

Separations and divorces in Italy

Year 2012

In 2012 separations were 88,288 and divorces 51,319; compared to the previous year a decrease is observed (-0.6% and -4.6%, respectively).

Total separation and divorce rates, constantly growing since 1995, show a setback in 2012: there were 311 separations and 174 divorces every 1,000 marriages, respectively.

The average duration of marriages at the time of separation/divorce proceedings being filed is 16 years for separations and 19 years for divorces.

More recent marriages have a shorter duration. Comparing weddings celebrated in 1985 with those of 2005, unions arrived to a separation after seven years are doubled, passing from 4.5% to 9.3%.

Religious marriages are more stable. In 2012, 933 religious weddings vs. 880 civil weddings every 1,000 marriages survived to the “seven-year crisis”.

The average age at separation is around 47 for husbands and 44 for wives; for divorce it rises to 49 and 46, respectively. These figures are on the increase due to both the postponement of marriage to 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 the consensual separation: in 2012, 85.4% of separations and 77.4% of divorces ended by mutual consent.

73.3% of separations and 66.2% of divorces involved couples with children born during the marriage. 89.9% of separation agreements provided for joint custody, which has become far more common a procedure since the introduction in 2006 of Law 54/2006.

20.3% of separation agreements provided for spousal maintenance payments (in 98.4% of cases payable by the husband). This share was higher in the South and the Islands (25% and 24%, respectively).

In 58.2% of separations, the matrimonial home was assigned to the wife while only in 20.9% to husbands. 18.8% of separation agreements provided for two different and separate houses, other than the matrimonial one.

MAIN CHARACTERISTICS OF SEPARATIONS AND DIVORCES

2007-2012 (absolute values, percentage values and per 1,000)

	2008	2009	2010	2011	2012
Separations (absolute values)	84,165	85,945	88,191	88,797	88,288
<i>Annual growth rate (%)</i>	3.4	2.1	2.6	0.7	-0.6
Divorces (absolute values)	54,351	54,456	54,160	53,806	51,319
<i>Annual growth rate (%)</i>	7.3	0.2	-0.6	-0.7	-4.6
Total separations per 1,000 marriages	286.2	296.9	307.1	310.7	310.6
Total divorces per 1,000 marriages	178.8	180.8	181.7	181.9	173.5
Consensual separations (per 100 separations)	86.3	85.6	85.5	84.8	85.4
Consensual divorces (per 100 divorces)	77.3	77.1	72.4	69.4	77.4
Separations with joint custody (per 100 separations with custody of minor children)	78.8	86.2	89.8	90.3	89.9
Divorces with joint custody (per 100 divorces with custody of minor children)	62.1	68.5	73.8	75.6	75.1

FIGURE 1. MARRIAGES, SEPARATIONS AND DIVORCES

1995-2012 (absolute values in thousands)

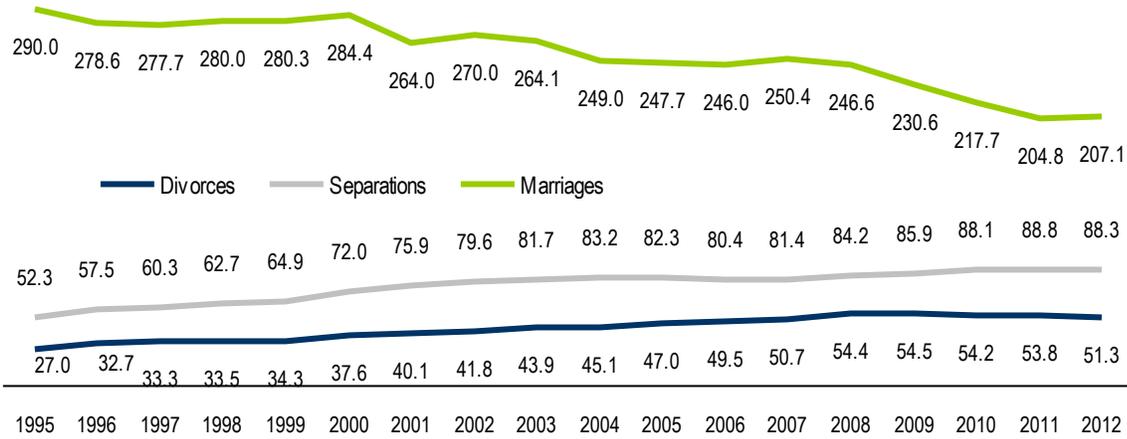


FIGURE 2. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES

1995-2012 (total separation and divorce rates)

