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A PRACTICAL NOTE

# ARRESTED IN ITALY
# THE FIRST HOURS

*For relatives and advisers: what happens, what not to do, and who to call*

**A foreign national arrested in Italy**, whether in an Italian investigation or at the request of another State, comes before a judge with some delay, and **that first hearing usually decides whether the defendant stays in custody**. What happens in the hours before it is decided by people who are neither the defendant nor lawyers. This note is for whoever takes the call before an Italian lawyer is involved: *a family lawyer, a relative, an adviser*. It describes what happens, in what order, and what should not be done while it happens.

### Can relatives appoint a defence lawyer in Italy?

Yes. A defence lawyer of one's own choice is appointed by the defendant through a formal declaration: at the arrest, at the court hearing, in prison (at the registry office, the *ufficio matricola*), or by a written power of attorney. Close relatives can appoint a lawyer as well, but the family member who signs the appointment has to prove the family link with the defendant: a marriage certificate, the birth certificates of the relative and of the defendant, or a family status certificate. How to do it, step by step: section 6.

ONLINE · 7 LANGUAGES
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"Defendant" is used throughout for the person arrested, although in Italian terms a person under investigation is not yet formally charged. This note describes professional activity and is not advice on any particular case, nor an offer of services in any particular matter. Time limits as in force on 29 September 2026.

# 1 WHAT HAPPENS, AND HOW FAST

THREE PROCEDURES, THREE TIMETABLES

Three different procedures can put a person in an Italian cell: an Italian investigation, a European arrest warrant from another EU State, or an extradition request from anywhere else in the world. Each has its own clock. In all three, the hearing in the first days is the one that counts.

## ITALIAN INVESTIGATION

**HOW**

Caught in the act or just after it; detained on serious suspicion and risk of flight; or arrested on a warrant a judge has already issued (*ordinanza di custodia cautelare*).

**FIRST JUDGE**

Within **4 days** after an arrest without a judge's order; within **5 days** after an arrest warrant issued by a judge (10 if under house arrest).

**AT STAKE**

Whether custody continues. If a step is late, the arrest or the custody lapses.

**CHALLENGE**

**Review court** (*riesame*), on facts and law: request within **10 days**, decision within 10 days of the file.

**THEN**

The investigation goes on. Release is not an acquittal.

## EUROPEAN ARREST WARRANT

**HOW**

On a Schengen alert issued by another EU State: at a border, an airport, a hotel check-in.

**FIRST JUDGE**

Heard with counsel and an interpreter within **3 days**; the arrest is validated at that hearing.

**AT STAKE**

Surrender. The court decides within **15 days**, +10; within 4 days, +3, after consent. A late decision releases no one.

**CHALLENGE**

Custody: appeal to the **Court of Cassation** within **10 days**, on points of law. Surrender: appeal within 5 days.

**THEN**

Surrender within 10 days of the final decision. Weeks, at least in theory: a determined defence can take longer, for instance by asking for a reference to the Court of Justice of the EU in Luxembourg.

## EXTRADITION OUTSIDE THE EU

**HOW**

Usually on an Interpol red notice or a request for provisional arrest from a non-EU State.

**FIRST JUDGE**

Arrest validated **on paper within 4 days**, without hearing the defendant. First hearing with counsel within 5 days of that, a limit with no sanction.

**AT STAKE**

Custody ends if the Minister (see box below) does not ask to maintain it within **10 days**, or the formal request does not arrive within **40 days**, unless a treaty provides otherwise.

**CHALLENGE**

Custody: appeal to the **Court of Cassation** within **10 days**, on points of law. The extradition judgment: appeal to the Court of Cassation, on the merits too.

**THEN**

Months: Court of Appeal, Court of Cassation, then the Minister decides. For EU citizens, their own State must be informed and may claim them first (the *Petruhhin* mechanism).

## EXTRADITION ONLY: THE MINISTER OF JUSTICE IS IN THE CASE FROM DAY ONE

In a European arrest warrant case the Ministry only transmits papers: **the decision is purely judicial**. In extradition the Minister of Justice is a second decision-maker, with political powers that run in parallel to the court's, **from the moment of the arrest**.

