adolescents aged 12-17 participated thanks to the technical-scientific support of the *Istituto degli Innocenti*. From the 2,000 questionnaires collected and the 9 focus groups organised with vulnerable groups, it emerged that the children/adolescents shared the priorities and themes identified by the National Observatory in the 5th Plan, although they retained concerns about the future and an awareness of family difficulties. The results of the consultation are available as an annex to the Plan, to which are added the guidelines on participation in the definition of the Plan. This process will now be followed by the implementation and subsequent monitoring phase of the Plan, to which the children/adolescents who participated in the consultations during the Plan's development phase will contribute, together with the Observatory.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>		X	<p>The Italian Parliament set up the single national register of the third sector (<i>Registro Unico Nazionale del Terzo Settore -RUNTS</i>), collecting information on all civil-society organisations but without a specific focus on those operating in the child protection area.</p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p> <p><u>If yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		X	<p>There is not a specific legal obligation for civil-society organisations operating in the area of child protection. However, in order to be included in the above-mentioned RUNTS mandatory requirements must be fulfilled. The following associations can be included in the RUNTS: voluntary organisations (ODV), associations for social promotion (APS), philanthropic organisations, association networks, recognised or unrecognised associations, mutual-aid societies, foundations and other private entities other than companies established for the pursuit of non-profit-making, of civic, solidarity and socially useful purposes by carrying out, exclusively or principally, one or more activities of general interest in the form of voluntary action or the provision of money, goods or services free of charge, or of mutuality or the production or exchange of goods or services. Civilly recognised religious bodies can apply for registration with RUNTS and access the related benefits by adopting and filing with the Registry a regulation governing the performance of general interest activities in accordance with the provisions of the Third Sector Code and the implementing ministerial decree.</p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p><u>If yes</u>, What is the prevalence of this practice?</p>	X		<p>There are several agreements and protocols in place, establishing cooperation between public institutions and civil-society organisations. Two examples are reported below:</p> <ul style="list-style-type: none"> - In 2018, the Ministry of Education and UNICEF Italy signed a three-year Memorandum of Understanding⁶⁵ to implement and promote

⁶⁵ UNICEF (2018), “MIUR e UNICEF Italia firmano il Protocollo di intesa”, 24 October 2018.

<p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>		<p>actions and activities aimed at the world of childhood and adolescence in all schools. The Protocol envisages to: promote actions aimed at the world of childhood and adolescence, with all the actors involved in the formative-educational process of minors and in the prevention of school drop-outs; develop cultural, training and qualification initiatives for subjects professionally involved in activities with minors in various capacities; promote educational paths for international cooperation, peace, and the development of populations in the South of the world living in situations of war and poverty; improve the welcome and quality of relations, to foster the inclusion of diversity and different abilities; promote active participation by pupils, also in the context of activities to prevent various forms of exclusion, discrimination, bullying and cyberbullying, physical and verbal violence; to ensure the implementation of the principles of equal opportunities, promoting equality education in schools of all levels.</p> <p>- In 2023, the National Authority for Childhood and Adolescence (AGIA) renewed its protocol with the NGO Save the Children⁶⁶. The protocol provides for the continuation of the cooperation between AGIA and the association on the promotion of children's and adolescents' rights, including among children. The activities will also cover the prevention of all forms of abuse and maltreatment, the fight against child poverty and educational poverty, and the promotion of children's rights through participation and listening. A joint committee composed of two representatives from AGIA and two from Save The Children has been set up to formulate proposals for action and to monitor the initiatives.</p>
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2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and		X	There is not a systematic cooperation system; however, all levels of governances are committed to the implementation of the above-mentioned 2022-2023 5th National Action and Intervention

⁶⁶ AGIA (2023), „[Rinnovato il protocollo d'intesa tra Autorità garante per l'infanzia e Save The Children](#)”, 9 February 2023.

<p>legislation in the area of child protection?</p> <p><u>If yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p><u>For example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>			<p>Plan on Child Protection, according to the legislative and policy competences established by law.</p> <p>Moreover, the monitoring mechanism established at the Department for Family Policies - Presidency of the Council of Ministers to assess the implementation of the 5th National Action and Intervention Plan on Child Protection is based upon a multi-level presence and participation.</p>
<p>2.3.2. Is there inter-agency cooperation between the relevant actors having responsibility in the area of child protection (including civil society organisations)?</p> <p><u>If yes</u>, please mention <u>how this is done</u> (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>	X		<p>The above-mentioned - National Observatory on Childhood and Adolescence coordinates central administrations, regions, local authorities, associations, professional bodies and non-governmental organisations dealing with children. The Observatory operates through period meetings where all the represented organisations and institutions are summoned to participate. However, the National Observatory does not include children representatives⁶⁷.</p>
<p>2.3.3. What are the main challenges regarding effective cooperation and coordination? (<i>For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced</i>)?</p>			
<p>The major challenges are the same as those reported in the 2014 report, namely:</p> <ul style="list-style-type: none"> - Fragmentation of competences in different governance levels, with the network of social services managed at local level by municipalities in compliance with legislation and policy adopted at both the national and the regional level; - Diverse regional legislation concerning healthcare assistance and social services, resulting in relevant territorial divides that mostly affect vulnerable social groups; - Limited financial resources that are often inadequate to finance services and provisions for child protection; - The lack of a common database of civil-society organisations committed to child protection and service provision in this field, as well as their unequal distribution on the entire national territory. 			
Question	YES	NO	Comments

⁶⁷ The list of the members is available at the [website](#) of the National Observatory.

2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?	X	The Ministry of Foreign Affairs and International Cooperation has a mandate in this field, especially as far as abducted and disputed children are concerned. When operating in this field, the Ministry cooperates with other Ministerial authorities – such as the Ministry of Justice and the Ministry of the Interior – as well as with the diplomatic and consular authorities abroad. Moreover, the Ministry of Foreign Affairs and International Cooperation is engaged in cooperation activities aimed at child protection to be implemented in other countries (see below).
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If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

Italy has long since set its action on the promotion and protection of the rights of children and adolescents in a strategic perspective⁶⁸. In terms of external dimension of this mission, the entry into force of Law no. 125 of 11 August 2014, "General discipline on international cooperation for development"⁶⁹ has reformed the governance of international cooperation international cooperation for development, helping to align Italian cooperation with international processes and standards and by establishing the Italian Agency for Development Cooperation (*Agenzia Italiana per la Cooperazione allo Sviluppo*). Recognising international cooperation for sustainable development, human rights and peace as an integral and qualifying part of Italy's foreign policy, the Law establishes its aims: eradication of poverty; reduction of inequalities; affirmation of human rights and the dignity of individuals, including gender equality and equal opportunities; conflict prevention and support for peace-building processes. It also provides for the adoption of a three-year programming and policy document that establishes the strategic vision (also in terms of Italian participation in European and international bodies and multilateral financial institutions), establishes the objectives and criteria to identify the geographical and sectorial priorities within which development cooperation is to be implemented. In the framework of the Three-Year Planning and Policy Document 2019-2021 (*Documento Triennale di Programmazione e di Indirizzo 2019-2021*), the theme of the promotion and protection of the rights of children and adolescents is recalled starting from the need to apply the principle of "leaving no one behind" (especially those in particularly vulnerable situations such as children) from the very moment when interventions are formulated. Many of the priority areas of intervention are also addressed with reference to children, recognising the importance of acting from an early age: from food security and combating malnutrition to access to medical care and vaccines; from combating harmful practices such as female genital mutilation and early marriages and pregnancies to access to inclusive, quality education; from the protection of children involved in migration paths to the

⁶⁸ Agenzia Italiana per la Cooperazione allo Sviluppo (2021), "[Linee guida sull'infanzia e l'adolescenza](#)", 2021.

⁶⁹ [Legge 11 agosto 2014, n. 125](#), "Disciplina generale sulla cooperazione internazionale per lo sviluppo".

promotion of human rights on a broad spectrum for the construction of peaceful and inclusive societies, from which all forms of exploitation, exclusion and potentially criminal marginalisation are eliminated.

2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

No developments to report in this field.

2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2022, the Family Policy Department started an awareness-raising campaign in agreement with the Office of the Government Commissioner for Missing Persons, and with the technical support of the *Istituto degli Innocenti* in Florence, intended to take on the purpose of preventing the phenomenon of missing children, thus developing joint institutional responses to combat it⁷⁰. The objectives of the campaign are: to inform Italian citizens of the existence of the phenomenon and the attention of the competent institutions in preventing and combating it; to inform citizens how to act and through which instruments in the event of disappearance; to promote the widest possible knowledge of the emergency numbers dedicated to the phenomenon. The target of the initiative is, primarily, parents, families, adolescents and children, but also teachers, educators, local administrators and public opinion. The campaign illustrates, through a 30' animated spot, the sense of emptiness that is created in the family and social fabric when a child goes missing. Viewers' attention is also drawn to how to act when a child goes missing. In particular, the spot emphasises the importance of promptness in reporting the disappearance of a child to the competent authorities and the emergency numbers, both Italian (112 - single emergency number and 114 - child emergency number) and European (116 000 - single European number for missing children), to contact. The campaign is broadcast on TV channels, on the social profiles of the Department for Family Policies and on the websites of the administrations involved.

⁷⁰ Dipartimento delle politiche per la famiglia (2022), "[Aiutaci a ritrovarli](#)", 21 May 2022.

3. Capacities (human and financial resources)

3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<ul style="list-style-type: none"> - National Fund for Childhood and Adolescence (<i>Fondo nazionale per l'infanzia e l'adolescenza</i>), established by Law No. 285/1997 - Nursery and Pre-school Fund (<i>Fondo asili nido e scuole dell'infanzia</i>), established by Law No. 160/2019 (2020 Budget Law) - National Recovery and Resilience Fund which earmarked financing strands targeting childhood and adolescence, such as funds for nursery and pre-school services - Development and Cohesion Fund (<i>Fondo per lo Sviluppo e la Coesione</i>) which envisages financial contribution tackling educational poverty - National Fund for Social Policies (<i>Fondo Nazionale per le Politiche Sociali</i>), established by Law No. 449/1997, whose resources are distributed among Italian regions to fund the social services systems
3.1.2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?		X	The Law 29 December 2022, No. 197 ⁷¹ introduced the 2023 Budget Law: as it is the case of any annual Budget Law, the structure of the legislative text does not clearly specify in the denomination of the articles the field of intervention of the budget strands. As reported by the monitoring report of the National Authority for Childhood and Adolescence on the resources allocated on child protection policies in Italy during the period 2012-2018 ⁷² , in order to gauge the effective amount of available resources, it is necessary to pool the resources

⁷¹ [Legge 29 dicembre 2022, n. 197](#), "Bilancio di previsione dello Stato per l'anno finanziario 2023 e bilancio pluriennale per il triennio 2023-2025".

⁷² AGIA (2019), „[DisOrdiniamo! Secondo monitoraggio delle risorse nazionali dedicate all'infanzia e all'adolescenza nel bilancio dello Stato 2012-2018](#)”, September 2019.

			at the disposal of each Ministry that has competences in the field of childhood and adolescence protection.
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3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.

Thanks to the monitoring activity of the National Authority – described in the detail in the above-mentioned report concerning the period 2012-2018 – it is possible to gauge the size of the state budgets allocated to finance childhood and adolescence protection policies. In 2017, total expenditure on children and adolescents, including staff expenditure, amounted to approximately EUR 51,651 million, or EUR 5,212 per child or adolescent. Analysing the historical series, a positive trend can be observed over the period considered (2012/2017), both in nominal and real terms. In fact, there is a nominal growth of 16.7% (equal to approximately EUR 7,400 million) in the resources allocated in the period 2012-2017 and by a further EUR 980 million in the resources allocated in 2018. In terms of expenditure per capita, the increase was 18%, against a reduction in the child population by 1%. The increase in expenditure was quite small until 2014 and had the largest increase (around EUR 6,800 million) from 2015 onwards. However, considering the real expenditure figure, i.e. net of the effect of inflation, calculating the of expenditure as of 2018 for all the years considered and applying the monetary revaluation coefficients published by the National Statistics Institute, real growth in the 2012-2017 period, while remaining high, is slightly reduced to 14.1%. An analysis of expenditure in relative terms - in particular in relation to GDP - also confirms the growth trend, albeit in smaller terms: in 2017, the resources allocated to children amounted to 3% of GDP, 0.3% more than in 2012. By contrast, the weight of total expenditure on children and adolescents in the total state budget (i.e. how much the State decides to invest in children out of the total resources available) does not shows a similarly positive trend, standing at 8.1% of the total in 2017, 0.4% less than in the previous year. According to the Authority's report, as of 2017, expenditure net of personnel costs (referred to as 'net expenditure') amounted to approximately EUR 7,895 million - or EUR 797 per child or adolescent - and represented 1.5% of the total of the budget and about 0.5% of GDP. The increase in spending in absolute terms is even more striking when one considers that over the period 2012-2017 total resources more than doubled (in 2012 it amounted to EUR 3,298 million, or EUR 330 per child), growing further in terms of allocated resources in 2018. Thus, there is a nominal growth of approximately EUR 4,600 million (+139%) in the expenditure committed in the three-year period 2012-2017 and an additional EUR 1,620 million in resources allocated in 2018 compared to those committed in the previous year. Once again, the greatest growth is recorded from 2015. In this case, compared to the overall expenditure, there is a significant increase of net expenditure also in relative terms. Its weight in fact more than doubled, both in relation to GDP (from 0.2% in 2012 to 0.5% in 2017) and in relation to the total budget (from 0.7% in 2012 to 1.5% in 2017).

