

**ROYAL COMMISSION INTO INSTITUTIONAL
RESPONSES TO CHILD SEXUAL ABUSE**

**Public Hearing - Case Study 50
(Day 252)**

Level 17, Governor Macquarie Tower
1 Farrer Place, Sydney

On Tuesday, 21 February 2017 at 10am

Before:

The Chair:	Justice Peter McClellan AM
Before Commissioners:	Justice Jennifer Ann Coate
	Mr Bob Atkinson AO APM
	Mr Robert Fitzgerald AM
	Professor Helen Milroy
	Mr Andrew Murray

Counsel Assisting:	Ms Gail Furness SC
	Mr Stephen Free

1 MS FURNESS: Your Honour, today's panel is a number of
2 bishops who, generally speaking, represent areas which are
3 smaller than the metropolitan bishops.
4
5 THE CHAIR: Generally speaking?
6
7 MS FURNESS: Well, I didn't want to offend
8 Archbishop Porteous of Hobart, so I put it in those terms,
9 your Honour.
10
11 <ANTOINE-CHARBEL TARABAY, sworn: [10.04am]
12
13 <CHRISTOPHER ALAN SAUNDERS, sworn: [10.04am]
14
15 <VINCENT LONG VAN NGUYEN, sworn: [10.04am]
16
17 <DANIEL EUGENE HURLEY, sworn: [10.04am]
18
19 <JULIAN CHARLES PORTEOUS, sworn: [10.04am]
20
21 <CHRISTOPHER CHARLES PROWSE, sworn: [10.04am]
22
23 <EXAMINATION BY MS FURNESS:
24
25 MS FURNESS: Archbishop Prowse, could you tell us your
26 full name?
27
28 ARCHBISHOP PROWSE: I'm Archbishop Christopher Charles
29 Prowse.
30
31 MS FURNESS: You're Archbishop of Canberra and Goulburn?
32
33 ARCHBISHOP PROWSE: The Archbishop of Canberra and
34 Goulburn and the Apostolic Administrator for the Wagga
35 Diocese.
36
37 MS FURNESS: You were ordained as a priest in the
38 Archdiocese of Melbourne in August 1980?
39
40 ARCHBISHOP PROWSE: Correct.
41
42 MS FURNESS: Since that time, you have been an auxiliary
43 bishop in that archdiocese?
44
45 ARCHBISHOP PROWSE: Correct.
46
47 MS FURNESS: And in June 2008 you were appointed the

1 Bishop for the Diocese of Sale?

2

3 ARCHBISHOP PROWSE: Correct.

4

5 MS FURNESS: You held that position until you took up your
6 current position as archbishop in 2013?

7

8 ARCHBISHOP PROWSE: Correct.

9

10 MS FURNESS: Your archdiocese is what size?

11

12 ARCHBISHOP PROWSE: There's 56 parishes. It's
13 geographically a very big diocese. It incorporates
14 colonial, I suppose you could say, or farming areas, then
15 goes down to coastal areas, the alpine region of Australia
16 and also some of the big wheat and wool areas like Yass and
17 Goulburn.

18

19 MS FURNESS: You have 50-odd schools in your area?

20

21 ARCHBISHOP PROWSE: Yes, 56 schools. Half of them are in
22 the Australian Capital Territory and the other half are in
23 regional New South Wales.

24

25 MS FURNESS: Thank you. Now, what engagement does your
26 archdiocese have these days with children?

27

28 ARCHBISHOP PROWSE: We have an engagement with the
29 children when they come to us particularly at schools.
30 Clearly we educate a very substantial percentage of the
31 schools in the whole region; they're not all Catholic.
32 People would choose the Catholic school. Our engagement
33 with them is through their teachers and through the
34 activities. Then, of course, with children in our
35 parishes, there would be youth groups; those that come to
36 the mass on Sunday in family groups. So across the board,
37 there would be children - family groups, because of our
38 commitment to marriage and family life. So it's quite
39 a universal spread.

40

41 MS FURNESS: Are you funded to deliver services other than
42 in relation to education?

43

44 ARCHBISHOP PROWSE: We are involved also with
45 CatholicCare, we call it, which is social welfare. Then
46 there's Marymead, which is for children particularly, and
47 that is both is funded by governments and also by local

1 fundraising and Church funding as well.

2

3 MS FURNESS: Tell us about Marymead.

4

5 ARCHBISHOP PROWSE: Marymead is an agency of the
6 Archdiocese of Canberra and Goulburn which particularly
7 cares for children. There's orphanages and foster
8 families. There's outreach to the community in that
9 particular area.

10

11 MS FURNESS: So orphanages are run through --

12

13 ARCHBISHOP PROWSE: Well, orphanages, as such, no, they
14 are not there. But the foster families and what have you,
15 I suppose, is better to call them, linking up with foster
16 families, households, so the children are given safe places
17 in that setting.

18

19 MS FURNESS: So I take it from your description that the
20 vast majority of children who come into contact with your
21 archdiocese are through schools?

22

23 ARCHBISHOP PROWSE: Correct.

24

25 MS FURNESS: Thank you. You have provided a statement,
26 archbishop.

27

28 Your Honour, it might be appropriate at this stage to
29 tender the volume of statements as one.

30

31 THE CHAIR: We'll make that exhibit 50-009.

32

33 **EXHIBIT #50-009 VOLUME OF STATEMENTS**

34

35 MS FURNESS: Do you have a copy of that with you?

36

37 ARCHBISHOP PROWSE: I have my statements, yes.

38

39 MS FURNESS: Just dealing firstly with the one which is
40 dated 4 November.

41

42 ARCHBISHOP PROWSE: Correct, yes.

43

44 MS FURNESS: Are the contents of that true and correct?

45

46 ARCHBISHOP PROWSE: Correct, yes, it is.

47

1 MS FURNESS: Thank you. You indicate in your statement -
2 this is at paragraph 8 - that you established in September
3 2015 the Institute for Professional Standards and
4 Safeguarding?

5
6 ARCHBISHOP PROWSE: Correct.

7
8 MS FURNESS: What prompted the establishment of that body?

9
10 ARCHBISHOP PROWSE: Probably three factors. The first
11 factor was that I was new to the archdiocese. I felt that
12 coming in new as an archbishop, it would be important for
13 me to review that which had already taken place by my
14 predecessor. I think it's healthy to have a full review.
15 I asked people outside the diocese, from the national
16 committee, to come in and do a review. That happened.
17 Their major suggestion was that we should have
18 a whole-of-archdiocese approach.

19
20 The second factor would have been that particularly
21 here, the Royal Commission - I was made the archbishop
22 whilst the Royal Commission had already been going for
23 about a year. I was listening very carefully. I was
24 trying to respond as I could dynamically to that which was
25 being revealed here, and very grateful to the Royal
26 Commission for opening up the areas where we in the
27 Catholic Church have somewhat - we needed to have a mirror
28 placed in front of us, which I think the Royal Commission
29 has done and will do, which I think is very important for
30 us.

31
32 Thirdly, my own personal experience, too. I've been
33 with victims and their families over the years in the
34 different dioceses I've been in. There are obviously
35 individual stories, but there was a commonality, almost,
36 I'd say, demand, from the victims which resonates deep in
37 my heart, basically saying, "Will you please listen to us
38 and believe our story." Secondly, "Can you assure us that
39 that person who abused me is no longer in the employ of the
40 Church?" Thirdly, "Can you provide some practical help to
41 me because I have an open wound that will not heal, and
42 I need some practical compensation; I need some
43 counselling." Fourthly, "Can we trust you? Can you assure
44 us that the Catholic Church now and in the future is
45 different to that which it was in the past, particularly
46 with the relationship to children, with safeguarding of
47 children?"

1
2 So those factors all came together when I first
3 arrived, and it has made it such a priority in my
4 governance of the diocese ever since and will in the
5 future.

6
7 MS FURNESS: How does the establishment of that institute
8 satisfy those various matters you described?
9

10 ARCHBISHOP PROWSE: It satisfies it in the following
11 manner. First of all, I'm taking greater responsibility.
12 Before, it was rather diffuse. I wasn't really sure what
13 was going on. It was delegated to different agencies,
14 which were all doing a very good job, but I felt that there
15 should be a coming together so that I could take a greater
16 sense of ownership and responsibility and know what's
17 happening and monitor it. So I needed some institute that
18 would do that.
19

20 Also, the educative dimension is very important to me.
21 Certainly responding to allegations that come up promptly
22 and professionally, and working in with government
23 agencies, which I've tried to sophisticate in recent times.
24 But also to be able to go ahead with programs, protocols,
25 safeguarding - to oversee that, and also get particularly
26 laypeople in, who have great expertise in this matter, so
27 that I can work in with them and not become some sort of
28 solitary figure making decisions from on high. But there
29 is a determination in me to work with the competent people,
30 mainly laypeople, to be able to change the culture, greater
31 transparency and accountability for what's happening, and
32 to be able to do that in the public forum in this tragic
33 moment, this chilling moment, of the Catholic Church with
34 these statistics coming out, particularly in the last few
35 weeks, which have chilled us to the core, and me
36 personally. It has been heartbreaking to see these
37 statistics nationally, but at the very same time to be able
38 to say, well, let us go forward in a completely different
39 way that is a way that we can hold our head up high and be
40 able to say we're learning from this. We have a long way
41 to go, but we're on the way. I feel that this institute
42 represents all that.
43

44 MS FURNESS: The institute is a combination of your
45 CatholicCare organisation?
46

47 ARCHBISHOP PROWSE: Yes, it's a central body. It employs

1 some people there who then audit, monitor, working with
2 these agencies --

3

4 MS FURNESS: Perhaps if I can stop you there. As
5 I understand it, establishing that institute was to bring
6 together areas within the archdiocese that generally
7 delivered services to children?

8

9 ARCHBISHOP PROWSE: Yes.

10

11 MS FURNESS: And what were those agencies, or what are
12 those agencies?

13

14 ARCHBISHOP PROWSE: First of all, the biggest one is
15 Catholic Education. Then there's the CatholicCare, the
16 Marymead. There's the congregational schools which run
17 their own national responses, but I still want to know
18 what's happening and to be informed and to monitor that.
19 Then, of course, our parishes and particularly our priests
20 and those that work with children, to ensure that all their
21 Working With Children Checks are there, up to date; that
22 when we do get complaints, they're handled professionally
23 and in a way that is not in any way, shape or form victims
24 feeling fobbed off; and to work particularly with the
25 ombudsman and the police at times, to work in together.

26

27 I'd say we're on the way. We have a long way to go,
28 but I think we're moving in the right direction.

29

30 MS FURNESS: So the effect of amalgamating, if I can use
31 that word, those agencies under the institute - is that,
32 subject to the various legislative requirements, there's
33 a commonality of approaches?

34

35 ARCHBISHOP PROWSE: Two points, if I might. The first
36 one, "amalgamation" is a rather strong word. I want to
37 delegate responsibly. I feel that's the word that I would
38 use.

39

40 Secondly, working in with the agencies and the
41 government agencies. There's still a long way to go there.
42 For instance, my archdiocese straddles two governmental
43 constituencies - New South Wales and ACT - and with my
44 brother bishops from New South Wales, some time ago, we
45 wrote to the New South Wales Government wanting the
46 reportable conduct policies to make sure they include all
47 religious - that's there - but there's slightly different

1 legislation in the ACT and I have, with one of the
2 survivors of sex abuse that we're working with on our
3 consulting - we're now petitioning and have been
4 petitioning the ACT Government to raise the bar on the
5 reportable conduct policies to be equated with New South
6 Wales.

7
8 New South Wales, I think, has a high standard. I'd
9 like not to straddle two constituencies that are different
10 on this. I want there to be a consistency on both. So
11 I've been trying to respond as best I can to those issues
12 as they arise.

13
14 MS FURNESS: I think the Bill has been passed, hasn't it,
15 in the ACT?

16
17 ARCHBISHOP PROWSE: It's on the way. I think it's July
18 this year, but, you know, there are still some amendments
19 and finetuning I'd like to do to make sure that we really
20 do have a consistency. I don't want to be running an
21 agency of child protection in the Catholic Church, in my
22 archdiocese, where we have all these sort of hoops to go
23 through to say, well, New South Wales says this, but ACT
24 says that.

25
26 I would think also, just off the top of my head, too,
27 that this is a big issue nationally, too; that we have the
28 state and the national governments having consistent
29 policies which are of a very high standard, but I just have
30 to say that I don't have much to prove that, but I get the
31 sense that what's happening in my part might be symptomatic
32 of what's a challenge today nationally.

33
34 MS FURNESS: You have said that the creation of the
35 institute has resulted in more transparency?

36
37 ARCHBISHOP PROWSE: Yes.

38
39 MS FURNESS: Is it the case that there is more information
40 or decisions that are being made public that weren't
41 before?

42
43 ARCHBISHOP PROWSE: Yes, our protocols - I'm just thinking
44 of the website, I'm thinking of people's access to our
45 policies which are there, updating them continually, moving
46 them from draft to policy --
47

1 MS FURNESS: Archbishop, what's different from before you
2 brought together those agencies into the institute?

3
4 ARCHBISHOP PROWSE: Things like access to - how do I make
5 a complaint, how did I do it, where are the documents?

6
7 MS FURNESS: That wasn't available before?

8
9 ARCHBISHOP PROWSE: It was, but it was hard to find. Now
10 it's easy to find. It's easy to find on the website, so
11 people can access it electronically or contact us. I want
12 to make it easy for very vulnerable people who have a story
13 to tell and who come from an experience, many of them, in
14 the past where they felt that the Church wasn't taking
15 moral responsibility. Many of them had been very happy,
16 but some of them are saying, "Listen, we had to stand
17 behind a whole barrage of lawyers to get to you, to the ear
18 of the bishop." So I want to be able to change that
19 culture and I'm trying my best to do that, with great
20 expertise of laypeople.

21
22 MS FURNESS: Do you publish statistics now that you didn't
23 publish before the institute was established?

24
25 ARCHBISHOP PROWSE: That's something that I'd like to do,
26 actually, as a consequence of these sessions here. When
27 I go back to my archdiocese, I have it in my heart to go
28 around to the dioceses in regional areas for listening
29 sessions. I want to gather the victims and their families.
30 I mean, it's been like a bushfire going through the
31 Catholic Church, or a tsunami effect, on faith and on
32 people's trust of us. And I don't want to be sort of seen
33 as some bureaucrat behind an office. So I want to go out
34 and - I find the victims I've met over the years - I call
35 them wounded healers. I don't think we can go ahead
36 without the wounded healers standing alongside us, walking
37 together, correcting us, directing us, working in with us.
38 That's what I want to do, because there's huge wisdom
39 already there.

40
41 Indeed, it's part of our Catholic culture to be
42 alongside the periphery, the vulnerable, the children.
43 When I read those statistics and the average age was only
44 11 --

45
46 MS FURNESS: But, archbishop, the Church has had
47 procedures in place for 20 years to deal with this.

1
2 ARCHBISHOP PROWSE: Yes.

3
4 MS FURNESS: Your evidence is suggesting that it's a very
5 recent phenomenon.

6
7 ARCHBISHOP PROWSE: Well, it is recent in the sense that
8 I think it's not as in-house as perhaps it might have been
9 when Towards Healing first came along. But now we're
10 talking about working immediately with the ombudsman, for
11 instance. When a reportable offence or allegation is
12 given, immediately we're tick-tacking with the local
13 ombudsman and that helps --

14
15 MS FURNESS: That's because you have to, archbishop.
16 You're required by law to do that.

17
18 ARCHBISHOP PROWSE: Yes, but it's a law that I not only
19 support but I'm trying to promote even more so in the ACT
20 so that it becomes a knee-jerk reaction, that the Church is
21 not working on its own; it's working with the
22 governmentalities of the time.

23
24 And I'm really looking forward to the recommendations
25 from the Royal Commission, so that these doors will be
26 opened even further. I'm looking forward to that. But at
27 the same time I'm putting together a structure which I hope
28 has a lot of open doors and open windows and is quite
29 a dynamic one. It's not a closed shop. I feel also it's
30 not just the change of policy but it's also the change of
31 hearts and minds - this is a big issue as well.

32
33 THE CHAIR: Archbishop, it no doubt is in your thinking,
34 and indeed all of you who are here today, and others, that
35 the Church has had to confront, at least as you put it, in
36 the last few weeks, the horror of what has actually
37 occurred. There will be many people who will wonder why it
38 was that it took a Royal Commission for the Church to come
39 to confront its own reality, a reality which, at least in
40 part, must have been known to many people in leadership and
41 other positions for many years.

42
43 Because it has taken the Church so long and, indeed,
44 it has been led to confront the issue, I assume that all of
45 you are conscious that the credibility in the public mind
46 has suffered an enormous blow. And there will be those who
47 say to the Church, "Well, you say all these good things now

1 that you've been confronted with your own reality. How is
2 it that we can accept what you say?" What are the signs
3 that people should understand that what you are saying is
4 that the Church accepts its own reality and is prepared to
5 make the changes, some of which, as you know, have already
6 been discussed during the course of this hearing?

7
8 What do you say, and what ultimately do all of you
9 say, to the community?

10
11 ARCHBISHOP PROWSE: Your Honour, I think we start by
12 getting on our knees and saying we're profoundly and deeply
13 sorry it has taken the genius of the Royal Commission to
14 put a mirror in front of us in a prophetic way to say,
15 "You're not doing what your mission says you are to do and
16 you are not even doing what are basic requirements of
17 Australia." So there's a massive failure in our mission in
18 this particular regard, particularly to vulnerable people,
19 children, young children. That's the first point I would
20 want to make, is that we have messed up. We've done wrong.
21 We're not being contrite in a superficial way. I can't
22 think of another area of Church life, over the years that
23 I've been involved with the Catholic Church in leadership,
24 that has struck the inner core of us.

25
26 The second thing is it's not enough to just say sorry.
27 We are people who say we are sorry and we will try not to
28 sin again. So the second part is to genuinely work in with
29 the Royal Commission and the new world that is now opening
30 up to assure people that things are becoming different.
31 That's not saying that we've already arrived there, but we
32 must be able to work more transparently, with government
33 agencies, to share what's going on in us, not to be so
34 in-house, not to sort of think that we're some sort of
35 bubble in an environment separated or on another orbit from
36 the orbit of Australia. Coming together on this is
37 something that is a present and future challenge.

38
39 So I can only really say that, your Honour,
40 heartfelt - the sorrow and the determination to move on
41 from here with the help of others.

42
43 THE CHAIR: One of the issues that has surfaced in the
44 course of the recent hearing, which is repeated over and
45 over again, is the issue of clericalism.

46
47 ARCHBISHOP PROWSE: Yes.

1
2 THE CHAIR: The special place that has been given to the
3 priest, which has provided the power and the access to
4 children, with the tragedies that have occurred. Now, you
5 can imagine that many people reading about this Commission
6 and watching the screen will be asking the question: well,
7 what are you going to do about clericalism? Do you have an
8 answer to that question?
9

10 ARCHBISHOP PROWSE: Globally I would say that clericalism
11 is the abuse of power. I mean, every time we Christians
12 talk about power, it's for service. Now, it has been
13 subverted through all sorts of reasons, in some cases, not
14 to serve but to thwart, and thwart the most vulnerable.
15 This is the tragedy. This is the incredible tragedy.
16

17 Now, how has that happened? We need to be able to
18 look at that further and further. I would have thought in
19 regard to seminary training and also after a priest is
20 ordained that we're beginning to put in a different
21 mindset, to be able to weed out those who are attracted to
22 ministry because it gives them some sort of power to be
23 held in awe by others. So there's a psychological
24 component here, a way of screening people. There's also
25 a way of monitoring them over a period of time.
26

27 But I would have thought that that's a way to start,
28 to sort of basically define what it is and then say, "Well,
29 listen" - it's a bit like, if I could use the word, "sin",
30 which is the word we use; it's an offence here. But it's
31 a social, it's a structural aspect of the sin. It's
32 a dis-ease, as it were. Clericalism is a dis-ease or an
33 abuse of that which is precious and can bring about our
34 missionary and our religious aims. But the religious aim
35 is cut off, and when that's cut off, all of a sudden you
36 open yourself up for people who are - what is their
37 intention? Why are you involved in children's ministries
38 and what have you? So that's where we have to have proper
39 screening and proper education in this to be able to work
40 on this problem in a more focused manner.
41

42 THE CHAIR: Some would describe clericalism as the culture
43 that the Church nurtured that put the priest on a pedestal,
44 with the consequence that laypeople - particularly, in what
45 we've seen many, many times, it's the mother of the child
46 who has absolute trust in the priest, because that's the
47 way the priest is represented in the Church community, and

1 of course that trust is breached. It's that sort of, as it
2 were, base level of culture that is often identified as
3 being the problem with clericalism. How do you address
4 that?

5
6 ARCHBISHOP PROWSE: Yes, I think it's very true,
7 your Honour, what you're saying. In fact, when talking to
8 victims over the years, that is precisely what has
9 happened, that the incredible trust given has been abused
10 by, for instance, the priest.

11
12 How do we move on from that? Well, I think we've got
13 to start with those knocking at the door of the seminary.
14 It has to start right there. There is a certain pathology
15 to the paedophilia that we're now aware of. Move away from
16 just a moral indiscretion; it's certainly that, but we've
17 moved on from that. But the pathology of it, the grammar,
18 the chemistry of paedophilia is something we're becoming
19 more and more aware of. So therefore, once knowing the
20 disease, the medicine to eradicate that becomes a little
21 bit more obvious.

22
23 I think sometimes the medicine offered was not really
24 based on a proper diagnosis. This is where I think we've
25 been able to defer to the social sciences, the
26 psychologies, the expectations in the corporate world about
27 these. The monitoring of these things can be very, very
28 helpful to us. So it's a long-term chapter I think we're
29 now moving into, moving away from a naivety, perhaps, in
30 this area before.

31
32 Might I say, though, on the other hand, I think, for
33 instance, in seminary training, it's quite different now
34 than it was, say, in the 1950s and 1960s, quite different.
35 The movement of laypeople into the mix, especially in
36 parish settings where there are focus groups with families,
37 intelligent, prudent laypeople, coming to be able to help
38 us to monitor possible future priests is a plus, and these
39 issues of lording it over, a clerical approach, can be
40 monitored a lot more - I think a lot more quickly than in
41 times past. I think that's a positive way on a long
42 journey ahead.