**The defence can therefore act on two fronts at once**: before the Court of Appeal, and by written submissions to the Ministry, on humanitarian grounds, the risk of persecution, nationality, family ties in Italy or the State's own interests. The Ministry's powers, in detail.

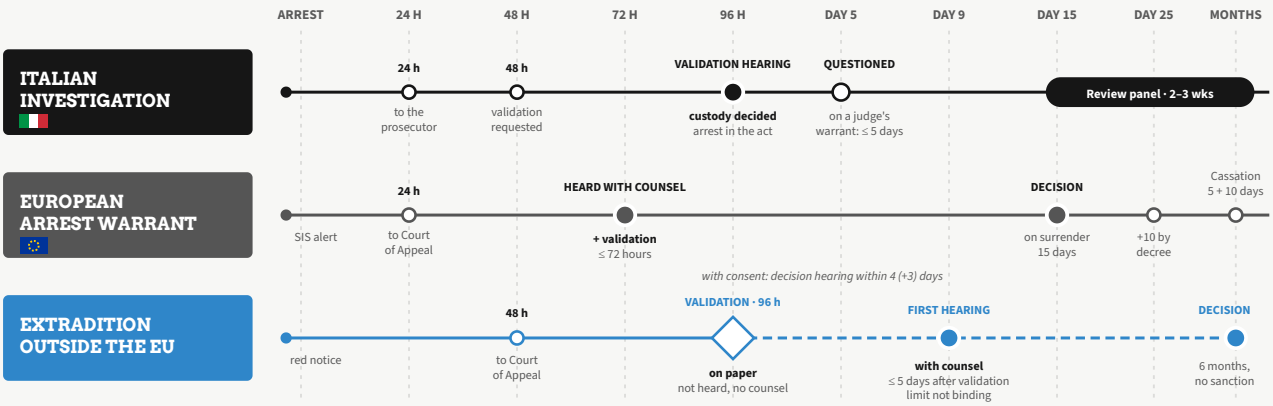
- **Release at any time.** If the Minister asks the court to lift custody, the court must do so.
- **Let custody lapse.** Without the Minister's request to keep it, custody ends ten days after validation.
- **Stop the request.** The Minister may decline to proceed where Italy's sovereignty, security or other essential interests are at stake.
- **Have the last word.** A favourable judgment, or even the defendant's consent, does not make extradition compulsory: the Minister decides, and can refuse. A judgment against extradition binds the Minister.

# 1 THE FIRST DAYS, IN TWO PICTURES

THREE PROCEDURES SIDE BY SIDE, AND THE TWO ITALIAN ROUTES

## THE FIRST DAYS, SIDE BY SIDE

TIME IS NOT TO SCALE




Filled marker: the hearing that decides custody. Diamond: validation without hearing the person. Review court: request within 10 days, decision within 10 days of the file.

## AN ITALIAN INVESTIGATION: FOUR DAYS, OR FIVE

TWO ROUTES INTO CUSTODY

### CAUGHT RED-HANDED, OR DETAINED ON SUSPICION

*arresto in flagranza · flagranza differita · fermo*

| | |
|---|---|
| **0** | Arrest by the police, without a judge's order; for listed offences up to 48 h after the facts, on video evidence |
| **24 h** | At the prosecutor's disposal |
| **48 h** | Prosecutor asks the judge to validate |
| **≤ 96 h** | **Validation hearing: the judge rules on the arrest and, separately, on custody** |

**Any step late: the arrest lapses.**

### ARRESTED ON A JUDGE'S WARRANT

*ordinanza di custodia cautelare*

| | |
|---|---|
| **before** | Often, the defendant is first summoned and heard by the judge |
| **0** | Police execute the warrant: no validation needed |
| **≤ 5 days** | **Questioning by the judge, if held in prison; 10 days for other measures** |
| **10 + 10** | Review court, if the defence asks: request within 10 days, decision within 10 of the file |

**Questioning late: custody, house arrest included, lapses.**

HOTEL TRAP

## CHECKED IN, AND ARRESTED

Italian hotels, B&Bs and holiday rentals must send every guest's identity details to the police within hours of arrival. The data are checked automatically against police databases, including Schengen alerts and Interpol notices. **Many arrests for European arrest warrants and extradition happen in a hotel room, the morning after check-in**, often to people who had crossed borders before without any problem. How the automated hotel database works.