If the last five-year period is considered (2018-2022), the think-tank “Welfare, Italia” released its 2022 report on public expenditure on welfare and social policies⁷³. Welfare is defined as to include the following policy areas: healthcare, social security, social policies and education. Welfare spending in 2020 amounted to EUR 615.8 billion, or 65.2 per cent of total public spending and lower than the previous year, when it was 65.4 per cent. In a long-term perspective, the weight of welfare expenditure on total public expenditure has continuously increased over time, from 61.8% in 2009 to 65.2% in 2020. This is explained by the fact that in the period 2009-2019 total spending on welfare grew at a higher rate than total public spending (+14.3% and +8.0%, respectively). In contrast, between 2019 and 2020,

⁷³ Welfare, Italia (2022), “[Rapporto 2022 del Think Tank Welfare, Italia](#)”, 2022.

welfare expenditure grew at a lower rate than total public expenditure (+8.2% and +8.4%, respectively). Analysing the individual components of welfare spending in more detail, the social security component, while absorbing about half of the resources, shows a declining trend: in 2020, in fact, for the first time since 2009, spending on social security fell below 50 per cent of total spending on welfare, a decrease of -2.6 p.p. with respect to 2019. Health spending (21.1%, -0.4 p.p. compared to 2019) and spending on education (11.5%, -0.8 p.p. compared to 2019) have also decreased, while spending on social policies is the only one that has increased its weight on the total, rising to 19.3% (+3.8 p.p. compared to 2019). The expenditure item that has increased the most in Italy in recent years, however, is that relating to social policies (+44.4% in the 2009-2019 period, almost double the +23.5% recorded by the Eurozone, and +35.4% in the pandemic year alone, significantly higher than the +19.7% recorded by the Eurozone).

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>According to the CRC group's 12th monitoring report⁷⁴, Italy must both increase the allocated budget and improve the efficacy of its expenditure. The European institutions also <u>warn</u> Italy about the imbalances in the composition of Italian public spending, which penalises people under the age of 18: in 2019, Italy devoted only 2% of public spending to the 'family and children' area, while in the EU the average was 3.8%, almost twice as much. According to the CRC group, though, it is not only the scarcity of resources that is of concern, but also the lack of a clear policy framework of strategic goals to be achieved and the lack of coherence between investments in children and adolescents and the implementation of their fundamental rights⁷⁵.</p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	X		<p>- European Social Fund Plus (ESF+): Member States with a child poverty level above the EU average (in 2017-2019), including Italy, will have to use at least 5% of their ESF+ resources to tackle this phenomenon; and the European Regional Development Fund (ERDF). These funds are managed directly by the Member States, on the basis of partnership agreements with the Commission, and serve the States to finance not ordinary interventions (they cannot replace ordinary expenditure from the state or</p>

⁷⁴ Gruppo di lavoro per la Convenzione sui diritti dell'Infanzia e dell'Adolescenza (2022), "[12° Rapporto di aggiornamento sul monitoraggio della convenzione sui diritti dell'infanzia e dell'adolescenza in Italia](#)" 2022, p. 102.

⁷⁵ Gruppo CRC (2021), "[30 anni di investimenti per i diritti dell'infanzia: poche risorse o poca efficacia?](#)", 27 May 2021.

			<p>regional budgets), but 'complementary' thematic programmes covering the whole country, through National Operational Programmes (NOPs), such as the NOP for Schools, or through Regional Operational Programmes (ROPs), the main financial instrument available to the regions.</p> <p>- Development and Cohesion Fund (FSC), the main financial instrument of the state budget for policies for the development of economic, social and territorial cohesion and the removal economic and social imbalances through additional interventions and strategic projects, both infrastructural and intangible, which are linked to European programming seven-year period. In the national budget for the three-year period 2021-2023 the resources of the Development and Cohesion Fund for the closure of the 2014-2020 programming period allocated are 30 billion, while 50 billion have been earmarked for the start of the new programming. In total for the 2014-2020 programming cycle, the FSC allocation was 68.81 billion, 80% of which was allocated to the Regions of Southern Italy (approximately 55 billion).</p> <p>- Next Generation EU of the Recovery and Resilience Facility (191.5 billion over 6 years) to overcome the economic and social impact of the pandemic of COVID-19</p>
<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>		X	<p>Corporate social responsibility in relation to child protection is not systematic and implemented at national level. However, at least one relevant initiative of this type can be mentioned. It is the UNICEF Business Lab launched in 2015, a platform involving institutions, businesses, academia, the media and key stakeholders of the Italian economy on the topics of Business and Human Rights, Children and Adolescents.</p>
<p>3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which</p>		X	<p>A set of regulations implementing the Reform of the Third Sector, among which it is worth mentioning:</p>

<p>outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services.</p> <p><u>If yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>		<ul style="list-style-type: none"> - the Decree of 15 September 2020 establishing the Single National Register of the Third Sector (RUNTS), described above; - Decree No. 72 of 31 March 2021 laying down the Guidelines on the relationship between public administrations and third sector entities (ETS). The decree aims to provide a shared framework for analysing the institutions introduced by the Third Sector Code, in order to provide useful support to public administrations. - Guidelines No. 17 on the subject of entrusting of social services issued by the National Anti-Corruption Authority (resolution no. 382 of 27 July 2022) which, in addition to identifying and describe the cases outside and excluded from the scope of the public contracts code, further clarify that the public contracts code applies only in cases where contracting authorities decide to entrust social services using the procedures laid down in the code. Excluded are, therefore, hypotheses in which the choice of the administration falls on alternative ways of carrying out the service, such as co-planning and co-planning, conventions with voluntary organisations and social promotion associations. - the decree of 9 June 2022 adopting the 'Guidelines on Fundraising by Third Sector Entities sector' which, addressed to all ETSs, regardless of their legal form, size, mission activity and classification, aims to conform fundraising activities to the principles of truthfulness, transparency and fairness. A reporting template is attached to the guidelines. <p>From an operational point of view, the launch on 23 November 2021 of the Single National Register of the Third Sector (RUNTS) , which, when fully operational, will replace the registers of Associations for Social Promotion - APS, of Voluntary Organisations - ODV and the registry of ONLUS envisaged by the previous regulations of the sector regulations. It is recalled that the Code prescribes the obligation, for Third Sector entities sector, qualified in their statutes as ETS, to register in the single national register of the Third sector and to indicate the registration details in deeds, correspondence and</p>
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		<p>communications to the public. Registration in the RUNTS gives the right to access the facilities provided for the Third Sector and gives the possibility to enter into agreements with public administrations for the performance of activities or social services of general interest.</p> <p>Specific measures were adopted during the COVID-19 emergency period. Among others, the first emergency phase included Decree Law No. 18 of 2020, which introduced measures aimed at protecting ETSs from the negative consequences of the pandemic, such as: the extension of access to the unemployment fund also for ETSs; suspension of payments of withholding tax, social security social security and welfare contributions and compulsory insurance premiums; extension of the deadline for approval of the annual balance sheet by associations and foundations and extensions also for deliberate any statutory changes necessary to comply with the Third Sector Code and the social enterprise reform.</p> <p>It is worth mentioning that the Funds mentioned above – namely, the Fund for the Reception of Unaccompanied Migrant Children, the Fund to fight against child educational poverty, the National Fund for Childhood and Adolescence – as well as some crucial services (such as the 114 child emergency number), are managed by civil-society organisations through public call for tenders issued by the competent ministries⁷⁶.</p>
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3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
3.2.1. Are the allocated human resources in the area of child protection at all levels		X	Human resources working in the field of child protection include a wide variety of professionals, with different qualifications and education background, ranging from educators,

⁷⁶ The call for tenders are available on the websites of the Ministries managing the Funds - the [Fund for the Reception of Unaccompanied Migrant Children](#), the [Fund to fight against child educational poverty](#), the [National Fund for Childhood and Adolescence](#) – and the services (such as, [the 114 child emergency number](#)).

<p>sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>			<p>to social service professionals, to doctors and psychologists. Some professional fields prove to have a shortage of qualified professionals: this is the case, for instance, of educators needed for early childhood (0-6 years) services, as reported by the Italian Alliance for Sustainable Development⁷⁷.</p>
<p>3.2.2 Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>X</p>	<p>The 2022-2023 5th National Action and Intervention Plan on Child Protection stressed that investing in the basic training of those who personally take care of families represents an element of quality assurance in the provision of personal services. Currently, courses of study in social work, educational sciences, primary education, vocational education, psychology, law and medicine (specialisations in paediatrics and child neuropsychiatry) lack specific training in the management of complex situations, with an interdisciplinary approach to the issues of child protection and adolescence, as well as the promotion of positive parenting. In the curricula of future doctors, nurses, psychologists and health technicians, no courses on abuse and maltreatment are envisaged. Providing them, however, would enable future professionals to recognise at an early stage the cases of children and adolescents who have suffered violence, already at the of reception. In particular, there is a lack of competences related to: documentation, monitoring and evaluation, in relation to the specificities of each discipline and role; multidisciplinary evaluation (also for the purpose of verifying the impact of policies on the condition of children and young people at the centre of safeguarding, protection, care and judicial procedures), planning, integrated care according to the children's needs approach complementary to the rights approach, networking, team work, listening and family participation. There is also a lack of specific</p>

⁷⁷ Alleanza Italiana per lo Sviluppo Sostenibile (2023), "[Servizi educativi 0-6 anni: l'Italia rischia di rimanere a corto di educatori](#)", 18 January 2023.

			training for the professional updating of professionals already in service.
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	x		<p>A compulsory certification or licencing process exists for specific professionals working in the child protection field:</p> <ul style="list-style-type: none"> - Professional Educators: university curricula of Education and Training Sciences include specific courses on children protection from a pedagogical, sociological and cultural perspective. practical experience for this type of profession is particularly important in order to be able to deal with the most complex and critical situations. The training, in detail, includes professionalising courses at the health facilities of the National Health Service and the social and health care facilities of public bodies identified in the memoranda of understanding between the regions and the universities themselves. Following the Ministerial Decree of 13 March 2018, registration in a special professional register is envisaged. Fundamental to this registration is the qualification relating to the exercise of the profession. Once the training and university course has been completed, it is useful to carry out an analysis of the territory to find out what opportunities exist in the public and private sectors. If one wishes to work in the public sector, one must find out about the calls and competitions that are active in the public bodies of interest. - Pre-school educational staff: For access to a pre-school teaching position the regulatory framework is national and the reference is Law 107/2015, which for teaching in pre-school provides the following requirements: Degree in Primary Education; Magistral High-School Degree obtained within the schoolyear 2001-2002. With reference to staff with the profile of collaborator/assistant teacher, only compulsory school qualifications are required (secondary school, formerly middle school); also in this specific case the training offer is provided by accredited training centres, whose choice must necessarily be considered with respect to the qualifications

			<p>that are required as essential requisites for access to competitions or calls for tenders.</p> <ul style="list-style-type: none"> - Social Assistants: Social assistants must hold a University Degree in social services: university curricula of Social Services include specific courses focusing on Education, Pedagogy, Social Rights and social policies, developmental psychology. In addition to a university degree, a state exam for social workers must be passed in order to be included in the professional register of social assistants.
<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p><u>If yes</u>, please describe briefly.</p>		X	<p>There is <u>not</u> a common framework on volunteers' selection and vetting. No criminal records or child-specific skills are mandatory for volunteers working with children. However, some experiences of this kind exist at local level. For instance, in Tuscany, the regional Volunteer Service Centre (CESVOT) has established a Recognition of Volunteer Competences (RicoV) service destined to volunteers working in the third sector. The object of the recognition are the "typical skills of the volunteer", i.e. the "transversal skills" that the person develops by doing organised voluntary work or by participating in specific training or refresher courses organised by the organisations. Every year Cesvot recognises the transversal skills of Tuscan volunteers, enabling them to further enhance their skills in volunteering and work⁷⁸.</p>
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement officials (judges, persecutors, police), health and education personnel</p>		X	<p>A system of professional training credits (<i>Crediti Formativi Professionali</i> – CFP) is in place, thanks to the Decree of the President of the Italian Republic No. 137/2012⁷⁹. CFPs are aimed at ensuring the periodic compulsory training of professionals, as to update their skills, knowledge and competences. However, the CFP system does not concern all professionals, but rather only those governed at national level and envisaging national professional registers. As far as child protection is concerned, these</p>

⁷⁸ More information is available at the [website](#) of CESVOT.

⁷⁹ [Decreto del Presidente della Repubblica 7 agosto 2012, n. 137](#), "Regolamento recante riforma degli ordinamenti professionali, a norma dell'articolo 3, comma 5, del decreto-legge 13 agosto 2011, n. 138, convertito, con modificazioni, dalla legge 14 settembre 2011, n. 148".

