

[News](#)

[Vatican](#)

The judges of the Vatican City State criminal court -- Venerando Marano, Giuseppe Pignatone

The judges of the Vatican City State criminal court -- Venerando Marano, Giuseppe Pignatone and Carlo Bonzano -- sit under a crucifix in a makeshift Vatican courtroom July 27, 2021, as the trial of 10 defendants in a financial malfeasance case begins. (CNS photo/Vatican Media)

Nicole Winfield

[View Author Profile](#)

The Associated Press

[View Author Profile](#)

[**Join the Conversation**](#)

Send your thoughts to *Letters to the Editor*. [Learn more](#)

Vatican City — October 6, 2021

[Share on Bluesky](#)[Share on Facebook](#)[Share on Twitter](#)[Email to a friend](#)[Print](#)

The Vatican tribunal hearing a landmark fraud case ruled Wednesday that prosecutors had deprived 10 defendants of their rights and ordered prosecutors to turn over key pieces of evidence and [redo their investigation](#) for some suspects.

Tribunal President Giuseppe Pignatone said there had been “lamentable violations” by the pope’s prosecutors in failing to give the suspects the chance to respond to all accusations against them during the preliminary phase of the investigation.

Pignatone also repeated his July 29 order for prosecutors to hand over the videotaped recordings of a key suspect-turned-star witness whose testimony formed the basis for several of the charges in the indictment. He rejected as incomprehensible the prosecutors' arguments that the witness' privacy would be compromised if the tapes were released to the defense.

The trial concerns [the Holy See's 2013 investment in a London real estate venture](#) that lost the Vatican tens of millions of euros, much of it donations from the faithful that were spent on fees to Italian brokers.

[Prosecutors have accused the brokers](#) of defrauding the Holy See, and several Vatican officials of abuse of office, corruption and other charges.

The trial, the most complicated in the Vatican's recent history, has been portrayed as evidence of Pope Francis' get-tough attitude toward financial malfeasance. But Pignatone's ruling exposed basic deficiencies by Vatican prosecutors, who previously were criticized by a British judge for having [made "appalling" misrepresentations and omissions](#) in a related asset-seizure case.

Defense lawyers had argued that procedural errors committed by the prosecutors' during the investigative phase were [so harmful to the suspects' rights to defend themselves](#) that the charges should be thrown out entirely.

The three-judge tribunal declined to issue a blanket voiding of the indictment for all 10 suspects. But in a decision read aloud in court Wednesday, Pignatone said four people had to be interrogated on all charges, and identified certain charges to which the others must be given the chance to respond.

Defense lawyers said they were pleased with the decision, noting the court had accepted their objections and identified the deficiencies in the prosecutors' case.

Advertisement

Giandomenico Caiazza, the lawyer for broker Raffaele Mincione, said the decision amounted to the voiding of the indictment against his client, who handled the original London investment for the Vatican and is accused of embezzlement and fraud.

"I think this is maybe the start of a different reading of this whole matter," Caiazza said.

According to the lawyer, Mincione never was formally asked to present himself for questioning during the investigation and declined to show up on his own after another broker did so and was jailed for 10 days in the Vatican barracks.

Caiazza said the tribunal's ruling showed "there were not the conditions for procedural legitimacy for an indictment. This is very important."

Pignatone also ordered prosecutors to make available hours of recorded testimony by Monsignor Alberto Perlasca, who was the Vatican official most intimately involved in the London deal. He originally was a key suspect since he signed the contracts with the brokers.

But after his initial interrogation, Perlasca fired his lawyer and apparently began cooperating with prosecutors. The information from his subsequent interviews was so important to the prosecution's case that it spared him indictment and formed the basis of several charges.

And Perlasca may not be spared after all. In the ruling, Pignatone challenged prosecutors to clarify what the monsignor's status is and to declare if he is a suspect in this or any other case.

One of Perlasca's accusations led to a witness-tampering charge against Cardinal Angelo Becciu, the lone cardinal standing trial. Becciu only learned of the accusation in the indictment and never received the opportunity to respond to it before the trial began, according to his lawyer.

He will now be given the chance to, with the benefit of the defense having seen Perlasca's original videotaped testimony.

Becciu's lawyer, Fabio Viglione, said he was satisfied with the ruling, saying it showed the court "accepted our objections" and made evident the prosecutors' errors that "directly impacted on the right to defense."

He said the defense was going forward "confident in the absolute innocence of Cardinal Becciu and his fidelity to the church and the Holy Father."