## 2 WHAT NOT TO DO

NOTHING SAID IN THE FIRST HOURS GETS ANYONE OUT

**Nothing the defendant says in the first hours will get them out**, and some of it will keep them in.

They should give their name and identity documents, which is compulsory, and **say nothing about the facts until their lawyer is present**. Silence carries no penalty in Italy and cannot be used against them. Answering questions "to clear things up" can turn a doubtful case into a certain conviction.

They should **sign nothing that has not been translated and explained**. At the hearing, one signature has to be treated as irreversible: consent to be handed over cannot be withdrawn in European arrest warrant proceedings, and in extradition it cannot be undone once the Minister has decided. It is often presented as the quick way out, and for some clients it is the right choice, but it is a decision to be taken with counsel who knows what is at stake. It is given only before a judge: **the police never ask for it**.

The defendant cannot telephone anyone unless the judge authorises it, and nobody can call into the prison. They can ask for the consulate and one relative to be informed, and should ask, because none of this happens by itself. The consulate **gives no legal advice and provides no defence**: only the assistance foreseen by international conventions.

Telephones and laptops will be taken. In an Italian investigation their contents will be searched and copied; in extradition proceedings the items seized may be handed over to the requesting State together with the defendant if surrender is ordered. What the police retain afterwards is a separate problem, and a lasting one.

A defence needs funds from the start, and a lawyer will ask for an advance. What the family has to check is **who is asking**. How to tell a real lawyer from a scam is set out separately: verify the name on the bar register, call back on a number you found yourself, pay only into an account in the name of the lawyer or the firm. Assess the competence, not the promises.

### IN THE CELL, AND AT HOME

THE FIRST 72 HOURS

#### THE DEFENDANT SHOULD

- **Give name and identity documents.** Refusing, or giving false details, is a separate offence.
- **Stay silent on the facts** until counsel is present. Silence cannot be used against them.
- **Ask** for the consulate and one relative to be informed.
- **Ask for an interpreter**, and say so at once if the interpreting is poor.
- **Speak to their lawyer in private** before any hearing.

#### NOBODY SHOULD

- **Answer questions** to "clear things up".
- **Sign anything** not translated and explained.
- **Consent to surrender** without counsel. It cannot be taken back.
- **Pay anyone** before checking who is asking, and into whose account.
- **Talk to the press** before a line is agreed with defence counsel.

**FURTHER READING**

SITE **My relative has been arrested in Italy: is it real or a scam** how to check the caller before sending any money

LINKEDIN **Italian rules on mobile phone searches and seizure** what happens to the devices

SITE **Italian police databases: marked for life** what stays on record after the case ends

# 3 THE FIRST HEARING: EAW AND EXTRADITION

NOT A FORMALITY, AND NOT A HEARING TO SIT THROUGH

In European arrest warrant and extradition cases the first hearing before the Court of Appeal is short, and it is often treated as routine. It is not. **What is said, signed or left unsaid there shapes the whole case.**

## WHAT HAPPENS AT THE HEARING

EAW AND EXTRADITION

### 1 IDENTIFICATION

The judge checks that the person arrested is the person wanted. Mistaken identity, a wrong date of birth, a similar name: this is the moment to say so.

### 2 CONSENT OR REFUSAL

The defendant is asked whether they consent to surrender or extradition. Consent speeds things up; in EAW cases it cannot be withdrawn, in extradition not once the Minister has decided. Refusal opens the full procedure. Counsel must be consulted before answering.

### 3 SPECIALITY: NEVER WAIVE IT

The defendant is asked whether they waive the speciality rule, the guarantee of being tried only for the offences in the request. Waiving it gains nothing and exposes the person to any other charge. The answer is no.

## COUNSEL ACTS, AND DOES NOT MERELY ATTEND

**In international cooperation hearings the lawyer has to do something, not assist passively.** From the first hearing counsel should raise the grounds that can stop or delay the surrender: obstacles to surrender in the warrant or the request, the risk of human rights violations in the requesting State, prison conditions, an unfair trial or a conviction in absence, political persecution. Wherever possible this is done in writing, with documents attached: reports, judgments, medical records, evidence of residence and family ties in Italy.

