

Royal Commission - Ellis case study

Catholic Archdiocese of Sydney's assessment of the list of 53 priests provided to it on 25 March 2014

Set out below is an explanation of our approach in determining the proper Church Authority in relation to a complaint or allegation. Rather than considering the date the conduct occurred as the relevant date, the Sydney Archdiocese considers which diocese is the proper Church Authority as at the date the allegation is notified. The proper Church Authority for a diocesan priest is the bishop of the diocese of the priest's incardination at the time the allegation is notified. This is because the relevant bishop has oversight over a priest of his diocese against whom allegations are made - he has the ability to remove that priest's faculties (so that he is unable to hold himself out publicly as a priest and celebrate Mass or other Sacraments) and otherwise has the authority to respond to the allegations.

For purposes of determining priests over whom Cardinal Pell as Archbishop of Sydney had authority, the date of 10 May 2001 is chosen as this is the date Cardinal Pell was installed as Archbishop of Sydney.

Prior to 1986, the Catholic Archdiocese of Sydney included what is now the Parramatta Diocese and Broken Bay Dioceses (Greater Sydney Archdiocese). In 1986, the Greater Sydney Archdiocese was divided into three separate dioceses, the present Sydney Archdiocese, the Broken Bay Diocese and the Parramatta Diocese. After 1986, a priest of the former Greater Sydney Archdiocese either remained incardinated in the Sydney Archdiocese or was incardinated into either Parramatta Diocese or the Broken Bay Diocese.

The Sydney Archdiocese's approach in determining the relevant church authority for the management of complaints is based principally upon the alleged offender's subsequent place of incardination.

- If a priest was incardinated in the Sydney Archdiocese and remained incardinated in the Sydney Archdiocese after 1986, we consider that the relevant church authority is the Sydney Archdiocese.
- If there is evidence of subsequent incardination in the Broken Bay Diocese or the Parramatta Diocese, then we consider that the relevant church authority is Broken Bay Diocese or Parramatta Diocese (as the case may be).
- If there is no evidence of subsequent incardination, then we consider the place of incardination at the time of the alleged incident.
- If there is insufficient information in relation to the alleged offender's incardination, then we consider the geographic location of the alleged incident and determine whether it falls within the geographical boundaries of the Parramatta Diocese, Broken Bay Diocese, or Sydney Archdiocese.
- In general terms, religious priests, brothers, sisters and other members of a religious order are under the authority of their religious leader or provincial. As such (and again in general terms), the proper church authority in respect of a complaint against a member of a religious order is the religious leader or provincial, not the bishop of a diocese.

Having considered the list of 53 priests provided by the Commission, we consider 27 priests on that list to be under the authority of the Sydney Archdiocese.

There are 5 priests of the Archdiocese of Sydney against whom there are allegations who were not on the Commission's list. These have been added by the Archdiocese as the last 5 items on this spreadsheet.

The Archdiocese's position is that since Cardinal Pell was installed on 10 May 2001, there are 32 priests under the authority of the Sydney Archdiocese in respect of whom complaints or allegations have been made.

Accused Name	Position	Analysis of whether the Archdiocese of Sydney is the church authority in relation to the alleged offender	Categorisation	Conduct occurred pre or post 1986	Priests in relation to whom the Archdiocese of Sydney is the proper church authority and that the allegation was raised post-May 2001
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender. Note that this claim was initiated prior to May 2001 and so does not belong on this list.	Sydney Archdiocese - but initiated prior to May 2001	Conduct occurred post-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender. Note that there are claims relating to this alleged offender that were initiated after May 2001.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	There were a number of allegations in relation to this alleged offender. Some conduct occurred pre-1986, some occurred post-1986.	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
Aidan Duggan	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The complainant described the offender as "REDACTED" who was a "parish priest at St Pius Enmore, NSW". The PSO and the Archdiocese of Sydney made enquiries as to the identity of the alleged offender as described. The Sydney Archdiocese could not identify a priest in its records corresponding to the complainant's description. Since the alleged conduct occurred within the geographical boundaries of the Archdiocese of Sydney, the Archdiocese of Sydney considers this claim as a Sydney matter.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became incardinated into the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986 and continued after 1986.	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes

REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Archdiocese of Sydney. While the alleged offender was not incardinated into the Sydney Archdiocese at any point in time, he was appointed to an assistant priest position within the Sydney Archdiocese and subsequently left the priesthood. Note that the spelling is "REDACTED".	Sydney Archdiocese	Conduct occurred in 1986. The complainant did not provide a precise date.	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. REDACTED was a priest of the Diocese of Broken Bay.	Broken Bay Diocese	REDACTED is a priest of the Diocese of Broken Bay. The Archdiocese of Sydney does not have a complaint relating to REDACTED. We are unable to categorise whether this conduct occurred before or after 1986.	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED was incardinated into the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	REDACTED's final appointment until his retirement in 1981 was in the Willoughby parish (now part of the Diocese of Broken Bay). The alleged conduct occurred in St Catherine's Orphanage in Brooklyn and a religious institution responsible for St Catherine's Orphanage may have responded to this allegation. Because, however, REDACTED retired before the establishment of Broken Bay, this is considered to be a Sydney Archdiocese matter.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay.	Broken Bay Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986 and continued after 1986.	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay.	Broken Bay Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Wilcannia-Forbes. REDACTED became the Bishop of Wilcannia-Forbes.	Wilcannia-Forbes Diocese	Conduct subject of one allegation occurred pre-1986 and conduct subject of another complaint occurred in 1986 and post-1986.	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. The complainant provided very little detail about the identity of the alleged offender. Since the alleged conduct occurred in or around Springwood (located within the geographical boundaries of the Diocese of Parramatta), the Archdiocese of Sydney considers this a Parramatta Diocese matter.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Michaelite Fathers (religious order). REDACTED was a priest of the Congregation of the St Michael the Archangel.	Religious order	Conduct occurred post-1986	No
REDACTED	Diocesan Priest	Refers to an adult boundary violation. The complainant was 19 years old at the time of the alleged conduct.	Adult boundary violation	Conduct occurred post-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred post-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay.	Broken Bay Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay. The Sisters of St Joseph of the Sacred Heart who was responsible for Kincumber Boys' Home may have responded to this allegation.	Broken Bay Diocese	Conduct occurred pre-1986	No

