

WRITTEN QUESTION E-4877/08  
by Roberto Fiore (NI)  
to the Commission

Subject: Brusa/Locurcio civil proceedings

During civil proceedings in a family law case between Franca Brusa and her former husband held before the Supreme Court of Cassation and Section I of the Rome Court of Appeal, the courts committed a serious violation of rights guaranteed by the Italian Constitution.

That violation involved the failure to ensure a fair trial in that, owing to her defence lawyer having been struck off the roll, Ms Brusa was deprived of expert assistance during the trial without being aware of this fact.

The judges failed either to adjourn the proceedings, as was necessary under these circumstances, or to take any other steps to ensure a fair hearing.

What action does the Commission intend to take in response to this serious violation and, in particular, what steps will be taken to enforce the provisions of the European Convention on Human Rights?