

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

**Public Hearing - Case Study 50  
(Day 243)**

Level 17, Governor Macquarie Tower  
1 Farrer Place, Sydney

On Tuesday, 7 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 and Commissioners, we have  
2 Dr Thomas Doyle giving evidence this morning.

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4 <THOMAS PATRICK MICHAEL DOYLE, sworn: [10.07am]

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6 <EXAMINATION BY MS FURNESS:

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8 MS FURNESS: Your full name, Dr Doyle?

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10 DR DOYLE: Good morning.

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12 MS FURNESS: Would you tell us your full name?

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14 DR DOYLE: My full name is Thomas Patrick Michael Doyle.

15  
16 MS FURNESS: What current work are you doing in the  
17 Catholic Church, doctor?

18  
19 DR DOYLE: I don't do anything for the institutional  
20 Catholic Church. The ministry, if you want to call it  
21 that, that I do almost exclusively is in two areas. One is  
22 with the victims and survivors, and their families, of  
23 sexual abuse. There is a variety of things I do there.  
24 I'm also a licensed addictions therapist, so I do some  
25 work, not a great deal, with families who have children  
26 that are into drugs back in my area.

27  
28 MS FURNESS: Thank you. You entered the Dominican  
29 novitiate in about 1964?

30  
31 DR DOYLE: If you say so, I agree it.

32  
33 MS FURNESS: If I say so based on your CV, would you agree  
34 with the particulars?

35  
36 DR DOYLE: It's probably - I think it is 1964.

37  
38 MS FURNESS: Prior to entering that novitiate, did you  
39 come from a religious family?

40  
41 DR DOYLE: We were practising Catholics, but we weren't  
42 churchy, so to speak. My father was a scientist and so  
43 there was, I think, a healthy amount of scepticism and  
44 realism in the family. We were not what would be  
45 considered at that time to be a devout family.

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47 MS FURNESS: What attracted you to the Dominicans?

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DR DOYLE: At that time, by the way, I just want to say that the priesthood, back in the 1960s, was an honourable profession and it was one that a lot of us thought about. It had not been subjected to any significant criticism, at least that most of us knew about.

So I was attracted to the Dominicans because I was sort of thinking about becoming a priest and I had met some and I was very impressed with two things about them: one, they were very much down to earth and normal; and, two, they did a lot of college educational work, research work, and I was interested in that dimension. I wasn't too interested in being a parish priest.

MS FURNESS: You took your vows in 1968?

DR DOYLE: Final vows in 1968.

MS FURNESS: What did you do after that?

DR DOYLE: In a religious order, most of them, you take your vows during the course of your formation, but ordination, if you are going to be a priest, takes place separate from that. You have to have final vows, your solemn vows, in order to be ordained, so I went back and completed - actually, after 1968, I began my theological studies and, at the end of those, I was ordained a priest.

MS FURNESS: And the theological studies you undertook where?

DR DOYLE: I did my theology in Dubuque, Iowa. Our seminary of theology was in Dubuque, Iowa and that's where I did it.

MS FURNESS: You ultimately did a PhD in?

DR DOYLE: In canon law.

MS FURNESS: When was that?

DR DOYLE: I received my doctorate in 1978 from Catholic University of America.

MS FURNESS: As you know, doctor, we'll be dealing with canon law later and you will be joining us later for

1 a discussion on canon law.

2

3 DR DOYLE: Yes, ma'am, I do.

4

5 MS FURNESS: Thank you. You refer to, in 1981, being  
6 asked to serve as Secretary-Canonist at the Vatican Embassy  
7 in Washington DC.

8

9 DR DOYLE: Yes.

10

11 MS FURNESS: How did that come about?

12

13 DR DOYLE: I at the time was working for the Archdiocese  
14 of Chicago as a judge in their ecclesiastical tribunal, and  
15 I was called by my superior, the Dominican Provincial, who  
16 informed me that I would soon be receiving a telephone call  
17 from the Papal Nuncio's office asking me to go out for an  
18 interview, and he said, "If they offer you the job, take  
19 it." They did and I did.

