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Interview of the editorial director, Andrea Tornielli, with Archbishop Charles Scicluna, adjunct secretary of the Congregation for the Doctrine of the Faith on the occasion of the publication of the Rescript of the Holy Father Francis concerning the Instruction on the Confidentiality of Legal Proceedings

Scicluna: “An epochal decision that removes obstacles and impediments”

Interview with the adjunct Secretary of the Congregation for the Doctrine of the Faith: “The bishops had spoken about it at the February meeting on the protection of minors”.

ANDREA TORNIELLI

«An epochal decision». This is how the archbishop of Malta Charles Scicluna, adjunct Secretary of the Congregation for the Doctrine of the Faith, described the rescriptum published on Tuesday 17 December 2019, in this interview with Vatican Radio – Vatican News.

What importance does the Pope’s decision to abolish pontifical secrecy in cases of sexual violence in child abuse have?

I remember when the bishops were called to the Vatican by the Holy Father Francis in February 2019, that there was a full day of discussion on the question of transparency in cases of sexual misconduct. In May 2019 we have a new law which also gave an important impact and also development in the same line, and now we have another law by the Holy Father that says that cases of sexual misconduct are not under the Pontifical secret, that would be the highest level of confidentiality. That means, of course, the question of transparency now is being implemented at the highest level.

What does this decision change in concrete terms?

It opens up, for example, avenues of communication with victims, of collaboration with the state. Certain jurisdiction would have easily quoted the pontifical secret because that was the state of the law, in order to say that they could not, and that they were not, authorized to share information with either state authorities or the victims. Now that impediment, we might call it that way, has been lifted, and the pontifical secret is no more an excuse. However, the law goes further: it actually says, as also does *Vos estis lux mundi*, that information is of the essence if we really want to work for justice. And so, the freedom of information to statutory authorities and to victims is something that is being facilitated by this new law.

Does the abolition of pontifical secrecy mean that documents will become public?

The documents in a penal trial are not public domain, but they are available for authorities, or people who are interested parties, and authorities who have a statutory jurisdiction over the matter. So I think that when it comes, for example, to information that the Holy See has asked to share, one has to follow the international rules: that is, that there has to be a specific request, and that all the formalities of international law are to be followed. But otherwise, on the local level, although they are not public domain, communication with statutory authorities and the sharing of information and documentation are facilitated.