INTERPOL

## WHEN THE RED NOTICE IS THE ABUSE

A red notice is not an international arrest warrant: it is a request from one State to locate and arrest a person, circulated through Interpol. In Italy it is enough for the police to arrest. Some States use red notices against political opponents, journalists, human rights defenders and business rivals. Interpol's own rules forbid notices of a political, military, religious or racial character, and a notice can be challenged and deleted, but that takes time and does not stop an Italian court.

**Persecution has to be proved, from the first hearing.** An Italian court refuses extradition where there is substantial evidence of political persecution or of a serious violation of fundamental rights. That evidence does not arrive by itself: refugee status, asylum decisions, NGO and UN reports, press coverage, the history of the case in the requesting State. Collect it at once and put it before the court in writing.

FURTHER READING

SITE **Interpol red notice in Italy**

SITE **Interpol abuse against human rights defenders**

SITE **Political persecution bans extradition**

LINKEDIN **Interpol red notices in Italy: time to rethink the approach**

LINKEDIN **Fundamental rights and international police cooperation**

# 4 RIGHTS, AND WHAT TO ASK FOR

SOME COME AUTOMATICALLY, SOME ONLY ON REQUEST

An interpreter, free of charge, throughout, including for conversations with the lawyer. The arrest warrant must also be translated in writing into a language the defendant understands. **If the interpreting is poor, say so immediately.** A criminal case is no place for politeness.

A conversation with a lawyer of their own choosing, in private, immediately after the arrest. In practice, a court-appointed lawyer rarely visits the prison before the family has made contact.

Counsel is mandatory in Italy, so a court-appointed lawyer is assigned at the arrest if no choice has been made. That lawyer is not paid by the State: the client pays. Relatives can appoint counsel of their own choosing, and usually that is the right thing to do, because court-appointed lawyers are rarely equipped for a cross-border case and in most cases do not speak foreign languages. Consular lists are no better: they do not check competence.

To have one person of their choice informed. This happens **only with the defendant's consent**, which is why a family sometimes hears nothing for two days. Nobody is hiding them: they were asked and said no, or were too disoriented to answer. Nobody can call into the prison, and calls out need the judge's authorisation, which takes days or weeks.

**Consular notification is, as a rule, not automatic in Italy.** The consulate is told only if the defendant asks, so they should ask. It is worth knowing what a consulate can do and what it cannot. It can visit and confirm where the defendant is held. It cannot pay for the defence, and it cannot vouch for the lawyers on its list.

## WHO IS TOLD, AND WHO IS NOT

AFTER AN ARREST IN ITALY

| THE LAWYER | FAMILY | CONSULATE | PHONE CALL |
|---|---|---|---|
| ALWAYS | ONLY WITH CONSENT | ONLY ON REQUEST | JUDGE'S LEAVE |
| Told by the police at once, chosen or court-appointed, with or without the defendant's consent. | Or another person the defendant names. Silence for a day or two is not a disappearance. | It can visit and confirm where the defendant is held. It cannot pay for, or vouch for, a defence. | Calls out only once the judge authorises them; nobody can call into the prison. |

**Interpreter** free of charge, throughout, including with counsel.

**In writing**: a letter of rights at arrest, and a translation of the arrest warrant.

**Counsel** is mandatory: a court-appointed lawyer is paid by the client, unless legal aid applies.

### FURTHER READING

- SITE **The pitfalls of consular lists** what a consular list does and does not certify
- SITE **Italian court-appointed defence** who the duty lawyer is, and who pays
- LINKEDIN **The one conversation in court that is not the court's business** confidentiality at the hearing

# 5 WHAT TO DO IN THE FIRST HOURS

BEFORE AND AFTER THE FIRST CALL

Before calling anyone, establish exactly where the arrest took place, write down the defendant's personal details in full, and obtain a power of attorney or proof of the family link, so that you can show you are entitled to act on their behalf. If there has been no arrest but something is clearly moving, there are ways of checking whether an investigation is pending in Italy. For counsel abroad there is a longer checklist.

