

2009

## SEPARATIONS AND DIVORCES IN ITALY

■ In 2009 there were 85,945 separations and 54,456 divorces, an increase of 2.1 and 0.2% respectively on the previous year. These increases, especially in the case of divorces, were much smaller than those recorded between 2007 and 2008 (3.4% for separations and 7.3% for divorces).

■ As is generally known, the two phenomena are constantly increasing: 158 separations and 80 divorces per 1,000 marriages were recorded in 1995, while in 2009 the figures had reached 297 separations and 181 divorces.

■ The average duration of marriages at the time of separation/divorce proceedings being filed is 15 years for separations and 18 years for divorces.

■ The average age at separation is around 45 for husbands and 41 for wives; for divorce this rises to 47 and 43 respectively. These figures have increased over the years both as result of the drastic fall in separations below the age of 30 – due in large part to the postponement of marriage until more mature ages - and to the increase in separations with at least one spouse aged over sixty.

■ The type of proceeding mainly chosen by couples is consensual separation: in 2009, 85.6% of separations and 72.1% of divorces ended by mutual consent.

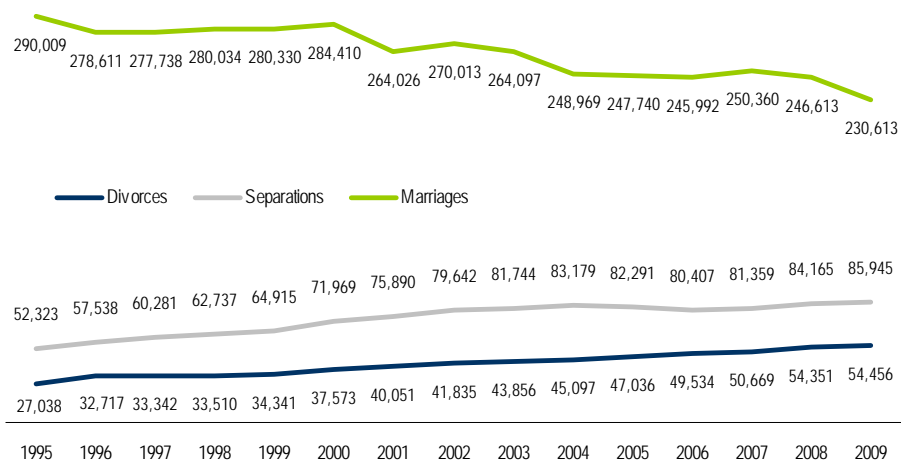
■ 66.4% of separations and 60.7% of divorces involved couples with children born during their marriage. Until 2005, sole custody of minors was mainly awarded to the mother. In 2006 Law 54/2006 introduced the provision of joint custody of minor children as an ordinary procedure and had very clear consequences both for separations and divorces. In 2009, 86.2% of separations with children were with joint custody, as opposed to 12.2% in which custody of the children was awarded exclusively to the mother.

### PROSPECT 1. MAIN CHARACTERISTICS OF SEPARATIONS AND DIVORCES

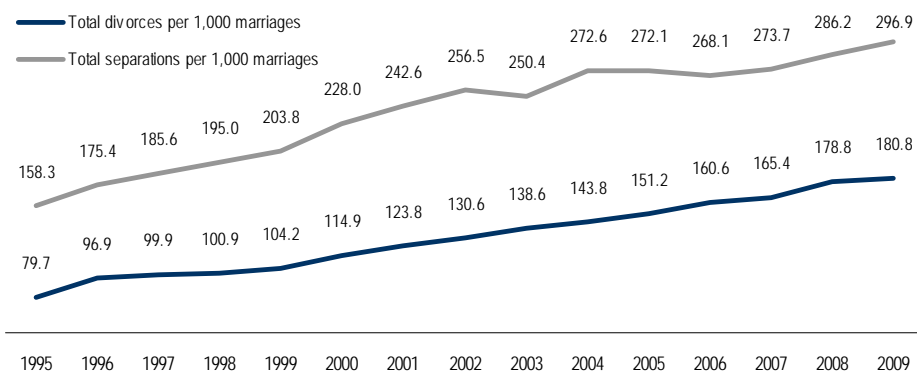
2007-2009 (absolute values, percentage values and per 1,000)