43
44 COMMISSIONER MURRAY: Can I just return and follow on from
45 the Chair's earlier question about how the community can
46 trust and believe that the Church is genuine in its mission
47 of change. Am I right in perceiving, archbishop, that you

1 personally had no real appreciation of the scale and nature
2 of what had happened in the Catholic Church in Australia
3 with respect to the volume of child sexual abuse and the
4 numbers of perpetrators within the Church? Did that come
5 as a surprise to you?
6

7 ARCHBISHOP PROWSE: Well, Commissioner, the data that the
8 Royal Commission has more recently given us in these weeks
9 is the first time I've seen creditable data nationally, and
10 it has shocked me personally.
11

12 COMMISSIONER MURRAY: Was it a surprise when you first saw
13 it?
14

15 ARCHBISHOP PROWSE: Yes. To get a national portrait of it
16 and the huge numbers, you know, the thousands, and to
17 know --
18

19 COMMISSIONER MURRAY: The point to my question is this:
20 one thesis is that the culture of secrecy and of cover-up
21 dictated from the Vatican downwards has meant that bishops
22 themselves in each of their dioceses have been isolated
23 from true knowledge. If that thesis is accurate, it means
24 that one of the motives - or, sorry, one of the mechanisms
25 for change must surely be much stronger demand for internal
26 accountability and external transparency by the Church, and
27 I did not hear that in your answer to Justice McClellan's
28 question.
29

30 ARCHBISHOP PROWSE: Thank you for bringing that up,
31 Commissioner, because I would want to validate exactly what
32 you said then. I mean, we do need to have - if I can go
33 back to my image of this being a disease or a scourge, we
34 do need to have national, international, local data on it
35 so that we can see that which is in front of us, and to
36 have that as a starting point to see, well, if that's the
37 illness, if that's the scourge, what should the medicine
38 be?
39

40 I think that which you've just mentioned there is
41 helpful in the sense that the protocols, the way of looking
42 at this disease, the way of moving forward, must be, first
43 of all, predicated by the fact that we, as it were, know
44 the beast, rather than to dim it down and say, "Oh, well,
45 this is just a passing phase" or "This was just an
46 indiscretion on a local level", but know that it's
47 something far greater than that.

1
2 I think the Royal Commission has really helped us -
3 forced us - to see this in a way that is painful but
4 I think ultimately helps us on the road to doing something
5 really helpful about it and moving on from there.
6

7 COMMISSIONER MURRAY: Attached to that question of mine is
8 a question to you as to whether you, personally, and you
9 believe your colleagues, understand that cover-up, secrecy,
10 poor institutional response, in fact does far more damage
11 to the Church and has been a thoroughly damaging approach -
12 is that understood in the change that you're instituting?
13

14 ARCHBISHOP PROWSE: Yes, I believe it is understood here
15 in Australia more and more. We're really talking about
16 a double affliction, a double - the perpetrator afflicting
17 the innocent one and then, secondly, a regenerating or the
18 removal - the forcing, again, of that person to feel
19 a victim when they face the Church rather than as a wounded
20 healer coming towards us. Often many have said, "Yes,
21 we've been very happy with the Church's response", but too
22 many have said, indeed, that they were victimised again by
23 an uncaring wall of the institutional Church, which of
24 course very much bishops must take responsibility for.
25

26 So in what I'm suggesting, with the institute, I want
27 to make a very honest and fresh beginning to say, no,
28 I will not hide myself behind the walls. I want to be able
29 to work in an interdisciplinary way with not only Church
30 people but also those governmental ones - ombudsman,
31 police - to be able to respond to this.
32

33 COMMISSIONER MURRAY: What we are discussing are really
34 the systems of the Church which have resulted in secrecy
35 and cover-up. As I understand the Catholic Church's system
36 of appointment, a bishop, such as you, an archbishop, is
37 directly responsible to the Pope. Do you have the courage
38 to say to the Pope and the Vatican, "No more secrecy, no
39 more cover-up. Much more transparency. Much more internal
40 and external accountability"? Is that change there in your
41 heart?
42

43 ARCHBISHOP PROWSE: Commissioner, in regard to the
44 appointment of a bishop, is that --
45

46 COMMISSIONER MURRAY: No, no, I'm talking in regard to the
47 issue of child sexual abuse.

1
2 ARCHBISHOP PROWSE: Yes.

3
4 COMMISSIONER MURRAY: You see, what prevailed were
5 secrecy, cover-up and poor process, which has damaged the
6 Church.

7
8 ARCHBISHOP PROWSE: Yes.

9
10 COMMISSIONER MURRAY: You're responsible to the Pope. Do
11 you have the courage to say to whoever the Pope is, "No
12 more of that"?

13
14 ARCHBISHOP PROWSE: I certainly - if I had the
15 opportunity, most certainly, and certainly to the Pope's
16 representative here in Australia, the Nuncio. Yes, this is
17 where we need to move in this direction, and I believe
18 Pope Francis is hearing this, and I can see that some of
19 his even more recent statements and the setting up of
20 international structures now are beginning to move in this
21 direction of greater accountability.

22
23 He describes the sex abuse as the sin that shames us
24 all, and I think that that's a good way of offering what
25 the Church is saying at the moment and moving into
26 a greater openness, to be able to respond to this scourge
27 in our midst and to do something that would really turn the
28 tide, and if that means the secrecy aspects need to be
29 looked at more seriously, certainly. But exactly what that
30 word "secrecy" means would need to be worked out at
31 different levels.

32
33 COMMISSIONER MURRAY: Well, in your language, it means
34 that the issue has been kept in-house until recent years.

35
36 ARCHBISHOP PROWSE: I think in regard to what's happening
37 now, yes, I concede it's a big difference. I think the
38 gravity of the sex abuse is really starting to dawn on us,
39 and we can see that, no, no, we simply don't have the
40 resources on our own to be able to cope properly with this.
41 And even if we did, it's not appropriate. The days of us
42 just in-house looking at these issues on our own -
43 those days are gone. Apart from that, the government
44 structures that are up now and the legislation, which is
45 very helpful, helps us to say - I, as archbishop, for
46 instance, can't be making unilateral decisions about these
47 matters without going to these other instrumentalities and

1 working through it in that way.

2

3 MS FURNESS: Archbishop, you have given evidence of
4 wanting to, and, indeed, having walked with victims and
5 heard what they've had to say.

6

7 ARCHBISHOP PROWSE: Yes.

8

9 MS FURNESS: But isn't it as recent as last November that
10 you were invited to a healing ceremony at the Marist
11 Brothers college or school and you refused to go?

12

13 ARCHBISHOP PROWSE: Well, that was a mistake on my part.
14 I had a perspective of waiting till the Royal Commission
15 concludes here and then, as the bishop looking after the
16 entire archdiocese, to begin walking with the sex abuse
17 victims and their families, listening to them and then
18 working towards some sort of appropriate liturgy, perhaps
19 a liturgy of lament. But I was then corrected by the
20 victims, and they lamented that I wasn't there.

21

22 I thought about it, and I agreed with them. I made
23 a public apology and asked for forgiveness for that. It
24 was a mistake on my part. I had more of a diocesan
25 perspective rather than just the local one.

26

27 MS FURNESS: It was a very recent mistake, if I can
28 suggest that, archbishop.

29

30 ARCHBISHOP PROWSE: Yes.

31

32 MS FURNESS: And somewhat at odds with the evidence you're
33 giving about how you have learnt from the Royal Commission,
34 which has now been sitting for four years, and are taking
35 a more survivor-oriented approach. What do you say about
36 that?

37

38 ARCHBISHOP PROWSE: Yes, I agree with you, it was
39 a mistake and I made a public apology and I regret that and
40 am sorry for it.

41

42 MS FURNESS: What are you sorry for?

43

44 ARCHBISHOP PROWSE: That I didn't attend. I didn't attend
45 that ceremony.

46

47 MS FURNESS: Have you since attended something similar?

1
2 ARCHBISHOP PROWSE: Well, I have with families, yes, but
3 not in a public - not in a public way. Yes, when I've been
4 with families, at the resolution of that, yes, there has
5 been the lament, and that's an important aspect at that
6 time.

7
8 MS FURNESS: In your archdiocese, since you've been in the
9 position, has there been any public gathering or occasion
10 upon which you've given your comments or thoughts in
11 relation to child sexual abuse?

12
13 ARCHBISHOP PROWSE: In written form, yes, and with my
14 Church gatherings, yes, yes, with my priests and with
15 people and in deanery assemblies, yes, I bring it up very
16 often.

17
18 MS FURNESS: But in terms of a public forum for that
19 purpose?

20
21 ARCHBISHOP PROWSE: That to me is the next step which
22 I want to do. I feel the confessing - it's still the time
23 for the confessing and the bringing of that out. From
24 that, I would like to think that we can then move to more
25 of a liturgical response.

26
27 But I have been in public forums, yes, on the
28 ecumenical dimension. Yes, there was a very big public
29 forum at Parliament House there recently on an ecumenical
30 level and I was with ecumenical leaders from Canberra. But
31 it wasn't a Catholic Church one.

32
33 So the answer to your question is, no, I haven't, on
34 the Catholic Church aspect, in public forum - looking
35 forward to doing that. Yes, I have done that in the
36 ecumenical dimension on a public level.

37
38 MS FURNESS: When you say you're looking forward to doing
39 it, what's stopping you?

40
41 ARCHBISHOP PROWSE: As I mentioned, I wanted the stories
42 to come out, which are coming out still, even now, you
43 know, through the Royal Commission - more and more victims
44 are coming forward. When will that decrease? I don't
45 know. But once, I think, the Royal Commission finishes, to
46 me, it's a bit of a - one chapter ends and one chapter is
47 about to begin. So I would like to think that would be the

1 appropriate time.

2

3 Maybe I'm wrong on that, and I'm happy to revise that
4 opinion, but there is something in my mind that tends to
5 think that a gathering together for a more prayer-focused
6 apology is perhaps - from a whole archdiocese is on the
7 way, but I would like to get to engage more and more with
8 groups of victims, to be able to walk them towards that,
9 rather than, as it were, parachuting into a liturgy and
10 then sort of to be, in that sense, just a bit thin on, in
11 my mind, at any rate.

12

13 MS FURNESS: You would understand, wouldn't you, that
14 there would be those in your archdiocese who would say that
15 you have had years to walk with them and that you have had
16 years, particularly during this Royal Commission, to hear
17 their stories, and therefore why are you still waiting to
18 take the step you've referred to?

19

20 ARCHBISHOP PROWSE: Well, I have seen victims one for one,
21 in small groups, families, and what have you. But
22 collectively in bigger groups, not yet, but I want to do
23 that.

24

25 MS FURNESS: The data you referred to before would have
26 told you that in the Diocese of Sale, where you were bishop
27 for a time, 15.1 per cent of priests were identified as
28 having claims made against them. You understand that?

29

30 ARCHBISHOP PROWSE: Yes.

31

32 MS FURNESS: And that's over double what was the average.

33

34 ARCHBISHOP PROWSE: Yes. I was very surprised to see that
35 huge statistic.

36

37 MS FURNESS: Can you help us with how that might have
38 happened in that diocese?

39

40 ARCHBISHOP PROWSE: Well, we're going back to 1950.
41 I don't have the statistics on me, but I know that there
42 were some priests there, there were multiple instances
43 there, and I really - I was surprised with that huge
44 statistic and would want to look at it more fully to see
45 how that is the case, yes.

46

47 But whilst I was there, I was quite happy with the way

1 that we were able to set up structures whereby, when cases
2 came towards us, we were able to respond to them. Yes,
3 again, it's a tragedy, it's a tragic statistic.

4
5 MS FURNESS: You can't help us any more on your thoughts
6 as to why it might have happened in that diocese where you
7 were bishop for a time?

8
9 ARCHBISHOP PROWSE: Yes, I would have thought that there
10 seemed to be, in some areas of the Diocese of Sale, perhaps
11 more so than in a big city, an extraordinary trust of the
12 local priest, whereby he was able to really become part of
13 the family in a way that perhaps wouldn't have been so in
14 a bigger city. We're talking about regional areas.

15
16 I think that was a breeding ground for immature and
17 disconnected priests to be able to move into that area
18 perhaps more so numerically than in a bigger city, where
19 getting to know the priest is not as easy as in a country
20 area where the priest knows everybody, everybody's name.
21 I would have thought that would be something that struck me
22 as one possibility to think about.

23
24 MS FURNESS: And what do you do in your current
25 archdiocese to ensure that that access is lessened or, in
26 some way, mitigated in order for the abuse not to occur?

27
28 ARCHBISHOP PROWSE: Well, first of all, I think the
29 scrutiny of the priests; the Working With Children Check;
30 a more vigorous professional standards in-servicing of
31 priests and Church employees; a greater awareness of the
32 situations that people ought avoid or making sure that
33 there are other adults there. These are things that
34 I think are helpful at the present moment.

35
36 MS FURNESS: I think you've also found chapter 16A
37 helpful, of the New South Wales child protection
38 legislation, which enables you to exchange information with
39 other agencies?

40
41 ARCHBISHOP PROWSE: Yes, yes, I think that's very helpful
42 and there's a greater way of being able to see what's
43 happening, to work together, so it's a better situation
44 where I'm forever working in a team in this area rather
45 than just on my own.

46
47 MS FURNESS: And you can't do that in the Australian

1 Capital Territory, can you?

2

3 ARCHBISHOP PROWSE: Yes, I can, but I want to do it in
4 a way that's consistent with New South Wales, where I think
5 the bar is higher. I want to raise the bar and encourage
6 the ACT to be consistent with the New South Wales one.

7

8 MS FURNESS: So I take it you would be in favour of an
9 information exchange regime like there is in New South
10 Wales throughout Australia?

11

12 ARCHBISHOP PROWSE: I would, and I'd encourage it.

13

14 MS FURNESS: Mandatory reporting for priests varies around
15 Australia, with the Northern Territory having all adults
16 required to report to child protection authorities. What's
17 your view on whether priests should be required to report
18 risk of harm or significant risk of harm of children to the
19 child protection authorities?

20

21 ARCHBISHOP PROWSE: I'm very sympathetic to it. Of
22 course, that's bringing up the issue of the confessional
23 seal, which I notice has been a topic here over these
24 weeks. But, yes, I think to do something where - this is
25 happening already with the schoolteachers already, in
26 a teaching setting. Therefore, the door should be open to
27 dialogue in regard to extending that.

28

29 MS FURNESS: Well, I'm opening the door to dialogue with
30 you, archbishop. What's your view?

31

32 ARCHBISHOP PROWSE: I think it's a good idea. I think
33 I would need to, again, discuss that, precisely what the
34 legislation might mean, what it would include and what it
35 would not include, but I think that would be a pathway that
36 I think would be very positive.

37

38 MS FURNESS: Just finally, archbishop, you'll understand
39 that the Commonwealth has responded to the Royal
40 Commission's recommendation for a national redress scheme?

41

42 ARCHBISHOP PROWSE: Yes.

43

44 MS FURNESS: And as far as one currently knows, there may
45 well be provision for individual dioceses, like yourself,
46 to opt in to it.

47

1 ARCHBISHOP PROWSE: Yes.
2
3 MS FURNESS: Have you given thought to that?
4
5 ARCHBISHOP PROWSE: Yes, I have, and we would opt in to
6 it, very positively.
7
8 MS FURNESS: Thank you. Can I turn to you, Archbishop
9 Porteous. You have provided a statement to the Royal
10 Commission?
11
12 ARCHBISHOP PORTEOUS: That's correct, yes.
13
14 MS FURNESS: And your statement is dated 6 October 2016?
15
16 ARCHBISHOP PORTEOUS: That's correct, yes.
17
18 MS FURNESS: Are the contents of that true and correct?
19
20 ARCHBISHOP PORTEOUS: They are.
21
22 MS FURNESS: Thank you. Now, archbishop, you were
23 originally ordained as a priest of the Archdiocese of
24 Sydney in 1974?
25
26 ARCHBISHOP PORTEOUS: That's correct, yes.
27
28 MS FURNESS: And became an auxiliary bishop in September
29 2003?
30
31 ARCHBISHOP PORTEOUS: Correct.
32
33 MS FURNESS: And you were installed as Archbishop of
34 Hobart in September 2013?
35
36 ARCHBISHOP PORTEOUS: That's correct, yes.
37
38 MS FURNESS: Thank you. Now, in terms of your
39 archdiocese's engagement with children, is it similar to
40 your colleague, mainly in the education field?
41
42 ARCHBISHOP PORTEOUS: Yes, mainly education. We have
43 16,000 children in our schools in Tasmania. The other
44 area, of course, is CatholicCare, which is our social
45 welfare agency. We run, for instance, preschool and
46 out-of-school programs there, and obviously other areas of
47 family counselling that may involve children as well. So

1 the main two agencies apart from the parishes would be
2 Catholic Education and CatholicCare.

3
4 MS FURNESS: You may well have heard some evidence last
5 week, archbishop, about formation and seminaries. Are you
6 aware of that?

7
8 ARCHBISHOP PORTEOUS: I am, yes.

9
10 MS FURNESS: There was evidence from a number of sources
11 about a trend towards young seminarians wishing to revert
12 and reverting to the old ways of undertaking their work.
13 Are you aware of that evidence?

14
15 ARCHBISHOP PORTEOUS: I am, yes, yes.

16
17 MS FURNESS: And evidence was given that young priests and
18 seminarians were more inclined to wear the dress that's
19 particularly associated with priests, the soutane, as well
20 as wanting to revert to the liturgy in Latin and the like.
21 Is that something that you yourself have observed?

22
23 ARCHBISHOP PORTEOUS: I'll make a distinction between the
24 time that I was rector of the seminary and currently. If
25 I speak currently, firstly, I'm aware that that is
26 a tendency around. I wouldn't say very clearly - it's not
27 every seminarian. It's some who desire the more
28 traditional expressions of priestly life and priestly garb,
29 but it's certainly not universal. I have eight
30 seminarians. It's not a factor among any of my
31 seminarians.

32
33 MS FURNESS: Was it when you were rector?

34
35 ARCHBISHOP PORTEOUS: Well, when I was rector - generally
36 I'd say no. When I was rector of the seminary, one of the
37 small things I did was looked at the question of modes of
38 dress, and the thing I required of the seminarians was that
39 they wear a collar, just an open-neck shirt collar, rather
40 than a T-shirt or something; they wear trousers rather than
41 shorts or jeans; they wear shoes rather than runners. So
42 just to develop a more - I don't know what the right word
43 is, but a basic standard of dress around the seminary, when
44 they were going to lectures, and so on.

45
46 The only time we would wear the soutane would be at
47 Sunday mass and also when we had major liturgical events.

1 So I didn't find any great issue with that. The
2 seminarians accepted it; I think some were drawn a bit,
3 but, generally speaking, that was the culture of the
4 seminary.

5
6 MS FURNESS: And is it a culture that you believe is an
7 appropriate one for the Church?

8
9 ARCHBISHOP PORTEOUS: I think culture is a very important
10 issue, and I think we've already had a discussion about the
11 question of clericalism.

12
13 I think I'd make a distinction between, if you like,
14 a priestly culture - just as any profession has a culture,
15 so the legal profession has a culture, police, doctors, any
16 profession, particularly those that are geared as
17 professions to helping others, do have a certain culture
18 which captures I think the highest ideals. So the pursuit
19 of truth, the pursuit of justice; the care of the sick and
20 suffering would be for doctors and nurses, and so on. So
21 that every particular profession has ideals that motivate
22 and inspire those who embrace the profession.

23
24 That's what I call the culture, and I think that's
25 a very important thing and something we'd want to
26 encourage. Certainly, as a rector of a seminary and
27 certainly now as bishop, that's something I very much
28 encourage - a positive culture for seminarians and for
29 priests.

30
31 Where culture can break down is when, firstly, an
32 individual fails to live up to its ideals, or, worse still,
33 when somebody quite deliberately betrays the culture. As
34 you know, in many other professions we have various
35 programs where people can be taken - disciplinary boards,
36 and so on, where people can then be disciplined by their
37 peers when they're not measuring up to the ideals of the
38 culture.

39
40 So clericalism is the abuse of the priestly culture,
41 where there is a focus on maybe standing, status; a focus
42 on maybe demanding certain things. I'd say that's an abuse
43 of the priestly spirit, the priestly culture.

44
45 MS FURNESS: Is it your view that the tsunami, as it has
46 been described, of child sexual abuse within the Church is
47 largely a product of the acts of individuals?

1
2 ARCHBISHOP PORTEOUS: Largely the acts of individuals?
3 Could you explain that?
4

5 MS FURNESS: Well, those individuals who perpetrated the
6 abuse and those individuals who failed to respond
7 appropriately to the abuse - is that where you lay
8 responsibility?
9

10 ARCHBISHOP PORTEOUS: I would see clearly where somebody
11 was a perpetrator of abuse that there were circumstances in
12 their own life, their own mentality, their own
13 understanding of sexuality, maturity, and so on - these
14 were probably significant factors in influencing behaviour
15 which was a betrayal of their priesthood, if we're talking
16 about priests.
17

18 MS FURNESS: And do you see the structure and governance
19 of the Church, indeed the culture of the Church, having any
20 role to play in the extent of child sexual abuse by clergy
21 and religious?
22

23 ARCHBISHOP PORTEOUS: I think certainly my own experience
24 has been that over the period of years - and we can
25 probably go back to the 1990s when these issues started to
26 seriously emerge - that we've all been on a process of
27 learning and discovery, and this Royal Commission has
28 highlighted things that, before, I hadn't given
29 consideration to.
30

31 My own experience was one of learning and coming to
32 understand things that I hadn't really understood before.
33

34 I think the Church was in a similar situation.
35 I think, firstly, the Church did not understand, did not
36 understand, how much damage was done by sexual abuse.
37

38 MS FURNESS: In terms of your current views, do you see
39 that there have been any structural or governance or
40 cultural matters within the Church that must take some
41 responsibility for the extent of child sexual abuse by
42 clergy and religious?
43

44 ARCHBISHOP PORTEOUS: I certainly think historically.
45 I think now we are moving forward in a whole variety of
46 ways, alerted to the issues so much more than we've ever
47 been before, and this has been a very good thing.