<p>(doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>		<p>professions include: doctors, psychologists, lawyers and social assistants. Training opportunities specifically focusing on identification, referral and intervention for children are not compulsory: a minimum hour of training to obtain CFPs is mandatory; these contents might be included among the training opportunities which can be opted for by the professionals.</p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p> <p><u>If yes</u>, please describe briefly.</p>	X	<p>Specific courses on child rights are included in some university curricula, such as political sciences, law, medicine. There is not a common framework governing this issue: some universities might include child rights and child protection topics in their curricula. However, professional training for police officers do not include child rights and child protection topics.</p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p> <p>Please provide some examples.</p>	X	<p>There is <u>not</u> a common and systematic framework governing this type of activities which nonetheless exist in terms of <u>scattered initiatives</u>. For instance, the University of Genova activated in 2018 the Multidisciplinary Advanced Training Course in Development Education. Children's rights: for a child-friendly city. The Advanced Course is designed to provide the theoretical foundations and operational tools to enhance the transversal professional skills of operators in the personal services sectors, with particular reference to services for minors, schools and social services. It is also aimed at professionals and experts in the sector, meeting the requirements of the call, interested in developing and/or perfecting a concrete professionalism, required by a complex working context, in areas such as children's rights, children's and young people's wellbeing and health, problems related to urban and environmental transformations and social services⁸⁰.</p>

⁸⁰ More information is available at the [website](#) of the University of Genova.

3.2.8. Outline briefly the main challenges and/ or gaps relating to human resources, qualification requirements and training underlined the relevant authorities and/ or child protection civil society organisations.

The 12th monitoring report of the CRC Group (mentioned above) provides specific recommendations on the qualifications of the professionals dealing with child protection. Among other recommendations in this respect, the report stresses repeatedly the importance of a solid and multi-disciplinary training of professionals operating in the juvenile judicial system and in guardianship proceedings. The CRC Group recommends: to the Ministry of Justice to establish a compulsory multidisciplinary training system and continuous training for all professionals who work with children; to the Ministry of Justice - Department for Juvenile and Community Justice, the launch of specific training courses for special administrators (professionals who legally represent children deprived of family legal representation) and the elaboration of national guidelines concerning the action of administrators of the children. Moreover, the CRC Group recommends the Ministry of Health to implement the human resources in social and health services and their training from universities in order to recognise the various forms of ill-treatment, to encourage the use of evidence-based tools for risk detection and also to equip care workers with increasingly effective tools towards a "trauma informed" approach with permanent supervision support.

3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

The most relevant development in this field in recent years is represented by the 2021 National Recovery and Resilience Plan (PNRR) which earmarked relevant capacities – in terms of financial resources – to children policies. The total allocation for childhood is about EUR 10 billion, of which EUR 4.6 billion is earmarked for nursery schools with 40 per cent of the funds for the South. To this must be added about 1 billion for full-time schooling and canteens, 0.3 billion for infrastructure and sports at school, 1.5 billion for reducing territorial gaps, 1.1 for new skills and languages, 2.1 billion for school 2.0, and 0.22 billion for combating educational poverty. The real problem⁸¹ with the PNRR is that it allocates funds for structural works, but not for human capacities. This means, for example, that more nursery schools will be created, but it will be necessary to find a large number of teachers and educators (45,000) for nursery schools, some of whom will be needed immediately and the rest with the new structures and their training. In addition, the decision was made to put funds, for example, for nursery schools out to tender, whereas it would have been more useful to allocate funding directly to those municipalities without or below 33% coverage. The NGO "Save the Children"⁸² considers these funds to be insufficient to fill the territorial gaps in nursery schools coverage: according to the division of funds between nursery schools (children aged 0-3) and kindergartens (children aged 3-6), approximately 228,000 new places will be

⁸¹ Società Italiana di Pediatria (2022), "[PNRR e infanzia: 10 miliardi per i bambini](#)", 2022.

⁸² Save the Children (2021), "[Verso il futuro. Un'analisi del Piano Nazionale di Ripresa e Resilienza attraverso le lenti dei diritti dell'infanzia e dell'adolescenza](#)", May 2021.

created, according to the following breakdown: 152,000 places for 0-3 year olds and approximately 76,000 places for 3-6 year olds. At the nursery schools 3.6 billion will be allocated, which is not enough to ensure the goal then reaching a coverage rate of 33% in each, and free of charge for families. In absolute terms, in fact, to close the gap between the current public coverage and the 33% target would further 275,606 places would be required.

3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In January 2022, the Ministry of Education set up an online crowdfunding platform named “IDEArium”⁸³, dedicated to schools intending to implement projects aimed at expanding the educational offer through the use of collective financing. Schools’ directors can launch their projects on the platform and any physical or legal person can financially sustain them. The IDEArium platform provides the possibility for users to view the summary of published projects and search for projects of interest via the status of the campaign or specific filters related to school, geographical area or category. 51 projects are currently being implemented thanks to the IDEArium platform. However, if the projects financed so far are considered, most of them are located in the Northern regions, i.e, Lombardy (46 projects), Emilia Romagna (28 projects), Veneto (19 projects), Piedmont (17 projects).

⁸³ More information is available at the [website](#) of the IDEArium platform.

4. Care

4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

Ca. 250

The Italian judicial system has its own social service department specifically dealing with child protection and children in need of care measures. More specifically, the social service area performs two main functions that are closely integrated with each other: functions of assistance, support and parenting help to families; functions relating to the supervision, protection and safeguarding of children faced with difficulties and shortcomings in the management of the parental role, which must be activated in the presence of evolutionary risk factors for the child even in the absence of a direct request from the family⁸⁴. These two main competences of the social service, which are technically defined as "aid and control", are exercised in an integrated manner since the direction they must follow is to tend to help the family to implement processes of change, operate to foster parental responsibility, remove, as far as possible, the causes of discomfort and support the parents in adequately carrying out their duties in order to guarantee the child the right to grow up peacefully in their own family. Based on these functions, several specific areas of intervention are then defined: family and childcare and parenting support; supervision and protection of children placement in residential educational communities; foster care of children; interventions related to adoption; interventions related to children involved in criminal proceedings; interventions in connection with the conflictual separation of parents; procedures and investigations for juvenile authorities. This social service department works in close connection with juvenile judicial authorities, both in case of children involved in criminal proceedings⁸⁵, when it comes to design the individual reintegration path of the child; and in case of children victims of domestic abuse and mistreatment or living in high conflictive families.

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

The Ministry of Labour and Social Policies introduced in 2011 the Intervention Programme for the Prevention of Institutionalisation (*Programma di Intervento Per la Prevenzione dell'Istituzionalizzazione* – P.I.P.P.I.), in cooperation with universities, social services, schools and local

⁸⁴ [Legge 4 maggio 1983, n. 184](#), "Diritto del minore a una famiglia".

⁸⁵ [Decreto del Presidente della Repubblica 22 settembre 1988, n. 448](#), "Approvazione delle disposizioni sul processo penale a carico di imputati minorenni".

healthcare departments⁸⁶. It represents an attempt to create a link between different institutions (Ministry, Universities, Municipalities) that share the same mission of promoting the wellbeing of children, as well as between professions and disciplines in the fields of social service, psychology and educational sciences, in order to jointly face the challenge of reducing the number of children removed from their families. The programme pursues the aim of innovating intervention practices towards so-called negligent families, in order to reduce the risk of ill-treatment and the consequent removal of children from their original family nucleus, by coherently articulating the various fields of action involved around the needs of children living in such families, taking into broad consideration the perspective of the parents and the children themselves in constructing the analysis and response to these needs. Negligent families are defined – according to the [Department for Family Policies of the Italian Government](#) – as those where a significant lack or absence of responses to a child's needs is identified, needs recognised as fundamental on the basis of current scientific knowledge and/or social values adopted by the community of which the child is part. The primary objective is therefore to increase the safety of children and improve the quality of their development. The initiative is financed through the Fund for Social Policies. The results and lessons learnt from the P.I.P.I. programme fed into the 2017 Guidelines for intervention with children and families in vulnerable situations⁸⁷, which addresses the issue of care and protection interventions for children in their family environment, with a special focus on interventions to prevent removal. The Guidelines intended to outline a shared vision of the area of accompaniment, identifying transversal objectives and actions to achieve them, providing guidelines with respect to the interventions addressed to families living in a situation of vulnerability on our territory, improving the organisation and functioning of the accompaniment paths, and defining national and local governance with the aim of developing a truly and effectively integrated system of interventions. For instance, the multi-dimension theoretical and intervention model “The Child World” (*Il mondo del bambino*) is described in Annex I of the Guidelines. The model – based on a triangle intervention mode – intends to offer support to different professionals in order to reach a holistic understanding of the needs and potential of each child and family. It refers to the three dimensions that contribute to child development, the actions that parental figures put in place to meet those needs, the family and environmental factors that may influence the response to these needs. The three dimensions thus make up the three sides of the triangle of “The World of the Child”: growing up; caregivers; living environment. Each of these three dimensions is in turn composed of several sub-dimensions. Three versions of “The World of the Child” are proposed: one defined as the “professionals’ version” that presents a professional technical language, a “children's version” that uses a language suitable for children/young people and parents, and a “blank” version intended to be used to collect the voices of children and parental figures on their situation. These three versions of the triangle are meant to be used both as a theoretical framework for the intervention, and as a practical tool when dealing with children and their families. In fact, the adoption of this theoretical framework to the assessment of children and families’ needs allows social services professionals to collect and value children’s points of view, to make parents aware of the children’s needs, to propose a pathway for the improvement of the children’s wellbeing, to stimulate children to report their experiences using a plain and practical language, to highlight the weaknesses and the strengths of each family, to develop an individually-tailored intervention approach for each child.

⁸⁶ More information on the programme is available at the [website](#) of the Ministry of Labour and Social Policies.

⁸⁷ Ministero del Lavoro e delle Politiche Sociali (2017), “[Linee di indirizzo nazionali. L’intervento con bambini e famiglie in situazione di vulnerabilità. Promozione della genitorialità positiva](#)”, 2017.

4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The term "accompaniment pathway" (*percorso di accompagnamento*) means refers to the set of work phases through which a family is accompanied from the moment elements of concern are reported to social services with respect to the child's developmental needs, to the analysis of said report, to the eventual decision to initiate a set of actions, up to the conclusion of the process. The pathway is managed by a multi-disciplinary team. The composition of the team is determined according to the needs of the child and consists of: family members (child and parental figures); social worker; professional educator; professionals from the social-health area. Where necessary, the team is enriched by the presence of additional components: professionals from the psychotherapeutic/psychiatric/neuropsychiatric area who work permanently with the child; nursery educator(s) or teacher(s) of the school attended by the child; any other professionals working on a permanent basis with the child and/or their parents (day care centre operator, paediatrician, professionals in the disability area, in the case of the child's disability); people (professionals and non-professionals) belonging to the community reference community of the family (area of voluntary work and sports, cultural, educational, recreational associations, etc.). The family takes part in meetings where professionals evaluate and/or make decisions that directly affect them, contributing to this process of analysis and decision-making and being involved from the outset on the direction of the pathway in the relevant phases and what the different professionals know about their situation. The report on the child's situation can be made by persons from the family or extended family, by professionals from social or health services, from nurseries and schools or by the judicial authority and in this case is referred to as a 'warrant'. Through the preliminary analysis, the information and verified the information that triggered the report, in order to decide whether and how to intervene and in what way to involve the family itself from the very beginning. Account is taken of a possible specific mandate from the Judicial Authority and how this should be explained and placed within the of the relationship with the family. The actions through which the response to the child's needs is analysed and constructed are organised within the Child Project, known as the Framework Project. It is used to build an agreement between all those involved in the child's full development (family, professionals and others involved) about the developmental needs to be met and the interventions necessary for the collective realisation of this response. In the central phase of the process, the services, together with the family, implement the Project's interventions necessary to achieve the objectives, also through a specific process evaluation activity and duly documented. The pathway is concluded in three ways: when the family achieves conditions that allow it to respond autonomously to the child's growth needs; in the event that the family decides to discontinue the of accompaniment previously undertaken on a consensual basis, without there being grounds for a report to the judicial authority (since no elements of serious concern for the child's concern for the child's growth); in the event of an increase in concerns regarding the safety and protection of the child, leading to hypotheses of placement outside the family, the accompaniment process family does not stop, but continues through the participative definition participatory definition of new objectives and actions that orient the Project Framework, also in accordance with the opinion of the competent Judicial Authority

4.1.4 What are the crisis emergency responses in place?

Anyone can report situations of prejudice or abandonment of minors deserving judicial protection. This general power of reporting is, however, attributed by law (art. 1, paragraph 2, Law no. 216 of 1991) specifically, for the purposes of placing children outside their families, to four subjects with child protection duties: social services, local authorities, educational institutions and the police. Our legal system provides for cases in which reporting to the judicial authority is mandatory (see below). In other cases, although not compulsory, the report is nevertheless appropriate. These include all

those situations in which there is actual or potential harm to a child, to remove which the ordinary social service interventions are not sufficient, as it appears necessary to affect the parental authority of the parents. In such cases, the social or health services will make a report, pointing out the need for a measure of the Juvenile Court. Such a measure may order: the removal of the child or parents or cohabitants from the family residence; the loss of parental authority over the child; the declaration of the child's state of adoptability; the regulation of divided parental authority; the imposition of prescriptions for the parents to behave positively or refrain from prejudicial conduct or for the parents and/or the child to cooperate in support activities implemented by the services necessary for the child's care.

