

# Public Spaces & Criminalization

2018  
FEANTSA  
POLICY  
CONFERENCE  
FUTURE CHALLENGES  
FOR THE HOMELESS  
SECTOR IN EUROPE

*Avvocato  
di strada*

*Onlus*



## **Avvocato di strada Onlus**

- Free legal aid to homeless people and victims of trafficking.
- Founded in Bologna in 2001; it is now present in 49 different cities in Italy.
- 982 volunteers.



3.769 people assisted in 2017 in Italy

Civil law 1403 (37,2%)

Administrative law 1089 (28,9%)

Immigration law 915 (24,3%)

Criminal law 362 (9,6%)

## **Criminalization of homelessness in Italy**

1. In our legal system begging is not a crime since 1999, but it can give rise to administrative sanctions, and as such it's regulated by the Municipality represented by the Mayor.
2. Begging is subsumed in other crimes such as enslavement and when it involves minors or animals.

## Measures of criminalization at a national level:

- Law 18 aprile 2017, n. 48 (so called Decreto Minniti): emergency measures in order to reinforce safety and to ensure decorum in urban centres. Introduction of “*Daspo urbano*”.



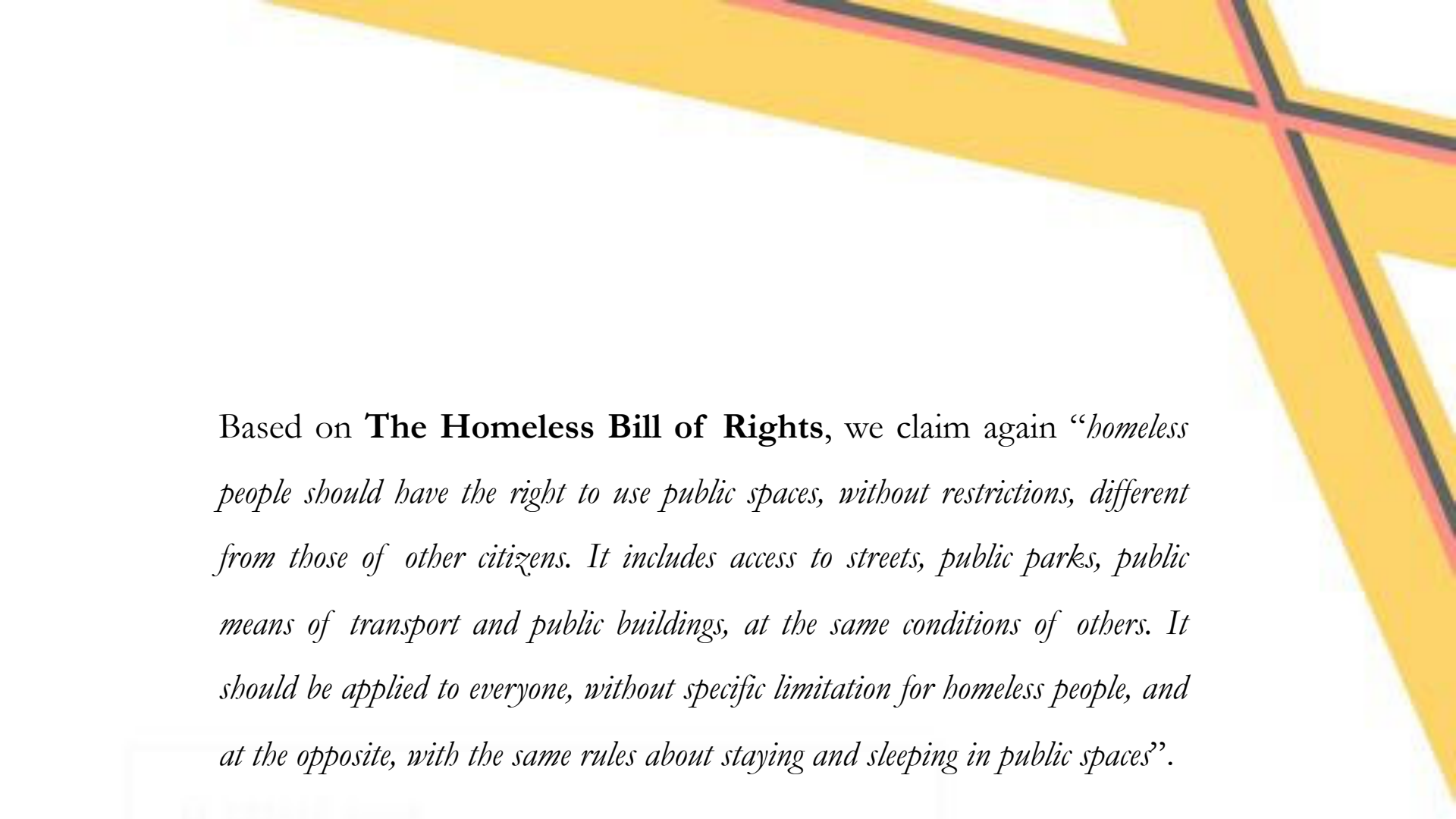
## Measures of criminalization at a local level:

- Mayors and other high representative of the public administration can also issue so called “*ordinanze contingibili e urgenti*” which are temporary administrative orders that are supposed to be used in case of emergencies.

- Decree issued by Presidente della Repubblica Italiana on april 3<sup>rd</sup>  
2017

## **Closing remarks**

As Avvocato di strada Onlus and as Italian Federation of Organization working with homeless people (whereof Avvocato di strada is a member), we would underline that the way to safeguard public goods and decorum in urban context is achievable by promoting social cohesion, solidarity and human rights and dignity, especially for more vulnerable groups living in critical condition, such as homeless people.



Based on **The Homeless Bill of Rights**, we claim again “*homeless people should have the right to use public spaces, without restrictions, different from those of other citizens. It includes access to streets, public parks, public means of transport and public buildings, at the same conditions of others. It should be applied to everyone, without specific limitation for homeless people, and at the opposite, with the same rules about staying and sleeping in public spaces*”.



# Thank you!



Avvocato di strada Onlus  
Via Malcontenti n.3, 40212 Bologna  
[www.avvocatodistrada.it](http://www.avvocatodistrada.it)  
info@avvocatodistrada.it