1
2 MS FURNESS: What were the structural issues in the past,
3 do you think, that played a role?
4

5 ARCHBISHOP PORTEOUS: I think one thing very clearly was
6 that nobody understood the seriousness of the effects of
7 sexual abuse on children, and now I think, myself as
8 a bishop, having met with a number of victims of sexual
9 abuse, I've become acutely aware of the extraordinary harm
10 and damage that has been done to people's lives, something
11 I didn't personally understand before. I'm now acutely
12 aware of it and acutely aware that this must completely be
13 eradicated because of the extraordinary damage that's done.
14

15 THE CHAIR: Archbishop, counsel asked you about structural
16 issues. It doesn't seem your response was a response to
17 that question.
18

19 ARCHBISHOP PORTEOUS: Okay. I might need some further
20 clarification. I'm sorry, I didn't quite understand what
21 you were asking.
22

23 MS FURNESS: Do you see that there was anything in the
24 structure or the way in which the Church was governed that
25 played a role in the extent of child sexual abuse by clergy
26 and religious? You answered in respect of knowledge, not
27 structure.
28

29 ARCHBISHOP PORTEOUS: Yes, not structure. I see, I see.
30 I think the structures - again, correct me if I'm not
31 answering your question. Structures certainly relate to
32 the lack of appropriate formation of candidates and the
33 lack of understanding or action by the Church in
34 appropriately responding when there were complaints coming
35 forward. I don't know if that's answering it appropriately
36 or not.
37

38 MS FURNESS: Was there anything, you think, to do with the
39 autonomy of the bishop and the way in which power operated
40 within the Church that played a contributing role?
41

42 ARCHBISHOP PORTEOUS: If I go back to what I was saying
43 before about culture, power can be used for good, but power
44 can also be misused, sometimes inadvertently. Sometimes
45 somebody is not aware and acts inappropriately in
46 a situation. I think that's what has happened in the past.
47 I think as bishops, not being aware of the significance, we

1 didn't respond appropriately to issues as they came up. So
2 I think we did fail because we weren't aware of the
3 significance of what was taking place, particularly in the
4 life of the victim, nor understanding the seriousness of
5 the issues in the perpetrator.
6

7 There was a time when there was a view that a person
8 could correct it or, with psychological help, overcome it.
9 We've come to realise now, no, that's not possible, so --
10

11 THE CHAIR: Archbishop, you're still not addressing the
12 question.
13

14 ARCHBISHOP PORTEOUS: Sorry.
15

16 THE CHAIR: The question is: why did it happen in the
17 first place?
18

19 ARCHBISHOP PORTEOUS: Why did what happen, your Honour?
20

21 THE CHAIR: Why did priests abuse? It's not a question of
22 what was the reaction of the Church once you knew that the
23 priest was abusing, but why did priests abuse? Why did so
24 many priests and religious abuse children? Are there
25 structural reasons in the Church? That is the question
26 you're being asked. Are there cultural reasons in the
27 Church? Is there a failure to create a proper relationship
28 between the clergy and religious and the lay members of the
29 Church? These are the questions you're being asked to
30 address, not how did the Church fail in its response, but
31 why did it happen at all? Can you help us?
32

33 ARCHBISHOP PORTEOUS: I'd like to. I do find it very
34 difficult to be able to answer that question, that there
35 was, particularly at some time historically, which was
36 a little bit before my time, a time when this was happening
37 at the rate it was. I don't understand enough of why that
38 was the case.
39

40 Clearly there were issues related to the sense of
41 identity of the priests that may have been a factor.
42 I struggle to understand why it was so widespread, why
43 there were so many priest perpetrators.
44

45 Were there structural things? There probably were,
46 that didn't, as I would see now, effectively overcome the
47 issue. What they were I find difficult to actually grasp.

1
2 MS FURNESS: It seems from your answer to that question
3 and earlier questions, archbishop, that your view is that
4 it was the responsibility and perhaps fault of individuals
5 who perpetrated the abuse and individuals who responded
6 inadequately to the abuse. Is that right?

7
8 ARCHBISHOP PORTEOUS: That's correct, but I did also
9 mention that organisations have cultures, and there can be
10 times when that culture is not working for the good of what
11 the professional or particular organisation should be
12 doing. Clearly there were some elements there. I can't
13 quite identify them, but I think clearly there were factors
14 there, and perhaps it had a lot to do with a sense of
15 wanting the Church to be - we often talk about avoiding
16 scandal. I think that was probably one issue, that we
17 didn't want to inform more broadly the community of
18 failures. That would be one thing.

19
20 THE CHAIR: Again, archbishop, that's addressing the issue
21 after it happened. Can I put it on the table. We've had
22 evidence that a contribution to this problem was made by
23 the Church's requirement for celibacy of religious and
24 priests. We have had over and over again people telling us
25 it's clericalism. It's because the Church expressed
26 a particular value in the clergy, which put them on
27 a pedestal as against the layperson, distorted the culture
28 of the Church. The whole power structure in the Church was
29 altered to the detriment of children. Now, these are the
30 issues that are on the table. Do you have any comment
31 about any of these?

32
33 ARCHBISHOP PORTEOUS: Yes, sorry, your Honour, the first
34 point you raised was --

35
36 THE CHAIR: Celibacy. We have had evidence that it has
37 made a contribution - it's not the cause but it has
38 contributed to the problem. And you would understand that
39 many, many people hold that view - perhaps uninformed, but
40 nevertheless hold that view. The Church has to answer that
41 question.

42
43 ARCHBISHOP PORTEOUS: Yes. I understand that that's often
44 what people say, that it's because of celibacy. I'm
45 personally not convinced that celibacy per se is the issue.
46 I think formation for people to live a celibate life is
47 a very important aspect, so not celibacy as such but how

1 people understand it and live it.

2

3 I'm aware that celibacy is not unique to the Catholic
4 Church. Buddhism, for instance, has a strong tradition of
5 celibate monks. So it is a feature of religious bodies.

6

7 THE CHAIR: We don't know anything about the behaviour of
8 monks, though, you see.

9

10 ARCHBISHOP PORTEOUS: No, but if we say this is just
11 a Catholic issue, celibacy, celibacy is more broadly --

12

13 THE CHAIR: That may be so, but that doesn't address the
14 issue: has it contributed to the sexual abuse of children
15 within the Catholic Church?

16

17 ARCHBISHOP PORTEOUS: My view is that some priests who
18 have not adequately developed a mature approach to issues
19 of sexuality, effective maturity, of ability to live
20 a celibate life, have failed, and it has been a failure in
21 their commitment to the ideals of the priesthood.
22 I believe that it's not a sole determinant of this. It's
23 to do more with the individuals and their maturity.

24

25 THE CHAIR: But if you were to take celibacy away and
26 allow priests to marry, would that reduce the risk? That
27 will be another question that people ask, bearing in mind
28 that, as we understand it, not all Catholic religious or
29 priests are celibate, openly or otherwise.

30

31 ARCHBISHOP PORTEOUS: The question of whether changing the
32 Church's laws on celibacy would in fact be, in itself,
33 a change in the possibilities of sexual abuse, I'm not
34 sure; I'm not convinced that that would be the case. My
35 view is that it has more to do with the appropriate
36 formation of people in living the celibate life.

37

38 COMMISSIONER FITZGERALD: Could I just clarify, and
39 Ms Furness has raised it, but it's quite significant. In
40 the evidence given by Dr Marie Keenan at the beginning of
41 this, and in the written evidence that we have before us,
42 she says two things. I'll read them to you. She says:

43

44 *By implication the assumption is that the*
45 *sexual abuse of a child by Catholic clergy*
46 *is the result of the individual pathology*
47 *or predisposition - a theory that is*

1 *favoured by some men in leadership in the*
2 *Catholic Church.*

3
4 She then goes on to say these two things:

5
6 *In order to understand clerical men who*
7 *have sexually abused minors, one can come*
8 *to no other conclusion but that their*
9 *sexual offending must be understood within*
10 *the unique context of their lives and*
11 *ministries as Roman Catholic ministers*
12 *within the Roman Catholic Church.*

13
14 And later she says:

15
16 *The features of the institutional Church*
17 *that are said to contribute to a climate in*
18 *which sexual abuse by Catholic clergy*
19 *becomes possible include [a number of*
20 *things] - the theology of sexuality, the*
21 *ecclesiastical structure of power relations*
22 *and hierarchical authority, clerical*
23 *culture and seminary formation.*

24
25 Are we to understand that you fundamentally, however, hold
26 the first view, that at the end of the day the sexual abuse
27 was fundamentally a failure of the individual, as
28 Ms Furness has put to you, or do you accept the research
29 and the evidence of people we've heard that, in fact, the
30 unique features of the Catholic Church, multiple features,
31 contributed to the offending within the Catholic Church?
32 Do you accept that proposition, even if you have doubts
33 about some of the elements of that?

34
35 ARCHBISHOP PORTEOUS: I do. I would agree that these
36 elements are factors that would come into play. They are
37 factors I think we as bishops have become aware of and are
38 seeking now to address in a variety of ways.

39
40 COMMISSIONER FITZGERALD: So if we move forward,
41 archbishop, if you were to look at each element in and of
42 itself and by itself, such as clericalism, such as
43 celibacy, or any of the other matters that I've just
44 outlined, one could argue effectively that none of those in
45 and of themselves caused or contributed significantly.

46
47 But the argument that's being put and the evidence

1 that has been put by many people, including that which I've
2 just said, is that it is the combination of those factors,
3 each of which contributed variously, and therefore looking
4 at each element is in fact an impossible way to see this
5 problem and to resolve it. What do you think about that
6 proposition?

7
8 ARCHBISHOP PORTEOUS: Again, I wouldn't dispute that. As
9 I said, it's not one element in itself, but a number of
10 elements can contribute, to a certain extent, to creating
11 a certain culture where that can take place. As
12 I mentioned before, these are things that we now have
13 greater clarity about and are seeking to address.

14
15 COMMISSIONER FITZGERALD: So just to take the point that
16 his Honour was raising in relation to celibacy, is the
17 Church willing to look at celibacy in the context of
18 a range of factors that have given rise to risks, given
19 rise to offences and given rise to poor responses, rather
20 than to look at each component as an isolated issue, in
21 which you might come to a very different answer than if you
22 were looking at them collectively, as the research
23 indicates that one should?

24
25 ARCHBISHOP PORTEOUS: Yes, I'm sorry, I'm just --

26
27 COMMISSIONER FITZGERALD: Are you prepared to look at the
28 issues as a collective of issues rather than as each
29 separate item where you could come to a very different
30 view, if you looked at it in isolation of the other issues?
31 In other words, it's the whole rather than the individual
32 parts?

33
34 ARCHBISHOP PORTEOUS: Yes, with the comment that if those
35 elements are being individually identified and we're
36 working towards - we're creating a different culture for
37 the future.

38
39 COMMISSIONER MURRAY: You see, archbishop, what exercises
40 many minds is this, following on from that proposition: if
41 the past claims history provided to us by the Catholic
42 Church indicates that one in 14, or 7 per cent, of priests
43 engaged in sexual activity with children, and that
44 collective package of issues is not addressed, what is
45 there to reassure the community that, going forward, we
46 still don't have 7 per cent, or one in 14, priests who have
47 a sexual interest in children, and therefore the community

1 will feel unsafe in your Church? So that's the issue.

2
3 ARCHBISHOP PORTEOUS: Sure.

4
5 COMMISSIONER MURRAY: It's not about the past; it's about
6 the package of things which creates this risk and makes the
7 Church unsafe for children - has made it.

8
9 ARCHBISHOP PORTEOUS: I fully understand, and I'd have to
10 say very honestly that it will depend on our ability as
11 a Church as a whole to come to terms with these various
12 issues, both collectively and also look at them
13 individually, to then take the necessary steps to ensure
14 that that mix of things is changed, the culture is changed,
15 to eliminate possibilities in the future.

16
17 COMMISSIONER MURRAY: You see, we recognise that
18 safeguarding children processes are better and
19 opportunities have been reduced.

20
21 ARCHBISHOP PORTEOUS: Yes.

22
23 COMMISSIONER MURRAY: So that side of it has been
24 addressed. But we remain with the difficulty that the
25 research and evidence provided to us shows that nothing
26 overall has changed much in the Catholic Church
27 institutional/structural set-up, and that's with regard to
28 celibacy, formation, selection - there have been some
29 changes perhaps in selection and formation, but not much in
30 the other issues - and clericalism, and so on.

31
32 ARCHBISHOP PORTEOUS: If I may speak, I was rector of
33 a seminary for seven years and now bishop of the diocese.
34 One of the things that has been foremost in my own mind is
35 seeking to create a positive environment for the priests,
36 and particularly emphasising priestly fraternity, trying to
37 work in a very positive way to create the healthiest
38 environment for priests so that that can assist them in
39 their own growth and maturity.

40
41 In the seminary, as I reflect back on what was
42 fundamental in my own approach as rector, I think two words
43 captured what I was trying to do. One was the word
44 "service", that I kept many, many times saying to the
45 seminarians, as I say now to priests, that their role is to
46 serve, to try to break down any sense of prerogatives of
47 power or influence or whatever, to say that we adopt the

1 attitude of being a servant. So I'm trying - doing that in
2 the seminary and also in my own diocese, to encourage that
3 attitude, which I think is a key attitude to having the
4 right dispositions of mind in our relationships with other
5 people.
6

7 The second quality I've often spoken about is the
8 importance of humility, and again this goes back to any
9 sense of authority or any rights or claims to anything that
10 might accrue by virtue of being a priest. One of the
11 things I've often encouraged in both seminarians and
12 priests are these sorts of qualities, which I'm hoping will
13 bring about a cultural change or advance the culture of the
14 priests in a healthy way to create a better environment
15 where some of these other cultural elements you mentioned
16 before won't be factors in priests failing in this area.
17

18 COMMISSIONER MURRAY: I'm not sure - and I'll conclude on
19 this basis: I'm not sure that that will reassure those who
20 fear that that will not address the one in 14 chance of
21 somebody having a sexual interest in children. That's my
22 reaction to your reply.
23

24 ARCHBISHOP PORTEOUS: Could I make one final comment, if
25 I may? Again, I'll go back to my time as rector,
26 particularly. It was one of the other areas that was of
27 paramount importance to me, particularly as I was rector
28 just after the revelations of the situation in Boston, and
29 that really focused my own attention on this area. So as
30 rector, I was very conscious to ensure that the seminarians
31 coming through developed and had a healthy maturity in the
32 sexual area so that we weren't having people come through
33 who had deficiencies that might later on find expression in
34 sexual abuse of minors. So I was very conscious of that
35 and did work and at times acted to ensure that candidates
36 coming through, as best I could, I felt that they had the
37 maturity, the sexual maturity, the effective maturity, to
38 be able to be good and effective priests.
39

40 THE CHAIR: How do you do that, archbishop?
41

42 ARCHBISHOP PORTEOUS: You do it, firstly - one of the
43 advantages - I know there has been some comment about the
44 structure of seminaries. One advantage, certainly in my
45 time in the seminary, was that I had a seminary of up to
46 about 40 students, and I was basically with them for
47 seven years over the bulk of each year. You see them in

1 all sorts of situations. You have a chance to really get
2 to know them and other formation staff really get to know
3 the students.
4

5 It's pretty hard - you know, somebody can come in and
6 present in a certain way, but over time you get to see the
7 true qualities of the person.
8

9 So one of the advantages of our seminary system is
10 that you are able to have - those in key formational roles
11 can have very close relationships with each of the students
12 to assess their suitability, their growth, their
13 development.
14

15 Now in the seminaries, there's a lot more focus given
16 to goal setting and reflection at the end of the year. The
17 formators would identify perhaps a personal issue, "Look,
18 I think you need to work on this issue. Let's see how we
19 go at the end of the year." So there's this --
20

21 THE CHAIR: Can I ask you to pause. How do you assess
22 their sexual maturity? What do you do in order to satisfy
23 yourself this person is, as you put it, sexually mature and
24 won't be a problem?
25

26 ARCHBISHOP PORTEOUS: Obviously my own growth and
27 knowledge of that person is a key. The other thing
28 obviously is if there were incidences that took place that
29 caused you to have alarm in one way or another. So
30 something may crop up, something may happen, and then you
31 would - that would be a red flag and you would then look at
32 it more carefully.
33

34 So we would do the best we could to observe, and if we
35 were concerned about a particular student, something
36 happened, then we would consult and address the issue.
37

38 THE CHAIR: Do you have any professional people carry out
39 assessments?
40

41 ARCHBISHOP PORTEOUS: I had a professional psychologist
42 who was on call, and on a couple of occasions I asked
43 students - obviously you have to respect their freedom - to
44 say, "We think it would be good for you if you went along
45 and spoke to the psychologist on this particular issue",
46 and in some cases it worked very, very well, very helpful.
47

1 COMMISSIONER FITZGERALD: Just related to that matter,
2 you would have been aware of the evidence of
3 Gerardine Robinson, where she indicated that for those that
4 are going to violate boundaries, both with children and
5 with adults, it's likely to happen around the time of
6 ordination into the diaconate and within two years of the
7 ordination of the priests. Indeed, her evidence was that
8 it's very unlikely that you will pick up people at the
9 beginning of the process.

10
11 If that evidence is correct, does it indicate that
12 there is something missing in both seminary training and
13 early ordainees, when they're out, that we need to look at
14 as a Church, because if that is true, the efforts in the
15 beginning to look at what's happening are important, but in
16 fact are not the main time at which these behaviours, these
17 boundary violations or abusive behaviours, become evident?

18
19 ARCHBISHOP PORTEOUS: Certainly my own attitude is to
20 ensure that a deacon or a newly ordained priest is placed
21 with a very good priest in the parish. The normal practice
22 would be that somebody would be assigned to a parish. One
23 of the things that I do, I would speak to that priest
24 fairly regularly, even if it's just to say, "How's the
25 young fellow going? Any issues?", so I'd keep monitoring.
26 Now, I can do that because I'm in a relatively small
27 diocese, so it's not difficult for me to be able to monitor
28 the young priests and to ensure that there are, again, no
29 red flags, no issues emerging that we might need to
30 address.

31
32 COMMISSIONER ATKINSON: Archbishop, at that time when you
33 were the rector, when the issues came out in Boston, it
34 sounds as though you acted on your own initiative in terms
35 of putting in place strategies in the seminary. Was there
36 any support that you had or groundswell of concern in
37 Tasmania, the Church hierarchy, or even throughout
38 Australia, saying, "Well, here are the lessons of Boston,
39 look what has happened there. We need to know what has
40 happened here; we need to mitigate risk and do all we
41 can" - was there any sense of that or were you on your own
42 with that?

43
44 ARCHBISHOP PORTEOUS: At that stage I was in Sydney and
45 the seminary was the Seminary of the Good Shepherd. It's
46 hard to remember back exactly, but I do remember that those
47 revelations had a very significant impact on me.

1
2 COMMISSIONER ATKINSON: So did you discuss that with
3 anyone, the bishop or the archbishop?
4

5 ARCHBISHOP PORTEOUS: I did discuss it. We discussed it
6 with the formation staff and I think we were of a mind that
7 we needed to take note of what had happened, and then
8 I know personally I looked more seriously at what can we do
9 to improve the formation in this particular area. So it
10 did --
11

12 COMMISSIONER ATKINSON: Do you think perhaps it went
13 beyond that, to, what do we have to do to ensure that what
14 has happened in Boston isn't happening here?
15

16 ARCHBISHOP PORTEOUS: At that stage, I think my world, if
17 you like, was the formation of men for the priesthood.
18 That was my responsibility. So a lot of the focus - and at
19 that point I wasn't a bishop; I was the rector of the
20 seminary, so I put my focus very much on looking at the
21 ways we could improve the formation of men in this area.
22

23 COMMISSIONER ATKINSON: And did you have a sense that in
24 relation to the leadership of the Church at that time -
25 because I imagine you at least engaged with the people
26 running the other seminaries at that time?
27

28 ARCHBISHOP PORTEOUS: The seminary rectors had the
29 practice of once a year coming together for a four- or
30 five-day session with Australia and the Pacific. We all
31 met together and normally had some in-servicing, if you
32 like, lecturers would come in and give us talks, and these
33 issues would have been discussed.
34

35 COMMISSIONER ATKINSON: The Boston issue?
36

37 ARCHBISHOP PORTEOUS: Yes, I'm just trying to remember,
38 but certainly - I mean, I was particularly interested in
39 what Melbourne, which was the other large - the two large
40 seminaries at that point were Sydney and Melbourne, so
41 I was particularly interested in what Melbourne was doing
42 and trying to learn from their approach.
43

44 COMMISSIONER ATKINSON: Did you get a sense that that was
45 at the level above the seminaries at the time; that concern
46 about Boston was at a level of concern with the Bishops
47 Conference, or can't you help us with that?

1
2 ARCHBISHOP PORTEOUS: I couldn't answer that because
3 I don't know what happened at the Bishops Conference.
4 Certainly it occurred after the Church had been engaged in
5 developing Towards Healing, and so forth, so the Church was
6 aware of it. I suppose it came home to me very
7 dramatically at a personal level at that time.
8

9 COMMISSIONER ATKINSON: It's pretty significant. You
10 mentioned earlier culture and you talked about police, and
11 starting in the late 1980s there were a number of
12 corruption inquiries in relation to police departments
13 throughout Australia. Some of the lessons there were that
14 they were, at the time, largely male-dominated,
15 hierarchical organisations, and the culture was so powerful
16 that wrongdoing by police, who take an oath to protect the
17 public and enforce the laws, was supported and acknowledged
18 by others. Do you think there perhaps are parallels with
19 what happened in the Church as well?
20

21 ARCHBISHOP PORTEOUS: I think that's a very good instance.
22 What the royal commissions did was highlight - again, if
23 I can say, the culture basically is a good thing. We need
24 cultures in various professions, and they should enshrine
25 the highest ideals. But you can also have a situation
26 where there's a serious corruption of that culture taking
27 place, particularly maybe at leadership level or perhaps
28 groups within it.
29

30 So I think that's something we have to be conscious
31 of, too, and it could happen again. We need to say we must
32 make sure that the culture of the priesthood is always set
33 at the highest levels, and if there is betrayal of that
34 culture, and particularly in an individual or maybe
35 a certain attitude of being separated or having some sort
36 of false approach to the culture, we need to deal with that
37 and seek to eradicate it, because it is corrosive, it is
38 damaging to the good of the profession, if I could use that
39 as a whole.
40

41 COMMISSIONER ATKINSON: Could I just ask you this, though.
42 Probably in any occupation or profession there is a culture
43 that, understandably, perhaps, might protect someone who's
44 lazy or protect someone who is drinking to excess, but what
45 we are talking about here is child sexual abuse, which is
46 a serious crime. So would you agree that it must have been
47 an incredibly powerful culture that protected child sexual

1 abuse?

2

3 ARCHBISHOP PORTEOUS: It was a strong culture, certainly,
4 and a culture of, as we spoke about before, secrecy because
5 of this whole idea of scandal; I think that was a driving
6 influence.

7

8 COMMISSIONER ATKINSON: So coming back to the earlier
9 discussions and his Honour's comments, what needs to be
10 done now? What needs to be done now to ensure that
11 everything possible is done to demolish that culture and
12 build a new one?

13

14 ARCHBISHOP PORTEOUS: Could I say that I think one thing
15 that I think will emerge from this Royal Commission is that
16 I think we need effective auditing of dioceses as we are
17 seeking to implement various programs. I'm hoping that one
18 of the fruits of the Royal Commission will be a sharpening
19 of the particular questions that need to be asked, the
20 particular issues that need to be addressed.

21

22 I think, if I could use the image - it's a little bit
23 like a financial audit. You know, every year you're
24 financially audited. It's a good thing, in the sense that
25 you get to have a look and make sure all your programs and
26 everything you do is correct and there are no faults or
27 failings in your financial dealings.

28

29 In the same way, I see through developing of auditing
30 of our processes, for me, that would give greater
31 assurance, as a bishop, that we are not only doing it but
32 continuing to maintain standards, and I'm hoping - I'm
33 expecting, actually, that the first audits may bring up
34 some things which we hadn't thought of or we weren't doing
35 appropriately or effectively. So I'm hoping one of the
36 great fruits of this Royal Commission will be that there
37 will be auditing tools that will be more refined and more
38 focused and we can then work with auditors to ensure that
39 we establish the standards and then we maintain them over
40 time. I think that's the key thing.

41

42 COMMISSIONER ATKINSON: I want to ask some questions
43 afterwards of both yourself and Archbishop Prowse, just
44 going back to the organisation that you have set up, or
45 that entity, the Institute of Professional Standards, but
46 perhaps we could come back to that.