Counsel has to be appointed by the defendant or, until they do so, by a close relative. **A bank, an employer or an adviser cannot appoint a lawyer for them**, whoever is paying. The appointment can be signed at the prison or at the hearing; what matters is that the person signing it has standing to do so. A lawyer admitted abroad can take part in the defence in Italy, on conditions worth knowing before the first hearing rather than after it; in European arrest warrant cases the defendant must also be told that they may appoint a lawyer in the issuing State.

The family needs the truth about visits. They are authorised by the judge, they take a week or more to arrange, and pressing in the first days achieves nothing. **Relatives should never contact the judge directly**, by email, telephone or in person: information to pass on and documents to file go first to defence counsel, who checks them and files them formally. And **say nothing to the press**. The first article is almost always the prosecution's version of the case, and the answer to it is not a statement but a file, so litigation PR is agreed with defence counsel or it is not done at all.

## THE FIRST CALL

WHAT TO HAVE TO HAND, AND WHO MAY ACT

### HAVE THIS READY

1. The defendant's full name and date of birth, as in the passport.
2. Their passport or identity card number, and your own.
3. Place and time of the arrest: border, airport, hotel, road.
4. Where possible, the police unit holding them.
5. Any paper handed to them or to the family, photographed in full.
6. Proof of the family link, or a power of attorney.

### WHO MAY APPOINT COUNSEL

- ✓ **The defendant**, at the prison or at the hearing
- ✓ **A close relative**, until the defendant appoints one
- ✗ A bank or family office
- ✗ An employer or company
- ✗ An adviser, whoever is paying

Visits are authorised by the judge and take a week or more to arrange. A foreign lawyer can stay on the case alongside Italian counsel.

### FURTHER READING

LINKEDIN **What to do if your client is arrested in Italy** the longer checklist, written for foreign counsel

SITE **Can a foreign lawyer defend in Italy** for counsel abroad who want to stay on the case

SITE **How can a foreigner verify a pending investigation in Italy** before travelling, not after landing

LINKEDIN **When accusations go public** silence, defence and the press

# 6 DOCUMENTS TO PREPARE

FOR ITALIAN COUNSEL, WHOEVER IS PAYING

Whether the call comes from the family or from a lawyer abroad, the first hours go faster when Italian counsel receives these documents at once. Scans or clear photographs are enough to start. Send them by email to the lawyer who will act, not to intermediaries.

## WHAT TO SEND, AND WHY

SCANS ARE ENOUGH TO START

### 1 IDENTITY OF THE DEFENDANT

Passport or identity card, both sides; full name, date and place of birth, nationality; place and time of the arrest.

**Why.** Prisons and police give information on where a person is held, and on what basis, only against precise identification.

### 2 IDENTITY OF A CLOSE RELATIVE

Passport or identity card of the relative who appoints counsel, with a document proving the relationship.

**Why.** Until the defendant appoints a lawyer personally, a close relative can do it on their behalf. See the box below.

### 3 AN ADDRESS FOR HOUSE ARREST

An available home in Italy: title deed or lease; a signed statement by the owner or host agreeing to the stay, with their identity document; who else lives there; how the defendant will be supported. Medical records, if health is an issue.

**Why.** Italy has no bail. Release from prison usually means house arrest at an address in Italy, and the court wants it documented before the hearing.

### 4 VISITS AND PHONE CALLS

A family status certificate (*certificato di stato di famiglia*) or other proof of kinship, and proof that the telephone number to be called belongs to that relative, such as the contract or a statement from the provider.

**Why.** Visits and calls need the judge's authorisation, requested by counsel with these documents. It takes days, sometimes weeks.

For extradition and European arrest warrant cases the address must be in Italy. A host may also have to notify the police that they are hosting a foreign national.