20

21 MS FURNESS: What was the job?

22

23 DR DOYLE: The job was to work at the Papal Nunciature in  
24 Washington DC as a staff canonist, and my main duty was to  
25 manage the process whereby candidates for the office of  
26 bishop are investigated, whereby dioceses are created,  
27 bishops are changed, transferred or retired. I handled all  
28 of the administrative dimension of that.

29

30 MS FURNESS: What investigations did you do into potential  
31 bishops?

32

33 DR DOYLE: We would get the names of potential bishops.  
34 Let's say a bishop wants an auxiliary, an assistant, he  
35 would send us three possible names and then we would look  
36 in our own lists of candidates that were there, possible  
37 candidates, and we would send out questionnaires,  
38 confidential questionnaires, to about 20 or 25 people.  
39 Some names were provided by the bishop, others that we  
40 found, classmates, other people the candidates had worked  
41 under. They would all come back. These were very  
42 comprehensive questionnaires, several pages long, with  
43 maybe 40 or 50 questions.

44

45 At that time, Pope John Paul II was the Pope and there  
46 were several key questions that had to be answered  
47 affirmatively. One was complete adherence to the Church's

1 doctrine on sexual morality; complete adherence to the  
2 Church's doctrine on marriage of priests, women priests and  
3 homosexuality. If you didn't pass that, you didn't get any  
4 further.

5

6 MS FURNESS: When you say "if you didn't pass that", do  
7 you mean if somebody who was answering the survey indicated  
8 that the auxiliary priest or potential auxiliary priest  
9 didn't meet one or more of those criteria?

10

11 DR DOYLE: That's correct, exactly. And all of this was  
12 done in deep secrecy. The recipients were given an  
13 envelope that said, "Once you open this you are under the  
14 pontifical secret and you cannot reveal the contents to  
15 anyone." When they were done, they were to send the  
16 envelope - everything we sent them, they had to send it  
17 back, so there were no traces. But if they did reveal  
18 that - I will just give you an example. One man wrote in  
19 that he knew this candidate quite well, and they were  
20 sitting in an airport waiting for a plane one day, and he  
21 said, "We just got into a discussion and he said 'Don't you  
22 think some day the Church is going to give official  
23 approval to birth control?'" Well, that ended the  
24 candidacy of that particular individual.

25

26 MS FURNESS: Was there any discretion in you as to whether  
27 or not, given the other circumstances of the man's  
28 candidature, he should still nevertheless be accepted?

29

30 DR DOYLE: The only discretion I had was when I would  
31 discuss the results of the questionnaires coming in with  
32 the Papal Nuncio. He would want to know how the  
33 investigation was going and I would bring up certain issues  
34 that had come up in some of the responses and we would  
35 discuss them, and if I was able to convince him that there  
36 were other factors here that were far more powerful and  
37 would make him a really good bishop, other than a few of  
38 these things which are just speculative and minor and are  
39 not that important --

40

41 MS FURNESS: Was part of the survey to ask whether there  
42 were any complaints or anything else adverse known to the  
43 potential bishop?

44

45 DR DOYLE: Yes, there were, and if something was mentioned  
46 in the area of sexuality, we would generally try to verify  
47 it to make sure that it wasn't a disgruntled somebody

1 writing in to do the guy in, and we would have to verify it  
2 with the bishop of the diocese that was requesting the  
3 auxiliary bishop, for example. If he said, "Well, I didn't  
4 know anything about that", and if it was nebulous, we would  
5 err on the side of caution and we would terminate that  
6 candidacy.

7  
8 MS FURNESS: Was this process only for auxiliary bishops?

9  
10 DR DOYLE: No, ma'am. The process was for anyone who was  
11 going to be consecrated a bishop. It was also done for  
12 bishops who were being promoted or changed from one diocese  
13 to another. The questions were slightly different if  
14 a man, let's say in Canberra, was going to be promoted to  
15 Sydney, the questions were somewhat different, but we still  
16 had to look at his suitability for what they called higher  
17 responsibilities in the Church.

18  
19 MS FURNESS: Was the bishop from where the person came  
20 required to give something like a certificate of good  
21 standing?