47

1 MS FURNESS: Just one question, if I might, your Honour.
2 Archbishop, you will understand that your Truth, Justice
3 and Healing Council, of which you are a member, has
4 described what happened as a massive failure of leadership.
5 Do you accept that?
6

7 ARCHBISHOP PORTEOUS: I accept that there was a failure in
8 leadership based on a lack of understanding of the
9 seriousness of sexual abuse and also a lack of
10 understanding of how it should be developed, but
11 particularly we should have more accountable systems of
12 responding to sexual abuse. So there was a failure. It
13 was grounded in some deficiencies in our understandings at
14 that time.
15

16 MS FURNESS: So you don't accept that there was a massive
17 failure of leadership?
18

19 ARCHBISHOP PORTEOUS: I think the leadership --
20

21 MS FURNESS: The word "massive" is the one you objected to
22 before by omitting it.
23

24 ARCHBISHOP PORTEOUS: Okay, I would say there was great
25 failure, massive failure, of leadership, but I would also
26 say that it was for lack of awareness of the seriousness of
27 child sexual abuse and the lack of the use of appropriate
28 ways of dealing with it.
29

30 MS FURNESS: Effectively, ignorance of a few?
31

32 ARCHBISHOP PORTEOUS: Yes, yes.
33

34 MS FURNESS: Thank you. Your Honour, I notice the time.
35

36 THE CHAIR: Yes, we'll take the morning adjournment.
37

38 SHORT ADJOURNMENT 39

40 MS FURNESS: Your Honour, I can now move on to
41 Bishop Hurley. Would you tell the Royal Commission your
42 full name?
43

44 BISHOP HURLEY: Yes, Daniel Eugene Hurley.
45

46 MS FURNESS: And you're the Bishop of Darwin?
47

1 BISHOP HURLEY: Yes.
2
3 MS FURNESS: What work did you do before becoming
4 Bishop of Darwin?
5
6 BISHOP HURLEY: I was the Bishop of Port Pirie Diocese
7 prior to that and a priest in that diocese prior to that.
8
9 MS FURNESS: You have provided two statements - one dated
10 14 October 2016?
11
12 BISHOP HURLEY: Yes.
13
14 MS FURNESS: The contents of that are true and correct?
15
16 BISHOP HURLEY: Yes, they are.
17
18 MS FURNESS: And another one, dated 28 November 2016?
19
20 BISHOP HURLEY: Yes.
21
22 MS FURNESS: Bishop, recently, as recently as the end of
23 January last year, you put out to all parish priests and
24 principals of primary and secondary schools in Darwin
25 a document about the Sacrament of Reconciliation?
26
27 BISHOP HURLEY: Yes, I did.
28
29 MS FURNESS: You're familiar with the document I'm
30 referring to?
31
32 BISHOP HURLEY: Yes, I am.
33
34 MS FURNESS: As part of that document, you referred to the
35 current practice of the Sacrament of Reconciliation in
36 schools taking place in a communal setting in the Church,
37 in full view of all participants?
38
39 BISHOP HURLEY: Yes.
40
41 MS FURNESS: And then you asked that it be done in
42 a particular way. Can you describe that to us?
43
44 BISHOP HURLEY: Yes. What I asked them to do, in essence,
45 Ms Furness, was to at all times have line of sight, that
46 there was never to be any situation where there could be
47 any doubt about what was happening.

1
2 MS FURNESS: What prompted you to take that action last
3 month?
4

5 BISHOP HURLEY: I think that it was a matter of giving
6 reassurance to people, particularly people who attend our
7 schools, who entrust us with the sacred trust of their
8 children, that I should do everything and make sure that
9 everybody else was doing everything that they could and
10 should, in my opinion, to give parents absolute solace
11 about the safety of their children, whether it was
12 sacramentally or in the schoolyard or anywhere else.
13

14 MS FURNESS: Had any particular event been brought to your
15 attention?
16

17 BISHOP HURLEY: No.
18

19 MS FURNESS: I tender that document, your Honour.
20

21 THE CHAIR: It will become exhibit 50-010.
22

23 **EXHIBIT #50-010 DOCUMENT CIRCULATED BY BISHOP HURLEY IN**
24 **RELATION TO THE SACRAMENT OF RECONCILIATION**
25

26 MS FURNESS: It's the case, I think, that what you have
27 said to your priests in that document is consistent with
28 canon law?
29

30 BISHOP HURLEY: Yes.
31

32 MS FURNESS: Thank you. Now, bishop, you have provided
33 a statement in which you set out all the various policies
34 that apply in your diocese?
35

36 BISHOP HURLEY: Yes.
37

38 MS FURNESS: One area of difference in your diocese than
39 perhaps others is that all people, including priests, are
40 mandatory reporters?
41

42 BISHOP HURLEY: Yes, anybody over 18 in the Territory is a
43 mandatory reporter.
44

45 MS FURNESS: How has that affected, if at all, the work of
46 your priests?
47

1 BISHOP HURLEY: I'm not aware that it has affected them in
2 any particular way, except that I expect them to take that
3 very seriously, but I'm not aware of any particular effect
4 it has had on them.

5

6 MS FURNESS: Have there been any discussions with the
7 Community Services Department about reporting by priests?

8

9 BISHOP HURLEY: Community Services Department of?

10

11 MS FURNESS: Within the Northern Territory.

12

13 BISHOP HURLEY: No, not specifically to my knowledge.

14

15 MS FURNESS: Because the mandatory reporting regime
16 results in reports to the equivalent of a Community
17 Services Department, or Child Welfare Department?

18

19 BISHOP HURLEY: Yes, yes, that's true.

20

21 MS FURNESS: There haven't been any discussions with that
22 agency?

23

24 BISHOP HURLEY: Not with me, no.

25

26 MS FURNESS: There haven't been any discussions among
27 priests about whether it's onerous, not onerous, useful?

28

29 BISHOP HURLEY: Not to my knowledge, no. As I say, it's
30 not something I think that has affected them directly, not
31 that I'm aware of.

32

33 MS FURNESS: You wouldn't be seeking to argue that they
34 should be exempt from it?

35

36 BISHOP HURLEY: Not at all.

37

38 MS FURNESS: Thank you. Just coming to your statement,
39 question 2 on page 5, paragraph 16. It's in relation to
40 complaints and settlements, and you note that the diocesan
41 office had not made a settlement and that the Professional
42 Standards Office had received very few complaints, and most
43 of those had been referred to the relevant congregations.

44

45 BISHOP HURLEY: Yes.

46

47 MS FURNESS: So it's the case that if a complaint is

1 received in the diocesan office that affects a member of an
2 order or congregation, you forward that to that body?

3

4 BISHOP HURLEY: Yes, I do. There is a procedure by which
5 that happens, but ultimately, yes.

6

7 MS FURNESS: Then you have nothing more to do with it?

8

9 BISHOP HURLEY: Well, it's my personal policy to follow up
10 and make sure that I have a clear understanding of what the
11 result of that was, and my director of professional
12 standards would always give me a file, including any
13 documentation that she might think is useful.

14

15 MS FURNESS: Do you have any formal role in relation to
16 that complaint that's about a member of an order or
17 congregation?

18

19 BISHOP HURLEY: Only insofar as canon law requires me,
20 that if the person is the subject of another entity -
21 another diocesan bishop or religious leader - that I,
22 through my director of professional standards, must see
23 that that procedure is correctly run and that I need to -
24 I certainly do check that it has happened. I would
25 normally contact the person to whom that now - that they
26 become the authority, and make sure there is no
27 misunderstanding or lack of evidence that I can supply.

28

29 MS FURNESS: Do you have an interest in the outcome?

30

31 BISHOP HURLEY: Yes, I do.

32

33 MS FURNESS: Have you had cause to disagree with what
34 you've been told was the outcome?

35

36 BISHOP HURLEY: No, I haven't, not in my time there. No,
37 I haven't. They've been satisfactory, in my opinion.

38

39 MS FURNESS: There have been a couple of complaints
40 against clergy?

41

42 BISHOP HURLEY: Yes.

43

44 MS FURNESS: You indicate that one was not able to be
45 progressed, as the complainant had left Darwin.

46

47 BISHOP HURLEY: Yes.

1
2 MS FURNESS: What about the priest against whom the
3 complaint was made?
4

5 BISHOP HURLEY: That particular priest, as I understand
6 it, was in a state of mental disability in a nursing home
7 at the time, and he was counselled insofar as that was
8 a possibility, but he was really incapax; he was incapable.
9

10 MS FURNESS: You didn't need to restrict his ministry in
11 any way because of his circumstances?
12

13 BISHOP HURLEY: Correct.
14

15 MS FURNESS: You've indicated in one of your policies that
16 risk assessments are conducted for diocesan activities
17 involving children?
18

19 BISHOP HURLEY: Yes.
20

21 MS FURNESS: Is that a recent initiative?
22

23 BISHOP HURLEY: Well, no, it's something that I would have
24 expected and has been part of - particularly in youth
25 ministry, so that if they're having an immersion event in
26 one of our communities or a weekend retreat, or what, then
27 the director of youth ministry must carry out a risk
28 assessment, and to the best of my knowledge that has always
29 been done and I think it has borne fruit.
30

31 MS FURNESS: In what way?
32

33 BISHOP HURLEY: That there has never been an incident
34 reported to me, either physical - you know, accidents,
35 people travelling to and fro - and/or any suggestion of
36 impropriety.
37

38 MS FURNESS: You have schools within your diocese?
39

40 BISHOP HURLEY: Yes, I do.
41

42 MS FURNESS: I take it you have an equivalent of
43 a Catholic Education body?
44

45 BISHOP HURLEY: Yes, we do. The Catholic Education
46 Office, we call it.
47

1 MS FURNESS: You also have an arm that is involved in
2 Catholic welfare work?
3
4 BISHOP HURLEY: Yes, CatholicCare Northern Territory.
5
6 MS FURNESS: Has CatholicCare been audited or accredited
7 in any way?
8
9 BISHOP HURLEY: It has indeed. It has the highest
10 possible accreditation, actually, which it didn't need to
11 pursue but did, and it's one of the few, as I understand
12 it, throughout the nation that has that accreditation.
13
14 MS FURNESS: That's with the Australian Childhood
15 Foundation?
16
17 BISHOP HURLEY: Yes, as I understand it.
18
19 MS FURNESS: And it was a voluntary matter for you to seek
20 it?
21
22 BISHOP HURLEY: Yes, it was.
23
24 MS FURNESS: Was it sought in your time?
25
26 BISHOP HURLEY: Yes, it was.
27
28 MS FURNESS: What did you receive?
29
30 BISHOP HURLEY: It's an accreditation. I'm not quite sure
31 of the details of that, but it's an accreditation that goes
32 with CatholicCare Northern Territory, and I think it's
33 meant to be an indicator to people who would trust programs
34 to that that this organisation has the highest possible
35 accreditation in this area.
36
37 MS FURNESS: You no doubt heard the discussion this
38 morning with your colleagues in relation to why the abuse
39 that we have heard so much about occurred in the Catholic
40 Church. What are your views on that matter?
41
42 BISHOP HURLEY: I suppose it's an evolving sense of why it
43 happened. Ms Furness, I suppose I was - my mind was
44 focused in a different way, in a helpful way, by the tragic
45 events that we now have a Royal Commission into in my
46 diocese, into Don Dale and the juvenile prison system.
47 It's much more than an academic exercise for me. I know

1 those people; I wash their feet in the liturgical function
2 during Holy Week. I go there and I wash their feet. So
3 it's not just an academic exercise for me.
4

5 When I saw the Four Corners thing, like many people in
6 the Northern Territory and around Australia, my profound
7 question was: how on earth could this happen? And I've
8 thought about that and it has enabled me to make some
9 comparisons, perhaps, on thinking through that.
10 I described it at the time in the media as a brutal
11 betrayal of trust, and I stand by that. I think that's
12 accurate.
13

14 But having said that, so what? How did it happen?
15 It's probably easier for me to suggest how it happened
16 there than might happen in my own organisation, but it has
17 helped me. I think it was an unscrutinised trust, which
18 should never have been given and should never be given to
19 anybody where there are children involved. I don't think
20 you should trust anybody. I don't think you can - I think
21 that's a failure, to trust somebody else with your
22 children. You've got to be able to be sure, not trust
23 them, be sure.
24

25 As I say to my priests, you should never make people
26 guess; they're not your children. So I don't think trust
27 is a thing that should be easily given. If it is given,
28 it's sacred, and any betrayal of it is awful. So that was
29 obvious to me.
30

31 It was a matter of power, because there was an
32 enormous differentiation of power between those children
33 and the authorities. Unbelievable. It was isolated. By
34 its very nature it's isolated. There was a lack of
35 supervision. Who was supervising this whole thing? There
36 was an acceptance of less than best practice. That was an
37 element of it, I believe. And it was a closed shop. Who
38 is to know? And how would we have known other than that?
39

40 So I draw some parallels, I guess, in my own mind
41 about wrestling with how could this happen in what I have
42 given my life to, the Catholic Church? How could it
43 happen? And I think there are many elements there that are
44 relatable. How they relate I think, you know, is awkward
45 and difficult and so on, but I think they're there, and
46 it's certainly my intention, as you pointed out with one of
47 those documents, to eliminate, wherever we can, those

1 elements.

2

3 MS FURNESS: You've heard much discussion about
4 clericalism?

5

6 BISHOP HURLEY: Yes, I have.

7

8 MS FURNESS: Clericalism could be seen as relevant to more
9 than one of the factors you've described in relation to
10 juvenile justice.

11

12 BISHOP HURLEY: Yes, yes.

13

14 MS FURNESS: What role do you think it played?

15

16 BISHOP HURLEY: It's hard to know, but I think it has
17 played a role. I think it's almost kind of a pathology.
18 Being a cleric is no different from being married, if
19 you're doing it for the right reasons, and I think that
20 pathologies develop in relationships and pathologies
21 develop in people who are celibate, and I think that that
22 sense of clericalism, which I think Archbishop Porteous
23 pointed out - it's a pathology that develops rather than
24 the thing itself. But that doesn't take away from the fact
25 that it happens, and I think there are elements of
26 priesthood and the attitude to priesthood that have loaned
27 themselves to this kind of - I know they call it being put
28 on a pedestal. You know, you don't have to stay on the
29 pedestal. You can get off it.

30

31 There is a certain acceptance, I think, amongst some
32 clergy, perhaps not modern, but there was an acceptance
33 that it was a pretty special position.

34

35 I think it's like, in many ways, in country places
36 where it's the doctor or the bank manager - they were
37 people who were educated, whatever that meant, but they
38 were people who sat above the rest and were always given
39 deference because it was the doctor, and so if the doctor
40 did it, well - but if your next door neighbour did it, it
41 was a different matter.

42

43 I think that the priesthood fitted in to something of
44 that model of being educated, being given deference because
45 of it, because of your role rather than who you were, and
46 I think that probably infected - I think it can infect
47 people's character and so they finish up misusing power and

1 expecting things that they shouldn't expect because of some
2 mythical role.

3

4 MS FURNESS: One of the key differences between the
5 examples you've given and the role of the priest in
6 a community is that the priest had virtually unparalleled
7 access to children.

8

9 BISHOP HURLEY: Yes, I'm not quite sure about access to
10 children. I mean --

11

12 MS FURNESS: The situation particularly in rural or more
13 distant dioceses was that the priest was often invited
14 home.

15

16 BISHOP HURLEY: Yes.

17

18 MS FURNESS: Often helped children with their homework or
19 were permitted in their rooms.

20

21 BISHOP HURLEY: Yes.

22

23 MS FURNESS: Often had overnight activities.

24

25 BISHOP HURLEY: Yes.

26

27 MS FURNESS: Had access to the children through altar
28 servers, and the like.

29

30 BISHOP HURLEY: Yes.

31

32 MS FURNESS: Whereas the examples you've given - a bank
33 manager has little access; a doctor certainly would have
34 access perhaps on a one-to-one basis but not with anything
35 like the frequency of a priest?

36

37 BISHOP HURLEY: No, that's true.

38

39 MS FURNESS: If, as you say, that deference and power was
40 a factor to play in what had happened, what do you say now
41 about what has changed about that deference and power so as
42 to be satisfied that that has reduced the likelihood of it
43 happening again?

44

45 BISHOP HURLEY: I think, as I say, these are things that
46 are evolving in my own understanding of the mystery of what
47 has happened, but one of the things that I think goes with

1 this kind of clericalism is celibacy. I think there's
2 a connection there.

3
4 I was just saying to someone the other day that as
5 a young man, celibacy was not an attractive concept for me
6 at all. So if I wanted to be a priest, I had to some way
7 or another wrestle with, what's the point of that? I think
8 if you ever accepted celibacy because you didn't like women
9 or you didn't want to be committed in a love relationship,
10 I think there's something pathological about that. So
11 I had to work out some way in which, in my own mind,
12 celibacy was a useful thing.

13
14 I came to the conclusion during my seminary training
15 that the only way that celibacy would be life giving for me
16 is if it was a total and complete commitment of love that
17 I would make if I was marrying a woman and the family that
18 I would hope to have, that I would make that total
19 commitment as love is to the other and that, for me, the
20 "other" had to be the people I was called to serve.

21
22 I think that if you see celibacy - well, I see
23 celibacy as a total availability, as a total service to the
24 other, without response if necessary - that's their
25 business - but my commitment is to them as it would be in
26 a love relationship with another person. I think then that
27 celibacy is life giving, it's joyful, it's meaningful. But
28 I think if it's just a negative thing, I think that it
29 breaks into that world of clericalism because it's
30 a negative. It can be depressive. I think people have
31 a sense of missing out.

32
33 So I think the concept of celibacy, for me, is almost
34 key - one of the keys in trying to deal with the
35 clericalism concept.

36
37 MS FURNESS: That's not going to change any time soon, is
38 it?

39
40 BISHOP HURLEY: Which one?

41
42 MS FURNESS: The fact of the celibacy.

43
44 BISHOP HURLEY: No, presumably not, but I think you can
45 have a change of attitude to, if you're going to take it
46 on, how you're going to manage it; what does it mean for
47 you.

1
2 MS FURNESS: So in terms of my question about what is
3 being done now in relation to clericalism, described as
4 a deference and power relationship, you've answered it with
5 respect to celibacy being a positive element?
6

7 BISHOP HURLEY: Part of it, yes.
8

9 MS FURNESS: And part of it. And celibacy hasn't changed
10 from then to now, so what is it that you point to to say
11 that, "We have changed this" in order to give comfort to
12 people that what happened before won't happen again?
13

14 BISHOP HURLEY: I think that certainly in my own diocese,
15 we would have very strict safeguards. Each parish has
16 safeguards officers; some have more than one. In my
17 relationship with the clergy, we would over and over and
18 over again, at almost at every deanery meeting, every
19 clergy conference, every consultors meeting, every council
20 of priests meeting, bring the matter up and explain,
21 particularly to people who might be new to our country,
22 that we're at the service of people and availability is
23 a key, an absolute key. In the middle of the night, the
24 middle of the day, early, late, you are there at the
25 service of people.
26

27 What I'm trying to do, anyway, is not perhaps just
28 attack clericalism but say that the true role of the priest
29 is to be at the service of others. I think if we can get
30 that, the other elements that develop into what we are now
31 terming clericalism and are unfortunate, that's the best
32 way of excluding them. I hope so.
33

34 MS FURNESS: You say that your thoughts are evolving?
35

36 BISHOP HURLEY: Yes.
37

38 MS FURNESS: You know that the Church created its first
39 procedures 20 years ago?
40

41 BISHOP HURLEY: Yes, I do.
42

43 MS FURNESS: Prior to that, there were complaints coming
44 in and the issue was known because of Boston, and the like.
45 Why is it that your thoughts are evolving to the extent
46 that the Church, and you as a member of the Church, find it
47 difficult to explain in concrete terms what happened and

1 why?

2

3 BISHOP HURLEY: Well, I'm not sure. I simply don't know
4 why it happened. I have elements of the matter I referred
5 to with the matter in the Northern Territory. I'm not
6 close to that, but I imagine that there are all sorts of
7 questions in their minds now about how it could happen.
8 Clericalism may be one of them. Isolation is another. Bad
9 formation could be one. Character dysfunction is certainly
10 one.

11

12 So all of those things, I think, are elements in it,
13 but it would be, for me, facile to suggest that this is
14 what happened and that's how it occurred. I don't think -
15 in my own mind and heart, it's not as easy as that. It's
16 complicated. It's convoluted. My evolving thinking,
17 I hope, is informed by good research, by revelations of
18 people who have been abused and others who have been helped
19 through that into a new place and now have a new
20 understanding to help me. That's why I say it's evolving.

21

22 I don't want to come to some sort of facile
23 conclusion. I want to be open to understanding anything
24 and everything about it in the best possible way, with the
25 best possible brains helping.

26

27 MS FURNESS: Towards Healing is applied in your diocese?

28

29 BISHOP HURLEY: Yes, it is.

30

31 MS FURNESS: As part of Towards Healing, there's often
32 a meeting between the survivor and somebody from the
33 Church.

34

35 BISHOP HURLEY: Yes.

36

37 MS FURNESS: Who routinely attends that meeting in your
38 diocese?

39

40 BISHOP HURLEY: Yes, there hasn't been a case for us to do
41 that. I've done it previously in another place.

42

43 MS FURNESS: In Port Pirie?

44

45 BISHOP HURLEY: Yes.

46

47 MS FURNESS: In Port Pirie, who attended?

1
2 BISHOP HURLEY: I did.

3
4 MS FURNESS: As the Bishop of Port Pirie?

5
6 BISHOP HURLEY: Yes.

7
8 MS FURNESS: Did you experience from that meeting any
9 revelations in relation to child sexual abuse by clergy?

10
11 BISHOP HURLEY: Yes. I think probably for all of us,
12 I imagine, the first thing that you experience is absolute
13 heartbreak to see the pain and the devastation that it
14 causes to people, not only to the people themselves but to
15 their other relationships, which is tragic. There's
16 a difference, I think, in my own life, anyway, of reading
17 about something or reading a report and sitting down
18 eyeball to eyeball with somebody, because it sears it into
19 you. It's an experience. It's not just information; it's
20 experience.

21
22 I must say I'm very grateful for that, not because it
23 happened but because I'm different because of it. It may
24 not be very universal, but one of the lovely things for me
25 is that on several occasions we were able to work through,
26 with their help, to a very good place. I'm not saying that
27 because I thought it was a good place but because that was
28 the response of the people that were involved.

29
30 I've found it wasn't always the best experience and it
31 didn't always work the way I wanted, but on many occasions
32 it did and it helped me an enormous amount.

33
34 MS FURNESS: Thank you. Coming back to your statement,
35 you were asked some questions about priests from overseas
36 and how that was dealt with.

37
38 BISHOP HURLEY: Yes, yes.

39
40 MS FURNESS: At paragraph 37 of your statement, you say
41 that you have an understanding of the need to enculturate
42 priests that come from overseas, and you provide an example
43 of a priest from Tanzania. Can you tell us about that?

44
45 BISHOP HURLEY: Yes. He's a very fine person. If I could
46 digress just for a moment about that particular priest, and
47 I suppose it's relevant. He had never been out of

1 Tanzania. He'd never been on a plane, and he came from
2 Morogoro to Dar es Salaam to Darwin, which was an enormous
3 exercise for him. And within two days, his mother, whom he
4 had left in good health, died suddenly.