4.2. Identification and reporting procedures

Question	Yes	No	Comments
<p>4.2.1. Is there an identification/reporting obligation foreseen in the legislation?</p> <p><u>If yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>	X		<p>Our legal system provides for cases in which reporting to the judicial authority is mandatory, namely: when a child is in a situation of abandonment for the purposes of a possible declaration of their state of adoptability (Law No. 184/83); when a child is morally or materially abandoned or brought up in unhealthy or dangerous premises or by persons who, through negligence, immorality, ignorance or other reasons, are incapable of providing for their upbringing (Article 403 of the Civil Code), and for that reason placed, as a matter of urgency, in a safe place by administrative authority (the purpose of reporting in such a case is to allow the Juvenile Court to immediately verify the situation and possibly validate the administrative measure); when there are children under the age of eighteen who are engaged in prostitution; when there are foreign children under the age of eighteen, without assistance in Italy, who are victims of the offences of prostitution and child pornography or trafficking; when it is necessary to extend a family foster care placement or a placement in a community or institution, beyond the established term or to anticipate its termination (Law No. 184/83).</p>
<p>4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in <u>all available reporting mechanisms, including, helplines and hotlines</u>. Include the legislative and regulatory</p>			

framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

Please provide details such as if there are common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

When the suspect exists that the child is suffering from a form of ill-treatment or abuse, it is necessary to report it to one of these institutions: Prosecutor's Office at the Juvenile Court; Local social services; Children's Office at the Police Headquarters; Carabinieri. In all these cases, the report must be filed using a written form, cannot be anonymous and should contain the specific references of the reporting subject and the addressees of the report, any other information on the family situation if in the possession of the social service. The report should also include the urgent child protection measures implemented by the social service and an initial plan for taking charge of the child (reasons, foreseeable timeframe and presence or absence of parental consent). In case of a [report to the Carabinieri](#), any person can resort to the nearest Carabinieri headquarters, it will be the responsibility of the Command to proceed with the investigation ex officio, respecting the privacy of the person who made the report and with all the caution that the delicacy of the situation requires. In the event of a real situation of discomfort, punishable under criminal law, the Station Commander will provide all the necessary information for a formal report-complaint. If the report is filed to the police, a similar procedure is adopted with further investigation carried out if substantial elements are identified in the report. As already stated anyone can report and it is not necessary to be a relative of the abused child. Public officials and persons in charge of a public service (i.e. all health and care workers in public facilities and teachers in public and public schools), are obliged by law to report 'without delay' to the judicial authorities any news of physical or sexual abuse, neglect or abandonment of a child or adolescent. Those who exercise a health profession have an obligation to report cases that are indictable offences. The latter are offences that do not require reporting by the offended person, offences for which the State prosecutes directly. Sexual violence against a child or adolescent is one of these offences. The law requires social services, educational institutions and public safety authorities, and doctors to report to the judicial authority all situations that could lead to the child's removal from the family.

The NGO "Telefono Azzurro" offers a telephone line that has been in operation throughout the country since the late 1980s and offers 24-hour support throughout the year. This non-profit organisation aims to combat and prevent cases of abuse (whether physical or psychological) of children: this can mean abuse at school or at home, sexual violence, bullying, cyberbullying, etc. The reference number of the Telefono Azzurro is 19696: it can be accessed by both children in danger and adults who want to report a problem regarding children's rights. The association has also adapted to new technologies, offering a chat room, active from Monday to Friday from 8 a.m. to 10 p.m. and on Saturdays and Sundays from 8 a.m. to 8 p.m. Telefono Azzurro also provides legal guidance, in collaboration with the Milan Bar Association, by writing to orientamentolegale.19696@azzurro.it. In addition, two other telephone numbers managed by Telefono Azzurro have been activated (also available online and via app). The 114 is an emergency number to which children or adolescents in danger can turn to, and is financed by the Department for Family Policies of the Presidency of the Council of Ministers. The multilingual number is accessible free of charge from both landlines and mobile phones throughout Italy, 365 days a year, 24 hours a day, and can be used by anyone to report situations of distress or danger concerning children and adolescents. The service provides multi-disciplinary counselling, of a psychological, psycho-pedagogical, legal and sociological nature, and offers a network connection with the competent institutions and territorial structures in the social, judicial and public security fields, following a multi-agency model. 116.000, on the other hand, is the telephone number (and the website) to contact, also anonymously, for cases of missing children: it is active 24 hours a day for anyone wishing to make a report, or give information on sightings or findings of Italian or foreign

children. The operators of the Telefono Azzurro collaborate with police authorities but also with the European Federation of Missing Children Europe. Lastly, following the emergence of new phenomena such as cyberbullying, Telefono Azzurro offers a further service: for the dangers present on the web, for example in the event that someone should find content harmful to children and adolescents (such as child pornography) on the Internet, it is possible to make a report, even anonymously, through the "Click and Report" service.

Question	Yes	No	Comments
<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	X		<p>Children can autonomously report to the above-mentioned helplines.</p> <p>From a legal point of view, children under the age of 14 cannot report crimes and episodes of abuse to police and judicial authorities: they would need to be represented by a person holding parental responsibility. However, if the child wants to report against both parents or the only remained parent, the judge, at the possible request of the child himself or of the public prosecutor, appoints a third, impartial person to assess the possibility of filing a complaint in the interest of the child. In order to file a report, the child can ask an adult to report their condition to the police or social workers, or they can call the police themselves. The officers, although they cannot accept the complaint because they are under the age of fourteen, can still take action to find out more information and, if necessary, report to the Public Prosecutor the need for the appointment of a special representative to file a complaint on behalf of the child.</p>
<p>4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?</p>	X		<p>Children benefit from the right of information guaranteed to all victims of crime, as established by the Directive 2012/29/UE, implemented in Italy by Legislative Decree No. 212/2015⁸⁸. According to the reformed Art. 90-bis of the Italian Criminal Procedure Code, victims must be promptly informed – in a language they can understand – since the very first contact with any public authorities about: how to file the complaint the role the victim plays in the investigation and trial, the right to have knowledge of the date, place of trial and of the indictment and the right to be</p>

⁸⁸ [Decreto Legislativo 15 dicembre 2015, n. 212](#), "Attuazione della direttiva 2012/29/UE del Parlamento europeo e del Consiglio, del 25 ottobre 2012, che istituisce norme minime in materia di diritti, assistenza e protezione delle vittime di reato e che sostituisce la decisione quadro 2001/220/GAI".

notified of the judgment, also in extracts; the development of the judicial proceeding; the right to be notified of the request for dismissal; the right to legal advice and legal aid; to the manner of exercising the right to interpretation of procedural documents; any protective measures that may be ordered in their favour; the rights conferred by law in the event that they reside in a Member State of the European Union other than the one in which in which the offence was committed; how to challenge possible violations of their rights; the authorities to be contacted to obtain information about the proceedings; arrangements for reimbursement of expenses incurred in connection with participation in the proceedings; the possibility of claiming compensation for damages resulting from the offence. Even if there is not a practice in place to provide information to the children about their right to report, some awareness-raising campaigns have been developed in the reporting period. For instance, in 2021 the Department for Family Policies of the Italian Government developed the campaign “Come out of the dark. Ask for help” ([Esci dal buio. Chiedi aiuto](#)) aimed at fostering the children’s use of the 114 emergency service (described above). The 2021 campaign is the second edition of the 114 emergency service promotion campaign, but for the first time a [spot](#) was designed to be aired exclusively on the Internet, giving priority to social channels, in order to reach, in a targeted and capillary manner, the adolescent target audience identified as the main target of the campaign itself. The campaign is aimed at informing teenagers and making them more aware of the tools at their disposal to ask for help in case of abuse and need.

2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

The National Authority for the Protection of Childhood and Adolescence released recommendations on how to improve identification and reporting procedures⁸⁹: the establishment of a permanent national information system for data collection on ill-treatment and promotion of databases on the phenomenon which do not currently exist; the establishment of an inter-institutional coordination body on child and adolescent maltreatment and promotion of a national plan to combat, prevent and treat child and adolescent maltreatment; the adoption of national guidelines on the prevention and

⁸⁹ AGIA (2021), „Il Indagine Nazionale sul Maltrattamento dei Bambini e degli Adolescenti in Italia. Risultati e Prospettive“, 2021.

protection from violence against children and adolescents; the harmonisation of tools for early detection of child abuse; the allocation of the necessary resources for the implementation of contrast, prevention and treatment measures, to be allocated to the competent national, regional and municipal administrations.

According to the NGO Save the Children⁹⁰, violence against children is widespread but, at the same time, difficult to detect both because of cultural mechanisms of minimisation and denial of the phenomenon, and because it is characterised by occurring predominantly within the family, with the strong risk of remaining unexpressed and invisible, amplifying and chronicising the physical and psychological damage to the victims. Underreporting therefore is another major barrier to countering child abuse.

4.3. Referral procedures(s) and investigation and protection

4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

As reported above, anyone can report situations of prejudice or abandonment of minors deserving judicial protection. This general power of reporting is, however, attributed by law (art. 1, paragraph 2, Law no. 216 of 1991) specifically, for the purposes of placing children outside their families, to four subjects with child protection duties: social services, local authorities, educational institutions and the police. Reporting can be either mandatory, or option depending on the assessment of the reporting adult (for instance, in case of actual or potential harm to a child, to remove which the ordinary social service interventions are not sufficient).

A specific referral procedure is in place to support children who are victims of trafficking⁹¹. A suspected trafficked person may be notified to the first reporting centre through different channels: the victim themselves; other trafficked persons; family or acquaintances; private citizens; police representatives; immigration services; staff of identification and return centres; prison staff; labour inspectors; trade union staff; NGO operators; health workers; diplomatic officials; transport service personnel; etc. The case must be reported to the first referral centre, i.e. the body/organisation acting as a central point of information, referral and initial support for presumed trafficked persons. This body may be: a national coordinating institution; law enforcement and/or judicial authorities; assistance services (e.g. NGOs, social services); etc. During this phase, early indicators of trafficking must be detected and the victim provided with assistance and informed about their rights and possibilities. If the victim is a child, competent authority for the protection of the child must be immediately informed. Before implementing any measure, a guardian must be appointed immediately. The guardian must accompany the child throughout the entire process and must also

⁹⁰ Save the Children (2021), "[Maltrattamento infantile: quali sono le forme di violenza](#)", 30 October 2021.

⁹¹ Osservatorio Nazionale Antitrattra (2018), "[Meccanismo Nazionale di Referral per le Persone Trafficate in Italia](#)", 2018.

work in close cooperation with the national child protection services, the police and judicial authorities, immigration services (in the case of a foreign child) and with other services, until a durable solution is identified and adopted a lasting solution that respects the best interests of the child. After the victim is formally identified by public authorities, protection measures are activated in compliance with the in-force legislation.

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		Described in Section 4.1.3
4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X		Described in Section 4.1.3
4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.			
Described in Section 4.1.3			
Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?	X		Described in Section 4.1.3
4.3.6. Are there any inter-agency cooperation protocols and agreements in place to	X		This kind of protocols might be in place at local level. For instance, the Autonomous Province of Bolzano issued in 2019 a Protocol for the

<p>strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?</p>			<p>cooperation between school staff, police authorities and juvenile judicial services to promptly identify and report cases of abuse and mistreatment, in order to achieve a common and consistent procedure.</p>
<p>4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential divergences depending on main actors involved.</i></p>		<p>X</p>	<p>The protection measures in place do not differ depending on the nationality and/or immigration status of the child. However, different professionals might be involved: social services professionals are the same; however, when migrant children are unaccompanied and live in reception facilities, operators working in these facilities must be involved. There is not a specific legislative or policy framework in place on this, however, some actions have been developed to address the needs of unaccompanied migrant children living in reception facilities. This is the case of the project "<u>Co.Re</u>" (<u>Comunità in rete per il contrasto alla violenza sui minorenni stranieri</u>) (2021-2023), financed by the AMIF funds and managed by the National Coordination of Reception Facilities. The aim of the project is to provide specific training to professionals working for reception facilities in order to: strengthen the capacity of intervention of third sector actors with respect to the prevention of and the fight against violence (physical, psychological, gender, sexual, witnessing, care pathology) against children and foreign children in particular; strengthen the dialogue and cooperation between local authorities and civil-society organisations in redefining the organisation of services for children who are victims of violence and their families; increase awareness of the role of the different professional figures in working with children who have suffered trauma, also in the light of the updated standards required by the relevant international regulations; increase specific skills of civil-society organisations' operators in reading and managing the complexity and multidimensionality of the needs of foreign children; improve the ability of the territorial networks to detect the phenomenon of abuse and mistreatment of children and adolescents and to set in motion care-giving processes in a participatory perspective; increase awareness of the importance of a multi-agency approach in preventing and combating violence against children and foreign children in particular;</p>

			improved the quality of territorial cooperation between the various institutional and non-institutional actors in charge of taking charge of children who are victims of violence.
<p>4.3.8. Are affected children heard as part of the procedures?</p> <p><u>If yes</u>, are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?</p>	X		<p>As far as judicial proceedings are concerned, children have the right to be heard by competent authorities with the support of psychologists. This discipline is governed by the Law No. 172/2012 and by Art. 398 of the Italian Criminal Procedure Code. In this way, the child is listened to by avoiding contact with the offender and trying to soften the often further traumatic impact with the judicial environment. The main guarantees provided by the law are that the hearing of the child may take place in a protected place, other than the court, that the witness statements may be recorded in full and, above all, that it provides for the assistance of an expert in child psychology. The Law No. 172/2012 envisages that, in all proceedings for sexual offences in which a child is involved as a victim, emotional and psychological assistance must be ensured at every stage and level of the proceedings by the presence of the parents or other suitable persons indicated by the child. The participation of the psychologist is extended to the hypothesis where the child is heard by the prosecutor, the judicial police or the defence counsel in the course of the preliminary investigation and also in the course of the defence investigation.</p>
<p>4.3.9. Are there mental health support services available for affected children?</p> <p><u>If yes</u>, how are services working together? How is it ensured that the child is informed and can make use of these services?</p>	X		<p>Described in Section 4.1.3</p> <p>As far as judicial proceedings are concerned, children have the right to be heard by competent authorities with the support of psychologists. This discipline is governed by the Law No. 172/2012, so we confirm what is reported in the 2014 report.</p> <p>Moreover, at local level specialised centres exist providing support to the children who are victims of abuse. Specifically, lines of intervention include: assessment of the recoverability of parenting skills; assessment of relational dynamics and evaluative neutral space; psychodiagnostics and clinical-treatment assessment; parenting support aimed exclusively at the families of children already followed within the project in the event of a positive outcome in the assessment phase; treatment of the child; support for the child in the</p>

			event of a judicial proceeding. Centres of this type exist, for instance, in Milan and Rome .
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4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.