## HOW TO APPOINT COUNSEL FOR A DETAINED RELATIVE

1. **Who may sign.** A close relative: spouse or civil partner, parent, child, brother or sister, grandparent, grandchild, uncle or aunt, nephew or niece, and in-laws of the same degree (*prossimi congiunti*). Not a friend, an employer or a company.
2. **What to sign.** A short appointment (*nomina del difensore di fiducia*) naming the lawyer, with the defendant's full details. Counsel sends the text; up to two lawyers may be appointed.
3. **What to attach.** The relative's identity document, and proof of the relationship: a birth or marriage certificate, or a family register extract. A translation helps.
4. **How to send it.** A signed scan by email to counsel, who files it with the court or the prosecutor and with the prison. Keep the original: it may be asked for.
5. **What happens next.** The appointment holds until the defendant appoints counsel personally, which they can do at the first meeting by confirming the same lawyer, or choosing another.

# 7 WHAT IT COSTS

THE FIRST QUESTION THE CLIENT ASKS

This is the question the client asks the adviser first, and an adviser who cannot answer it loses the file. There is no fixed tariff in Italy. Fees are agreed in writing, and where they are not, a court liquidates them against ministerial parameters.

An honest order of magnitude is **five to ten thousand euro** for the urgent intervention covering the first days, up to and including the hearing that decides custody. What follows varies with the court, the charges, the pressure on the case, the volume of the file and the route needed to win it, from an appeal to the Supreme Court to proceedings before the international courts. The arithmetic of an extradition defence is set out separately. Travel and interpreters are additional.

A written quotation is given before any work begins. Fees are paid by bank transfer into an account in the name of the law firm or of the lawyer, against a written invoice. **Anyone who asks for a transfer to a company abroad, or for payment in cash, is to be refused**, whatever the explanation.

## FEES AND PAYMENT

ORDERS OF MAGNITUDE, NOT A TARIFF

URGENT PHASE

**€5,000–10,000**

The first days, up to and including the hearing that decides custody.

### WHAT THE REST DEPENDS ON

the court · the charges · pressure on the case · volume of the file · appeal · Court of Cassation · international courts

- ✓ Written quotation before any work begins
- ✓ Bank transfer to the firm's or the lawyer's account, against invoice
- ✗ Cash, whatever the explanation
- ✗ Transfers to a company abroad

Travel and interpreters are charged separately. Legal aid depends on a means test and covers only litigation.

### FURTHER READING

SITE **Legal fees in Italy** how fees are agreed, and how a court would set them

LINKEDIN **How much does an extradition defence cost in Italy** the same question, for this kind of case

SITE **Legal aid in Italy** the means test, where paying is impossible

### CUSTODY AND RELEASE

SITE **Release from extradition or EAW custody: house arrest** Italy has no bail; this is the realistic alternative

SITE **Precautionary measures under Italian law** the full range, from prison to reporting duties

SITE **Pre-trial detention duration** the ceilings in national and extradition proceedings

# 8 WHICH DEADLINES BIND

PEREMPTORY, AND NOT

Italian law sets two kinds of deadline. Some are peremptory (*perentori*): if they pass, custody ends and the defendant must be released. Others only tell the court or the government how fast to move: missing them may be criticised, but nobody is released. In an Italian investigation the early deadlines are of the first kind: a validation or a questioning that comes late makes the arrest or the custody lapse. In extradition and European arrest warrant proceedings the deadlines most visible from outside, those for the court's own decision, are of the second kind. What actually frees the defendant there are the outer limits attached to custody.

For the European arrest warrant this is a deliberate choice. Until 2021 a decision that came late meant immediate release; that rule was repealed, and in its place there is a cascade: after sixty days without a final decision the court must explain the delay, after thirty more the custody has to be reassessed, and after ninety more it must be lifted. For extradition the Code never made the court's deadlines binding, and the Court of Cassation has held that even the five days for the first hearing carry no consequence if missed.