5
6 I suppose it's in the context of this that I said to
7 him, "Well, you must go home." He said, "No, my family
8 would not expect me to come home, now that I've just been
9 here." I said, "Yes, but your bishop will expect you to go
10 home." He said, "My bishop would expect me not to go home,
11 because I've just come here." Finally, I said, "Well,
12 actually, I'm your bishop and I want you on the plane
13 tomorrow." So he did that.

14
15 It has been one of those exercises, again, which you
16 think you ought to have done, but in talking with him, it
17 has been so important that he was there for that and not go
18 home on leave six months later and people tell him about
19 it. And it was lovely - another priest from India who came
20 and was not long with us, a similar thing happened, and
21 I got this man from Tanzania in and I said, "Can you talk
22 to this man about the need to go home."

23
24 So that kind of gelled for me the way that we could
25 induct them into the culture of Australia. That was part
26 of it, but I also said to this man from Tanzania, "I want
27 you to come to Sydney and do a course", which he did and
28 found really, really helpful. I said, "When you come back,
29 you've got to talk to all the rest of the priests and tell
30 them what you learned and what was different and what they
31 should look out for", and so on.

32
33 We've had other priests go through that, but I think,
34 for him, it stood out for me as a very useful exercise.
35 It's not watertight and I think he still struggles with the
36 authority figure. For him, to disagree or to indicate he
37 might disagree with a person in authority is not his
38 culture. I've tried to say to him, "In our culture, you're
39 not being indifferent or rude. If you have something to
40 say, you say it in a respectful way, but you say it, and
41 that's what I expect and that's what other people in
42 authority expect of you, to get your opinion."

43
44 But if he had a contra opinion, he told me he would
45 find it really difficult to express it to his superior. So
46 that has been helpful to me, too, and helpful to me in
47 talking with all the priests about what I'd call

1 enculturation. I think they call it "acculturation" and
2 a few other things now. How do you manage your life as
3 a priest from overseas in an Australian context?
4

5 Particularly in my diocese, Ms Furness, a third of my
6 diocese is Aboriginal people and communities. Marvellous,
7 beautiful people, who talk different languages and so on.
8 We also have about 82 different nationalities. So these
9 priests are much more at home, in a way, in my diocese than
10 they are in other places sometimes, because there's
11 a community where they feel safe and people within that
12 community whom they trust and respect, who could say,
13 "Look, you can't do that. You know, that's not what we do
14 here in Australia."
15

16 I suppose that's a long answer to your question, but
17 it's how we're trying to do it.
18

19 MS FURNESS: You say that the course that he and others
20 have done in Sydney went well?
21

22 BISHOP HURLEY: Yes.
23

24 MS FURNESS: Are you able to test that or measure that in
25 any way other than your discussions with them on their
26 return?
27

28 BISHOP HURLEY: No, probably not. I don't know - I don't
29 have access - I mean, I could get it, I think. When I say
30 I don't have access, I've not followed up access to any
31 evaluation of those courses. They're generally regarded as
32 very good, and so that's as far as I've gone. I've not
33 seen any evaluation, a technical, scientific evaluation, of
34 them.
35

36 MS FURNESS: You say that you have a very diverse
37 community in Darwin.
38

39 BISHOP HURLEY: Yes.
40

41 MS FURNESS: How does that affect, if at all, the work
42 you're doing in safeguarding?
43

44 BISHOP HURLEY: In many ways I think it makes it easier,
45 and in many other ways it makes it more difficult, because
46 I'm not quite sure myself how best to relate to some
47 cultures. I do my best. I try my best by having people

1 within those various cultural groups that I know and trust,
2 and they are open with me about telling me what's right and
3 wrong, particularly our indigenous communities.
4

5 But the easier way, I think, is that in many of our
6 communities, the protection of children is a very high
7 priority, so that helps. But I think in some of our other
8 communities, I'm just not terribly familiar with how best
9 to inculcate what I want other than to say it.
10

11 I introduced a diocesan magazine. Pretty much every
12 issue has articles in it from our director of professional
13 standards, our integrity officer or me or all of us around
14 what to do, the importance of it, what does it look like,
15 so we're constantly getting it into situations, but I'm not
16 quite sure how to evaluate the various communities and how
17 effective I'm being. I'm not sure how to do that.
18

19 MS FURNESS: But you're satisfied, from the feedback you
20 get and the work that you're doing, that you think it's
21 making a difference?
22

23 BISHOP HURLEY: Yes, I do.
24

25 COMMISSIONER MURRAY: If I may, Ms Furness, there's
26 a question that arises from what you've just said. We are
27 indeed a multicultural society. I can give you two
28 examples in my state, of Port Hedland and Katanning, both
29 rural towns, which have between 50 and 60 different
30 nationalities each. So it's a common feature of Australian
31 society.
32

33 The Church can't do the job of child protection on its
34 own, which means that children need education about what's
35 right or wrong or possible with their bodies, parents, and
36 the community. Given what you said earlier about it being
37 important not to overtrust - I don't think you used that
38 word, but you know what I mean - individuals, what are you
39 doing to communicate to the various communities what their
40 expectations of the priests should be?
41

42 BISHOP HURLEY: Commissioner, I suppose the main thing and
43 the first thing we'd be doing is instructing the priests
44 and whatnot to do that work. We also have safeguarding
45 officers in each parish, and they're appointed by me. They
46 report back to the integrity officer. I was just in
47 Alice Springs on Thursday, or whatever, and just by

1 accident I ran into this gentleman, who said, "Can you have
2 a look at this for me, because the three of us are at mass
3 on Sunday doing our annual PowerPoint presentation on our
4 role as safeguarding officers and what we expect of
5 everybody and what they can expect of us and what the
6 responsibilities are. Can you have a look at it for me?"
7

8 So I think that, as best I'm able, I'm working on the
9 grounds that I don't want to have anybody just on trust.
10 I want to make sure, as best I'm able, that they're
11 reporting facts, that they are in touch with people who
12 have questions, that they're constantly reviewing what
13 they're doing and that I'm constantly reviewing what
14 they're doing. So I suppose there is ultimately some
15 element of trust in that you trust the families with their
16 children, and that's probably not unfair.
17

18 COMMISSIONER MURRAY: How do the children and the parents
19 and the broader local community of all these various
20 demographic groups you talk about know what rules you have
21 set for priests, which they should be aware of and
22 themselves follow?
23

24 BISHOP HURLEY: I'll have it here, but one of the things
25 that would go on the overhead, for instance, and in our
26 magazine is exactly what they can expect and what
27 safeguards there are and what elements of safety for their
28 child are being observed and must be observed, and, if
29 they're not, what they're meant to do.
30

31 MS FURNESS: Just returning to priests from overseas for
32 a moment, you say in your statement that the diocese has
33 a policy of not accepting overseas seminarians?
34

35 BISHOP HURLEY: Yes.
36

37 MS FURNESS: So I take it from that that you accept
38 priests who have been ordained?
39

40 BISHOP HURLEY: Yes.
41

42 MS FURNESS: Why is that?
43

44 BISHOP HURLEY: It's a personal thing, Ms Furness. I'm
45 uncomfortable, I suppose, going back in a way I hadn't
46 thought of until now, but perhaps I don't want to trust
47 other seminaries that I know nothing about, as it were, to

1 present me with priests that I want to work with my people.

2

3 Other bishops do different things, but I do not do
4 that specifically for that reason. I feel much more
5 comfortable - and this is what we do. We invite priests
6 from overseas, but I will know either the bishop very well
7 or the vicar general. I would normally go, or the
8 vicar general would go and interview those people in their
9 place, where you have an opportunity to listen to them, to
10 see how they react, to ask others about them and to look at
11 any records that you might want to look at. And then
12 they're on a contract, maybe a four-year contract.

13

14 I feel that I can manage that much better, and if I'm
15 uncomfortable about anything about that to the point that
16 it's not being resolved, I would ask the bishop to take
17 them back.

18

19 But if I have a seminarian from overseas that trains
20 here and becomes part of my diocese, well, then, he's part
21 of the diocese forever, until he dies. I, as the bishop,
22 want to be sure, as best I can, that he's going to be
23 a good priest in our diocese, hopefully without any
24 problems.

25

26 MS FURNESS: Have you sent anyone back?

27

28 BISHOP HURLEY: No, and I hope that that's a tribute to
29 our preparation of people coming. I hope it is.

30

31 MS FURNESS: You will understand that the Commonwealth has
32 announced a redress scheme following the Royal Commission's
33 recommendation?

34

35 BISHOP HURLEY: Yes.

36

37 MS FURNESS: Have you formed a view as to whether or not
38 your diocese should opt in to that?

39

40 BISHOP HURLEY: Absolutely. I think it's totally,
41 absolutely imperative that we have an independent national
42 redress system from the point of view that (a) it's
43 whatever it is but (b) and for me the most important thing
44 about it is that it takes that whole redress thing out of
45 the pastoral approach to victims.

46

47 One thing that I've found incredibly frustrating is

1 that the pastoral aspect of a mediation can go well until
2 somebody intervenes and then there's litigation and all of
3 that, so those two things then clash. It's heartbreaking
4 when you see somebody taken out of that whole pastoral
5 context on the grounds that you can't meet a quite ambit
6 claim, and then it goes through and you are cut out of that
7 because you write to the person and you get a letter back
8 from their legal representative saying, "All correspondence
9 will come through me."

10
11 I just think that if we can have an independent
12 national redress scheme, that's out of the way. I'm left
13 then with saying, "Well, I'm sorry it wasn't more", or,
14 "I'm glad it was", whatever it is, "But that's not my
15 business. My business is with you, and now how can you and
16 I work through this thing? You argue with them about
17 that."

18
19 It would be just wonderful, I think. I think it's
20 imperative if we're to deal with this business. It's
21 imperative.

22
23 MS FURNESS: Thank you. Can I move to you, Bishop Long.
24 Would you tell the Royal Commission your full name?

25
26 BISHOP LONG: My name is Vincent Long Van Nguyen.

27
28 MS FURNESS: You're the Bishop of the Diocese of
29 Parramatta?

30
31 BISHOP LONG: Yes, that's correct.

32
33 MS FURNESS: What did you do before your appointment in
34 Parramatta?

35
36 BISHOP LONG: I was an auxiliary bishop in Melbourne for
37 nearly five years, from June 2011 till my appointment to
38 Parramatta, which was in June last year.

39
40 MS FURNESS: When were you ordained?

41
42 BISHOP LONG: I was ordained an auxiliary bishop on
43 26 June 2011.

44
45 MS FURNESS: And as a priest?

46
47 BISHOP LONG: As a priest, I was ordained in December

1 1989, also in Melbourne.

2

3 MS FURNESS: So you had only worked in Melbourne before
4 you came to Parramatta?

5

6 BISHOP LONG: No, I had worked in a number of places.
7 I am a Franciscan, a religious, and so I did my initial
8 training in Wollongong and then in Sydney. Then I went to
9 the seminary to study theology for five years in Melbourne,
10 where I was ordained. Then subsequent to that, I had
11 a number of appointments, including assistant priest in
12 various parishes in Melbourne, and I did two stints in
13 Rome, initially as a student, a postgraduate student, for
14 two years, and in 2008 to 2011, for nearly three years,
15 I worked at the international leadership team of my order
16 in Rome.

17

18 MS FURNESS: Thank you. I think you have the status of
19 being the first bishop of Vietnamese background; is that
20 right?

21

22 BISHOP LONG: In Australia, Ms Furness, yes.

23

24 MS FURNESS: Yes. You were born in Vietnam?

25

26 BISHOP LONG: I was born in Vietnam. I was a boat person
27 in 1980 and I transited in Malaysia. I stayed in a refugee
28 camp for 16 months before I came to Australia.

29

30 MS FURNESS: How old were you when you came to Australia?

31

32 BISHOP LONG: I was one day short of my 20th birthday.
33 That was in December 1981.

34

35 MS FURNESS: You, soon after, went into a seminary here or
36 you had been involved before?

37

38 BISHOP LONG: I was in a minor seminary in Vietnam, which
39 was still in operation prior to the communist takeover, so
40 I was trained as a minor seminarian, but in a diocesan
41 jurisdiction, not a religious institute.

42

43 MS FURNESS: In your diocese, do you receive applications
44 or approaches from priests overseas, including Vietnam, to
45 come to your diocese?

46

47 BISHOP LONG: Not from Vietnam but from other countries,

1 especially from India. We have a number of mostly
2 religious priests who applied to minister in our diocese
3 and some of them were accepted, so we have some
4 overseas-born priests working in our diocese.

5
6 MS FURNESS: You heard Bishop Hurley's evidence about not
7 accepting seminarians and accepting only those who have
8 been ordained elsewhere and following a process of
9 interview, and the like. Do you follow any similar
10 process?

11
12 BISHOP LONG: No. The fact is that we do have some, not
13 a great number of overseas-born seminarians. We apply
14 a very robust system of screening and monitoring in order
15 to ensure that these candidates who are sourced from
16 overseas are fit for our diocese.

17
18 MS FURNESS: Do you use the facilities Bishop Hurley
19 referred to in Sydney?

20
21 BISHOP LONG: No, we have our own seminary. In fact, only
22 last Sunday I blessed and opened our new seminary, called
23 the Holy Spirit Seminary, in our own diocese.

24
25 MS FURNESS: By opening that, do we take it that you have
26 a sufficient number of priests coming forward to require
27 a new seminary?

28
29 BISHOP LONG: Yes, well, in fact, we had our own
30 "seminary" for a number of years even before I came into
31 the diocese. They were housed in different locations
32 because we didn't have the facility to accommodate all of
33 them. So we were able to build our own seminary and
34 thankfully we have a large number of native-born,
35 home-grown candidates in addition to some who were overseas
36 born.

37
38 MS FURNESS: The Royal Commission has heard a deal of
39 evidence about the diminishing numbers of young men coming
40 forward to be a priest or religious. That's not your
41 experience in your diocese?

42
43 BISHOP LONG: I think there is also a reduction in the
44 number of candidates coming forward. I think it's
45 a universal phenomenon. We have seminarians - the latest
46 count is 16, but that's in no way sufficient in terms of
47 the replacement rate. So I wouldn't say that we buck the

1 trend as such, although thankfully in comparison to other
2 jurisdictions, certainly to similar-sized dioceses in
3 Australia, we have more candidates to the priesthood.
4

5 MS FURNESS: You will have heard evidence this morning
6 about some seminarians in some seminaries wishing to adopt
7 a more traditional approach to wearing the garb, et cetera.
8 Is that an experience that you've had?
9

10 BISHOP LONG: It is my concern that there is a trend not
11 only in certain seminaries in Australia but I think it's
12 a by-product of the two pontificates before that of
13 Pope Francis which encouraged a certain restoration, you
14 might say, of the traditional model of Church, and
15 therefore the seminarians who were trained in that period,
16 I would say, were by-products of that kind of culture in
17 the Church.
18

19 MS FURNESS: You've also heard evidence that clericalism
20 has been described as a factor or playing a role in the
21 abuse of children and the response to that abuse and the
22 connection between the deference and power that is part of
23 clericalism and the more traditional approach of some
24 seminarians. Now, do you see it like that?
25

26 BISHOP LONG: I do, and I see the clericalism as
27 a by-product of a certain model of Church informed or
28 underpinned or sustained by a certain theology. I mean,
29 it's no secret that we have been operating, at least under
30 the two previous pontificates, from what I'd describe as
31 a perfect society model where there is a neat, almost
32 divinely inspired, pecking order, and that pecking order is
33 heavily tilted towards the ordained. So you have the pope,
34 the cardinals, the bishops, religious, consecrated men and
35 women, and the laity right at the bottom of the pyramid.
36

37 I think we need to dismantle that model of Church. If
38 I could use the biblical image of wineskins, it's old
39 wineskins that are no longer relevant, no longer able to
40 contain the new wine, if you like. I think we really need
41 to examine seriously that kind of model of Church where it
42 promotes the superiority of the ordained and it facilitates
43 that power imbalance between the ordained and the
44 non-ordained, which in turn facilitates that attitude of
45 clericalism, if you like.
46

47 I come from a very high power distance index culture.

1 By that, I mean a culture where the lower-ranked
2 individuals not only accept but expect that power is
3 distributed unequally among its citizens. Even to this
4 day, to this very day, a parish priest can unilaterally
5 excommunicate his parishioners, even though he mightn't
6 have the canonical power to do so. In practice, that's
7 what is happening. I shudder to think of the risk that
8 children and vulnerable adults, vulnerable individuals, are
9 exposed to in that kind of environment. It's still the
10 experience in those countries.

11
12 I think there's a link between compulsory or mandatory
13 celibacy and clericalism in that compulsory celibacy is an
14 act of setting apart the ordained. It's creating that
15 power distance between the ordained and the non-ordained.
16 Insofar as it is an instrument of subjugation or
17 subservience, if you like, of the laity, it is wrong and it
18 has to be reviewed. It has to be looked at, I think, very
19 seriously.

20
21 Again, in my culture, my home culture, the
22 parishioners, the faithful, address the priest as "father",
23 as they do across the world, except that the form of
24 address on the part of the non-ordained is a bit more
25 drastic, in that if you, who are a non-ordained person,
26 address me as a priest, you have to use a certain personal
27 form of address that identifies you as subservient, as
28 a lower-ranking person, like a daughter. So I would say
29 that in order to dismantle clericalism, we need to look at
30 also the issue of examination and maybe abolition of those
31 honorific titles, privileges and institutional dynamics, if
32 you like, that breed clerical superiority and elitism.

33
34 People still address me, especially the faithful
35 Catholics, as "Your Lordship", and I sort of cringe at
36 that. Or when they come to see me, or they come to meet
37 me, they kiss my ring. I'm not very comfortable with those
38 sorts of practices because they encourage a certain
39 infantilisation of the laity and that creation of the power
40 distance between the ordained and the non-ordained, and
41 I think we have to look at these things seriously.

42
43 MS FURNESS: Have you observed any change in that area
44 towards being more relaxed?

45
46 BISHOP LONG: I think Pope Francis is certainly leading
47 the way in that direction. Whether or not it's being

1 filtered down the ranks I'm not quite certain. For my
2 part, I know - or I feel that, especially as a bishop,
3 I need to lead the way in promoting the Church as
4 a communio, as a discipleship of equals, that emphasises
5 relationships rather than power. I feel that's where we
6 should be headed to.

7
8 THE CHAIR: Bishop, you provide a striking description of
9 what you see as the situation of the Church, but can we
10 just ask the others. Archbishop Prowse, do you share the
11 bishop's understanding of the Church and how it might need
12 to change?

13
14 ARCHBISHOP PROWSE: Yes, I resonated with quite a lot of
15 Bishop Long's statements, particularly, I mean, I try to
16 accept people where they are. When they greet me, they
17 greet me in the way they are comfortable with. But
18 particularly with the honorifics, it can encourage an
19 infantilisation.

20
21 I do believe, though, that when they call the priest
22 "father", for instance, it's not just an honorific; for
23 many of them, it sort of indicates who he is in their
24 spiritual life and who they are before God, so there's
25 a spiritual dimension there, too. So there's a certain
26 nuance there. I wouldn't demand being called these
27 honorifics, but if it happens, I would accept the people,
28 the way they offer that to me.

29
30 THE CHAIR: Archbishop Porteous, do you share the bishop's
31 perception of the state of the Church, as it were?

32
33 ARCHBISHOP PORTEOUS: I certainly think that it's very
34 important and something that's in my own heart, that
35 priests and bishops are close to people and that we are not
36 seen as distant or seen, as Bishop Long was saying, in some
37 kind of exalted position.

38
39 Certainly my own efforts as a priest and as bishop
40 have always been to try to build fraternal relationships
41 with people. I often would use the words "my brothers and
42 sisters" rather than the father/son kind of distinction.
43 My attitude has always been to try to foster this sense
44 that we are together, because we have a common dignity in
45 the fact that we are all baptised Christians. We are
46 Christians first and we share a common journey of faith
47 together. That's fundamentally the attitude that I try to

1 live and try to promote.

2

3 THE CHAIR: Would you encourage people to call you Julian?

4

5 ARCHBISHOP PORTEOUS: I wouldn't encourage it. I don't
6 object to it.

7

8 THE CHAIR: It's just a way of understanding how you see
9 yourself.

10

11 ARCHBISHOP PORTEOUS: Sure. I think generally there has
12 been a tradition in my own archdiocese where I receive the
13 title "Your Grace". Sometimes people say "archbishop" and
14 sometimes people say "Julian". I never insist or demand on
15 any of those titles, but I also don't promote one against
16 the other. I leave it to people's own - because people
17 also have certain approaches themselves. I don't think
18 it's necessarily a matter of subservience. They just give
19 respect to the office, and so I appreciate that as well.

20

21 THE CHAIR: I think what Bishop Long is saying is that the
22 problems he sees in this, can I call it structure or
23 culture, if they're going to change, be removed, it will
24 require the clergy to do the removing, not the laity. Do
25 you understand?

26

27 ARCHBISHOP PORTEOUS: Yes, and I would agree. I think
28 it's important that priests have the right attitudes
29 towards their relationship with people in the Church.

30

31 THE CHAIR: Bishop Hurley, do you have any comments on
32 what Bishop Long was saying?

33

34 BISHOP HURLEY: I generally agree with that. The only
35 thing is that I think you have to not dishonour people's
36 own culture. I don't want to dictate to them, "This is
37 wrong." If they greet me in a certain way where they're
38 comfortable and find that that's helpful to them, I would
39 never want them to feel that they had to sort of grovel or
40 something, even if that were their culture, but if they
41 want to show respect to the office.

42

43 One of the things I do regularly is stand down the
44 back of the cathedral at one of the other masses just in an
45 open-neck shirt. People are pushing past me to get out,
46 and if I didn't move, they'd run over me, I think. And
47 then I come back in an hour later with all my bishop's

1 accoutrements and people want to kiss your hand. What it
2 reminds me of is that they're not doing it to me; they're
3 honouring the office. Provided that's what they're doing,
4 I'm much more comfortable. As I say, I actually experience
5 it deliberately to remind myself it's nothing to do with
6 you; it's the office that you are inhabiting. I never want
7 to say to people, "I don't want you to call me whatever."
8 I tend to be comfortable with whatever they want to call
9 me.

10
11 Some people would call me Eugene. Some people call me
12 Bishop Eugene. Many people call me "father", who have
13 known me for a long time. Personally I like the title
14 "father" from the point of view that it reminds me that
15 that's my role, to care and give myself for others, and
16 I hope it reminds me, too, that they're investing a lot of
17 trust in me.

18
19 THE CHAIR: Bishop, some people might say that in you
20 identifying the respect paid to the office, that's the very
21 problem that clericalism is all about?