The CRC Group’s 12th Monitoring Report – mentioned above – stressed some shortcomings of the referral and investigation system in place in Italy. First, the Group regrets that a national data collection, analysis and dissemination system and a research programme on violence and ill-treatment of children. A national system would be needed to monitor and collect data on violence against children, in particular on all cases of domestic violence perpetrated to children and violence perpetrated against children living in situations of marginalisation and of disadvantage, and undertake a comprehensive assessment of the extent, causes and nature of such violence. Moreover, awareness and education programmes - including campaigns – should be reinforced with the involvement of children, in order to formulate a comprehensive strategy for preventing and combating violence against children, including abuse and neglect. A complete and precise definition of violence against children should be introduced into the legal system. Public institutions should encourage community-based programmes aimed at preventing and combating domestic violence, abuse and neglect of children, including with the involvement of victims, volunteers and community members and providing them with training support. Eventually, it must be ensured that child victims of violence receive specialised care, support and appropriate restorative solutions.

4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child’s situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

The Italian Adoption Act (Law No. 184/1983) provides the possibility for the Juvenile Court to declare a child in a state of moral and material abandonment adoptable. In addition, parents who violate their duties, through neglect or abuse, may have their parental responsibility over their children terminated, with the possibility of removing the parent or cohabiting partner who abuses the child. In less serious cases, on the other hand, the judge of the juvenile court (or the judge of separation or divorce, if the spouses are at that stage) may impose the adoption of appropriate measures to protect the child from any 'prejudicial conduct' committed against him/her by a parent. The content of these measures is variable and may go as far as the removal of the child from the family, with custody to the social services or to an institution (such as a family home or another type of structure), if there is concrete prejudice to the child's growth and serenity. Art. 403 of the Italian Civil Code allows public authorities, including the police, to take urgent and precautionary measures, when it appears that the child is abandoned or in a state of danger, to place the child in a 'safe place' pending the judge's orders.

Question	Yes	No	Comments
4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into	X		The child will be taken away from their parents when a situation of degradation or violence, physical or psychological, emerges in the family environment and external support interventions

<p>consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>		<p>are not sufficient. The removal of the children and their extra-family custody, depending on the case, may be temporary or permanent and in this hypothesis the possibility of adopting the child opens up.</p>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p><u>If yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	<p>X</p>	<p>The elements provided by the child will influence the decisions to be taken, both for the purposes of their placement and for establishing joint or sole custody in favour of only one of the two parents and the modalities for exercising visitation rights of the other. In this sense, the child's answers and their 'preferences' may contribute to orienting the choices made by the judge in the child's interest, making it clear what is the best solution for their growth and psychological balance. The judge, however, remains free to depart from the indications received from the child or young person. If the child is a victim of ill-treatment, abuse or violence or the parents are unable to take care of them, the judge - in this case, that of the Juvenile Court - will order family custody to other parties, such as the family of one of the members of the couple, a community or another family. Also in these cases, listening to the child is mandatory if they are over 12 years of age, and optional in other cases, but if it is not carried out, the reasons must always be stated⁹². The hearing is done directly by the judge or through experts or other professionals. Parents, even when they are parties to the proceedings, the parties' defensors, the child's special curator, if one has already been appointed, and the public prosecutor, are allowed to take part in the hearing if authorised by the judge, to whom they may propose arguments and topics for further consideration before the performance begins. The judge may order the parents to listen to the child's questioning also behind a darkened glass, so as to prevent any form of influence and emotional involvement. Before proceeding to the hearing, the judge informs the child of the nature of the proceedings and the</p>

⁹² [Art. 336-bis of the Italian Civil Code.](#)

			effects of the hearing. The proceedings are recorded; in the minutes, the child's demeanour is described. Alternatively, an audio video recording is made. After hearing the child, the court must take into account the child's expressed wishes. The purpose of the court is to realise the interests of the child and these may also not coincide with the views expressed by the child: in that case, the court has a burden of reasoning directly proportional to the degree of discernment attributed to the child.
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4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	X		A family – possibly with other children but also single individuals – who are willing to provide accommodation, care and support to the children. Families are selected and trained by local social services. The law does not stipulate age restrictions for foster carers with respect to the child: from this point of view, the only requirement to be met in order to apply for fostering is the age of majority. (18 years old). Aspiring foster carers must, however, have available a physical space in their home to take in another person and demonstrate adequate educational skills to properly supervise the child. Awareness of the importance of the family of origin in the child's life and willingness to maintain relations to the best of one's ability, with a view to reintegrating the foster carer as soon as possible, are also essential. Those who wish to offer their willingness to take in a child through so-called family fostering must apply to the social services in their area, which, through a series of meetings and interviews, assess the suitability of applicants. If positively assessed by social services, aspiring foster carers are placed on a special official list, pending the fostering of a child. Although it is a temporary measure, family fostering may have different characteristics depending on the circumstances. In the case of very serious family problems, fostering is long-term and lasts up to two years, but may be extended by the Juvenile Court if it is considered that the suspension of fostering would be detrimental to the child. In the case of less serious difficulties, family fostering may be medium-term (no more	

		<p>than 18 months) or short-term (6-8 months). It may happen, when at the end of the fostering period the conditions are still lacking for the child to be able to return to their family of origin, that a fostering order is reiterated, becoming a situation that is no longer temporary. This situation is referred to as <i>sine die</i> foster care, which ends in any case on reaching the age of majority, when the child acquires the legal authority to decide on their life.</p>
Residential – institutional care	X	<p>Two types exist: family-type communities, characterised by an organisation and interpersonal relationships similar to those of a family; public or private care institutions based preferably in the place closest to the place of permanent residence of the family of origin. Foster care in an institution is not possible for children under the age of 6, but only in a family community. After the approval of the Law No. 107/2020⁹³, the judicial community fostering order must expressly report the reasons why it is not considered possible for the child to remain in the family of origin, as well as the reasons why it is not possible to be placed in foster care. Residential care is therefore considered a last-resort possibility.</p>
Other forms of family-based or family-like care placements	X	<p>Communities for Pregnant women, mothers and children: this type of facilities is meant to accommodate pregnant women and mothers with child(ren) who need support and protection in a protected place during the period of pregnancy and/or afterwards, because they lack family and social support, or because in conditions of psychological distress. The guidelines and requirements for these communities are established at regional level. For instance, the Campania region regulates them as follows. The community ensures 24-hour activity throughout the year. The community implements activities of welcome, protection, psychological support, preparation for parenthood and the relationship with the child. The team operating in the service implements actions aimed at responding to the needs of women and children, the implementation of individual plans, and accompanying women in their development and autonomy. The community must provide legal and psychological counselling. Communities cannot accommodate more than 6 women. The service must have: a) a service coordinator, who holds one of the following degrees: psychology, sociology, education, training sciences, social service sciences, education sciences, vocational education; (b) at</p>

⁹³ [Legge 29 luglio 2020, n. 107](#), “Istituzione di una Commissione parlamentare di inchiesta sulle attività connesse alle comunità di tipo familiare che accolgono minori. Disposizioni in materia di diritto del minore ad una famiglia”.

		<p>least one professional educator or a social worker or a psychologist; c) a psychologist and a legal advisor available for consultations; d) other professional figures and volunteers functional to the implementation of the activities.</p> <p>Women suffering gender-based and domestic violence are entitled to accommodation in shelters together with their children. Shelters are regulated by an Agreement signed between the Italian Government and Italian regions and autonomous provinces in 2015 (updated in 2022⁹⁴). Shelters are dedicated facilities with a confidential or secret address, which offer free-of-charge accommodation to women and their children who are in situations of violence and who need to be removed for safety issues from their usual home, guaranteeing them protection regardless of their place of residence and citizenship, or whether or not they have reported the abuse to the public authorities. Shelters are managed by CSOs or public local institutions. The shelter's premises must ensure a suitable accommodation and dignified reception conditions. The shelter must guarantee the right to anonymity and confidentiality to the women and their children. The shelter must provide accommodation and basic necessities for the daily life of women in situations of violence and to their children, in relation to the woman's pathway and the personalised project. The shelter is connected with the local services countering gender-based and domestic in order to guarantee women in situations of violence health, psychological, legal and social support, housing inclusion as well as support for the educational and socialisation needs of their children. Accommodation may be emergency or medium-long term. In particular, emergency reception may not exceed one hundred and eighty days, unless in case of proven and justified needs - assessed by the staff of the shelter - after which the woman may be placed, in agreement with the local services supporting her, or in homes for semi-autonomy (second level protection), always for a maximum of one hundred and eighty days, or in other housing solutions that guarantee full autonomy. According to the ISTAT⁹⁵, 242 shelters of this type were available in Italy in 2020 (despite with relevant territorial gaps); 1,772 women were accommodated in the shelters during the same year.</p>
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⁹⁴ Presidenza del Consiglio dei Ministri Conferenza Unificata, [“Intesa, ai sensi dell'articolo 8, comma 6, della legge 5 giugno 2003, n. 131, tra il Governo, le regioni e le Province autonome di Trento e Bolzano e gli enti locali, di modifica dell'intesa n. 146/CU del 27 novembre 2014, relativa ai requisiti minimi dei Centri antiviolenza e delle Case rifugio”](#), 14 September 2022.

⁹⁵ ISTAT (2022), [“Il sistema di protezione per le donne vittime di violenza”](#), 13 May 2022.

Supervised independent living arrangements for children	X		High-autonomy accommodation (<i>Alloggio ad alta autonomia</i>): Small residential facility, with low care intensity, accommodates young people with serious problems in relations with their families, or without a family of origin, without valid reference figures and in need of a new emotional and educational relationship. It accommodates children on the threshold of majority (18 years of age), or young adults (up to 21 years of age) who present issues and problems (eating disorder, behavioural disorder, character disorder, alcoholism, disability, etc.) that highlight the need for a programme of emancipation from the family of origin. It is up to each region to regulate the requirements of these facilities, including in terms of staff units and professionals to be made available ⁹⁶ .
Question	Yes	No	Comments
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		<p>Data of this kind was provided by the Ministry of Labour and Social Policies: however, no update is available after 2019.</p> <p>As of 2019, 13,555 children were placed in foster care: of these, 56.7% were in families or singles and 43.3% with relatives; one child or adolescent in five is a foreign national, excluding unaccompanied foreign children whom the Report estimates to be just under 500 subjects. 29.8% of these children were aged 11-14 and 27.9% 15-17. Four out of five foster placements are judicial, decided by juvenile judges, intervening in already complex family situations (with significant regional differences: ranging from 63.9% in Campania to 87.8% in Sicily). As many as 39.1% of fostering goes beyond 4 years. The return to the family of origin occurs in 34% of cases; of the others, 15.4% go to residential services, 12.6% to pre-adoptive foster care, or to other foster care; 4.5% reach independent living; the destination of 3.1% is unknown, to which must be added the unspecified figure of 20.4% classified as 'other'. Looking at the data available for institutional care, 14,053 children were placed in these facilities as of 2019: unaccompanied foreign children represented 62.4% of the total number of foreign children present. The largely prevalent age group is 15-17, which covers half of those present (48%), the incidences concerning the 0-2 years (8%) and 3-5 years (9%) age slots are completely residual.</p>

⁹⁶ Ministero del Lavoro e delle Politiche Sociali (2017), "[Linee di indirizzo per l'accoglienza nei Servizi residenziali per minorenni](#)", 2017.

