

IMPLEMENTATION ADVISORY GROUP

REVIEW OF GOVERNANCE AND MANAGEMENT OF DIOCESES AND PARISHES

REVIEW PROJECT PLAN

[1 MAY 2019]

OVERVIEW

THE JOYS AND HOPES, THE GRIEF AND ANGUISH OF THE PEOPLE OF OUR TIME, ESPECIALLY THE POOR AND AFFLICTED, ARE THE JOYS AND HOPES, THE GRIEF AND ANGUISH OF THE FOLLOWERS OF CHRIST AS WELL. ... WE MUST BE AWARE OF AND UNDERSTAND THE ASPIRATIONS, THE YEARNINGS, AND OFTEN DRAMATIC FEATURES OF THE WORLD IN WHICH WE LIVE. ... OURS IS A NEW AGE OF HISTORY WITH PROFOUND AND RAPID CHANGES ... WE ARE ENTITLED THEN TO SPEAK OF A REAL SOCIAL AND CULTURAL TRANSFORMATION WHOSE REPERCUSSIONS ARE FELT AT THE RELIGIOUS LEVEL ALSO.

Gaudium et Spes (7 December 1965)

There have been tensions concerning the nature of 'Church' and the relationships between the component parts of the People of God ever since the Second Vatican Council. Those tensions have manifested themselves in many ways, including in calls for reform of ecclesial governance and administration. The appalling revelations of widespread sexual abuse of children by clerics and in Church organisations and the mishandling of complaints of abuse have been a lightning rod attracting and focussing attention on calls for cultural and practical renewal and reforms as an essential part of the response to the tragedy.

If there is to be a restoration of trust and credibility in the Church in a way that will make it a safe place for all who come to it and that will enable it to proclaim its Gospel mission, there must be 'real

social and cultural transformation'. This can only occur if all of the People of God are involved in the way the Church is governed. As Pope Francis said in his *Letter to the People of God* (20 August 2018):

I am conscious of the effort and work being carried out in various parts of the world to come up with the necessary means to ensure the safety and protection of the integrity of children and of vulnerable adults, Together with those efforts, every one of the baptised should feel involved in the ecclesial and social change that we so greatly need.

It is impossible to think of a conversion of our activity as a Church that does not include the active participation of all the members of God's People. Indeed, whenever we have tried to replace, or silence, or ignore, or reduce the People of God to small elites, we end up creating communities, projects, theological approaches, spiritualities and structures without roots, without memory, without faces, without bodies and ultimately, without lives. This is clearly seen in a peculiar way of understanding the Church's authority, one common in many communities where sexual abuse and the abuse of power and conscience have occurred.

[T]he only way that we have to respond to this evil that has darkened so many lives is to experience it as a task regarding all of us as the People of God. This awareness of being part of a people and a shared history will enable us to acknowledge our past sins and mistakes with a penitential openness that can allow us to be renewed from within. Without the active participation of all the Church's members, everything being done to uproot the culture of abuse in our communities will not be successful in generating the necessary dynamics for sound and realistic change.

ROYAL COMMISSION RECOMMENDATION

In its final report the Royal Commission into Institutional Responses to Child Sexual Abuse was damning in its description of the Church's decision-making and accountability and their impact on the protection of children and the response to concerns about, and allegations of, child sexual abuse. The Commissioners said:

In accordance with contemporary standards of good governance, we encourage the Catholic Church in Australia to explore and develop ways in which its structure and practices of governance may be made more accountable, more transparent, more meaningfully consultative and more participatory, including at the diocesan and parish level.

This is the basis on which Recommendation 16.7 in the final report of the Royal Commission was made:

The Australian Catholic Bishops Conference should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and the participation of lay men and women. This review should draw from the approaches to governance of Catholic health, community services and education agencies.

In the publicly released response of 31 August 2018, the Australian Catholic Bishops Conference (ACBC) and Catholic Religious Australia (CRA) accepted the recommendation and entrusted the conduct of the review to the Implementation Advisory Group (IAG), which has been asked to provide advice on

the kind of review that might best fulfil the intentions of the recommendation in light of Catholic ecclesiology (theological principles foundational to the nature of the Church) and approaches to governance of Church agencies. Specifically, the IAG has been asked to consider approaches to the governance of Church agencies, processes of consultation with experts to shape the review, the terms of reference, potential reviewers and an achievable timeline.

THE CONTEXT

The Royal Commission adopted a commercial/corporate model of governance when examining the organisational and administrative components of the Church. Attempting to understand the structure of the Church by analogy to the more familiar structures of complex organisations in modern society runs the risk of failing to capture the actual responsibility relationships and true centres of agency within the Church.

That having been said, the Royal Commission also analysed the governance of Catholic schools and Catholic community services, recognising that governance aspects of both these sectors were increasingly being undertaken by lay people through the development of canonical structures to enable them to do so, which has resulted in positive professionalism.

It is essential in a review of the governance and management of dioceses and parishes that the structure of the Church with respect to the actual responsibility relationships and true centres of agency within the Church are comprehensively understood as distinct from the more familiar structures of complex organisations in modern society.

It needs to be recognised that ‘governance’ as a concept is not restricted to commercial entities and encompasses the systems, structure and policies that control the way an institution operates, and the mechanisms by which the institution, and its people, can be held to account. There are identifiable principles that emerge from the administration of non-commercial organisations that can contribute to good governance of those entities. The following elements are all essential to good governance whether an organisation is commercial or not in nature:

- integrity;
- transparency;
- accountability;
- risk management;
- culture and ethics;
- consultation;
- inclusiveness; and
- the participation and genuine responsibility of men and women.