22
23 BISHOP HURLEY: Yes. Yes, I understand that, but I would
24 put it in the context of most people I know that have
25 a friendship and even familiarity with their own doctor.
26 When they go to see him, they'd always refer to him as,
27 "Good morning, Dr John." On the golf course, they might
28 call him John. But it's just a recognition that you're
29 going to him in a professional capacity, if you like, and
30 you're recognising that. You're perhaps reminding him that
31 you want him to have a professional attitude to you, too,
32 with regard to confidentiality and so forth, that you're
33 not playing golf with him; you're there for a clinical
34 appointment, and you're perhaps making the difference by
35 recognising that he's your doctor today and he's your
36 golfing partner tomorrow.

37
38 THE CHAIR: You two bishops don't feel left out. We'll
39 come back to you on these issues.

40
41 COMMISSIONER FITZGERALD: Could I just take it to a more
42 significant level, and that is if we do believe in
43 a discipleship of equals, which was, in many senses,
44 fundamental to the Second Vatican Council's teachings, the
45 rubber hits the roads when you are prepared to share
46 governance arrangements equally both at parish and at
47 diocesan level, doesn't it?

1
2 At the end of the day, what we call each other in any
3 of the Church environments we've spoken to is one thing,
4 but isn't what we've heard in the last couple of weeks
5 calling into question the commitment of many leaders in the
6 Church, at both parish and diocesan level, the willingness
7 to actually embrace a shared governance model between men
8 and women, priest and religious alike? Without affecting
9 the canon law as it is for the moment, isn't that really
10 the difficulty?

11
12 I was wondering, Bishop Vincent, isn't the point that
13 you get to that if you believe in what you've just said
14 about the discipleship of equals, there is a need to look
15 at the governance arrangements within parishes and dioceses
16 that we currently operate under?

17
18 BISHOP LONG: Yes, Commissioner, I do believe that the
19 marginalisation of women and the laity is part of this
20 culture of clericalism that contributes not insignificantly
21 to the sexual abuse crisis, and I think if we are serious
22 about reform, this is one of the areas that we need to look
23 at.

24
25 Accountability in that perfect Church model only works
26 upwards. You're accountable to the person above you. As
27 long as the bishop has the backing of the Pope, he's safe.
28 As long as the priest has the backing of his bishop, he's
29 safe. There's no accountability that reaches outwards or
30 downwards, and that's the critical problem, as far as
31 I see. That discipleship of equals calls into question
32 that upward accountability that is in operation as a result
33 of that ecclesiastical model of a perfect society where
34 everyone knows their place and the pecking order is
35 strictly dictated by ordination.

36
37 The laity have no meaningful or direct participation
38 in the appointment, supervision and even removal of the
39 parish priest. I think that needs to change. Or even at
40 the episcopal level, the appointment, supervision and
41 removal of a bishop is virtually excluded from the
42 faithful. The Morris affair is a typical example of that.
43 There's no accountability to the faithful there. So that
44 needs to be examined if we are serious about creating a new
45 culture of accountability in the Church today.

46
47 COMMISSIONER FITZGERALD: Could we just extend it one step

1 further, and I'm mindful of the time. Would it not have
2 served the Church well had parishes and dioceses adopted
3 that which was sought to be adopted after the Vatican
4 Council, that is, parish councils and pastoral councils
5 which may have in fact informed and kept informed the
6 leaders of the Church as to what was going on and also
7 assisted in the way in which they might have responded to
8 those claims?
9

10 So it's not just about accountability to the faithful;
11 isn't one of the missing links today and in the past the
12 absence of a robust governance arrangement, including the
13 laity, which would have in fact enabled leaders to
14 understand what was going on and given guidance as to how
15 to respond, and is that still a problem within the modern
16 Church?
17

18 BISHOP LONG: I think it is, Commissioner. I think it is
19 still a problem within the Church. A parish priest, even
20 today, can unilaterally dismiss the parish council. And
21 many did. Many have. To me, that's the glaring gap that
22 we need to really examine seriously. And, really, what do
23 we do in terms of empowering the people? What do we do in
24 terms of addressing the power imbalance between the
25 ordained and the non-ordained? What do we do about the
26 full participation of the faithful, and women in
27 particular, in the governance structures of the Church?
28

29 I think these are serious issues that need to be
30 addressed if we are to come clean of this abuse crisis,
31 because it's not just the symptoms on the surface but what
32 lies underneath it, and I think it's harder to address what
33 lies underneath the phenomenon than to address what's on
34 the surface.
35

36 THE CHAIR: Yes, bishop, thank you. We'll take lunch.
37

38 LUNCHEON ADJOURNMENT 39

40 MS FURNESS: Thank you, your Honour. There are just
41 a couple of matters I want to raise with the four of you
42 before I ask questions of the gentlemen at the Bar table.
43

44 Can I start with you, Bishop Long. I did not,
45 I think, ask you about whether or not you had followed any
46 procedure, like Bishop Hurley, in relation to
47 reconciliation and whether it was to be in open or

1 otherwise?

2

3 BISHOP LONG: I am certainly open to the concept of
4 a ceremony of lamentation, sorrow and apology, if you like,
5 but I would like to think that --

6

7 THE CHAIR: I think you are at cross-purposes.

8

9 MS FURNESS: Yes, I think that's right, too.

10 Bishop Hurley gave evidence that he had provided to all of
11 his parish priests and schools a statement setting out the
12 approach he wished them to take in relation to the
13 Sacrament of Reconciliation, and that was that it should
14 occur in an open setting and in the full view of all
15 participants, who were supervised by staff. Do you
16 understand what I'm saying?

17

18 BISHOP LONG: Yes, yes, I do.

19

20 MS FURNESS: Have you done anything similar?

21

22 BISHOP LONG: I haven't written a pastoral letter to that
23 effect. However, the professional standards training
24 sessions that we provide for our clergy and seminarians
25 certainly contain those elements, which, by the way, are
26 stipulated in Towards Healing documents.

27

28 MS FURNESS: Bishop Porteous, can I ask you the same
29 question?

30

31 ARCHBISHOP PORTEOUS: Yes, certainly. I haven't done as
32 Bishop Hurley has done, written something specific. In
33 fact, preparing for this Commission has highlighted aspects
34 of this question which I am reflecting on and it is
35 something which I think would be very valuable to do
36 initially for priests, to talk more specifically about it.

37

38 In Tasmania, generally, the sacrament is celebrated in
39 the open. That's a general practice across the diocese, so
40 I haven't seen a need to say something specific, but I'll
41 certainly take it on board in the light of particularly
42 Bishop Hurley's letter.

43

44 MS FURNESS: Bishop, I've asked the others but not you
45 whether you would opt in if there were a Commonwealth
46 redress scheme that invited you to opt in?

47

1 ARCHBISHOP PORTEOUS: Myself? Yes, yes, I would. I'm
2 very much in favour of it. I think it would be a very
3 important step forward and I would fully support it.
4
5 MS FURNESS: Thank you. Archbishop Prowse, in relation to
6 the Sacrament of Reconciliation, what's your practice?
7
8 ARCHBISHOP PROWSE: At this stage, I haven't felt the need
9 to write a letter because I understand that that is the
10 practice already.
11
12 MS FURNESS: Thank you. If I can now turn to
13 Bishop Saunders, perhaps you could tell the
14 Royal Commission your full name?
15
16 BISHOP SAUNDERS: I'm Christopher Alan Saunders.
17
18 MS FURNESS: You are the Bishop of Broome?
19
20 BISHOP SAUNDERS: Bishop of Broome, Western Australia.
21
22 MS FURNESS: You have held that position since 1996?
23
24 BISHOP SAUNDERS: That's correct.
25
26 MS FURNESS: Prior to that, what were you in the Church?
27
28 BISHOP SAUNDERS: Prior to that, I was administrator of
29 the cathedral in Broome.
30
31 MS FURNESS: The Diocese of Broome covers a very large
32 area?
33
34 BISHOP SAUNDERS: Yes, it does, 773,000 square kilometres.
35
36 MS FURNESS: How many Catholics do you minister to in that
37 area?
38
39 BISHOP SAUNDERS: Somewhere in the region of - well, it
40 depends whose figures you believe. Somewhere in the region
41 of 10,000.
42
43 MS FURNESS: And you have a dozen or so Catholic schools?
44
45 BISHOP SAUNDERS: That's correct, yes, 13.
46
47 MS FURNESS: In terms of your engagement in the Diocese of

1 Broome with children, you clearly are involved with
2 children at the schools?

3
4 BISHOP SAUNDERS: Yes.

5
6 MS FURNESS: Do you have a welfare arm, if I can put it
7 that way - CatholicCare or something similar?

8
9 BISHOP SAUNDERS: Yes, we have Centacare, which has been
10 operating for some years. It operates as something that
11 originates from the diocese.

12
13 MS FURNESS: And in addition to those two areas?

14
15 BISHOP SAUNDERS: No, not really. Just the parishes and
16 the schools, yes, but no other agencies as such.

17
18 MS FURNESS: In terms of the parishes, are there organised
19 activities in relation to children?

20
21 BISHOP SAUNDERS: Because of the distances involved, there
22 isn't a lot of that sort of thing that happens. If it
23 does, it's usually school based, in which case it comes
24 under the auspices of Catholic Education, although the
25 priest may well be involved.

26
27 But while we have only 10 parishes, we have numerous
28 remote communities that we service, and the priests spend
29 a large amount of their time, unless they are in Broome -
30 apart from Broome, they spend a large amount of their time
31 travelling. So organised youth groups tend to be school
32 based rather than parish based.

33
34 MS FURNESS: In the Diocese of Broome, you apply the
35 policies and procedures that have been established
36 nationally - Towards Healing, Integrity in Ministry and the
37 like?

38
39 BISHOP SAUNDERS: Yes, we have.

40
41 MS FURNESS: You haven't created or adapted any policy for
42 specific use in your diocese?

43
44 BISHOP SAUNDERS: No, basically because we haven't had
45 cause to use even those, as yet.

46
47 MS FURNESS: There haven't been any complaints?

1
2 BISHOP SAUNDERS: There has been a complaint, but it was
3 looked into by the police and wasn't taken any further, as
4 the person involved who is accused is out of the country.

5
6 MS FURNESS: What did you do in relation to that
7 complaint?

8
9 BISHOP SAUNDERS: Well, I was out of the country myself
10 when it became public, so I asked the local priest to
11 contact the police. This had already happened, because it
12 was in fact something that was revealed within the school
13 bounds, so then we sort of stepped back from it.

14
15 MS FURNESS: What did you do in respect of the priest?
16 I understand you said he was overseas, but did you take any
17 action in relation to the priest's faculties or --

18
19 BISHOP SAUNDERS: Yes, I rang his superior to tell him
20 that when he returned from vacation, he would be stood down
21 while there was a police investigation taking place. His
22 superior didn't know that he was in the country and didn't
23 know where he was at that stage. So that's all that we
24 did.

25
26 MS FURNESS: Did the priest come back?

27
28 BISHOP SAUNDERS: He did not.

29
30 MS FURNESS: He didn't come back?

31
32 BISHOP SAUNDERS: He did not, despite the fact that I had
33 urged his superior to send him back.

34
35 MS FURNESS: What order was it?

36
37 BISHOP SAUNDERS: It was the Heralds of Good News.

38
39 MS FURNESS: Is that a male order?

40
41 BISHOP SAUNDERS: It is a male order of priests based in
42 the subcontinent.

43
44 MS FURNESS: In your statement, at paragraph 8 you say
45 that your observations of the working of this
46 Royal Commission and the encouragement of the Bishops
47 Conference have led you to be more vigilant with regard to

1 clergy and religious. That's right?

2

3 BISHOP SAUNDERS: That's correct.

4

5 MS FURNESS: How has that vigilance played out?

6

7 BISHOP SAUNDERS: Well, in two ways. We're very, very
8 strict on any priest coming in to the diocese. We have
9 a lot of people on holidays. The only significant industry
10 that is at work in Broome is the tourist industry, and we
11 have a lot of clergy and religious who would come up on
12 holidays, so we're very strict about them having
13 professional standards clearances before they are able to
14 celebrate mass or to be part and parcel of any life within
15 the parish.

16

17 The other thing that we have decided to do is that at
18 the next meeting of the priests and pastoral associates and
19 principals, they will be having in-servicing from the
20 Professional Standards Office of Western Australia.

21

22 MS FURNESS: In relation to the clergy that come on
23 holidays and the like, you said that they need to have
24 professional standards clearances.

25

26 BISHOP SAUNDERS: Mmm.

27

28 MS FURNESS: What do you mean by that?

29

30 BISHOP SAUNDERS: Well, I mean they have to have a letter
31 from their bishop saying they are of good standing.

32

33 MS FURNESS: So a certificate, as it were, of good
34 standing?

35

36 BISHOP SAUNDERS: That's correct.

37

38 MS FURNESS: Anything else?

39

40 BISHOP SAUNDERS: Well, this national system that is being
41 rolled out will eventually take care of that.

42

43 MS FURNESS: By which you mean the register?

44

45 BISHOP SAUNDERS: That's correct.

46

47 MS FURNESS: You have heard the discussion this morning,

1 bishop, about why the clergy and religious have been
2 engaged in child sexual abuse to the extent that has been
3 revealed.

4
5 BISHOP SAUNDERS: Yes.

6
7 MS FURNESS: Do you have any comments you want to make on
8 why you think that abuse has occurred and, secondly, the
9 response to it has been as it is?

10
11 BISHOP SAUNDERS: Well, I would agree that there has been
12 a massive failure on behalf of the Church to respond
13 appropriately to the issues and the matters and the
14 allegations of sexual abuse throughout Australia. I would
15 go so far as to say that while these are individual
16 failings, there may well be some part of the system that is
17 at fault.

18
19 With regard to clergy, I would think we need a closer
20 examination of the three main areas that have been raised
21 already, which are recruitment and what happens at
22 recruitment. Myself, I was in my third year of the
23 seminary before we did any psychological testing, which in
24 those days was in its infancy, but I believe that that's
25 now common practice, and I believe that should be applied
26 again later, during formation, and I understand that in
27 some places, at least, it is. So recruitment and
28 formation.

29
30 The matter that you refer to quite often, which is
31 clericalism, I think is a very significant problem. I'm
32 not sure that I agree with all the definitions of
33 clericalism, but there is one definition I agree with, and
34 that is that it is the abuse of power and authority. It
35 stems from, I think, an immature understanding of Church.
36 By that, I mean perhaps even a redundant understanding of
37 Church.

38
39 We know that in pre-Vatican times, the theological
40 underpinning with regard to the Church was that the Church
41 was a perfect society. We know also that in the teachings
42 of Vatican II, there was an enormous shift pushing the
43 Church from that into the Church as *communio*, as
44 a community of service together.

45
46 Now, that shift has not yet taken place. It is not
47 yet complete. That is to say that the theological

1 underpinning is not yet entirely understood in its new
2 format, and I think that is what the Holy Father is trying
3 to do. As he speaks against clericalism, he's talking
4 against privilege; he's speaking in favour of service.

5
6 Now, the social critics tell us that it takes
7 something like about 75 years for an ecumenical council to
8 make itself fully effective, and we're about 50 years down
9 the track. I think the Holy Father is really trying to
10 change the Church enormously along the lines of Church as
11 communio and of service and moving us away from that
12 privileged position or description that might have once
13 defined us - and still does, I'm afraid.

14
15 MS FURNESS: What can you do in your area, in the Diocese
16 of Broome, to make that happen?

17
18 BISHOP SAUNDERS: I'm in the fortunate position, I only
19 have 13 clergy altogether. We know each other very well.
20 We work very closely together. We're also very busy
21 people, but we are involved closely with the workings of
22 the communities in which we are immersed and we work
23 closely together. There wouldn't be a day go past that
24 I don't ring one of the priests and talk to them. There
25 wouldn't be a week go past when I haven't spoken to most
26 of, if not all of, the pastoral associates that are also at
27 work there. So it's one of the advantages of being small.
28 As a diocese, and as a small diocese, we can do things in
29 a way that other places can't.

30
31 I know argument by analogy is very weak, but if some
32 of the other dioceses, by size, are Coles and Woolworths,
33 we are the corner store and that's how we operate, and very
34 much so do we know each other and know our strengths and
35 our weaknesses.

36
37 So to answer your question, we bring to the attention
38 of clergy, in the times that we meet and in the
39 conversations that we have, not only our aspirations but
40 also our worries and our concerns. One of those concerns
41 would be that the priest would exist, in his own mind, at
42 least, or in the image of others, as somebody who is in
43 a privileged position. I would like to think that they are
44 at the coalface alongside their brothers and sisters.

45
46 MS FURNESS: Unlike Coles and Woolworths, you are not in
47 competition with your other dioceses and bishops, are you?

1
2 BISHOP SAUNDERS: I am not.
3
4 MS FURNESS: There are various forums available to you,
5 with your fellow bishops, to discuss matters of common
6 interest to the Church?
7
8 BISHOP SAUNDERS: Yes.
9
10 MS FURNESS: At any of those gatherings or forums, has
11 this issue been raised?
12
13 BISHOP SAUNDERS: Which particular issue?
14
15 MS FURNESS: The one you have just spoken about in terms
16 of --
17
18 BISHOP SAUNDERS: Clericalism?
19
20 MS FURNESS: Yes.
21
22 BISHOP SAUNDERS: I certainly have been part of
23 conversations on several occasions with individual bishops
24 or with a group of bishops. I would stand to be corrected
25 here, but I don't know that we've spoken about it in
26 plenary as a subject, but certainly with groups of bishops
27 and individually with bishops.
28
29 MS FURNESS: In those discussions, have you found that
30 your view is generally held or you are an outlier?
31
32 BISHOP SAUNDERS: Well, nobody has expressed a view to the
33 contrary. In the conversations to which I have been party,
34 there is great concern that our clergy are seen, by all of
35 the bishops, as serving their people and serving them in
36 equality. We know that doesn't exist, but it's also
37 difficult in some circumstances to change things overnight,
38 to change the scene as we would want it.
39
40 Certainly one of the things that has come up in
41 conversation is this matter of clericalism, and indeed many
42 of the matters that have been raised by the
43 Royal Commission should become a subject of discussion at
44 our synod, the Australian Synod which is planned in 2020.
45 I would think that it has been fertile ground here today
46 and in the other days to have listened to the proceedings
47 of the Royal Commission, and I imagine that the findings of

1 the Royal Commission not only will be fertile ground but
2 will be subject matter for that synod.

3
4 MS FURNESS: You refer to things not changing overnight,
5 but of course it has been 20 years since the Church set up
6 its first formal structure, being Towards Healing.

7
8 BISHOP SAUNDERS: Mmm.

9
10 MS FURNESS: So there has been a deal of time that has
11 passed.

12
13 BISHOP SAUNDERS: Yes, there has, mmm.

14
15 MS FURNESS: And have there been changes in that time?

16
17 BISHOP SAUNDERS: Oh, I've seen lots of changes, but,
18 I mean, one of the bishops I think said that sometimes
19 parish priests are in a position where they are
20 unassailable. Perhaps that's my word, not his. But that
21 being the case, it's sometimes difficult, very difficult,
22 to implement the sort of change that you want to implement
23 because really it means changing people's attitudes. If
24 you're going to change people's attitudes, that means
25 well-founded strategies and good formation, ongoing
26 formation for clergy with these issues in mind.

27
28 MS FURNESS: When you say "good strategy", do you mean
29 strategy in addition to formation or that is part of the
30 strategy?

31
32 BISHOP SAUNDERS: I mean winning over the minds of clergy
33 and those that are working with you in such a way that they
34 will want to not only cooperate but be part and parcel of
35 a new way of being Church.

36
37 MS FURNESS: I take it from what you have said that there
38 are priests whose minds have yet to be won over?

39
40 BISHOP SAUNDERS: I would imagine - that I had won over?

41
42 MS FURNESS: No, that haven't been won over.

43
44 BISHOP SAUNDERS: Yes.

45
46 MS FURNESS: That's right; that's your understanding?
47

1 BISHOP SAUNDERS: I would imagine so.

2

3 MS FURNESS: What does one need to do to win them over?

4

5 BISHOP SAUNDERS: Well, I don't know that I can answer
6 that. I think that that's --

7

8 MS FURNESS: The Church has to be able to answer it,
9 doesn't it?

10

11 BISHOP SAUNDERS: I think that every Church in itself
12 needs to answer that. In the Church of the Kimberley,
13 where I come from, we're doing what we can because we know
14 the people and we know the situation. The Church of
15 wherever we want to talk about knows its own people and
16 needs to apply itself to its own people.

17

18 A national approach is only good if it is implemented
19 locally. To have a national standard is a wonderful thing,
20 but it has to be accepted and then applied locally, and
21 that's what takes time.

22

23 MS FURNESS: You believe you have applied it locally in
24 your area?

25

26 BISHOP SAUNDERS: Well, I think we have. I think we have.
27 I think we have a sense of mission that we share. Part of
28 that, I have to say, is because of the geographical
29 location of where we are and how we operate and the small
30 numbers that are involved. We're able to discuss these
31 issues in a mature way and apply strategies where
32 necessary.

33

34 MS FURNESS: So the effect of what you are saying is that
35 it depends upon individual bishops to effect the change you
36 have described?

37

38 BISHOP SAUNDERS: The way the Catholic Church is, yes, it
39 depends largely on the bishop - not entirely, but largely
40 on the bishop and the leadership that the bishop affords
41 his diocese. Of course, he has to have the cooperation of
42 others, too.

43

44 MS FURNESS: Others being outside his diocese?

45

46 BISHOP SAUNDERS: Others being the priests that he is
47 working with within his own diocese.

1
2 MS FURNESS: So you are suggesting that change will only
3 happen if it happens locally and if the bishop wants there
4 to be change and the priests agree that there will be
5 change?
6

7 BISHOP SAUNDERS: I think we can paint a national picture
8 of an ideal circumstance, but it has to be applied locally.
9 The only way that you can apply it effectively is if you
10 know your priests and if you know your people and you know
11 how to apply it effectively. I mean, I think that I'm
12 a reasonable bishop for the Kimberley. I don't know how
13 I would go somewhere else. And I think that bishops who
14 are in their own locations ought to, if they don't already,
15 know their people and their circumstances, and largely
16 I believe this is the case.
17

18 MS FURNESS: How can those bishops who have not done what
19 you have done be influenced to take that step?
20

21 BISHOP SAUNDERS: I think the workings of this
22 Royal Commission but also the discussions we have had as
23 Church. I've been a bishop since 1996, and it was then, as
24 you quite rightly point out, from 20 years ago, that these
25 terrible things came to light and we've been trying to
26 grapple with them.
27

28 There has been a generational change in the construct
29 of the Bishops Conference, for instance. I came in as
30 a junior bishop in 1996, and by ordination I think I'm now
31 about number 4. That carries no particular weight with it,
32 but it just does show the generational change that has
33 happened in those 20 years. Along with those generational
34 changes is, I think, an openness to a new vision of Church.
35 It is something developing and it is something that hasn't
36 developed fast enough. I do believe that moments like this
37 will be a great source of energy for us to apply ourselves.
38

39 MS FURNESS: This moment has been going on for four years
40 now, in the sense of the Royal Commission.
41

42 BISHOP SAUNDERS: Mmm.
43

44 MS FURNESS: If it were to be the motivating force that
45 you describe, would it not be expected that in the last few
46 years there was significant rather than incremental change?
47

1 BISHOP SAUNDERS: Well, I think that the changes that have
2 happened, as I observe them, in other churches in Australia
3 have been significant. I mean, there have been significant
4 moments. I've just listened to some this morning. Some of
5 those have been the result of the Royal Commission, and
6 some of those have been the result of the bishops applying
7 themselves to what is an urgent matter in their own
8 diocese.