			The National Statistics Institute also released similar data describing the situation as of 2018.
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?		X	This data is not available. .
4.5.3. Is there a <u>national registry of foster care families</u> ? How many children can be fostered in one family?		X	There is not a maximum limit of children that can be hosted in foster families. However, family-communities cannot host more than 6 children ⁹⁷ .
4.5.4. How and by whom foster families are <u>recruited, vetted, and trained</u> ? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.			
<p>Citizens who express their willingness to the institutions to take in a child in foster care can be married couples, with or without children, unmarried couples, with or without children, single persons. There are no age limits, nor is there a minimum or maximum age difference between the foster carers and the foster child. To express their availability, an application must be filed to the Social Services of the municipality. The Services shall then start a process of acquaintance and assessment of the available couple or single person; in the event of a favourable assessment and pending the pairing with a minor, a training course on the fostering experience shall follow. The acquaintance and assessment phase consists of a series of meetings (3 to 6 interviews plus a home visit) organised by the municipal fostering team (social workers, psychologists). While waiting for the matching, which may take a longer or shorter time and is not easily quantifiable, prospective foster carers who are deemed suitable will be placed on a training course. Training may be carried out before, during and after the phase of getting to know and assessing the persons they wish to foster. This phase must be conducted by the social worker and psychologist and, where present, by the educator. Four to six meetings at close intervals should be planned. The training objectives are: increase foster carers' awareness of their role within the foster care network; stimulate critical reflection on the emotional-relational dynamics that are activated in foster carers during the foster care project; stimulate a vision of the change that the family will face during the fostering project. Training is preferably carried out in groups.</p>			
4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable			

⁹⁷ Ministero del Lavoro e delle Politiche Sociali (2017), "[Linee di indirizzo per l'accoglienza nei Servizi residenziali per minorenni](#)", 2017.

legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

According to the Guidelines on Foster Care⁹⁸ – issued in 2013 by the Ministry of Labour and Social Policies – foster families must be accompanied and supported during the foster care period by professionals and local social services. The foster family is guaranteed the opportunity to meet regularly with the case worker and, if necessary, with the specialist in charge. In the meetings, the foster family finds emotional, psychological and educational support; it is constantly listened to and valued, helped to maintain a focus and direction consistent with the objectives envisaged in the Fostering Project, to manage the everyday aspects relating to the child's presence in the family and moments of difficulty and accompanied in her relations with the child's family. In the meetings with the foster family, the child concerned and any other children may be present, according to need and opportunity, family members significantly involved in this phase of the project as well as other significant figures for the child (uncles, teachers friends, etc.) and contact persons of the association, if indicated by the foster family.

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?	X		According to Art. 2 of the Law No. 184/1983 ⁹⁹ – governing foster care and adoption in Italy – children who cannot remain in their families of origin must be entrusted whenever possible to other relatives. When this possibility is not viable or is not in the child's best interest, foster care in family or in institutions can be decided; in this case, foster families and institutions must be located as closest as possible to the child's family of origin an ordinary place of residence.
4.5.7. Is there a <u>national registry</u> of residential institutions for children? If <u>yes</u> , please provide information regarding the existent number of residential institutions and their capacity (beds).	X		The Ministry of Justice has set up its own <u>database</u> of residential institutions for children and young adults, where the facilities are broken down by regional territory. The database only provides the list of the facilities (name, institution/association managing it and city where it is located). Information concerning capacity and services must be retrieved from the facilities' websites, where available.
4.5.8. Are there <u>accreditation and licensing procedures</u>	X		These procedures are decided at regional level through specific Decrees establishing: management requirements, professionals to be guaranteed, quality of the facility, activities to be offered, services for the wellbeing of the

⁹⁸ Ministero del Lavoro e delle Politiche Sociali (2013), "[Linee di Indirizzo per l'affidamento familiare](#)", 2013.

⁹⁹ [Legge 4 maggio 1983, n. 184](#), "Diritto del minore a una famiglia".

<p>for residential institutions in place?</p> <p>If <u>yes</u>, please provide information on the legislative framework, the responsible authority and procedure.</p>		<p>children, monitoring and evaluation mechanisms. Decrees of this kind were adopted, for instance, in the Lazio region and in the Friuli Venezia Giulia region.</p>
<p>4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?</p>	<p>X</p>	<p>The Ministry of Labour and Social Policies adopted Guidelines for the reception in institutions for children. These guidelines are developed according to six thematic axes: the clarification of the Rights of children and reception; the identification of "Institutional actors and players" to clarify the collegiality necessary for the proper management of responses to the needs of residential care of children outside the family; the focus on the phases and processes of "The paths of residential care"; the description of a possible range of the offer of Residential care services for children and adolescents; the tools of governance, management and procedural tools; finally, the focus on specific situations of care.</p>

4.5.10. How is the residential care staff recruited, vetted, and trained?

Reception in residential care is governed at regional level through specific Decrees establishing: management requirements, professionals to be guaranteed, quality of the facility, activities to be offered, services for the wellbeing of the children, monitoring and evaluation mechanisms. These Decrees also include specific requirements in terms of number of professionals to recruit, qualifications and training of the staff. Decrees of this kind were adopted, for instance, in the [Lazio](#) region and in the [Friuli Venezia Giulia](#) region. For instance, the latter establishes that residential facilities must guarantee that: two adults working in the facility must have undergone training on parenting and care and at least one of them must hold the title of educator as required by current legislation; one of the adults working in the facility has the function of coordinator and carries out tasks of responsibility for the realisation of Individual Educational Projects and of reference in relations with the outside world and liaison with local services. Moreover, in order to guarantee a ratio of at least one adult for every three minors, the following contribute other educators and other support figures contribute to the adults' work. The presence of at least one of the two adults living together is guaranteed during the night. In the case there are particular and urgent needs, also reported by the social service referent, the additional presence of at least one educator is guaranteed.

Question	Yes	No	Comments
<p>4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel</p>		<p>X</p>	<p>There are not specific complaint mechanisms for this type of situations: children can resort to the same procedures and channels described in sections 4.2.4 and 4.2.5.</p>

<p>/foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respectful of confidentiality?</p> <p><u>If yes</u>, briefly describe to whom and how children can lodge complaints.</p>			
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	X		<p>As reported in Section 4.5, adolescents can benefit from High-autonomy accommodation (<i>Alloggio ad alta autonomia</i>).</p> <p>Moreover, in 2019, the Department for Family Policies started the project “Care Leavers”¹⁰⁰, the experimentation of interventions in favour of those who, on reaching the age of majority, live outside their family of origin on the basis of a court order. The overall objective of the project is to accompany young adults to autonomy by creating the necessary supports to enable them to gradually build a future and become adults from the moment they leave the foster care system. They will then be able to benefit from a structured accompaniment project towards adulthood, the result of a multidimensional assessment (Preliminary Analysis and Analysis Framework) drawn up by the social worker, community educators or foster family members, preferably from the age of seventeen. The project lasts three years and accompanies the beneficiaries until they reach the age of 21. Beneficiaries are accompanied to realise their own paths, which may be oriented towards the completion of upper secondary school studies or university training, vocational training or access to the labour market. The tutor for autonomy is the figure identified to support the aims and objectives of the national experiment and the individualised projects. The tutor integrates into the adolescents’ network of relations, cooperates with the social worker and encourages the implementation of the actions envisaged in the individualised project. If the adolescent can count on an annual income not exceeding EUR 9,360, the support for autonomy will take the form of the allocation of an individual grant to cover the ordinary and specific pathway expenses incurred by the care leaver. The amount of the grant will be equal to a monthly sum not exceeding EUR 780 for an annual total not exceeding EUR</p>

¹⁰⁰ Information on this project is available on the [website](#) of the Department.

			9,360. The second annual report on the project's implementation – released by the Department in 2022 ¹⁰¹ – reports that 548 individuals were eligible to the autonomy project; 409 actually initiated one. 22% were leaving a foster family, 58% a community and the remaining beneficiaries other types of foster accommodations. 57% of care leavers is a student, about 45% of care leavers attend secondary school and more than 60% have a secondary school leaving certificate.
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4. 5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.

Information on this issue can be collected considering both the 2013 Guidelines on Foster Care and the Guidelines for the reception in institutions for children. As far as foster care is concerned, this might be terminated by order of the same authority that ordered it, having assessed the child's best interests, when the risk or detrimental conditions are no longer such as to result in the child's removal, or if its continuation would be detrimental to the child (Art. 5 of the Law No. 184/1983). The return to the family must not be a traumatic process of breaking ties and balances, but a transitional phase prepared in suitable time, accompanied by an intensification of contacts and returns and followed by a supportive activity, both of the child's family and of the foster family, which lasts for a period of time, even after the child's definitive return. The social services with responsibility for the Framework Project and the Foster Care Project implement constant monitoring of the project aimed at measuring changes and assessing the conditions that may allow a rapprochement between the child and their family.

When it comes to care in institutions, the relationship of mutual knowledge and 'trust' between the staff of the residential service, the social services and the child's family, built during the period, is fundamental to organise and accompany the return phase in a shared and collaborative way. When it may be necessary to ensure an intermediate and gradual return to the family, it is useful to plan one or more instruments adequately planned and supported: daytime/semi-residential care; planned weekend returns to the family; home planned returns to the family at weekends; home educational support interventions making use, if functional, of staff members of the Service that hosted the child.

4.5.14. Is any <u>assistance provided to children and families upon return of the child in the family?</u> Briefly describe. Who is responsible for such assistance?	X		Local social services supporting the child, together with the staff of the residential facilities cooperate in the assistance to be provided to the family of origin. More specifically, these professionals are responsible for: carrying out an in-depth diagnostic and prognostic assessment of parenting skills and of possible interventions useful for their development, also involving any health services that may be involved; implementing interventions to facilitate access to and use of resources and support, mediation and therapeutic services for the family of origin; monitor the developmental process of the family of origin in order to assess and regulate relations with the child and the foster
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¹⁰¹ Ministero del Lavoro e delle Politiche Sociali (2022), "[Report Sperimentazione Care Leavers. La seconda annualità gennaio 2022](#)", January 2022.

<p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>			<p>family (if it is the case), planning ways and times for the child's return to the family or to make other decisions in a timely manner; accompanying the child's return to the family of origin (parents, grandparents, aunts, uncles, etc.) by supporting all the members and fostering the continuity of the child's affections with the foster family (if it is the case).</p>
<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p><u>If yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	<p>X</p>		<p>According to the Law No. 173/2015¹⁰², decisions on alternative care cannot last more than two years and must be re-assessed by the competent judicial authorities. Alternative care can be prolonged if this is in the child's best interest.</p>

4.5.16. Is there a legal framework regarding adoption? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?

The Italian adoption system is governed by the Law No. 184/1983. In order for adoption to take place, it is necessary: the declaration of the state of abandonment of a child; the suitability of the spouses to adopt. Competent to issue both measures is the Juvenile Court in whose district the abandoned child is located. Official adoption is preceded by pre-adoptive fostering and, once it has taken place, it breaks all ties of kinship between the child and their natural relatives, conferring on the child the status of legitimate child of the adoptive parents. Adoption is permitted for spouses who have been married for at least three years, or for a lesser number of years if the spouses have cohabited in a stable and continuous manner prior to the marriage for a period of three years, and this is established by the Juvenile Court. There must be no personal separation, including de facto separation, between the spouses within the last three years. The age of the adoptive parents must be at least eighteen and not more than forty-five years older than the age of the adoptee, with the possibility of derogation in the event of serious harm to the child. Adoption shall not be precluded where the maximum age limit of the adoptive parents is exceeded by only one of them by no more than ten years. Spouses who meet the legal requirements may apply to the Juvenile Court, specifying whether they are willing to adopt more than one sibling. The Juvenile Court orders investigations to be carried out to ascertain the child's capacity to educate, personal and economic situation, health, family environment of the applicants, and the reasons for the application. Such investigations may be carried out by resorting to the socio-assistance services of the local authorities, the competent professionals of the local health authorities and hospitals. Such investigations must be commenced and concluded within 120 days, which can be extended no more than once. The Juvenile Court, on the basis of the investigations carried out, chooses from among the couples who have applied, the one most suitable

¹⁰² [Legge 19 ottobre 2015, n. 173](#), "Modifiche alla legge 4 maggio 1983, n. 184, sul diritto alla continuità affettiva dei bambini e delle bambine in affido familiare".

for the child. The measure of pre-adoptive fostering is ordered by the Court, after hearing the public prosecutor, the applicants' ascendants where they exist, the child who has reached the age of twelve and in some cases also younger children. In the course of fostering, not only supervisory but also supportive activities shall be carried out by the court. Pre-adoptive fostering may be revoked in the event of serious difficulties. One year after fostering, with the possibility of a one-year extension, the court, if all the conditions are met, pronounces the adoption. Adopted children have the same status and rights of all other children.

The requirements for between-country or international adoptions are the same as for domestic adoptions. Adoption is permitted for spouses who have been married for at least three years, or for a lesser number of years if the spouses have cohabited in a stable and continuous manner before the marriage for a period of three years, and this is established by the Juvenile Court. No personal separation, including de facto separation, must have taken place between the spouses within the last three years. The age of the adoptive parents must be at least eighteen and not more than forty-five years older than the age of the adoptee. Persons residing in Italy, who meet the conditions set out by the legislation and who intend to adopt a foreign child residing abroad, shall submit a declaration of availability for international adoption to the Juvenile Court of the district in which they reside and request that the Court declare their eligibility for adoption. International adoption begins with an assessment of families who specifically apply for international adoption. Local authority social services have the role of getting to know the couple and assessing their parental potential, gathering information on their personal, family and social history. At the end of the investigation, a report is made and sent to the Juvenile Court. The juvenile court, having received the report, summons the spouses and can, if it deems it appropriate, order further investigations. At this point the judge decides whether to issue a decree of suitability to adoption or whether to issue a decree certifying the absence of the requirements for adoption. The couple in possession of the decree of suitability must begin the international adoption procedure within 1 year of its issue, by contacting one of the entities authorized by the Commission for international adoptions. Contacting an authorized body is a mandatory step. The list of authorized bodies is published on the [website](#) of the Commission for international adoptions.