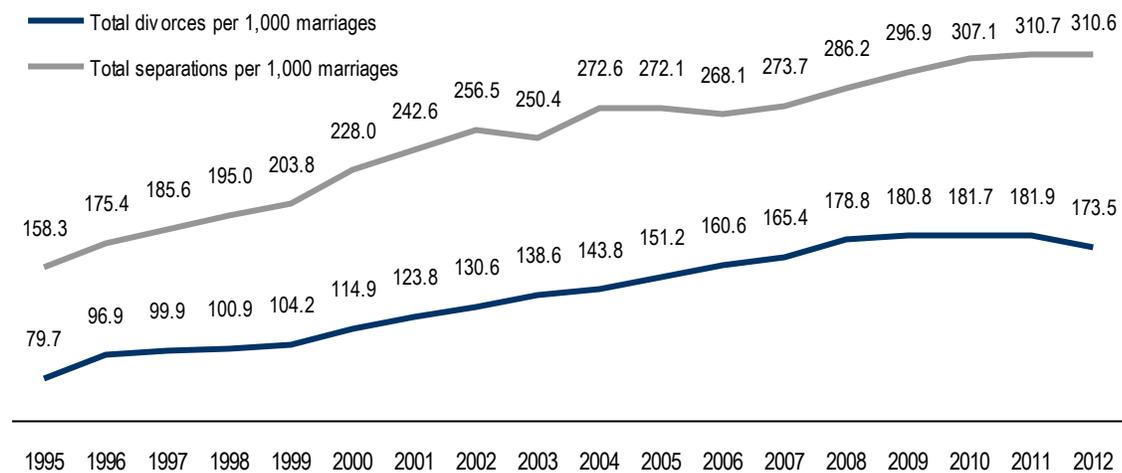
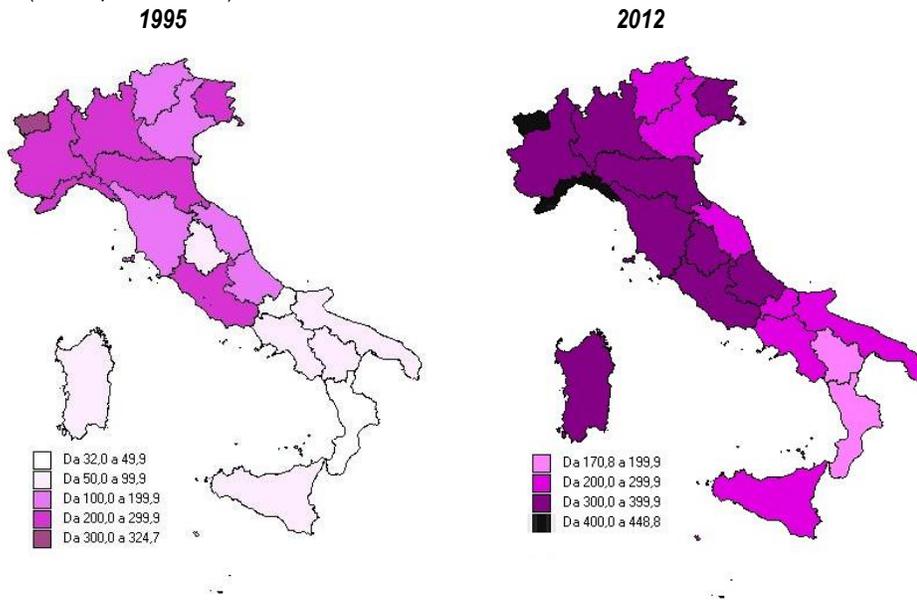


FIGURE 3. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES BY REGION
1995 and 2012 (total separation rates)