9
10 Notwithstanding, I admit that the changes are not at
11 the pace that they ought to be and not at the intensity
12 that they ought to be, and I think we have some way yet to
13 go. But I have seen not just incremental change but
14 significant change, and change in attitude.

15
16 MS FURNESS: What is the impetus you believe is necessary
17 for it to change at a greater pace?

18
19 BISHOP SAUNDERS: I think that we need to share, as
20 a Church, the wrongdoing that has happened, the sufferings
21 that are apparent amongst those who are survivors or
22 victims, or whatever word you wish to use, to recognise as
23 a group, as an entire national Church, just how awful and
24 how dreadful this has been, but to move on from that and to
25 do whatever is necessary to make sure that it never happens
26 again.

27
28 I believe that the synod that is coming up - a synod
29 is a magnificent opportunity not just for bishops or
30 priests to talk but also for laypeople to be involved, and
31 from the grassroots up. I think our people are going to
32 tell us that they want better leadership than they are
33 getting, and I hope that together we can build that
34 leadership.

35
36 MS FURNESS: When you say "we need to share, as a Church,
37 the wrongdoing that has happened", you haven't done that
38 yet?

39
40 BISHOP SAUNDERS: Well, we have done it, but I think to do
41 it nationally, with a strategy attached to it. I mean, we
42 have done it on several occasions. There are numerous
43 bishops individually and the Australian Catholic Bishops
44 themselves who have made statements - sorry, the plenary,
45 that has made statements apologising.

46
47 But I think we are all in a state of shock, in

1 a sense. There have been numerous tremors that started, as
2 you say, four years ago. I was here on the first day of
3 the latest sessions, and I heard those figures. Like every
4 other bishop, it was another tremor to see a complete
5 picture nationally. We may know what is going on in our
6 own church, or maybe even the church next door, but to see
7 it nationally, to see the picture as clearly painted as it
8 is, has been a tremor and a shock for all of us and,
9 I think, a great awakening.

10
11 MS FURNESS: There may be those in the community, bishop,
12 who are surprised to hear you say that the shock is
13 a recent one in relation to those figures, when there have
14 been claims coming in for 30 years now.

15
16 BISHOP SAUNDERS: There is a difference between hearing
17 piecemeal figures from this place or from that place or
18 from there and then, on the other hand, to see it all
19 collated together, and that's simply what I mean.

20
21 MS FURNESS: You mean the sheer numbers as indicated in
22 the claims data which was produced?

23
24 BISHOP SAUNDERS: That's correct.

25
26 MS FURNESS: And that's what is shocking?

27
28 BISHOP SAUNDERS: Well, no, as I said before, there is
29 much more hurt in the community that we have recognised.
30 But the extent of it is something that - the extent of it
31 is - for the first time, I see it now in the numbers that
32 were printed the other day. We have always understood that
33 there has been a terrible happening in the Church in
34 Australia and that people have been grievously hurt;
35 injustices have been done. We have all of us, I think -
36 certainly myself, anyway - sat with victims of child abuse,
37 and it strikes deeply into your heart to listen to the
38 story of a person, somebody that you know, even somebody
39 that you have just met. There is a difference between that
40 and looking at a collation of figures. That's all I was
41 trying to say.

42
43 MS FURNESS: By "collation of figures", you mean the
44 number of claims that alleged priests or clergy have
45 sexually abused one or more child?

46
47 BISHOP SAUNDERS: Yes, that's what I mean.

1
2 MS FURNESS: You heard Bishop Hurley's evidence in
3 relation to the Sacrament of Reconciliation and what he has
4 done. Have you done anything similar in your diocese?

5
6 BISHOP SAUNDERS: Well, no, I haven't. The general
7 practice for reconciliation in our diocese is to use the
8 second rite, which is as he described, I think. Actually,
9 the second rite goes a bit further. There is a public
10 examination of conscience, scripture readings, so it is
11 a liturgical moment, and then the individual confessions
12 take place in the open, but obviously people are distanced
13 from each other.

14
15 MS FURNESS: So in full sight, with supervision, in
16 relation to children; is that right?

17
18 BISHOP SAUNDERS: Yes, and adults, yes.

19
20 MS FURNESS: Now, just turning to the redress scheme which
21 the Commonwealth has indicated it will introduce, have you
22 formed a view as to whether your diocese should be part of
23 that scheme?

24
25 BISHOP SAUNDERS: I think it's absolutely essential.

26
27 MS FURNESS: Thank you. Perhaps if I can now turn to you,
28 bishop. Would you tell the Royal Commission your full
29 name?

30
31 BISHOP TARABAY: Antoine-Charbel Tarabay.

32
33 MS FURNESS: And your position?

34
35 BISHOP TARABAY: Maronite Bishop of Australia.

36
37 MS FURNESS: Perhaps you could say that again somewhat
38 slower?

39
40 BISHOP TARABAY: Maronite Bishop of Australia.

41
42 MS FURNESS: The Maronite is an eastern rite eparchy?

43
44 BISHOP TARABAY: Yes.

45
46 MS FURNESS: Perhaps you could explain to us what that
47 means?

1
2 BISHOP TARABAY: In the Catholic Church, we have eastern
3 Churches and the Roman Catholic Church. Some of the
4 eastern Churches are sui juris, which means they have their
5 autonomy, and we have the Code of Canon Law, the eastern
6 Code of Canon Law.

7
8 To give a much better and easier picture to
9 understand, the Church is like a tree. We have a branch,
10 a substantial, big branch, which is the Roman Catholic
11 Church, and we have 23 small Churches, which are the
12 eastern Churches.

13
14 MS FURNESS: What is different about the way the eastern
15 Churches practise?

16
17 BISHOP TARABAY: When it comes to the eastern Churches -
18 and I can talk for the Maronite Church - we have four,
19 I will say, significant differences. Firstly, the way that
20 we worship, our liturgy, is different from the Roman
21 Catholic Church. In the liturgy, we still use the Aramaic,
22 the Syriac, which is the ancient language.

23
24 The second difference is the history, because for the
25 Maronite Church we have our own history starting in the end
26 of the 4th century, beginning of the 5th century with
27 a patron saint, the Father of the Maronite Church,
28 St Maroun. This is something that we have different to the
29 other Churches. However, when it comes to the history of
30 the Church, the whole Church is aware of the existence of
31 the eastern Churches.

32
33 The last one, when it comes to the Code of Canon Law,
34 we have the western Code of Canon Law and we have the
35 eastern Code of Canon Law. Especially in the eastern Code
36 of Canon Law, we have the particular rule for the Maronite
37 Church, in which it is clear that the head of the Church is
38 the patriarch, and also we have in our Church the
39 regulation and the Code of Canon Law for married priests.

40
41 MS FURNESS: So priests can be married within the
42 Maronites?

43
44 BISHOP TARABAY: Since the beginning of the Maronite
45 Church, we have had the tradition of the married men to
46 become priests and to serve in parishes. This concept
47 continues all throughout the history of the Maronite

1 Church. Up to the beginning of the 20th century,
2 90 per cent, almost 90 per cent, of the clergy serving in
3 parishes were married men. After that, we started to have
4 some candidates for the priesthood to opt for celibate life
5 to become priests, as diocesan priests, and to serve in the
6 parishes.

7
8 MS FURNESS: Do you have any understanding as to why those
9 candidates were taking a different view?

10
11 BISHOP TARABAY: Firstly, I will say in the Maronite
12 Church, we have also the monastic tradition, which is that
13 if anyone would like to opt for celibate life, he will go
14 to the monastery and will live in the monastery with
15 a community of monks. And those who would like to serve in
16 the parishes, most likely, the tradition will encourage
17 them to be married priests - to be married men and to
18 prepare themselves to become priests.

19
20 So the idea of having celibate priests is there.
21 However, I believe it was influenced by the practice in the
22 Roman Catholic Church that we started having diocesan
23 celibate priests in our churches.

24
25 MS FURNESS: You say that the tradition will encourage
26 them to be married priests. Why is it considered that it's
27 preferable for them to be married priests, those people
28 serving in the parishes?

29
30 BISHOP TARABAY: Since the beginning of the Church, if we
31 go back to the tradition of St Peter, he was a married man.
32 Following that tradition of St Peter, in the eastern
33 Churches, it was developed to have this tradition of
34 married priests to serve in the parishes.

35
36 MS FURNESS: I think you have said that you don't have any
37 schools that operate within the Maronites; is that right?

38
39 BISHOP TARABAY: Yes, that's correct.

40
41 MS FURNESS: Do you have anything similar to CatholicCare
42 or an arm of the Church that carries out social services?

43
44 BISHOP TARABAY: Yes. We are developing an agency called
45 MaroniteCare for that purpose.

46
47 MS FURNESS: Do you also have parish-based activities that

1 involve children?

2

3 BISHOP TARABAY: Yes. In our parishes, we have activities
4 for children, especially during Saturday and Sunday, and we
5 have different groups of children coming to the parishes
6 for that reason.

7

8 MS FURNESS: I think you follow Towards Healing?

9

10 BISHOP TARABAY: Yes, we do.

11

12 MS FURNESS: Have you had many complaints in relation to
13 allegations against Maronites?

14

15 BISHOP TARABAY: Only one complaint. After I became
16 bishop in 2013, a few months later we received one
17 complaint, in October 2013.

18

19 MS FURNESS: What happened with that complaint?

20

21 BISHOP TARABAY: Firstly, Ms Furness, because after the
22 verdict, there is a non-publication order, so I might ask
23 you to guide me in answering this question.

24

25 MS FURNESS: By "verdict", do you mean in a criminal
26 court?

27

28 BISHOP TARABAY: Yes.

29

30 MS FURNESS: So a person was convicted?

31

32 BISHOP TARABAY: Yes, the person was convicted. However,
33 there is a non-publication order, so if you can help me
34 answering this question, please?

35

36 MS FURNESS: In respect of his name; is that how you
37 understand it?

38

39 BISHOP TARABAY: I'm trying to ask you to guide me how to
40 understand the non-publication order.

41

42 THE CHAIR: It would probably be an order that covers the
43 complainant as well as the wrongdoer, and that would be to
44 protect the name of the complainant. So no names, and no
45 locations, either.

46

47 MS FURNESS: What happened to that priest - he was

1 a priest, was he?

2

3 BISHOP TARABAY: Yes.

4

5 MS FURNESS: What happened to that priest after the court
6 verdict?

7

8 BISHOP TARABAY: He is serving his sentence in gaol.

9

10 MS FURNESS: Have you taken any action against him?

11

12 BISHOP TARABAY: When we received the complaint,
13 immediately we put him on leave and we informed - we were
14 in touch with the Office of Professional Standards of the
15 Catholic Church and we were guided by them. We informed
16 the police, and the procedure started. So he was on leave.
17 He has no right to practise any ministry during that time,
18 during the investigation.

19

20 MS FURNESS: Thank you. Do you have a copy of your
21 statement with you?

22

23 BISHOP TARABAY: Yes.

24

25 MS FURNESS: I think that is dated 4 November 2016?

26

27 BISHOP TARABAY: Correct.

28

29 MS FURNESS: And the contents of that are true and
30 correct, bishop?

31

32 BISHOP TARABAY: Yes, it is correct.

33

34 MS FURNESS: In paragraph 50, towards the end of your
35 statement, you describe that most of your clergy live in
36 a presbytery with other priest or priests, and you say that
37 they are supervised in that they live in company with one
38 another. Now, is it the case that they are aware, by you,
39 that by living together they have some supervisory role
40 over each other?

41

42 BISHOP TARABAY: Yes. Let me first explain, Ms Furness,
43 that for the clergy in the diocese at the moment, I have
44 54; 21 of them are married, so they live with their
45 families at home. We adopt the policy in the diocese to
46 try not to have a priest living alone, to have all the time
47 two priests, three priests. In some parishes, we have six

1 or seven priests living together.

2

3 The idea for that is not only for supervision. The
4 idea for that is that they will support each other in their
5 ministry, and they will help each other and have some kind
6 of community life, which is good for the pastoral work that
7 they are delivering in the parishes. Of course, in every
8 parish, there is a parish priest, the one in charge, and it
9 is common practice that the priest in charge will report
10 back to me about how it is going with the priest and how
11 the life is going in the parish.

12

13 MS FURNESS: Thank you. Do you, in the Maronites,
14 celebrate the Sacrament of Reconciliation in a similar way
15 to the other panel members?

16

17 BISHOP TARABAY: Yes, we do.

18

19 MS FURNESS: Do you have any requirement that there be
20 those processes taking place in public and under
21 supervision when it comes to children?

22

23 BISHOP TARABAY: What kinds of processes are you talking
24 about?

25

26 MS FURNESS: Perhaps if I can show you, if we have another
27 copy of the Sacrament of Reconciliation by Bishop Hurley -
28 no, we don't have a copy. Perhaps I can read it to you.
29 In his letter to the principals and parish priests, he is
30 asking them to ensure that the Sacrament of Reconciliation
31 in schools is celebrated in a church, in an open setting,
32 in full view of all participants, who are supervised by
33 staff. Is that a practice of the Maronites?

34

35 BISHOP TARABAY: Same in the parish, because we don't have
36 schools, as you previously mentioned. When it comes to the
37 parish and the children coming to the parish for
38 reconciliation, it is the same procedure, yes.

39

40 MS FURNESS: Have you also given consideration to the
41 scheme proposed by the Commonwealth in relation to redress?

42

43 BISHOP TARABAY: At the moment, we don't have any claim
44 for redress, but we are absolutely happy to adopt the
45 scheme.

46

47 MS FURNESS: Thank you. Now, I think I omitted to ask

1 you, Archbishop Porteous, in relation to the redress
2 scheme. Do you have a position in relation to whether you
3 would wish to participate?
4

5 ARCHBISHOP PORTEOUS: Yes, you did, actually, ask me that
6 before, but I'm happy to repeat that I would be fully
7 supportive of a redress scheme.
8

9 MS FURNESS: Thank you. And Bishop Long?
10

11 BISHOP LONG: Yes, indeed. Currently we don't have a cap
12 on the financial payment to victims who come to our Office
13 of Safeguarding and Professional Standards, so I think our
14 system works quite well in respect of justice and fairness
15 to victims, but certainly I would fully support the
16 national redress scheme.
17

18 MS FURNESS: Thank you, bishop. I have nothing further,
19 your Honour.
20

21 THE CHAIR: Commissioner Atkinson?
22

23 COMMISSIONER ATKINSON: Archbishop Prowse, I just want to
24 ask you about two aspects of the Institute for Professional
25 Standards and Safeguarding. In your statement, at point 8
26 you referred to its establishment in September 2015 and
27 then on 9 March 2016 your media release.
28

29 At point 19 in your statement, you say that the
30 establishment of the IPSS has been strongly supported by
31 the clergy, the various agencies and the people of the
32 archdiocese.
33

34 I just want to preface the first aspect by asking
35 would you agree that if there is to be national leadership
36 within the Church, that will start at the top - at the top
37 in Australia? If there is to be national leadership of any
38 change within the Catholic Church, that will start at the
39 top?
40

41 ARCHBISHOP PROWSE: Sometimes it starts at the top and
42 moves down. Sometimes it starts locally and moves
43 nationally. I'm thinking particularly of the formation of
44 the Catholic Professional Standards Limited, which, in
45 a sense, has come after somewhat of the experiences in
46 local dioceses and also the experience of this
47 Royal Commission.

1
2 So I think it's both of us, both the local and the
3 national, learning from each other, but delighted that the
4 national structure is starting to take form, because what
5 has been needed, Commissioner, I think, is a consistency
6 across the whole of Australia, and at the moment I'm not
7 sure if that consistency is there in regard to standards,
8 expectations, training and protocols. Some dioceses seem
9 to be ahead of others, for all sorts of reasons, and
10 I think this will help with an audit of that, to ensure
11 that there is a standardisation of high quality across
12 Catholic Australia.

13
14 COMMISSIONER ATKINSON: Could I ask quite sincerely, then,
15 what role you see for all of the archbishops in Australia
16 in terms of leadership?

17
18 ARCHBISHOP PROWSE: I think we all must sign up to it. We
19 have all signed up to it. We must speak with one voice on
20 the national proposal here - well, the new company coming
21 together. We must back it with finance. We must ensure
22 that we give way to its recommendations so that when they
23 come into a particular diocese to audit us and perhaps find
24 deficiencies, or whatever, there is a docility in all the
25 dioceses to be able to respond nationally. I think there
26 is a common mind and common heart, and I believe that is
27 already there amongst the bishops.

28
29 COMMISSIONER ATKINSON: When you say you think there is,
30 have you discussed --

31
32 ARCHBISHOP PROWSE: We have discussed it at length at the
33 Australian Catholic Bishops Conference, but of course it is
34 only in more recent times, Commissioner, that a particular
35 proposal and constitution has been put forward, yes.

36
37 COMMISSIONER ATKINSON: In terms of issues such as the
38 establishment of the Institute, do you share what you have
39 done in that regard with the other archbishops?

40
41 ARCHBISHOP PROWSE: Yes. The dioceses are all linked with
42 each other because of the new structures that we have. Our
43 professional standards people speak to each other. I know
44 some perhaps speak more closely with others on developing
45 particular protocols together, learning from each other.
46 Again, I think it's rather piecemeal and I would hope that
47 in the times ahead, we can finesse this national discussion

1 so that it becomes not occasional or in this area and not
2 that area, but consistency across the board on these
3 important matters.
4

5 COMMISSIONER ATKINSON: Did any of the other archbishops
6 get back to you and say that the IPSS is wonderful and they
7 are going to implement it in their archdioceses?
8

9 ARCHBISHOP PROWSE: Not directly, no, I wouldn't say that,
10 no, but I know that some of the dioceses are taking some
11 leadership from that. We have learnt a lot from other
12 dioceses. I think of Maitland-Newcastle and their
13 protocols there have been very, very helpful for us. The
14 gatherings of people and the committees, I think - it is
15 happening but, as I say, perhaps rather piecemeal.
16

17 COMMISSIONER ATKINSON: The second aspect, archbishop, was
18 that at point 14 of your statement you talked about the
19 importance of addressing the effects of harm and the impact
20 on survivors. I just want to ask you, as well, at point 17
21 and at point 19 - I will just read part of point 17:
22

23 *IPSS is the central point of contact with*
24 *various other church and civil authorities*
25 *and agencies.*
26

27 ARCHBISHOP PROWSE: Yes.
28

29 COMMISSIONER ATKINSON: In terms of the scope of "and
30 agencies", does that include those organisations that
31 support victims? There is quite a number of them
32 throughout Australia.
33

34 ARCHBISHOP PROWSE: I think we need to improve more on
35 that, but, yes, there are some victims groups and victims
36 themselves that we have deferred to. In fact, I can think
37 of one prominent victim who is in fact on one of our
38 advisory committees on the IPSS.
39

40 COMMISSIONER ATKINSON: Yes, I think you mentioned him in
41 your statement.
42

43 ARCHBISHOP PROWSE: I did.
44

45 COMMISSIONER ATKINSON: Apart from individuals, what
46 victim support groups are in contact with IPSS?
47

1 ARCHBISHOP PROWSE: It's piecemeal and it is not
2 organised. I think that's an area - thank you for bringing
3 that up. I think that's an area that we could do a lot
4 more in.

5
6 COMMISSIONER ATKINSON: Thank you. Could I just ask you,
7 Archbishop Porteous, were you aware of this entity that was
8 set up, the Institute for Professional Standards and
9 Safeguarding?

10
11 ARCHBISHOP PORTEOUS: I wasn't specifically. I'm aware
12 that all dioceses have been working to set up agencies. In
13 Tasmania, we're in the process of finalising our own,
14 called Safer Communities, and part of the process there was
15 to obviously look to what other dioceses were doing. So it
16 may well have been that those who were doing the research
17 did look at it, but I haven't been personally involved in
18 it.

19
20 COMMISSIONER ATKINSON: You do mention that project in
21 your statement. Within Tasmania, then, under your
22 stewardship, do any of the programs that you have engage
23 with organisations that work as victim support agencies?

24
25 ARCHBISHOP PORTEOUS: No, we haven't.

26
27 COMMISSIONER ATKINSON: All right. That's all I had,
28 thank you.

29
30 JUSTICE COATE: Archbishop Prowse, your evidence to us was
31 that you have 56 schools in your parish?

32
33 ARCHBISHOP PROWSE: Correct.

34
35 JUSTICE COATE: If I have understood what you have
36 provided to us in your statement, you are effectively the
37 structural head of the Catholic Education Office --

38
39 ARCHBISHOP PROWSE: Correct.

40
41 JUSTICE COATE: -- in the arrangement as between the
42 office and yourself. I'm sure you have been following in
43 general terms the themes that have emerged from some of the
44 work of the Commission to date, in particular, the evidence
45 of victims and survivors who have spoken to us about
46 cultures inside the institutions that formed barriers to
47 those children and young people being able to report, which

1 included a culture of not having any open discussion about
2 any matters relating to sex.

3
4 We have been told that victims didn't have a language,
5 often, to report, that they were filled with guilt and
6 shame and fear, and fear of the authority, of the
7 individual cleric or representative of the Church. My
8 question to you, based on that, is: in your schools, what
9 programs are now either under development or being
10 delivered to address those issues that are now very firmly
11 on the table?

12
13 ARCHBISHOP PROWSE: Yes, your Honour, first of all, there
14 has been a sea change, I suppose, in the fact that priests
15 and religious, like religious sisters and brothers, are
16 very, very few and far between in the school classroom
17 itself. So that issue is not there.

18
19 We are now talking about largely laypeople and married
20 couples and married people and the idea there, too, of
21 course, the ongoing professional formation of teachers on
22 sexuality and human growth and maturity, also involving the
23 young people themselves, particularly to identify, as it
24 were, suspicious behaviour of adults. There are new
25 programs up now that are in our schools to help in an
26 appropriate manner for children to be able to read signs of
27 adults acting in a way that creates angst in a young
28 person, and this can also be done on internet sort of
29 programs as well.

30
31 I think one of our strengths, really, and changes,
32 too, is that, as it were, a culture of fear and that sex is
33 only to be spoken of in a particular manner and in any
34 other way it is spoken of, it is dirty - I mean, I would
35 hope that those days have gone and that human sexuality is
36 presented as a great gift, a very positive gift from God,
37 and a gradual unfolding of the appropriate expression of
38 that.

39
40 So I do feel, say, for instance, since 1950 and
41 certainly during the Vatican II Council and since, that
42 there has been an enormous change in this for the positive.

43
44 JUSTICE COATE: So are you confident that those sorts of
45 programs addressed in particular to the barriers that have
46 been well and truly identified throughout the research -
47 are you confident that those programs are being delivered

1 in each of the 56 schools in your parish?