	2007	2008	2009
Separations (absolute values)	81,359	84,165	85,945
<i>Annual growth rate (%)</i>	<i>1.2</i>	<i>3.4</i>	<i>2.1</i>
Divorces (absolute values)	50,669	54,351	54,456
<i>Annual growth rate (%)</i>	<i>2.3</i>	<i>7.3</i>	<i>0.2</i>
Total separations per 1,000 marriages	273.7	286.2	296.9
Total divorces per 1,000 marriages	165.4	178.8	180.8
Consensual separations (per 100 separations)	86.3	86.3	85.6
Consensual divorces (per 100 divorces)	78.3	77.3	77.1
Separations with joint custody (per 100 separations with custody of minor children)	72.1	78.8	86.2
Divorces with joint custody (per 100 divorces with custody of minor children)	49.9	62.1	68.5

**FIGURE 1. MARRIAGES, SEPARATIONS AND DIVORCES**  
1995-2009 (absolute values)



**FIGURE 2. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES**  
1995-2009 (total separation and divorce rates)



**FIGURE 3. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES BY REGION**  
1995 and 2009 (total separation rates)

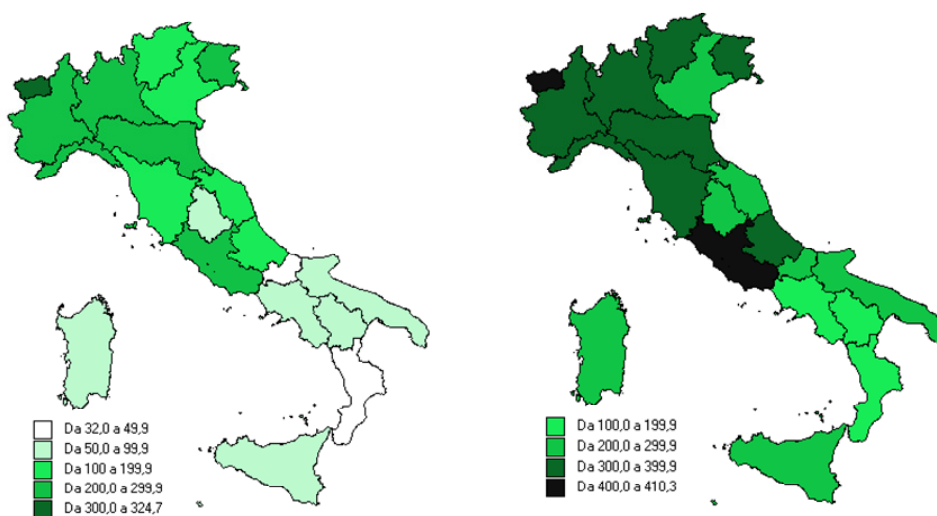


TABLE 1. SEPARATIONS BY AGE CLASSES OF SPOUSES AT SEPARATION  
2000, 2005 and 2009 (absolute and percentage values)

Age classes	Husbands			Wives		
	2000	2005	2009	2000	2005	2009
<i>Absolute values</i>						
14-24	565	424	346	2,275	1,635	1,311
25-29	4,723	3,418	2,797	9,839	7,832	6,281
30-34	13,157	11,573	9,701	16,161	16,183	14,392
35-39	16,123	17,267	16,183	16,576	19,160	18,086
40-44	13,982	18,197	18,189	10,899	15,748	18,206
45-49	9,063	12,574	15,354	6,698	9,405	12,059
50-54	6,435	7,788	9,606	4,557	5,181	6,662
55-59	3,674	5,002	5,683	2,409	3,291	3,735
60 and over	4,247	6,048	8,086	2,555	3,856	5,213
<b>Total</b>	<b>71,969</b>	<b>82,291</b>	<b>85,945</b>	<b>71,969</b>	<b>82,291</b>	<b>85,945</b>
<i>Percentage values</i>						
14-24	0.8	0.5	0.4	3.2	2.0	1.5
25-29	6.6	4.2	3.3	13.7	9.5	7.3
30-34	18.3	14.1	11.3	22.5	19.7	16.7
35-39	22.4	21.0	18.8	23.0	23.3	21.0
40-44	19.4	22.1	21.2	15.1	19.1	21.2
45-49	12.6	15.3	17.9	9.3	11.4	14.0
50-54	8.9	9.5	11.2	6.3	6.3	7.8
55-59	5.1	6.1	6.6	3.3	4.0	4.3
60 and over	5.9	7.3	9.4	3.6	4.7	6.1
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

TABLE 2. SEPARATIONS BY CLASSES OF DURATION OF MARRIAGE AT FILING OF SEPARATION PROCEEDINGS  
1995-2009 (absolute values and percentage compositions)

