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Note from Fr. Federico Lombardi, S.J., on the reasons, procedures and conclusion of the trial for disclosure of reserved information and documents

Vatican City, 8 July 2016 – The director of the Holy See Press Office, Fr. Federico Lombardi, S.J., issued a note yesterday afternoon in which he explained the reasons for the trial for disclosure of confidential information, how it was held, and its conclusions.

It was correct for the trial to take place, writes Fr. Lombardi, "because there is a law, indeed a recent law promulgated in 2013 to combat information leaks. In recent years the Vatican legal and penal system has developed to become more complete and to meet the present day need to combat illegality in various fields. Intentions cannot be declared or norms established without consistency in putting them into practice, prosecuting those who do not respect the law".

"It should have taken place to demonstrate the will to combat decisively the manifestations and undesirable consequences of internal tension and polemic within the Vatican, which have for some time been too frequently reflected externally too, through indiscretions or leaks of documents to the media, creating a circulation and an ambiguous, negative context of interactions, with internal discussions and external repercussions via social media, with negative consequences in terms of the opinion of the public, which has the right to objective and calm communication. This is an 'illness', as Pope Francis would say, to be combated with determination.

"To know and evaluate the various aspects of this situation, it was right to face courageously also the dimension of the role and the effective responsibility or otherwise of journalists in the affair, notwithstanding the predictable polemics with regard to the freedom of the press. This freedom must certainly be protected, but the profession of journalism must also have limits to be respected if there are other important issues involved that need to be safeguarded, and it is right to evaluate whether this has happened or not. As has already been repeated several times, this is not in any way a trial against the freedom of the press.

"Although the current law did not exist during his papacy, Benedict XVI too had considered it right for 'human' justice to take its course in relation to the case regarding his butler, up to the final sentence. Likewise now, although the responsibility for the disclosure of information lies clearly with an important ecclesiastical figure, it would not be just for different treatment to be used for this reason.

"The trial was carried out with full willingness to respect the appropriate laws and procedures, including the demands of law and the of the defence, with competent judges and lawyers, and with transparent public debate. Highly authoritative testimonies were heard, such as that of Dr. Paolo Mieli, mentioned both during the debate and externally. The overall length of the trial was limited, indeed short, if one takes into account the two months necessary for the expert witness in matters of computer technology, required by the defence. (The first arrests were made on 31.10 and 1.11.2015; a summons to trial was issued on 24.11, and there was a total of 21 hearings).

"The sentence was delivered by the members of the Tribunal, fully independent, with an attitude of both justice and clemency in accordance with the spirit of the renewal of criminal legislation at the behest of Paul VI in 1969. As all those who have followed the trial have understood with ease, the debate played a fundamental role in the formation of the judgement by the Tribunal, which did not act on the basis of preconceived positions but rather arrived in the end at an acquittal for which one can only be thankful.

"The reasons for the judgement shall be deposited in the forthcoming weeks and will be accessible. The defendants now have three days to propose an appeal. It is hoped that, despite the sadness that any offence and the consequent trial necessarily cause, it may be possible to draw conclusions and reflections useful for avoiding future repetition of similar situations and events", concludes the director of the Holy See Press Office.