22  
23 DR DOYLE: Yes. In fact, the bishop who promoted, who put  
24 the man's name forward, would also put forward his  
25 curriculum vitae as well as a report on his suitability.  
26 So that would be - he's voting for this man and this is  
27 what we have, and then we would go from there.

28  
29 MS FURNESS: That procedure wasn't set down in canon law,  
30 was it?

31  
32 DR DOYLE: No, it's not. The only thing canon law does is  
33 say they have to be investigated and suitable. The  
34 guidelines we used were essentially guidelines we had  
35 received from the Congregation for Bishops in Rome. They  
36 were the ones - after our process was finished, it was all  
37 sent to the Congregation, and then they would do another  
38 investigation, and if they found something over there that  
39 we did not find, or if someone on the Congregation didn't  
40 happen to like the particular candidate, it would end  
41 there.

42  
43 MS FURNESS: From your work internationally, are you able  
44 to help us with whether that form of investigation is done  
45 elsewhere or was done elsewhere?

46  
47 DR DOYLE: Yes, ma'am. That type of investigation is done

1 throughout the world. There are some differences. For  
2 most of the world, the process is worked through the  
3 Congregation for Bishops.

4  
5 MS FURNESS: In Rome?

6  
7 DR DOYLE: In Rome. When they finish the process with the  
8 candidates and they decide - always three candidates are  
9 sent over, what they call a terna. If they decide, "The  
10 first candidate is the one we're going to promote and  
11 propose to the Pope", the Prefect of the Congregation meets  
12 with the Pope once a week and generally he'd say, "I have  
13 all these candidates for the office of bishop." And the  
14 Pope, under John Paul and under Benedict, would maybe look  
15 at a couple of them, sign off on a couple and then he'd  
16 give a general approval of all the rest, because there is  
17 no way he could have known them all.

18  
19 MS FURNESS: The investigation was done locally prior to  
20 it going to Rome?

21  
22 DR DOYLE: Yes. Everything locally had to be completed,  
23 synthesised, analysed and a report completed with the  
24 Papal Nuncio's opinion. I would have to prepare why each  
25 candidate was suitable for the office of bishop. If the  
26 Nuncio liked what I prepared, he would sign off on it. If  
27 he wanted changes, I would prepare changes. That went to  
28 the Vatican.

29  
30 MS FURNESS: So the material that you sent out to,  
31 effectively, the referees was sent back to you. What did  
32 you do with it?

33  
34 DR DOYLE: The material from --

35  
36 MS FURNESS: The surveys, the completed surveys.

37  
38 DR DOYLE: The surveys. I would go through them and  
39 I would --

40  
41 MS FURNESS: But physically, where did you put them?

42  
43 DR DOYLE: Where did I put them?

44  
45 MS FURNESS: Yes.

46  
47 DR DOYLE: Every candidate had his own file. The whole

1 bottom floor of the Nunciature was a huge archive and it  
2 had files down there going back to the time of  
3 Pope John XXIII. Everything before that had been taken to  
4 Rome. So we put them there, and if the candidate never got  
5 anywhere, if he was never promoted or if it wasn't the  
6 right time, the files remained there.

7  
8 MS FURNESS: Were the files covered by the pontifical  
9 secret?

10  
11 DR DOYLE: Yes, ma'am.

12  
13 MS FURNESS: Did the files go to Rome?

14  
15 DR DOYLE: Eventually they would go to Rome, generally  
16 whenever Rome decided they wanted the files from that  
17 particular Nunciature to go to Rome.

18  
19 MS FURNESS: That was the work you were doing in 1985 when  
20 you began that position?

21  
22 DR DOYLE: I began there in 1981 and I was doing that  
23 throughout. But the way it worked was that the staff  
24 members did whatever the Nuncio wanted us to do. For  
25 example, somebody would send him a book in the mail, and he  
26 would give me the book and say, "Read the book and give me  
27 a little report." "Okay."

28  
29 MS FURNESS: When was it that you first came into touch  
30 with victims or survivors of clergy sexual abuse?