YEARS	Duration of marriage (years)						Total
	0-4	5-9	10-14	15-19	20-24	25 and over	
<i>Absolute values</i>							
1995	12,752	12,577	8,767	6,847	5,468	5,912	52,323
2000	14,717	17,160	14,138	9,510	6,962	9,482	71,969
2001	15,480	17,917	15,040	10,116	7,065	10,272	75,890
2002	16,133	18,394	15,816	10,360	7,549	11,390	79,642
2003	16,445	18,575	16,739	11,006	7,627	11,352	81,744
2004	16,158	18,292	17,281	11,499	7,966	11,983	83,179
2005	15,420	18,045	16,566	12,055	8,014	12,191	82,291
2006	14,346	17,442	16,102	12,268	7,801	12,448	80,407
2007	13,677	17,421	15,607	13,123	8,397	13,134	81,359
2008	14,447	17,940	15,484	13,513	8,689	14,092	84,165
2009	15,869	18,886	15,237	13,494	8,519	13,940	85,945
<i>Percentage compositions</i>							
1995	24.4	24.0	16.8	13.1	10.5	11.3	100
2000	20.4	23.8	19.6	13.2	9.7	13.2	100
2001	20.4	23.6	19.8	13.3	9.3	13.5	100
2002	20.3	23.1	19.9	13.0	9.5	14.3	100
2003	20.1	22.7	20.5	13.5	9.3	13.9	100
2004	19.4	22.0	20.8	13.8	9.6	14.4	100
2005	18.7	21.9	20.1	14.6	9.7	14.8	100
2006	17.8	21.7	20.0	15.3	9.7	15.5	100
2007	16.8	21.4	19.2	16.1	10.3	16.1	100
2008	17.2	21.3	18.4	16.1	10.3	16.7	100
2009	18.5	22.0	17.7	15.7	9.9	16.2	100

FIGURE 4. MARRIAGES SURVIVING SEPARATION BY DURATION OF MARRIAGE AND COHORT Cohorts 1972-2000 (survival rates per thousand marriages)

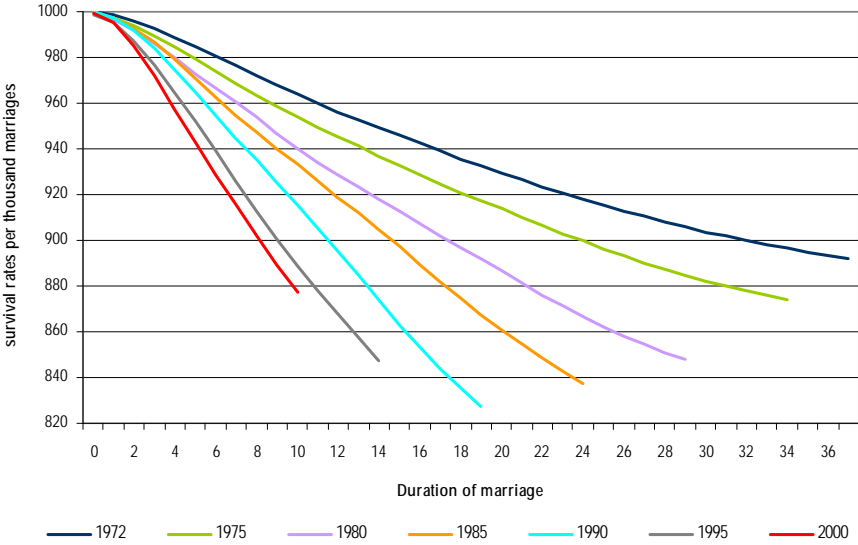


FIGURE 5. MARRIAGES, SEPARATIONS AND DIVORCES WITH MIXED COUPLES 2000-2009 (absolute values)