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

According to a 2018 opinion of the National Authority for Childhood and Adolescence¹⁰³, the enrolment during the schoolyear, the choice of classes and transfers of pupils in foster care or in the residential care must be ensured to guarantee continuity in studies to those who have not had continuity in their family life. Attention must also be paid to out-of-family children who come of age and therefore leave the protection system. Eventually, difficulties remain in guaranteeing the protection of the continuity of the affections of children in family foster care. At this regard, the Authority recommends the adoption uniform practices.

The CRC Group – in its 12th Monitoring Report mentioned above – provided useful recommendations in this respect: ensure that national guidelines are applied in effectively, appropriately and on an equal and same extent in the different regions of the country, taking account of the fact that there are different forms of family placement of minors in the various Regions; ensure that the removal of

¹⁰³ AGIA (2018), „[10 criticità segnalate dall’Autorità garante per l’infanzia e l’adolescenza](#)”, June 2018.

children from the family, including those with disabilities, is permitted only after a careful assessment of the best interests of the individual case and monitored effectively; take measures to expand the foster care system for children who cannot remain with their families, in order to overcome institutionalisation; establish a national register of children deprived of a family environment, based on uniform and clear criteria throughout the entire territory of the State.

In this view, in May 2022, the National Authority for the Protection of Childhood and Adolescence signed a two-year protocol¹⁰⁴ with the Italian Police and the National Council of Social Assistants, to adopt homogenous procedure in case of removal of children from their families of origin. There are three priority lines of action: to clearly define roles and competences, enhancing the centrality of social workers in every intervention; to contribute to the specific training of all the operators involved; to guarantee consultation between institutions. More specifically, the agreement is aimed at defining homogeneous operating methods in the execution of judicial authority measures on parental responsibility; promoting training initiatives on the rights of children and adolescents and to disseminate operating methods; identifying any critical issues in the sector's legislation in order to draw up possible proposals for amendment.

Another major shortcoming of the Italian adoption system concerns the prohibition for same-gender couples and single individuals to adopt. Adoption is allowed only to heterosexual married couples. Moreover, stepchild adoption – that is the formal adoption of the child by the non-biological parent of the same-gender couple – is also forbidden.

4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

The above-mentioned 2021 reform of the Italian Civil Proceeding also concerned the care and adoption system. First of all, there will be a single judicial office that will handle cases related to separations and divorces, child custody, adoptions and offences committed by children, proceedings that are now divided between different and fragmented competences. By 2024, the Government is delegated to adopt one or more legislative decrees to establish the Single Court for Persons, Minors, and Families (*Tribunale unico per le persone, per i minori, per le famiglie*), which will also deal with the competences now held by the Juvenile Court and tutelary judge and therefore only highly specialised and trained judges will be able to deal with family law proceedings.

The Law No. 107 of 2020¹⁰⁵ established a Parliamentary Commission of Inquiry into the activities related to family-type residential foster facilities for children. The Commission concluded its activities in September 2022 – before the October 2022 political elections – issuing its final report¹⁰⁶. The report is the result of the hearings carried out by the Commission with judges, governmental authorities, the National Authority for Childhood and Adolescence, experts, associations, professionals and family

¹⁰⁴ AGIA (2022), „[Allontanamenti con la forza pubblica, protocollo tra Autorità garante, Polizia e Cnoas](#)”, 31 May 2022.

¹⁰⁵ [Legge 29 luglio 2020, n. 107](#), “Istituzione di una Commissione parlamentare di inchiesta sulle attività connesse alle comunità di tipo familiare che accolgono minori. Disposizioni in materia di diritto del minore ad una famiglia”.

¹⁰⁶ The Commission’s final report is available at the [website](#) of the Italian Senate.

members of children and their lawyers. The Commission stressed some critical aspects of the Italian care system and addressed recommendations to policy makers. These include: the lack of a consistent statistical and monitoring system focusing on children in foster care; the lack of a national register of residential care facilities that would make it possible to survey their size and characteristics, places offered and available, whereas, albeit with a certain variability, there are lists drawn up on a territorial basis by the regions; there is not a systematic monitoring and inspection system of residential facilities; the number of children in residential facilities is still too high and this cannot be explained by the low number of available foster families; there is an extreme variety of practices and approaches to foster care at local level depending on the available services and financial resources; the lack of specific training and of multidisciplinary teams, consisting of neuropsychiatrists, sociologists, educators, lawyers, as well as social workers, who are not even conceivable in the organisation chart in many local authorities.

In July 2022, a Draft Law¹⁰⁷ was lodged in the Italian Parliament aimed at reforming the foster care system as currently governed by the above-mentioned Law No. 184/1983. The overall goal of the Draft Law is to precisely rule the cases where foster care can be decided and to discourage as much as possible the removal of the children from their families of origin. In this respect, it is relevant the attempt to reduce the removal of children from mothers who are victims of gender-based and domestic violence, and to dismantle the use of the parental alienation syndrome (PAS) – which is not evidence-based and scientifically proved – as a way to protect abusive men from the risk of losing the parental custody of their children. Moreover, the Draft Law stressed the importance of introducing specific compulsory training for judges, lawyers, doctors, psychologists and social assistants on domestic and gender-based violence, including violence assisted by children. Another innovative element of the Draft Law would be the creation of national database collecting information on children in foster care – both in foster families and in foster institutions – on the number and type of foster institutions; an Observatory would also be set up on residential institutions. The Ministry of Justice and the Ministry of Labour and Social Policies would also be requested to submit an annual report to the Parliament on the monitoring and assessment of children in foster care at both the regional and national level. Foster care in families would be reduced from 24 months to 12 months: this reform proposal is criticised by some experts as 12 months would not be enough to address the problems that made the family of origin not adequate to protect the child in the first place. The Draft Law is still pending parliamentary approval: however, it is worth stressing that the October 2022 parliamentary election changed the composition of both Chambers of the Italian Parliament; the position of the new Parliament and of the Government on this Draft Law has not been made public, yet.

4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2019, the National Health Institute (*Istituto Superiore di Sanità* – ISS) issued a report¹⁰⁸ concerning the results of the REVAMP project, financed by the Ministry of Health and involving a network of hospitals and healthcare services throughout the national territory. The project's intervention is focused on control and response of the hospital services to violence against vulnerable persons, children included. The project's goal is to realize harmonized protocols of intervention in the hospital and territorial health

¹⁰⁷ The Draft Law – still pending parliamentary approval – is available at the [website](#) of the Italian Chamber of Deputies.

¹⁰⁸ ISS (2019), "[Violenza e abuso su minore: modelli di intervento sanitario in Pronto Soccorso](#)", Rapporti ISTISAN No. 19/2019.

services starting from the problem of detection of victims of relational violence in health emergency care settings. The report offers an overview of the principal problems characterizing relational violence and it also illustrates the healthcare procedures following a logical path for the phases of care and support of the suspected victims of relational violence: recognition; hosting and listening; differential diagnosis of abuse and eventual treatment; counselling and support in the network of territorial health services for the victim and their family. The report provides operational indications to professionals of hospitals' emergency services on how to deal with children suffering violence and abuse; how to detect such abuses and which protocols to activate, in cooperation with other services and institutions.

5. Accountability, data collection, and monitoring mechanisms

5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child’s ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

No update compared to the 2014 report which correctly outlined the existing institutions with a mandate in terms of accountability of the functioning of the child protection system. More specifically:

- 1) The Parliamentary Commission for Childhood performs tasks of guidance and control on the effective implementation of international agreements and legislation relating to the rights and development of subjects in development age.
- 2) The National Observatory on childhood and adolescence, with the support of the National Centre for Documentation and Analysis for childhood and adolescence, which takes care of the regular and systematic collection of data and information on the condition of the child, monitors the national Plan on childhood, together with the Department for family policies and the Ministry of Labour and Social Policies.
- 3) The National Authority for the Protection of Childhood and Adolescence, reports to the Government, the regions and the local and regional authorities, in their respective areas of jurisdiction, all necessary initiatives to ensure full promotion and protection of the rights of childhood and adolescence.

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

The 2022-2023 5th National Action and Intervention Plan on Child Protection was developed by the National Observatory on Childhood and Adolescence. As reported above, the Observatory has the task of preparing, every two years, the National Plan of Action which, after consulting the Parliamentary Commission for Childhood and Adolescence, is approved by the Council of Ministers and adopted by Decree of the President of the Republic. The Plan is the result of a coordinated and widely participated work that took place within the National Observatory. The participation does not only concern the construction phase of the Plan, but will engage all the public and private stakeholders, also in the implementation phases of the Plan, through a specific path of accompaniment in the implementation and monitoring of the Plan, which are therefore an integral part of the Plan. These activities, which are indispensable to ensure effective monitoring of the progress achieved, will be carried out by the National Observatory, ensuring the active participation of children and adolescents.

Question	YES	NO	Comments
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<p>5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.</p>	<p>X</p>	<p>As already mentioned above, monitoring institutions and mechanisms include the Parliamentary Commission, the periodic reporting to the UN and the activities of the CRC Group. However, there is not a specific assessment mechanism or institution/body of proposed or adopted legislation referring to children as a group. The Parliamentary Commission monitors the respect and implementation of international and national law concerning the protection of children and adolescents. The periodic reporting to the UN is aimed at proving the efforts and showing the steps adopted in the implementation of the UN Convention and of the rights it enshrines. The CRC Group is a network currently composed of more than 100 civil-society actors that have been actively involved in promoting and protecting the rights of children and adolescents for at least three years and is coordinated by the NGO "Save the Children Italy". The CRC Group was established in December 2000 with the priority objective of preparing the Report on the Implementation of the Convention on the Rights of the Child (CRC) in Italy, supplementary to the one presented by the Italian Government, to be submitted to the UN Committee on the Rights of the Child at the United Nations High Commissioner for Human Rights. Since then, the network regularly produces annual and periodic update reports.</p>
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5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

There is not a common framework in place governing the quality standards for child protection services in the national legislation. The State is requested to establish the Essential Levels of Services (*Livelli Essenziali delle Prestazioni – LEP*), that is the minimum level of services to be provided at local level considering the population living on the territory of the municipality; distribution of financial resources is consistent to the established levels. However, as of 2023 LEPs have been established only for a reduced number of social services pertaining to the child protection field, i.e., nurseries and social services ([2021 Budget Law](#)) and school transport for students with disabilities ([2022 Budget Law](#)). Art. 143 of the [2023 Budget Law](#) set up a Working Group (*Cabina di regia*) for the determination of the LEPs, chaired by the President of the Council of Ministers and made up of Ministers responsible for the services concerned by the LEPs, as well as the Presidents of the Conference of Regions and Autonomous Provinces, the Union of Italian Provinces and the National Association of Italian Municipalities. The LEPs are a crucial instrument to allow that all people living in Italy can benefit from a common basic level of social services, regardless of their personal income and of the level of wealth of the Region and municipality of residence. Besides this incomplete common national framework of social services, most child protection services are practically provided at local level (Regions and municipalities) with local authorities in charge of issuing public call for tenders where quality criteria are established. This is the case, for instance, of the regional Decrees governing the quality standards

of institutional facilities (for instance, these are the regulations adopted by the [Lazio](#) region and the [Friuli Venezia Giulia](#) region).

