



**Press Office of the Constitutional Court**

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## SUPERVISORY JUDGES MAY GRANT ADMISSION TO DAY-RELEASE PROGRAMMES ON A PROVISIONAL BASIS

Supervisory judges overseeing the execution of sentences may provisionally grant convicts serving sentences no longer than 4 years in duration admission to day-release programmes; there is no need to wait for the Supervisory Court's final decision.

This was held by the Constitutional Court in Judgment No. 74 (Judge Rapporteur: Francesco Viganò), in which it deemed that a question of constitutionality raised by a supervisory judge of Avellino was well founded.

The Court noted that the current Prison Law already allows supervisory judges to provisionally grant probation in the care of social services to convicts required to serve a sentence (or residual sentence) no longer than 4 years. Thus, it would be unreasonable not to allow said judges to bring forward the concession of the less favourable alternative of day-release programmes, if the convicts' development in re-educational terms does not yet justify their full release, but is such as to allow them to spend part of their days outside their place of detention. Indeed, if it were necessary to await the Supervisory Court's decision, the convicts' re-educational path may be seriously disrupted, especially if their request is made pursuant to receipt of a job offer outside the prison, which is usually valid for a limited time only.

Rome, 24 April 2020