PROSPECT 3. SEPARATIONS BY AGE CLASSES OF SPOUSES AT SEPARATION
2000, 2005 and 2012 (absolute and percentage values)

Age classes	Husbands			Wives		
	2000	2005	2012	2000	2005	2012
<i>Absolute values</i>						
14-24	565	424	251	2,275	1,635	940
25-29	4,723	3,418	1,920	9,839	7,832	4,550
30-34	13,157	11,573	6,798	16,161	16,183	10,642
35-39	16,123	17,267	13,600	16,576	19,160	16,582
40-44	13,982	18,197	16,869	10,899	15,748	19,036
45-49	9,063	12,574	18,461	6,698	9,405	14,971
50-54	6,435	7,788	11,960	4,557	5,181	8,997
55-59	3,674	5,002	7,164	2,409	3,291	5,001
60 and over	4,247	6,048	11,265	2,555	3,856	7,569
Total	71,969	82,291	88,288	71,969	82,291	88,288
<i>Percentage values</i>						
14-24	0.8	0.5	0.3	3.2	2.0	1.1
25-29	6.6	4.2	2.2	13.7	9.5	5.2
30-34	18.3	14.1	7.7	22.5	19.7	12.1
35-39	22.4	21.0	15.4	23.0	23.3	18.8
40-44	19.4	22.1	19.1	15.1	19.1	21.6
45-49	12.6	15.3	20.9	9.3	11.4	17.0
50-54	8.9	9.5	13.5	6.3	6.3	10.2
55-59	5.1	6.1	8.1	3.3	4.0	5.7
60 and over	5.9	7.3	12.8	3.6	4.7	8.6
Total	100.0	100.0	100.0	100.0	100.0	100.0

FIGURE 8. MARRIAGES, SEPARATIONS AND DIVORCES WITH MIXED COUPLES
2000-2012 (absolute values)

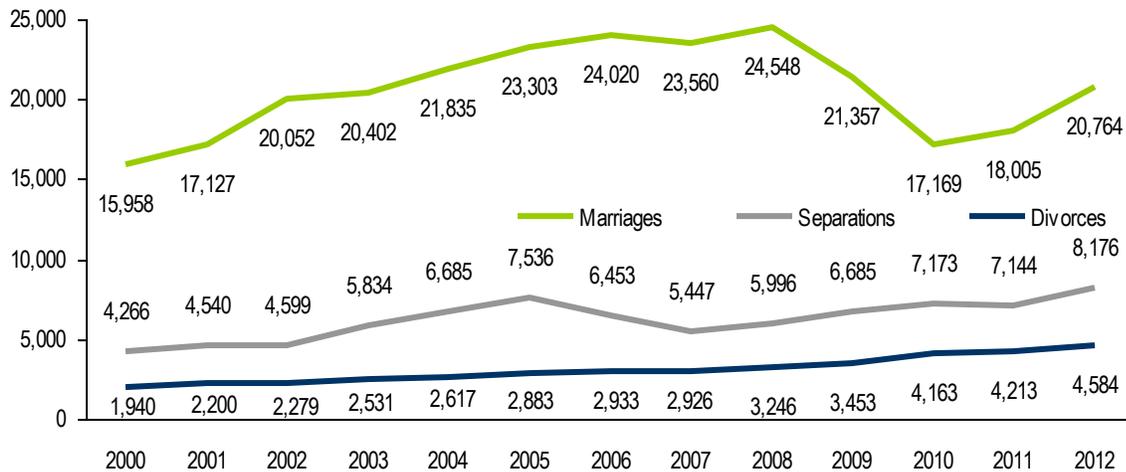
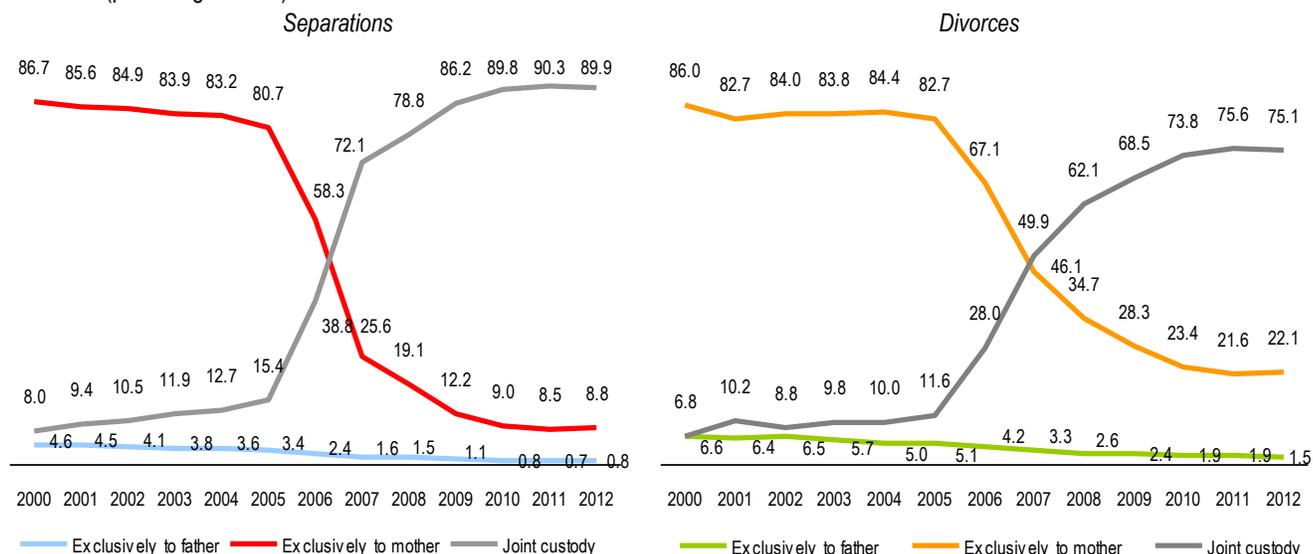