REDACTED	Diocesan Priest	This is a duplicate entry relating to REDACTED (entry below). There was initially some uncertainty as to the identity of the alleged offender. It was initially identified to be REDACTED, but after a meeting with the complainant, the alleged offender was clarified to be REDACTED. This row is a duplicate count of the entry relating to REDACTED.	Duplicate entry	Duplicate entry	No
REDACTED	Diocesan Priest	This Towards Healing claim was initiated in February 2013. The complainant made allegations relating to several alleged offenders, one of whom was REDACTED. Most of the complainant's claim relates to his time as a student at St Patrick's Primary School Lithgow and La Salle Academy in Lithgow. At the time of compiling the Archdiocese's data, the Towards Healing claim was underway and Archdiocese was in the process of clarifying the incardination status of REDACTED. REDACTED's incardination status has been clarified - this is a Sydney Archdiocese matter.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Religious Priest	The Royal Commission has provided insufficient information in relation to the identity of the alleged offender to enable the Archdiocese of Sydney in identifying the complaint. However, given that the position of the alleged offender is described as a "Religious Priest", it would most likely relate to a religious order, not the Archdiocese of Sydney.	Religious order	The Royal Commission has provided insufficient information in relation to the alleged offender to enable the Archdiocese of Sydney in identifying the complaint and the date of alleged conduct.	No
REDACTED	Diocesan Priest	The Archdiocese does <u>not</u> consider this to be a Sydney matter. REDACTED was a priest of the Diocese of Ballarat. He worked in Sydney in a position for the Australian Catholic Bishops Conference, not the Archdiocese of Sydney. REDACTED was never incardinated or appointed to the Archdiocese of Sydney.	Ballarat Diocese	Conduct occurred pre-1986	No
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Diocesan Priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Assistant Parish Priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Society of the Missionaries of the Sacred Heart (religious order). REDACTED was a priest of the Missionaries of the Sacred Heart Order. He was appointed to the Parish of Randwick, a parish administered by the Missionaries of the Sacred Heart.	Religious order	Conduct occurred pre-1986	No
REDACTED	Unspecified reference to a priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. The complainant identified the alleged offender as "REDACTED" in the Blackheath area. The PSO made preliminary enquiries with the Sydney Archdiocese in an attempt to identify the alleged offender. The alleged offence occurred in the geographical boundaries of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Arch/diocesan clergy – parish priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred pre-1986	No
REDACTED	Arch/diocesan clergy – assistant parish priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Parramatta. After the establishment of the Diocese of Parramatta in 1986, REDACTED became a priest of the Diocese of Parramatta.	Parramatta Diocese	Conduct occurred post-1986 and continued after 1986.	No
REDACTED	Father	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Society of the Missionaries of the Sacred Heart (religious order). REDACTED was a priest of the Missionaries of the Sacred Heart Order.	Religious order	Conduct occurred pre-1986	No
REDACTED	Arch/diocesan clergy – parish priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay.	Broken Bay Diocese	Conduct occurred pre-1986	No
REDACTED	Arch/diocesan clergy – parish priest	The complainant sent a very brief email and described the alleged offender as "REDACTED" of the "Sacred Heart Parish Warragamba". The complainant did not respond to the Archdiocese of Sydney's reply. Although Warragamba is in the geographical boundaries of the Diocese of Parramatta, because REDACTED retired before the establishment of the Parramatta Diocese, this is considered to be a Sydney Archdiocese matter.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Arch/diocesan clergy – parish priest	The Archdiocese of Sydney considers that matters in relation to this alleged offender to be a matter for the Diocese of Broken Bay. After the establishment of the Diocese of Broken Bay in 1986, REDACTED became a priest of the Diocese of Broken Bay.	Broken Bay Diocese	Conduct occurred pre-1986	No
REDACTED	Archdiocesan priest in other work (assisting in the Catholic Mission - Pontifical Mission Societies, an organisation within the Sydney Archdiocese).	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Arch/diocesan clergy – parish priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred post-1986	Yes

REDACTED	Arch/diocesan priest - administrator of the Annandale parish	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred pre-1986	Yes
REDACTED	Arch/diocesan priest (Vice Rector)	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred post-1986	Yes
REDACTED	Arch/diocesan clergy – parish priest	The Archdiocese of Sydney is the church authority in relation to this alleged offender.	Sydney Archdiocese	Conduct occurred post-1986	Yes
					32 alleged offenders