A review of the governance and management structures of the Church and recommendations of reform are essential to ensure that the contemporary standards of good governance are mandatory elements of the Church in Australia at all levels. The governance and management of dioceses and parishes adopted by Church leaders must focus on an unending commitment to protect the most vulnerable and rebuild trust and credibility among the Catholic and broader community.

The review is also opportune given that the Catholic Church in Australia will meet in a Plenary Council to be held in 2020. This will provide a forum for mature consideration of recommendations for change as a Plenary Council has authority (limited though it may be) to make local laws. Of course, any such laws have to be compatible with the universal laws and norms of the Church. But deep reflection opens up the possibility of advice to the Holy See on matters that transcend the interests of the people of God in Australia and that may be of benefit to the global presence of Church.

THE REVIEW PROJECT

The IAG has brought together a Governance Review Project Team (GRPT) to develop the review project plan. The initial members of the GRPT indicated that they wanted to expand the team and appoint three additional members: another lay woman with requisite experience, a canonist and a theologian or ecclesiologist.

The Permanent Committee on 13 March 2019 proposed the addition of three other members to the GRPT who have each agreed to join the GRPT. The GRPT consists of:

- Ms Pauline Connelly, Chancellor Archdiocese of Adelaide, Deputy Director Centacare Catholic Family Services, Adelaide;
- Rev Dr Brendan Daly, Lecturer in Canon Law, Good Shepherd College, Auckland, New Zealand;
- Mr Jack de Groot, CEO of the St Vincent de Paul Society NSW and chair of the Church's Implementation Advisory Group;
- Sr. Professor Isabell Naumann ISSM, President, Catholic Institute of Sydney;
- Justice Neville Owen, former Supreme Court justice in Western Australia, former chair of the Truth, Justice and Healing Council, which facilitated the Church's engagement with the Royal Commission, current member of the Pontifical Council for the Protection of Minors;
- Adjunct Professor Susan Pascoe AM, president and chair of the Australian Council for International Development, former Commissioner of the Australian Charities and Not-for-profits Commission and former executive director of the Catholic Education Commission of Victoria;
- Professor John Warhurst, Emeritus Professor of Political Science at the Australian National University and chair of Concerned Catholics Canberra Goulburn.

On 13 March 2019 the Permanent Committee of the ACBC and the Council of CRA approved the plan (with various amendments) and authorised IAG to carry out the review in accordance with this document.

TERMS OF REFERENCE

1. To identify areas in which the governance and management structures of diocese and parishes in the Church in Australia assist or impede the attainment of accountability, transparency,

consultation and lay men and women's participation and co-responsibility in decision-making processes.

2. To identify cultural practices that have led to appropriate use of power as well as to serious and widespread abuse of power in governance and management by Church authorities within dioceses and parishes across Australia.
3. To identify the impact that the autonomy of dioceses has had on the development of a nationally consistent response to child sexual abuse and other abusive behaviour by its members.
4. To identify principles of governance that will facilitate best practice in management and administration of relevant Church authorities.
5. To identify best practice examples of governance and management in the Church in Australia and elsewhere, including regulatory models.
6. To draw on and work with world-class researchers in matters of ecclesiology and governance for the purposes of the review.
7. To recommend changes to governance and management structures to achieve the goals of best practice as outlined in these terms of reference.
8. Such other matters as they may arise.

METHODOLOGY

1. The review will be coordinated by the GRPT supported by the Executive Officer of the IAG and with external assistance from time to time as outlined below.
2. The GRPT will report regularly (and at least monthly) to the IAG on the progress of the review and will act in accordance with directions given by the IAG.
3. The review will include:
 - 3.1 The compilation of a collection of relevant source materials based on a focussed literature survey, particularly materials that identify appropriate governance and management models.
 - 3.2 Taking preliminary advice in areas of ecclesiology, systematic theology and canon law relevant to governance to ensure that the review methodology accords with the requirements of Church law and norms.
 - 3.3 Targeted consultations with individuals and groups as necessary but so as to avoid cutting across or duplicating other consultative processes that may be occurring.
 - 3.4 Liaising with:

- The Plenary Council Facilitation Team through Archbishop Costelloe and the Bishops Commission to consider relevant submissions on governance, management and culture made by interested parties to the Plenary Council Listening and Dialogue process (the GRPT has been advised that the PC2020 will be analysed by the National Centre for Pastoral Research and themes identified and approved prior to provision of submissions to the GRPT). The IAG has requested that one of the thematic working groups formed specifically address governance. Discussions to establish a working protocol with the Plenary Council Facilitation Team and GRPT are ongoing.
- Catholic Professional Standards Ltd

3.5 Engaging in research partnerships with world-class researchers that can contribute to the attainment of the objects of the review, particularly in relation:

- Ecclesial and canonical aspects of governance;
- Governance principles and models in organisations having similar purposes to those of the Church;
- Applicable regulatory environments.

3.6 The writing of a report analysing the materials and research input and containing recommendations for change.

TIMELINE

The IAG will deliver to the ACBC and CRA:

- A progress report by 30 April 2019
- An interim report by 31 October 2019

The objective is to complete the report by 31 March 2020 so that it can be considered by the ACBC at its Plenary Meeting in May 2020 and by CRA when it meets in 2020 and so as to be available for the purposes of the Plenary Council, scheduled to open in October 2020.