Question	YES	NO	Comments
<p>5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child protection policies and legislation?</p> <p><u>If yes</u>, at what level is this done? Please provide indicative examples.</p>	X		<ul style="list-style-type: none"> - Council of Girls and Boys (Consulta delle ragazze e dei ragazzi), set up by the National Authority and confirmed in 2022. Active at national level, it gathers adolescents aged 13-17. The Council is located at the National Authority and meets three times per month. The members of the Council are summoned to discuss the themes that are considered by the Authority to be crucial for the life of people aged less than 18 in Italy. During the sessions, a series of topics of interest to children and young people will be addressed so as to offer – also through recommendations – their views to the authority, which will take them into account by acting as a bridge between the needs of the children and the institutions. Topics on the agenda, starting with a meeting with experts or representatives of the institutions, include: the right to sport, representative democracy, education about feelings and self-awareness. This consultation is not a mandatory phase of the legislative process; - Guidelines for the Participation of Children and Adolescents, adopted in 2022 by National Observatory and applicable at national level; - The Youth Advisory Board, set up by UNICEF in 2021, to ensure children’s participation to the EU Child Guarantee.
<p>5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?</p>		X	<p>There is not a systematic data collection system in place in Italy concerning child protection measures. As reported in previous sections, data collections are periodically carried out in specific fields, such as unaccompanied migrant children (the authority in charge is the Ministry of Labour and Social Policies), voluntary guardianship (the authority in charge is the National Authority for the Protection of Childhood and Adolescence), children in foster care (the authority in charge is the Ministry of Labour and Social Policies), children involved in criminal proceedings (the authority in charge is the Ministry of Justice).</p>
<p>5.1.7. Is there a single authority responsible for monitoring</p>		X	<p>As reported in Section 5.1.8, there is not a systematic regulatory framework on data collection;</p>

<p>data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?</p>		<p>consequently, there is not a single authority in charge of monitoring and data collection. Competences on child protection are distributed among authorities and levels of governance depending on each institution's mandate and scope of intervention. As reported in Section 5.1.8, some authorities carry out periodic data collections in their field of competence.</p> <p>However, the Istituto degli Innocenti in Florence - one of the oldest public institutions in Italy dedicated to the care, education and protection of children - carries out research and investigation into phenomena affecting children, young people and families, with the aim of increasing knowledge about their living conditions and investigating specific topics. The analysis of the condition is underpinned by both qualitative and quantitative aspects, resulting from the systematic collection of data and statistical indicators. The Institute's periodic monitoring of the status of implementation of the UN Convention on the Rights of the Child and of particular aspects of life affecting children and adolescents provides useful elements for the development and evaluation of policies and concrete support for their territorial planning.</p>
<p>5.1.8. Are there common indicators in place to monitor the performance of the child protection system?</p>	<p>X</p>	<p>There are no common indicators monitoring the performance of the child protection system. However, both the 5th National Action and Intervention Plan on Child Protection and the to the Guidelines on Foster Care encourage regional authorities to adopt indicators to monitor the services in place in their territories. In this respect, see for instance the system of indicators adopted by Emilia-Romagna region concerning services destined to children victim of abuse.</p>
<p>5.1.9. Are there data protection protocols in place and adhered to?</p>	<p>X</p>	<p>There is not a specific protocol in place. However, the Italian Data Protection Authority developed a specific section on its website concerning data protection and children where all measures, initiatives and opinions are collected and easily accessible.</p>
<p>5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.</p>		

The CRC 12th Monitoring report – mentioned above – highlighted some crucial gaps in data collection. According to the Group, it is necessary to stress again the discordance and incompleteness of the data collected with respect to children in care measures outside their family of origin. The data issued by the Ministry of Labour and Social Policies as of 2019 present shortcomings with particular reference to the lack of homogeneity and incompleteness of the information and data collected in the individual, moreover expressed not in absolute terms, but in percentage values so as to make the knowledge and in-depth analysis of useful information difficult to understand the causes of removal and the outcome of the reception process in order to improve the policies and actions in favour of children temporarily removed from their families of origin for protection purposes. The Group therefore stresses the need and urgency of the objective of making data collection a reality with uniform criteria in all the regions through the S.In.Ba. (Information System on the Care and Protection of children and their families), in order to finally have homogeneous and coordinated data across the whole national territory, coordinated between the Regions, able to provide the number, type and characteristics of all children outside their family of origin, available in real time in order to guarantee certainty and develop public policies consistent with reality, in the best interest of all children present in any capacity on the national territory. With regard to domestic adoptions, apart from the number of children declared adoptable and adopted, no other information is collected (age, psychophysical conditions, siblings, etc.). There is also no updated data on the children declared adoptable and not adopted. The Group also reported the persistence of another critical element concerning the absence of quantitative and qualitative data concerning in particular children with disabilities in the 0-5 age slot.

5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

No major developments on this issue.

5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2021, the National Centre for Documentation and Analysis for childhood and adolescence of the Family Policy Department of the Italian Government issued the 5th edition of the Handbook of Children's Educational Services¹⁰⁹. The Handbook is meant to be a guidance tool destined to all professionals working in educational services for children aged 0-6. The structure of the Handbook is articulated along a series of areas guiding the professionals through the different topics of interest: Planning: where, when and why; Planning: structures, organisation and the educational project; Managing: roles and functions of the public and private sectors; Quality: rules, control and supervision; Integrated system: coordination, financing and access; Perspective 0-6: ideas for the future. The Handbook consists of more than 200 information sheets and far more possible links to specially set up databases on both on up-to-

¹⁰⁹ Centro nazionale di documentazione e analisi per l'infanzia e l'adolescenza (2021), "[Manuale dei servizi educativi per l'infanzia: quinta edizione](#)", 2021.

date data on the demand and supply of services, as well as on the legislation and regulations currently in force in the different regional areas of the country.

6. General education, promotion, and awareness raising

6.1. Education on child rights

- 6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

No, education on child rights does not form part of the national formal school curricula. Citizenship education (*Educazione civica*) is traditionally integrated in school curricula; however, it is currently structured around [three main topics](#), i.e., the Italian Constitution; sustainable development; digital citizenship. The [Ministerial Guidelines on Citizenship education](#) – listing the main contents to be offered to the students – do not explicitly mention children rights, but more generally fundamental rights, constitutional fundamental principles, and international conventions on human rights.

- 6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

This kind of initiatives are promoted and implemented by NGOs and organisations, in partnership with the schools willing to participate. For instance, UNICEF has made available for the school-year 2022/2023 a specific [kit](#) on children's rights at the disposal of teachers and school staff: teachers and educators can find a range of practical tools in each proposal, including teaching kits, fact sheets, teachers' guides, videos and infographics. The NGO Save the Children developed similar teaching [materials](#) to raise awareness in schools concerning children's rights, including [digital books](#) and discussion guidelines concerning the CRC.

In some cases, specific education protocols are activated. For instance, in 2018 the National Authority and the Ministry of Education signed an agreement¹¹⁰ aimed at spreading the culture and knowledge of the rights of children and adolescents, promote the dissemination of the Convention on the Rights of the Child and Adolescent in schools, improve the implementation of the "Guidelines for the right to study of pupils outside their family of origin" and of the "Guidelines to promote the right to study of adopted children", also carrying out dedicated training initiatives for teachers.

6.2. Promotion and awareness raising

- 6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

Each year, on 20 November, the UN World Children's Day is celebrated in Italy with several initiatives at local and institutional level. For instance, in 2022, UNICEF and the National Association of Italian Municipalities addressed a [letter](#) to all Italian municipalities, sharing information materials on

¹¹⁰ AGIA (2018), "[Intesa Agia-Miur per promuovere i diritti di infanzia e adolescenza](#)", 9 October 2018.

children's rights and inviting municipal administrations to organise discussions and meetings on this issue. In 2020, during the pandemic period, Telefono Azzurro organised an [online discussion](#) with digital, entertainment and telecommunication companies and launched a [multi-channel campaign](#) to raise awareness about the attention children deserve from institutions. The initiative includes the diffusion of a high-impact spot, and a call to action on social networks to change the narrative of childhood in Italy through the use of the hashtag #PRIMAIBAMBINI (Children first). The initiative was aimed at raising attention and giving visibility to the needs of children during the Covid-19 emergency which had a strong impact on their wellbeing, especially during the confinement period.

Some initiatives were also organised locally to raise awareness on the rights enshrined in the EU Charter of Fundamental Rights. For instance, during the school-year 2022/2023 Europe-Direct Emilia Romagna made available an [education kit](#) for teachers and schools of primary and secondary schools with activities aimed at raise awareness on fundamental rights, including children rights. These include labs to be conducted by teachers where students are involved in a [table game](#) focused on the principles and rights included in the EU Charter.

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure¹¹¹? Please briefly describe.

No awareness raising activities were identified. As far as the Optional Protocol is concerned, Italy signed it on 28 February 2012 and ratified it with the Law No. 199/2015. According to the CRC Group [2017 monitoring](#), in 2016 Italy made the declaration provided for in Article 12 of the Treaty and has therefore agreed to submit to reports from other States Parties with respect to violations of the rights of children. No communication was made, on the other hand, by Italy, with reference to Article 13, which provides for special procedures in the case of serious or systematic violations. In order to ensure that children are enabled to use these tools, and that their access to redress is facilitated, the Group recommended that counters be set up and/or information and training points for this purpose, spread throughout the territory. According to the report, awareness of the Third Protocol has not been promoted with adequate means, as provided for in Article 17 of the Optional Protocol, and there are only single initiatives promoted by a few associations in the territory.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

Safer Internet Day (SID) is an annual event, organised internationally with the support of the European Commission in February. Safer Internet Day is intended to make children reflect not only on the conscious use of the Internet, but on the active and responsible role of each individual in the realisation of the Internet as a positive and safe place. For this reason, it is the right time to talk, discuss and deepen doubts and knowledge that can help us all to educate ourselves in the conscious use of the Internet and digital tools. On SID, many initiatives are organised in Italy: on the Italian SID's [website](#), each year all the initiatives are listed and information provided to the users.

The Italian DPA's website offers a specific [webpage](#) collecting all the materials concerning children, modern technologies and data protection. These materials include the Vademecum on Children and New Technologies, the Vademecum "SHARENTING. Tips for parents to limit the online dissemination of content about their children", the videos of the joint information campaign organised by the DPA and Telefono Azzurro, the Vademecum "Smart Toys: the DPA's suggestions for privacy-proof games".

¹¹¹ URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications> [12/12/2022]

In 2015, the Ministry of Education issued [Guidelines on Actions preventing and countering bullying and cyber-bullying](#), providing information on best practices when surfing the Internet, on the initiatives existing at national level on this issue, and listing actions to be implemented at local and school level, including training of teachers. The Guidelines were updated in 2021. However, they are not available in a child-friendly language or in any other language than Italian. However, in 2020 the National Authority for Childhood and Adolescence released a booklet on cyberbullying destined specifically to children and adolescents¹¹². The booklet provides definitions of cyberbullying and its possible expressions, as well as information on the rights and the protection instruments and mechanisms in place.

6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The association Moige – representing parents of children – set up the initiative “[Young Ambassadors for Digital Citizenship against cyber bullying and cyber risk](#)” (*Giovani Ambasciatori per la Cittadinanza Digitale contro cyber bullismo e cyber risk*), at its 7th edition in 2023. The project was sponsored – among others – by the Ministry of Education, Ministry of Social Policies, State Police, the Association of Italian Municipalities and the US Embassy in Italy. The project’s objectives are the dissemination of digital culture, the promotion of greater awareness of cyber risks, acquiring skills for the constructive management of interpersonal conflicts, digitally aware training for families and combating fake news to be pursued through: Training of one bullying referent teacher per institute on the Moige training platform; Training a maximum of 5 Young Ambassadors per school, who will become a point of reference to whom they can turn for help and training. They will be able to pass on their knowledge on the subject to their peers through peer to peer education; Moige’s Mobile Centre for Prevention, Support and Advocacy which will reach some of the schools to hold classroom meetings carried out by the experts of the Moige Task Force; the Mobile Digital Centre, a digital space to access the same support services and training materials already present in the physical Mobile Centre; sending information material. The project has so far involved more than 1,459 schools, around 389,750 children, over 11,759 teachers and 779,500 parents; more than 6,795 Young Ambassadors have been trained, chosen by teachers for their particular aptitudes and sensitivities.

¹¹² AGIA (2020), “[Cyberbullismo. Cos’è e come difendersi](#)”, 2020.

7. Child participation and community engagement

7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles ¹¹³ in place, with an ability to hear, review and enforce individual complaints from children?	X		The National Authority for Childhood and Adolescence is in charge of receiving complaints – also those filed directly by children – concerning situations where there is a violation or risk of violation of the rights that the Convention guarantees to every person of minor age living on our territory. The complaints are not received directly by the National Authority but rather by its regional branches (this is, for instance, the online form to be filled to file a complaint before the Regional Authority in Emilia Romagna). Moreover, it is possible to report TV content (to the National Communication Authority and to the Committee on Media and Children of the Ministry of Economic Development), advertisement (to the Advertising Self-regulatory Institute), website and online content (to the Italian DPA or the Italian police) that is deemed inappropriate for children and adolescents.
7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?	X		There are not specialised Courts competent for assessing complaint procedures. However, the Italian judicial system has a specific judiciary branch – including Courts and judicial services – dealing with proceedings involving children, both civil proceedings (adoption, foster care, etc.) and criminal proceedings (children involved as suspect and defendants) ¹¹⁴ . These Courts are located in the entire Italian territory and have a geographical competence ¹¹⁵ .

¹¹³ URL: [https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness) [12/12/2022]

¹¹⁴ Information on the functioning of the Italian juvenile judicial system is available at the [website](#) of the Ministry of Justice.

¹¹⁵ The local branches can be consulted at the [website](#) of the Ministry of Justice.

7.2. Feedback mechanisms

Question	YES	NO	Comments
7.2.1. Are there government support fora such as children’s groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children’s groups who have received child protection services?		X	
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?		X	

7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2022, UNICEF released a document on “Children’s and young people’s councils: a guide to promoting active participation”¹¹⁶. This instrument is meant to support local and national institution officials, school leaders, teachers and other professionals in establishing or strengthening children’s and young people’s councils, so that the right of children and young people to be heard in matters that affect them is put into practice. The guide offers suggestions and practical measures to establish and strengthen children and youth councils so that they are inclusive and geared towards making the exercise of participation a real practice of active citizenship and not just a formal exercise.

¹¹⁶ UNICEF (2022), “[Consigli dei bambini e dei ragazzi: guida per promuovere la partecipazione attiva](#)”, December 2022.