FIGURE 11. SEPARATIONS AND DIVORCES BY TYPE OF CUSTODY OF MINORS
2000-2012 (percentage values)



PROSPECT 4. 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

2012, 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
Geographical macro-area (a)										
North	30,165	0.9	8.4	90.1	0.6	12,685	1.4	19.8	77.7	1.1
Centre	13,348	1.1	10.4	87.9	0.6	4,343	1.5	25.5	71.4	1.6
South	21,551	0.5	8.3	90.7	0.5	5,625	1.7	24.6	72.2	1.5
Type of proceedings										
Consensual	54,381	0.7	8.0	90.8	0.5	17,208	1.2	19.6	77.9	1.3
Judicial	10,683	1.4	12.6	85.1	1.0	5,445	2.5	30.0	66.2	1.3
Age classes of minors of whom custody was granted										
0-5	13,542	0.9	10.1	88.3	0.8	677	1.0	21.6	75.8	1.6
6-10	21,913	0.9	8.9	89.6	0.6	6603	0.9	22.4	75.1	1.6
11-14	17,766	0.8	8.4	90.5	0.3	8745	1.4	22.3	74.7	1.6
15-17	11,843	0.6	7.6	91.4	0.5	6628	2.1	21.6	75.6	0.7
Total	65,064	0.8	8.8	89.9	0.6	22,653	1.5	22.1	75.1	1.3

(a) Geographical macro-area where the courts have issued the order of separation/divorce.

Glossary

Custody of minor children. Custody of minor children in separation or divorce proceedings until 15th March 2006 was governed by the Civil Code (article 155) and by Law no. 898 of 01st December 1970 as amended by Law no. 74 of 06th March 1987 (article 6). Law no. 54 of 08th February 2006 (in force since 16th 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 01st December 1970; Law no. 74 of 06th 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 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.

For more details please refer to the Italian version

Contact persons:

Giancarlo Gualtieri (gualtieri@istat.it).

Socio-demographic and environmental statistics directorate

Istat – National Institute of Statistics

Viale Liegi, 14 – Rome 00198 Italy

phone +39 06 4673.7332

Antonella Guarneri (guarneri@istat.it).

Socio-demographic and environmental statistics directorate

Istat – National Institute of Statistics

Viale Liegi, 14 – Rome 00198 Italy

phone +39 06 4673.7332

