Self-defense in case of danger: no more automatically investigated officers. The Government is working on it with the new Security Decree.

Published on 02/02/2026

The case in Turin, with a police officer brutally attacked with kicks and hammer blows, has brought back to the forefront of public debate an issue that remains unresolved in Italy for years: **the legal protection of those who wear a uniform and intervene in situations of real danger**.

In that context, as already highlighted, the paradox is evident: **if the officer had used his weapon to defend himself, today he would probably be registered as a suspect**, regardless of the outcome and circumstances. An automatism that weighs like a sword of Damocles on those who operate on the front line of public order.

It is in this framework that the **new security package** on which the Government is working fits in, with the aim of intervening on public order, juvenile crime, immigration, and the management of demonstrations.

The procedural “shield”: what would change

One of the most relevant points under study is the introduction of a **procedural protection for officers and citizens** who act in conditions of **self-defense or state of necessity**.

Today, even when the use of force appears immediately justified, the **automatic registration as a suspect** almost always occurs. A formally “required” act, but one that in some cases initiates a long, costly, and exhausting judicial process, often concluded with an archiving after years.

The executive's idea is to **overcome this automatism**, providing that, in the presence of objective elements of self-defense, **the registration as a suspect does not automatically occur**, leaving the judiciary with preliminary verification tools without immediately turning the operator into a de facto defendant.

This is not a “license to shoot,” but a **correction of the procedural mechanism**, designed to prevent those who survive an assault from having to face a second front, the judicial one.

The direct link with Turin

The Turin incident represents an emblematic example: **an isolated officer, surrounded, hit with potentially lethal tools (including a hammer)**. In such a scenario, reaction time is measured in seconds, not in the long times of courtrooms.

Yet, in the current system, **the awareness that any armed reaction will almost certainly lead to a personal criminal investigation** affects operational choices. It is an element that weighs not only on the involved officer, **but on the overall effectiveness of police action**.

The new regulatory framework also arises to address this issue: **to restore operational serenity to those who are called to decide under extreme stress**.

How it works in other European countries

The Italian debate is not isolated. In several European countries, the protection of police officers follows different logics, often more aligned with operational reality.

France

In France, the use of force by law enforcement is evaluated according to criteria of **necessity and proportionality**, but **there is no generalized automatism of registration as a suspect**. An investigation is opened when concrete elements of abuse emerge, not just because the weapon was used.

Spain

The Spanish model explicitly recognizes the principle of **“legitimate use of means”** by law enforcement. Again, **the criminal investigation is not automatic**: the initial assessment takes into account the **operational context**, the **perceived threat**, and the **overall conduct of the officer**, with the possible opening of proceedings only in the presence of specific evidence of wrongdoing.

Germany

In Germany, the system is strongly oriented towards the **presumption of correctness of the service action**. **Investigations are initiated only in the presence of specific evidence of wrongdoing**. The use of a weapon by the police, if consistent with procedures and the danger situation, does not automatically entail personal criminal consequences.

In summary, **Italy still represents an exception for procedural rigidity**, more than for substantial severity.

Criticisms and concerns

There are no shortages of concerns. Some sectors of the judiciary and civil rights associations fear that a reduction in automatism could weaken controls or create gray areas in the assessment of abuses.

The real issue, however, is not the absence of control, but **its placement in time and method** : control yes, but without turning every critical intervention into a preemptive trial.

Conclusion

The Turin case has starkly shown what many operators have long pointed out: **the gap between street reality and the functioning of the legal system**.

The security package on which the Government is working tries to bridge this gap, intervening not on the principle of responsibility, but on the automatism that today penalizes those who act to defend themselves and others.

The comparison with other European countries shows that **protecting law enforcement without giving up the rule of law is possible**. The challenge now will be to translate this political intention into clear, balanced, and truly applicable norms.

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