

# Request for the defence of parliamentary immunity of Aldo Patriciello

2009/2021(IMM) - 30/04/2009

The Committee on Legal Affairs unanimously adopted the report by Aloyzas SAKALAS (PES, LT) on the request for defence of the immunity and privileges of Aldo PATRICIELLO (EPP-ED, IT) recommending that the immunity of Mr Aldo Patriciello be defended for the following reasons:

At the sitting of 9 March 2009, the President of Parliament announced that he had received a request for the defence of the parliamentary immunity of Italian MEP Aldo Patriciello. The request relates to the investigation concerning Mr Aldo Patriciello in connection with an indictable offence pursuant the Italian Criminal Code, which is pending before the Isernia District Court's Public Prosecutor's Office (IT).

According to the charges brought against him, Mr Patriciello is accused of making false allegations concerning a matter of forgery of public documents (Highway Code violation report) by a municipal police officer. The report concerned violations carried out by a number of motorists who had parked their vehicles near the 'Neuromed' (Istituto Neurologico Mediterraneo) facility. Mr Patriciello stated that the police officer had forged the times on the said report while in fact no forgery had legally occurred, thereby accusing her of the offence of forging public documents even though he knew she was innocent.

The Committee on Legal Affairs considers that Mr Patriciello merely commented on facts in the public domain, the rights of the citizens to have an easy access to a Hospital and to the healthcares, which had an important impact on the daily life of his constituents.

Mr Aldo Patriciello did not act for his own interest, he did not want insult the public official but he act for general interest of his electorate in the framework of his political activity.

In so doing he was carrying out his duty as a Member of Parliament in expressing his opinion on a matter of public interest to his constituents.

On the basis of the above considerations, the Committee on Legal Affairs, having examined the reasons for and against defending immunity, **recommends that the immunity of Mr Aldo Patriciello be defended.**