

Bloomberg

Berlusconi Denied Delay of Sex-With-Minor Trial as Verdict Nears

By Chiara Remondini and Andrew Frye - Jan 14, 2013

Former Prime Minister Silvio Berlusconi, campaigning for [Italy](#)'s general election next month, was denied a request for a delay of his criminal trial on charges of paying for sex with a minor until after the vote.

The judges announced the decision after four hours of deliberations in Milan. Berlusconi's lawyer Niccolo Ghedini made the request today, saying the trial could interfere with the campaign for the Feb. 24-25 parliamentary elections, and criticized the judges' decision.

"The verdict is certainly going to come before the election," Ghedini said. "This is the clear intention of the judges and this is going to disrupt the election campaign."

The trial, which also includes charges of abuse of power, will have at least three more hearings, with the final one scheduled for Feb. 4. Berlusconi, 76, has denied ever paying for sex and said he thought Karima El Mahroug, the woman at the center of the case, was 24 in February 2010 when she says she attended at least one of the billionaire's parties. El Mahroug was 17 at the time.

El Mahroug, who danced in nightclubs under the stage name Ruby Heart Stealer, was due to testify today as a witness for the defense. She left the courtroom without answering questions after Berlusconi's lawyers dropped their request for her testimony.

El Mahroug "was ready to take questions from the defense, from the prosecutors, and from the judges," the woman's lawyer Paola Boccardi said. "She was surprised not to be heard."

Appeal Process

Berlusconi probably won't face immediate incarceration if he's convicted, said Andrea Castaldo, a professor and lawyer who isn't working on the case. Italian law allows people convicted of criminal offenses to remain free pending appeal and softens penalties on those aged 70 or older.

"We're talking about sexual acts with a minor and diversion of institutional powers," said Castaldo, who teaches criminal law at the University of Salerno. "It's clear that we're talking about serious things. But as far as practical effects, I think it will take some time."

Berlusconi is seeking to overcome a deficit in public- opinion polls in his bid to propel his coalition

to victory in elections on Feb. 24-25. Berlusconi resigned as premier in November 2011 after failing to protect Italy from [Europe's](#) sovereign debt crisis. In October, he was convicted of tax fraud and sentenced to four years in prison.

Abuse of Power

Berlusconi, appealing the tax verdict, has denied the charges in the pending criminal case. In addition to the allegation of paying for sex with an underage woman, Berlusconi is accused of abusing his power as premier when he called Milan police on her behalf after her arrest. The call was a request for information, Berlusconi has testified.

After the call, El Mahroug was released into the custody of a politician of Berlusconi's party in Milan.

El Mahroug has denied having sex with the former premier, while acknowledging that he gave her money. She said in an interview with television network Sky TG24 last year that Berlusconi had given her 7,000 euros (\$9,135) to help her through a difficult situation. Berlusconi told journalists last year that he gave her 57,000 euros to help her set up a business and avoid prostituting herself.

Berlusconi said in his Oct. 19 testimony that he never had "intimate relations of any kind" with El Mahroug.

To contact the reporters on this story: Chiara Remondini in Milan at cremondini@bloomberg.net; Andrew Frye in Milan at afrye@bloomberg.net.

To contact the editor responsible for this story: James Hertling at jhertling@bloomberg.net.

©2013 BLOOMBERG L.P. ALL RIGHTS RESERVED.