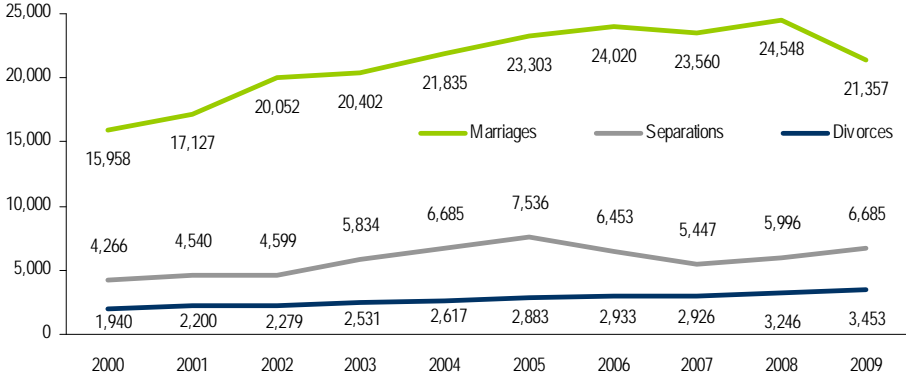
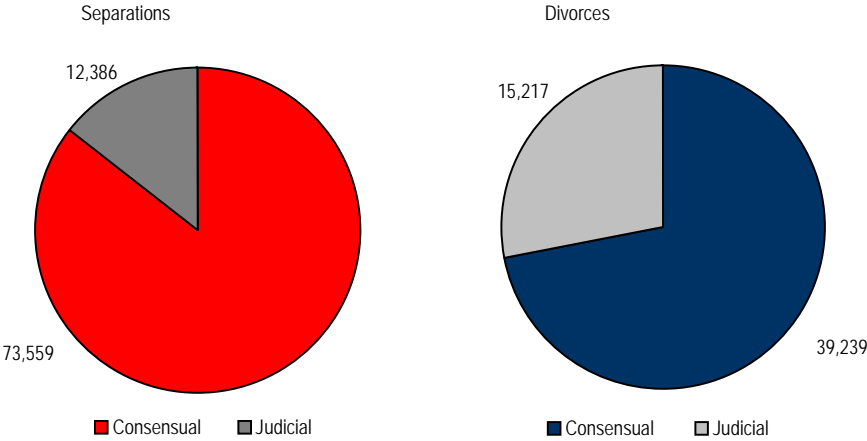


FIGURE 6. SEPARATIONS AND DIVORCES BY TYPE OF PROCEEDINGS 2009 (absolute values)



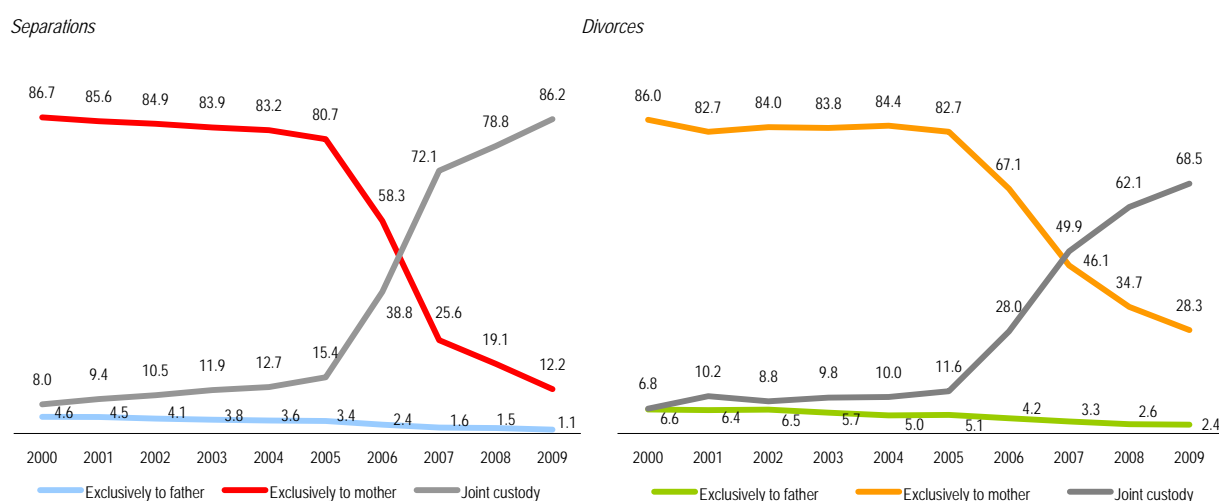
**TABLE 3. MINOR CHILDREN OF WHOM CUSTODY WAS GRANTED IN SEPARATIONS AND DIVORCES BY TYPE OF CUSTODY, GEOGRAPHICAL MACRO-AREA, TYPE OF PROCEEDINGS AND AGE CLASS OF MINOR CHILD OF WHOM CUSTODY WAS GRANTED**  
2009, absolute and percentage values