## PEREMPTORY

if missed, custody ends

| | | |
|---|---|---|
| EAW | **+90** DAYS | After 60 + 30 days without a final decision, custody must be revoked, earlier if the delay is unjustified; only a travel ban, a reporting duty or a residence order may replace it. |
| EAW | **10** DAYS | Surrender after the final decision; custody lapses unless the delay is the defendant's doing. |
| EXT | **10** DAYS | From validation, for the Minister to ask that custody be maintained. |
| EXT | **40** DAYS | For the formal request and documents to arrive, unless a treaty provides otherwise. |
| EXT | **1 yr** OR 1 YR 6 M | Without a judgment favourable to extradition, or with a Cassation appeal pending; extendable by up to 3 months in all. |
| EXT | **45** DAYS | For the Minister's decision on surrender. |
| EXT | **3** MONTHS | After the Minister's favourable decision without surrender; suspended up to 6 months during an administrative appeal. |
| EXT | **15** +20 DAYS | For surrender from the date set by the Minister. |

## NOT PEREMPTORY

if missed, nobody is released

| | | |
|---|---|---|
| EAW | **15** +10 DAYS | For the decision on surrender; 4 (+3) days after consent. Automatic release was repealed in 2021. |
| EAW | **60** +30 DAYS | Without a decision: the Minister is informed, then Eurojust, and custody is reassessed, but it continues if still necessary. |
| EXT | **5** DAYS | From validation to the first hearing with counsel; the Court of Cassation holds it carries no consequence. |
| EXT | **6** MONTHS | For the Court of Appeal's judgment, and again for the Court of Cassation's; the Code attaches no consequence. |

> **Compare: an Italian investigation.** 24 + 48 + 48 hours for validation and 5 days for the questioning are strict: late means the arrest or the custody lapses.

Treaties between Italy and the requesting State may change the periods indicated for extradition.

**FURTHER READING**

SITE **Extradition lawyer in Italy: a defence guide**

LINKEDIN **The role of the Ministry of Justice in extradition**

# WHERE TO READ FURTHER

PUBLISHED IN ENGLISH AND FREE TO OPEN

## IF IT HAS ALREADY HAPPENED

SITE **Arrested in Italy: an introduction** the shortest orientation there is; start here.

SITE **Arrested in Italy for extradition or a European arrest warrant** the basics for a cross-border arrest.

LINKEDIN **What to do if your client is arrested in Italy** written for foreign counsel.

## BEFORE IT HAPPENS

SITE **The Italian hotel database, an automated trap** why a hotel booking is enough to trigger an arrest.

SITE **Interpol red notice in Italy** abuse of red notices, and how it is fought.

SITE **Schengen Information System and the EAW** the alert that makes the arrest automatic.

## EXTRADITION AND SURRENDER, IN DEPTH

SITE **Extradition to Italy: refusal grounds for defence practitioners** the grounds that work, and those that never do.

LINKEDIN **Diplomatic assurances: a poisoned apple** why a promise is not evidence.

LINKEDIN **A second passport, and the cell door stays shut** dual nationality as a defence, not a detail.

## CUSTODY AND RELEASE

SITE **Precautionary measures under Italian law** the full range, from prison to reporting duties.

SITE **Pre-trial detention duration** the ceilings in national and extradition proceedings.

SITE **House arrest for foreign nationals** Italy has no bail; this is the realistic alternative.

## CHOOSING AND CONTROLLING COUNSEL

SITE **The pitfalls of consular lists** what a consular list does and does not certify.

SITE **Can a foreign lawyer defend in Italy** for counsel abroad who want to stay on the case.

SITE **Professional misconduct in international cooperation** when the first lawyer has damaged the case.

## MONEY

SITE **Legal fees in Italy** how fees are agreed, and how a court would set them.

LINKEDIN **How much does an extradition defence cost in Italy** the arithmetic, for this kind of case.

## TEXTS IN ENGLISH

SITE **The Italian code of criminal procedure** informal translation.

SITE **The Italian European arrest warrant law** informal English translation.

## THE ITALIAN DESK

LINKEDIN **The Italian Desk** a monthly working notebook on extradition, the EAW and international criminal defence in Italy, from the inside. One real file per edition.

## THE COMPLETE LIST

SITE **Arrested in Italy: a practical guide to the first hours** the web version of this note, with some sixty readings.

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This note describes professional activity and is not advice on any particular case, nor an offer of services in any particular matter. Time limits are stated as in force on 29 September 2026, and treaties may change the periods indicated for extradition. Official texts: the Italian Constitution, Code of Criminal Procedure and European arrest warrant law; the European Convention on Extradition; the Vienna Convention on Consular Relations. © canestriniLex, September 2026.