

**EMBARGO FINO ALLE ORE 13.00 (ORA DI ROMA)  
DI OGGI, MARTEDÌ 8 FEBBRAIO 2022**

**Analysis of the facts by the collaborators of Benedict XVI**

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*Prof. em. Dr. Dr. Mag. Helmuth Pree - "Ludwig-Maximilians-Universität" of Munich (Canon Law)*

*Dr. Stefan Korta - Buchloe (Church Law)*

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**In the report on abuses in the Archdiocese of Munich and Freising it is stated that:**

Joseph Ratzinger, contrary to what he claimed in the memorandum drafted in response to the experts, was present at the meeting of the Ordinariate on January 15, 1980, in which Priest X. was discussed. And it is claimed that Cardinal Ratzinger had employed this priest in pastoral activity, even though he was aware of the abuses committed by him, and thus would have covered up his sexual abuses.

**This does not correspond to the truth, according to our verifications:**

Joseph Ratzinger was neither aware that Priest X. was an abuser, nor that he was included in pastoral activity.

The records show that at the meeting of the Ordinariate on January 15, 1980, it was not decided to engage Priest X. in pastoral activity.

The records also show that the meeting in question did not discuss the fact that the priest had committed sexual abuse.

It was exclusively a question of the accommodation of the young Priest X. in Munich because he had to undergo therapy there. This request was complied with. During the meeting the reason for the therapy was not mentioned.

It was therefore not decided at the meeting to engage the abuser in pastoral work.

**In the abuse report of the Archdiocese of Munich and Freising it is stated that:**

With regard to his presence at the meeting of the Ordinariate on January 15, 1980, Benedict XVI would have knowingly perjured himself, would have lied.

**This is not true, in fact:**

The affirmation contained in Benedict XVI's memoir that he did not take part in the meeting of the Ordinariate on January 15, 1980 is indeed incorrect. And yet Benedict XVI did not lie or knowingly make a false statement:

In drafting the memoir, Benedict XVI was supported by a group of collaborators. It consisted of the lawyer Dr. Carsten Brennecke (Cologne) and the collaborators for ecclesiastical law: Prof. Dr. Stefan Mückl (Rome), who at the behest of Benedict XVI examined the documents, Prof. Dr. Helmuth Pree and Dr. Stefan Korta. The collaborators were called in because Benedict XVI could not analyze the mass of issues on his own in a short period of time and because the law firm in charge of the expert report asked questions that referred to canon law, so that a framework in canon law was necessary for the answer. Only Prof. Mückl was allowed to view the documents electronically, and he was not allowed to store, print or photocopy any documents. No other collaborators were allowed to view the documents. After Prof. Mückl had examined the digital documents (8,000 pages) and analyzed them, a further processing step was carried out by Dr. Korta, who inadvertently made a transcription error. Dr. Korta mistakenly noted that Joseph Ratzinger was not present at the meeting of the Ordinariate

on January 15, 1980. The collaborators missed this erroneous entry of an absence that had not occurred. They relied on the false indication erroneously inserted by failing to expressly ask Benedict XVI if he had been present at that meeting. On the basis of the erroneous transcription of the minutes, it was assumed instead that Joseph Ratzinger had not been present. Benedict XVI, due to the great haste with which he had to verify his memory in a few days, given the time limits imposed by the experts, did not notice the error, but trusted the alleged transcription of his absence.

One cannot impute this transcription error to Benedict XVI as a conscious false statement or "lie".

Moreover, it would have made no sense for Benedict to intentionally deny his presence at the meeting: in fact, the minutes of the meeting report statements made by Joseph Ratzinger. The presence of Joseph Ratzinger was therefore evident. Moreover, in 2010 several press articles report - without later denial - the presence of Cardinal Ratzinger at the meeting. Similarly, a biography of Benedict XVI published in 2020 states: "As a bishop, during a meeting of the Ordinariate in 1980, he had only agreed that the priest in question could come to Munich to undergo psychotherapy" (Peter Seewald, *Benedikt XVI.*, Droemer Verlag 2020, p. 938).

**The report argues that:**

The expert report also charges Benedict XVI with misbehavior in three other cases. In fact, even in these cases he would have known that the priests were abusers.

**This does not correspond to the truth, according to our verifications, in fact:**

In none of the cases analyzed by the expert report was Joseph Ratzinger aware of sexual abuse committed or suspicion of sexual abuse committed by priests. The expert report provides no evidence to the contrary.

Regarding the case of the Priest X. that was publicly discussed in the meeting of the Ordinariate in 1980 regarding the accommodation to be given to him for therapy, the same expert - in the press conference of 20.01.2022 on the occasion of the presentation of the abuse report - stated that there is no evidence that Joseph Ratzinger was aware of it. To the subsequent question of a journalist whether the experts were able to prove that Joseph Ratzinger had been aware that Priest X. had committed sexual abuse, the expert clearly stated that there is no evidence that Joseph Ratzinger had knowledge. Only in the subjective opinion of the expert witnesses would it be "more likely".

The press conference is available at the following link: <https://vimeo.com/668314410>

At minute 2:03:46 the journalist's question can be found: "My question also still refers to the case of Priest X. Can the law firm prove that Cardinal Ratzinger was then aware that Priest X. was an abuser? What does 'most likely' mean in this context?" [...]

An expert responds, "[...] More likely means that we assume it with a higher probability. [...]".

The expert report contains no evidence for an allegation of misconduct or conspiracy in any cover-up.

As an archbishop, Cardinal Ratzinger was not involved in any cover-up of acts of abuse.

**The report alleges that:**

In his memoir, Benedict XVI allegedly downplayed acts of exhibitionism. As evidence for this assertion the following indication contained in the memoir is reported: "Parish priest X. was noted as an exhibitionist, but not as an abuser in the proper sense".

**This does not correspond to the truth, in fact:**

In his memoir Benedict XVI did not minimize the exhibitionist behavior, but expressly condemned it. The phrase used as alleged evidence of minimizing exhibitionism is taken out of context.

In the memoir, in fact, Benedict XVI says with the utmost clarity that abuses, including exhibitionism, are "terrible", "sinful", "morally reprehensible" and "irreparable". In the canonical evaluation of the event, inserted into the memoir by us the collaborators and expressed according to our judgment, there was only a desire to recall that according to the canon law then in force, exhibitionism was not a crime in the restricted sense, because the relevant penal norm did not include in the case in point behavior of that type.

Thus, the memoir of Benedict XVI did not minimize exhibitionism, but clearly and explicitly condemned it.

*This fact-check was drafted by the collaborators in German. Should there be any linguistic discrepancies in the course of translation, the German version shall prevail.*

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