	Separations					Divorces				
	Total minors of whom custody granted	Type of custody (percentage values)				Total minors of whom custody granted	Type of custody (percentage values)			
		Exclusively to father	Exclusively to mother	Joint custody	To third parties		Exclusively to father	Exclusively to mother	Joint custody	To third parties
<b>Geographical macro-area (a)</b>										
North	29,831	0.9	9.5	88.8	0.8	14,000	2.2	23.9	73.0	0.9
Centre	12,476	0.7	9.9	89.0	0.3	4,9582	2.0	28.6	68.9	0.5
South	20,356	1.5	17.5	80.5	0.5	6,776	3.2	37.3	58.8	0.7
<b>Type of proceedings</b>										
Consensual	53,350	0.7	8.7	90.2	0.3	18,086	2.1	25.5	71.9	0.5
Judicial	9,313	3.2	32.0	62.8	2.1	7,648	3.1	35.0	60.5	1.4
<b>Age classes of minors of whom custody was granted</b>										
0-5	14,594	0.7	12.0	86.8	0.6	833	1.1	27.5	70.8	0.6
6-10	20,926	1.0	11.7	86.7	0.6	8,042	1.5	28.3	69.5	0.7
11-14	16,003	1.2	12.4	85.8	0.5	9,539	2.6	28.5	68.1	0.8
15-17	11,140	1.5	13.0	84.7	0.7	7,320	3.4	28.1	67.7	0.9
<b>Total</b>	<b>62,663</b>	<b>1.1</b>	<b>12.2</b>	<b>86.2</b>	<b>0.6</b>	<b>25,734</b>	<b>2.4</b>	<b>28.3</b>	<b>68.5</b>	<b>0.8</b>

(a) Geographical macro-areas in which courts issued the divorce and separation order

**FIGURE 7. SEPARATIONS AND DIVORCES BY TYPE OF CUSTODY OF MINORS**

2000-2009 (percentage values)



## Glossary

**Custody of minor children.** Custody of minor children in separation or divorce proceedings until 15<sup>th</sup> March 2006 was governed by the Civil Code (article 155) and by Law no. 898 of 01<sup>st</sup> December 1970 as amended by Law no. 74 of 06<sup>th</sup> March 1987 (article 6). Law no. 54 of 08<sup>th</sup> February 2006 (in force since 16<sup>th</sup> March 2006) established that, in separation and divorce cases, the judge's priority must be to assess the possibility of awarding joint custody of minor children to both parents or establish which parent should be awarded custody, ruling on schedules and rules regarding their presence with each parent, as well as setting to what extent and in what way each of them must contribute to their maintenance, care, schooling and education. The judge also takes into consideration any agreements that have been made between the parents – if these are not against the interests of the children – and adopts any other measures regarding the children.

**Divorce.** The annulment and termination of the civil effects of marriages in the case, respectively, of marriages celebrated with a civil ceremony or marriages celebrated with a religious ceremony. Divorce was introduced in Italy by Law no. 898 of 01<sup>st</sup> December 1970; Law no. 74 of 06<sup>th</sup> March 1987 reduced the number of years required for the divorce judgment to be issued from five to three.

**Average duration of marriage.** The difference, in completed years, between the date on which separation proceedings (or divorce proceedings) are filed and the date of marriage.

**Consensual separation.** Based on an agreement between the spouses which establishes the rules for custody of children, any family allowances and division of property. In order to have legal validity it must be ratified by the judge.

**Judicial separation.** Actual legal proceedings initiated at the request of one of the two spouses, the subsequent case and pronouncement of separation judgment.

**Specific separation (or divorce) rates by duration of marriage.** Calculated as the ratio between the number of separations or divorces recorded during a calendar year  $t$  alongside each duration  $x$  of the marriage and the number of marriages celebrated  $t-x$  years previously (i.e. the cohort of marriages of time  $t-x$ ). They measure the proportion of marriages celebrated in year  $t-x$  which end in separation or divorce after a duration of  $(t-x)$  years.

**Total separation (or divorce) rate.** The indicator obtained from the sum, in relation of the durations of marriages, of the specific separation or divorce rates described in the preceding entry. The sum expresses the proportion of marriages that end in separation or divorce during a calendar year  $t$ . It may also be defined as average number of separations or divorces per 1,000 marriages.

## Methodological note

Every year ISTAT publishes the main results of its surveys of separations and divorces conducted at the registries of the 165 civil courts, collecting data concerning every single procedure which was concluded in judicial terms during the reference year.

These data make it possible to update trends in the two phenomena over time and monitor their main characteristics: the duration of marriages and the age of spouses upon separation, the type and duration of proceedings, the number of children involved and custody of minors.

In-depth datasets with the main results of surveys on separations and divorces are available in Excel format in the data warehouse I.Stat (<http://dati.istat.it/>) and at <http://demo.istat.it> in the "Other data" section.