2

3 ARCHBISHOP PROWSE: In the diocese, yes, I am,
4 your Honour. I am quite confident about that and delight
5 with the great competence of the education office to
6 supervise and audit that and to give proper training to the
7 teachers providing this service.

8

9 JUSTICE COATE: Are they programs that are being delivered
10 by the teachers with particular training in those skills?

11

12 ARCHBISHOP PROWSE: Looking at it panoramically, it is by
13 the teachers, but in many cases with the parents of the
14 children, and also some of our lay leaders that are
15 employed directly by the archdiocese going around as
16 resource people into the schools on human life and
17 sexuality and not only upgrading the teachers but also
18 providing resources and assistance to school communities to
19 be able to respond adequately to this important area.

20

21 COMMISSIONER FITZGERALD: Bishop Long, you represent one
22 of the fastest growing areas of Sydney, in fact of
23 Australia, in terms of the Church and young people in the
24 Parramatta Diocese. You would be aware that the Vatican
25 has signed up to the United Nations Convention on the
26 Rights of the Child, which says that the best interests of
27 the child must be paramount in organisations that have
28 signed, and it is consistent with much of the statements by
29 the Pope, Pope Francis.

30

31 Yet it is not a language that we have heard in many of
32 the panels or even this panel at all, and much of the
33 discussion has been about the priests and their slow
34 acceptance of these matters, but in a way that
35 I understand, and we've talked about the Church's response.

36

37 Do you have any thoughts about how the Church will
38 actually frame itself as a Church that puts the interests
39 of children genuinely ahead of other competing interests
40 within the Church?

41

42 BISHOP LONG: Yes, I think, Commissioner, if the Church is
43 a good global citizen, then it has to show that the safety
44 and protection of the innocent children must be of
45 paramount interest, of absolute priority.

46

47 In order to make it happen, I do believe that there

1 needs to be a holistic, comprehensive approach. In other
2 words, it has to be at all levels of the governance
3 structure of the Church, be it local, diocesan or
4 universal.

5
6 For instance, as I alluded to before, the problem of
7 clericalism can't just be addressed at a diocesan level.
8 It has to be addressed as the whole Church because the
9 whole Church is embroiled in a certain model of being
10 Church, whether Church as a communio, which Vatican II
11 enunciated and pointed to, or the Church as a perfect
12 society, which is not just no longer relevant but can
13 contribute to the abetting of the sexual abuse precisely
14 because of the attendant issue of clericalism, which is
15 integral to that model of Church.

16
17 So we need to have a holistic and comprehensive
18 approach in order to move forward. My hope is that we
19 would come to the model of Church that is not only relevant
20 for today's society but also life giving and, above all,
21 consistent with the message of the gospel.

22
23 COMMISSIONER FITZGERALD: Bishop Saunders, just related to
24 that, you indicated that one has to understand the people
25 that are in your Church, the priests and that, and one
26 appreciates the slowness to change, but do you think, given
27 that the Church has made a commitment to the protection of
28 children and the importance of children more generally,
29 that reluctant priests generally around Australia will, in
30 fact, remove or release some of that reluctance or
31 resistance in favour of protecting and advancing the
32 interests of children, or is that a concept that may not
33 resonate with many of the priests in your own diocese and
34 generally?

35
36 BISHOP SAUNDERS: Speaking from the point of view of the
37 Kimberley, where I come from, I would have no lack of
38 cooperation from clergy at all.

39
40 In terms of the Church elsewhere, I don't detect
41 privately, or from any other sources, clergy saying that
42 they are not interested in protecting the rights of
43 children or they are not going to join any program that
44 does that. I was referring more to the matter of the abuse
45 of authority in clericalism and the stamp of authority upon
46 a community which isn't necessarily healthy, whereby
47 a person who may be a parish priest could take it upon

1 themselves to be the final court of disputed returns and,
2 not only that, but the one who runs everything. That's not
3 the sort of Church that we are trying to build.
4

5 The matter of child protection - I don't know of any
6 parish priest who would say they are not interested in
7 that.
8

9 COMMISSIONER FITZGERALD: But if I just push that one
10 little bit further, if I can, there is a connectedness
11 between the two, so the safeguarding in relation to
12 children - does it not depend on a reflection of and change
13 in practice in relation to the issues like clericalism that
14 we have talked about, the way in which priests exercise
15 authority? They are not unrelated to the protection and
16 advancement of children's rights and wellbeing?
17

18 BISHOP SAUNDERS: Well, the degree to which they are
19 I think would be a matter of some conjecture and debate.
20 At the very least I think that the matter of clericalism in
21 our ranks needs to be carefully investigated.
22

23 Often what I have seen as clericalism is priests who
24 simply do not want to share authority, as such, and who run
25 their parishes as a totalitarian regime. That doesn't
26 necessarily mean that they are not interested in the
27 welfare of children.
28

29 Now, the connectedness between a martinet or a person
30 who runs a totalitarian regime and the abuse of children -
31 certainly we would think that that has happened. But the
32 other point is that today there are so many protocols in
33 place that, please God, that would make that very
34 difficult. Notwithstanding the fact of the necessity to
35 change the model of Church that we have in order to be
36 a healthy Church and healthier Church. I don't know if I'm
37 making my point.
38

39 COMMISSIONER FITZGERALD: Yes, you are, thank you.
40

41 THE CHAIR: Ms Needham?
42

43 MS NEEDHAM: Would your Honour mind if I spoke from there
44 so I can see all the bishops, if Ms Furness doesn't mind?
45

46 THE CHAIR: No, that's fine.
47

1 <EXAMINATION BY MS NEEDHAM:

2
3 MS NEEDHAM: I have some questions for Archbishop Prowse.
4 Archbishop, you were asked some questions about the
5 clerical influence in seminaries. Now, I think you are on
6 the council advising the Archbishop of Sydney in relation
7 to the Sydney seminary; is that correct?

8
9 ARCHBISHOP PROWSE: Correct, for the last year, yes.

10
11 MS NEEDHAM: Do your seminarians attend that seminary?

12
13 ARCHBISHOP PROWSE: They do.

14
15 MS NEEDHAM: What is your role in relation to advising the
16 archbishop there in relation to those kinds of cultural
17 issues?

18
19 ARCHBISHOP PROWSE: The archbishop's mandate to the
20 committee we now have is to review what is happening in
21 general, across the board of the seminary, and to advise
22 him on areas that seem to be going well, areas that could
23 be improved upon.

24
25 MS NEEDHAM: In your view, are there any areas that could
26 be improved upon in the Sydney seminary?

27
28 ARCHBISHOP PROWSE: Yes. An area came up in regard to the
29 study program and being at different venues, which was
30 causing practical problems for the seminarians to gather
31 together more frequently in the one place at the seminary.
32 That was a major concern, which we are still looking at,
33 and we're about to produce a report to the archbishop.

34
35 On other areas, we asked the different - well, the
36 rector of the seminary is always present, but to review
37 what is happening. In general, I think the group of people
38 there - some are clerics but some are laywomen there, that
39 are quite expert in certain areas - generally, we were
40 finding that the seminary there is in a very healthy state.

41
42 MS NEEDHAM: Do you attend the seminary to carry out your
43 functions?

44
45 ARCHBISHOP PROWSE: The meetings are held at the seminary
46 and wherever I can I try to get there the night before.
47 I like to visit my own seminarians and then I might be

1 celebrating the mass and then mixing with the seminarians
2 over the meal table.

3
4 Last year, for instance, also, they asked me to lead
5 a small retreat and there was some good interaction there.
6 It's a very international seminary by way of origins,
7 national origins, and I felt that it was reflecting the
8 multicultural nature of Australia.

9
10 MS NEEDHAM: Have you observed any signs of what I could
11 term creeping clericalism at that particular seminary?

12
13 ARCHBISHOP PROWSE: Well, I probably haven't been there
14 long enough to be able to discuss that - to be able to
15 observe that. But, I mean, no, I must say that I didn't,
16 and if I did find it, it would probably be somebody who was
17 sort of strutting about, sort of feeling that because they
18 happened to be wearing something, that they are more
19 important than others - those subtle signs of abuse of
20 power. I didn't notice that, but I haven't been there long
21 enough to be able to detect that.

22
23 THE CHAIR: Archbishop, do you think it would only just
24 turn up in, as you say, someone strutting around, or do
25 you need, rather, to think about the whole of the culture
26 in which they are operating?

27
28 ARCHBISHOP PROWSE: Yes, and the culture is very
29 interactive with the home dioceses, your Honour, with the
30 pastoral years and what have you.

31
32 THE CHAIR: But, forgive me, that's not really the issue.
33 It is the way they will ultimately interact with laypeople,
34 isn't it? That's what matters.

35
36 ARCHBISHOP PROWSE: Yes.

37
38 THE CHAIR: So what matters is the culture that is being
39 developed in the institution in relation to the way they
40 are perceived when they go into parish life.

41
42 ARCHBISHOP PROWSE: Yes.

43
44 THE CHAIR: Have you addressed that issue?

45
46 ARCHBISHOP PROWSE: Not yet, but, given the insights of
47 the Royal Commission, I would like to look into that more

1 fully, thank you.

2

3 MS NEEDHAM: And you are also currently the administrator
4 of the Diocese of Wagga Wagga?

5

6 ARCHBISHOP PROWSE: Yes, just over the last few months
7 I have been.

8

9 MS NEEDHAM: And that's a temporary appointment until a
10 bishop is appointed; is that right?

11

12 ARCHBISHOP PROWSE: Yes, the former bishop has resigned
13 due to ill health and we now wait for the Pope to appoint
14 a new bishop, and in the interregnum I have been asked to
15 be the apostolic administrator.

16

17 MS NEEDHAM: Has that been for the last four months?

18

19 ARCHBISHOP PROWSE: Yes, it has.

20

21 MS NEEDHAM: Have you, in that time, visited the Wagga
22 seminary?

23

24 ARCHBISHOP PROWSE: I have once, for an extended afternoon
25 and evening. Only once, though.

26

27 MS NEEDHAM: Are you in a position to make or recommend
28 changes, if necessary, to the Wagga seminary?

29

30 ARCHBISHOP PROWSE: No, I wouldn't think I would have the
31 authority to do that just at the moment, but I would like
32 to, in the times ahead, be able to visit there a bit more
33 often. I have been in touch with the rector there through
34 correspondence and what have you.

35

36 MS NEEDHAM: Thank you. You were also asked some
37 questions about your non-attendance at the Marist College
38 liturgy of lament.

39

40 ARCHBISHOP PROWSE: Yes.

41

42 MS NEEDHAM: Is it the case that you refused to go to
43 that?

44

45 ARCHBISHOP PROWSE: No, I didn't refuse to go to it. Some
46 of my senior priests went to it. I was very keen to engage
47 the whole diocese on this important area, and I - in

1 hindsight, though, I did make a mistake. I should have
2 been there and I publicly apologised and asked forgiveness
3 for it.
4

5 MS NEEDHAM: And was that the media release dated
6 11 November which you published?
7

8 ARCHBISHOP PROWSE: Correct.
9

10 MS NEEDHAM: Thank you. Now, Archbishop Porteous, you
11 gave evidence that your seminarians attended the Corpus
12 Christi seminary in Melbourne; is that correct?
13

14 ARCHBISHOP PORTEOUS: That's correct, yes.
15

16 MS NEEDHAM: You gave some evidence about a psychologist
17 being in-house. Are you aware of any other screening
18 process that goes on in that seminary?
19

20 ARCHBISHOP PORTEOUS: Yes. My reference to the
21 psychologist before was in relation to Sydney. So with
22 regard to Melbourne, I have actually for a long time had
23 a great confidence in the processes that are in place in
24 Melbourne. They have some very thorough-going sessions to
25 deal with growth in sexual maturity and so on. The
26 processes in the seminary itself - I think there is a very
27 high quality of pastoral oversight from formation staff.
28 So all of my experience with Melbourne has been very, very
29 positive and gives me a great deal of confidence in the
30 programs that are in place in that seminary.
31

32 MS NEEDHAM: And are you aware of the Vitality service
33 provided by Dr Robinson who gave evidence earlier in these
34 proceedings?
35

36 ARCHBISHOP PORTEOUS: I've been aware of it because that
37 was in Sydney, yes, when I was in Sydney, yes.
38

39 MS NEEDHAM: Are you aware of her service having any role
40 in the Melbourne seminary?
41

42 ARCHBISHOP PORTEOUS: No, no, I would not be familiar with
43 that.
44

45 MS NEEDHAM: Now, you were asked some questions about the
46 Safe Communities program, or I think you mentioned that in
47 an answer. Would you be able to tell the Commissioners a

1 little more about that program, which I think is yet to be
2 launched?

3

4 ARCHBISHOP PORTEOUS: That's correct. In the process
5 particularly of the last four years - and I've only been in
6 the position of archbishop for three years, so in the last
7 three years - with the Royal Commission occurring, I've
8 been watching and certainly listening, and that has been
9 a process that has encouraged me to look at our own
10 processes.

11

12 We've done a number of things in the Archdiocese.
13 We've introduced, for example, an online management tool.
14 We currently have 707 people, I think, doing that, and part
15 of that includes issues around sexuality and sexual abuse
16 and so on, and harassment. It's broader than just sexual
17 abuse. So we've introduced that. That has been running
18 now for I think well over a year.

19

20 We have looked at the question of receiving priests
21 from overseas, and conscious that priests can come from
22 very different cultural backgrounds and I'm very aware that
23 their images of priesthood can be quite different because
24 of their cultural background. So certainly when I've been
25 speaking to them individually I've been emphasising the
26 nature of priestly ministry. I've been, again, talking to
27 them specifically about the spirit of service and, as well
28 as that, we've been developing an enculturation program in
29 the diocese, and part of that has been sessions with our
30 professional standards officer in which they are taken
31 through in some detail professional standards, Integrity in
32 Ministry and Towards Healing. So they are fully familiar
33 with those programs.

34

35 I've also sent priests over to Melbourne. Melbourne
36 also run a program for new overseas priests, so I've sent
37 priests over to do that one-week program as well. So I've
38 been trying to be fairly active in ensuring that priests
39 who come from overseas are well prepared or have an
40 understanding of the cultural differences in Australia and
41 the expectations of them in various areas.

42

43 Then one of the major works, though, has been working
44 towards the establishment of a program across the whole of
45 the Archdiocese of Hobart.

46

47 A couple of things I was very keen to do were,

1 firstly, to not only have our official agencies but every
2 agency that is related to the Catholic Church - so we have
3 the L'Arche community, for instance, so every community -
4 now, we've been involved in discussions with them to
5 consult with them about what programs they have in place.
6 Gradually we're putting together a comprehensive program
7 where we've consulted every agency in the diocese. So we
8 have an umbrella, and that establishes principles across
9 the diocese, and then every organisation within the diocese
10 can test their own individual protocols against this
11 program.

12
13 We are using the material that came forth last year
14 from the Royal Commission, the 10 points. We've used that
15 as our template for the actual document. We're close to
16 getting it finished. It's just with all the consultation
17 and obviously linking it with all the various legal
18 requirements in Tasmanian law and Commonwealth law, we're
19 trying to bring the whole thing together, so hopefully
20 we'll have that ready in the next couple of months.

21
22 MS NEEDHAM: Thank you, archbishop. Now, Bishop Tarabay,
23 if I can turn to you, your Church serves the Lebanese
24 community; is that correct?

25
26 BISHOP TARABAY: Yes.

27
28 MS NEEDHAM: Where do your priests from overseas come
29 from?

30
31 BISHOP TARABAY: First, let me explain that the Maronite
32 community, the large majority of the community come from
33 Lebanese ancestry, but we have, like, especially recently,
34 some families coming from Syria that are Maronite, and
35 other families from Egypt, where we have Maronites as well,
36 but small communities. But the large majority of our
37 priests, they are currently serving, coming from Lebanon.

38
39 At some stage, after I became bishop, I worked to
40 change that policy, to looking into encouraging vocation
41 from within the community here, to continue the service in
42 the diocese.

43
44 MS NEEDHAM: And when you do have priests who were born
45 overseas and ordained overseas and come to Australia, what
46 programs do you have or what assistance do you have for
47 them in dealing with cultural issues in Australia?

1
2 BISHOP TARABAY: Firstly, unlike the situation in the
3 other dioceses, the priests, the Maronite priests, coming
4 to serve in Australia, they are coming to serve in the same
5 Church and the same community. In the Maronite Church, we
6 don't have the diversity that other priests might encounter
7 in other parishes and other dioceses. So it is the same
8 community. This is first.

9
10 Secondly, we are very keen to make the induction of
11 the new priest coming from overseas. I would say this is -
12 it is not happening much during my time. Like in three
13 years as bishop, I have had two priests only coming, and
14 both of them, they have served here before. So they are
15 not completely new to the community here.

16
17 However, we are very keen in the diocese to guide them
18 and to make the induction with them into especially the
19 Integrity in Ministry, which is first - it comes first -
20 and also when it comes to the Australian way of life
21 regarding taxation, regarding other matters, way of living,
22 banking, all of that. So it is a whole induction.

23
24 And we have to make the effort, which we are doing
25 with my office - we are translating some of these documents
26 into Arabic to make sure that, from the beginning, the
27 priest coming from overseas with little knowledge of
28 English will be able to understand what we are talking
29 about, especially when it comes to working with children.

30
31 MS NEEDHAM: Thank you. Are you aware of the evidence
32 given by Dr Robinson last week as to her screening of some
33 of the seminarians for the Maronite Church?

34
35 BISHOP TARABAY: Yes, I am.

36
37 MS NEEDHAM: Are you aware that the effect of her evidence
38 was, and I quote, "The Maronites are doing something
39 right"?

40
41 BISHOP TARABAY: I thank her for that.

42
43 MS NEEDHAM: Are you aware of whether her screening
44 related to married priests, celibate priests or both?

45
46 BISHOP TARABAY: Both. At the moment, we have nine. Two
47 of them are opting for celibate priesthood. They started

1 their seminary in Wagga and now we decided to have them
2 nearby in Sydney, and I'm very grateful to Bishop Vincent
3 Long, that he accepted them into his seminary, into the
4 Holy Spirit Seminary, in Parramatta.

5
6 She assessed these two candidates. Both of them have
7 finished university before I accepted them into the
8 seminary. So they are very much ready for seminary and
9 they understand what is the requirement of priesthood.

10
11 The rest, seven of them, are married. So instead of
12 having seminary life, we will have, like, regular meetings
13 and seminars and in-services with them to introduce them to
14 mainly the liturgy and the service in the parishes and the
15 dioceses. So the assessment for the nine, and I believe
16 she was very impressed with the married candidates for the
17 priesthood in our eparchy.

18
19 MS NEEDHAM: Thank you. Bishop Long, you made reference
20 to your diocese's response to child sexual abuse within the
21 diocese, which I think is called Healing and Support; is
22 that correct?

23
24 BISHOP LONG: That is one part of our response, yes.

25
26 MS NEEDHAM: Would you be able to give the Commission
27 a short outline of the response in Parramatta to victims
28 and survivors of child sexual abuse?

29
30 BISHOP LONG: I would like to preface my response by
31 saying that I came from Melbourne. I was an Auxiliary
32 Bishop of Melbourne before moving to Parramatta as an
33 ordinary, and I met with many victims who had gone through
34 the Melbourne Response and were profoundly dissatisfied
35 with the way they had been treated.

36
37 I met many, many victims - some in their home, some in
38 the different places - and the encounters with those
39 victims really moved me. I mean, there was an incident
40 where a father and two adult sons recounted their
41 experience, and watching these grown men weep, and weep
42 bitterly, really had a strong impact on me. I asked
43 myself, how can I look these victims in the eyes and say
44 I share your pain, I share your suffering, without doing
45 anything in my power to bring about justice, dignity and
46 healing for them?

1 So I became very determined that this must be my
2 priority, especially as an ordinary in the diocese, to
3 ensure that victims receive justice, receive respect,
4 receive dignity, receive all that is due to them.

5
6 And so when I came to Parramatta, I wanted to
7 implement that, and I can say with a degree of confidence
8 that the victims who have had recourse to our system, to
9 our Office of Safeguarding and Professional Standards, are
10 treated with dignity, respect and, most of all, justice.

11
12 The Healing and Support team is one way to ensure that
13 the victims are properly assisted, accompanied, that there
14 isn't a legal shield that prevents them from accessing
15 justice and dignity.

16
17 I must say that the victims who have gone through our
18 system are, by and large, satisfied with the way we have
19 treated them. I sat with nine victims and listened to
20 their stories and all nine of them conveyed their
21 appreciation and gratitude. That's not to say that I can
22 be complacent about it, but I just want to ensure that
23 victims who come to our diocese, come to our system, do
24 experience, genuinely, healing, justice and dignity.

25
26 MS NEEDHAM: Do you take the view that your own personal
27 experience, which we have heard about, as a refugee
28 transiting through a Malaysian refugee camp - has that
29 informed in any way your response to the victims of child
30 sexual abuse?

31
32 BISHOP LONG: I think it does. I think we are all
33 products of our life experiences and being a refugee
34 provides me with that particular vantage point through
35 which I form relationships with people, I evaluate their
36 individuality, their personal stories, their dignity.

37
38 I was also a victim of sexual abuse by clergy when
39 I first came to Australia, even though I was an adult, so
40 that had a powerful impact on me and how I want to, you
41 know, walk in the shoes of other victims and really
42 endeavour to attain justice and dignity for them.

43
44 MS NEEDHAM: Thank you, Bishop Long. No further
45 questions.

46
47 MS FURNESS: Nothing further, your Honour.

1
2 THE CHAIR: May they all be excused?
3
4 MS FURNESS: Yes.
5
6 THE CHAIR: You are all excused. Before you go, can
7 I thank each of you for joining with us today. Some of you
8 have travelled a great distance.
9
10 The work that we have done over, now, four years, of
11 course, has concerned or is concerned with a great many
12 institutions throughout Australia, not just the Catholic
13 Church, but I'm sure it's apparent to all of you, and
14 others, that the numbers, if nothing else, tell us that
15 there is a story that needed to be looked at with the
16 Church, with your Church, in detail, and that not only is
17 it necessary for us to understand, but it's more important,
18 perhaps, that you understand what has been taking place and
19 come, with all of your colleagues, to determine the way
20 forward. So thank you again. You are excused.
21
22 <THE WITNESSES WITHDREW
23
24 MS FURNESS: Your Honour, perhaps just before we adjourn,
25 could I tender a bundle of documents which are the policies
26 and procedures described in the statement tender bundle,
27 which I tendered this morning.
28
29 THE CHAIR: That will be exhibit 50-011.
30
31 MS FURNESS: There is one exception to that, which is
32 tab 539, which is not tendered.
33
34 THE CHAIR: Very well. Tomorrow morning at 10?
35
36 MS FURNESS: Yes, your Honour.
37
38 THE CHAIR: Who do we have tomorrow?
39
40 MS FURNESS: We have the heads of the various religious
41 institutes.
42
43 THE CHAIR: The institutes. Yes, very well. We will
44 adjourn until then.
45
46 AT 3.40PM THE COMMISSION WAS ADJOURNED TO
47 WEDNESDAY, 22 FEBRUARY 2017 AT 10AM

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