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32 DR DOYLE: My first contact with actual survivors was in  
33 1985. That was not my first contact with the problem at  
34 the Nunciature, but my first contact with survivors was in  
35 Louisiana in 1985.

36  
37 MS FURNESS: What was your contact with the Nuncio in  
38 relation to sexual abuse of children?

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40 DR DOYLE: My first contact with the issue at the  
41 Nunciature involved two bishops. We were notified, in one  
42 instance by law enforcement, that a bishop had been picked  
43 up, a retired bishop, with a couple teenage boys, and  
44 rather than go any further, the law enforcement agency  
45 brought it to the Papal ambassador, who in turn called the  
46 sitting bishop in the diocese where this retired bishop was  
47 living, and he went and saw him and talked to him and



1 called us back and said, "Everything's fine", except that  
2 it wasn't fine because, a few months later, the same bishop  
3 got caught again, and this time the law enforcement agency  
4 said, "We'll cover this time, but there had better not be  
5 a third because then we're going to have to do something  
6 official."

7  
8 Well, there was a third, and then not long after the  
9 third time happened, the bishop died of a heart attack.

10  
11 The second instance involved a letter that we had  
12 received relative to the appointment of a bishop in  
13 a diocese in Pennsylvania. The Diocese of Harrisburg had  
14 come open, and the same thing probably happens here in the  
15 Church among priests - there are always rumours going all  
16 over who the next bishop is going to be.

17  
18 Well, there were a lot of rumours about who the bishop  
19 was going to be, and we received a letter from a man in  
20 Long Island, who said, "I'm a former priest. I'm laicised.  
21 I'm legally married, and my wife's nephew was sexually  
22 abused by one of the men who is being talked about to be  
23 the Bishop of Harrisburg. If he in fact is appointed  
24 Bishop of Harrisburg, I am going to go public with this  
25 information."

26  
27 The Papal Nuncio asked me if I would arrange to have  
28 an investigation done. This was my very first contact with  
29 more than just pushing papers. So we found a priest in the  
30 Washington DC area that I had known for years, who was  
31 a very fine man. He drove up to visit the family and  
32 talked to the young man and talked to the family. He came  
33 back and he came into my office and he was going to give me  
34 his report. His report was fairly short. I looked at him  
35 and I said, "Bernie, what do you think?" He said, "I think  
36 he did it", and that was the end of that. I informed the  
37 Papal Nuncio, and the man was in fact under consideration,  
38 but that ended that.

39  
40 MS FURNESS: Was there any talk about going to the police?

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42 DR DOYLE: No, none whatsoever.

43  
44 MS FURNESS: Was that something that was done in those  
45 days?

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47 DR DOYLE: The event had happened maybe - I don't know how

1 many years before this. I never got much information as to  
2 where it happened or when it happened, but I will have to  
3 be honest and tell you that at that time, in the Papal  
4 ambassador's office, going to the police, unless they  
5 brought the case to us, was not even on the table. That  
6 was not discussed.

7  
8 MS FURNESS: Why not?

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10 DR DOYLE: I think it was not discussed because to go to  
11 the police would (a) acknowledge the reality of what had  
12 happened and (b) cause embarrassment for the institution,  
13 and the buzzword for that is "scandal", which means  
14 embarrassment for the hierarchy, embarrassment for the  
15 institutional Church.

16  
17 MS FURNESS: So that was the beginning of your involvement  
18 with this issue in Washington?

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20 DR DOYLE: That was my first encounter. Both of those  
21 things happened in 1982. But my real involvement, that  
22 when it happened I knew that this was not going to end,  
23 involved the case of a priest from the Diocese of  
24 Lafayette, Louisiana. Louisiana is one of the southern  
25 states, very south, and this priest had been reported and  
26 pulled offline by the bishop because he had sexually abused  
27 a lot - he was a true paedophile. All of his victims were  
28 prepubescent little boys.

29  
30 He had been doing this, we later discovered, since  
31 before ordination. But after ordination, which was in  
32 1972, his first assault of a young boy after ordination  
33 took place in the kitchen of the rectory where he was  
34 assigned probably within three weeks of his ordination. He  
35 had been reported to the bishop maybe, I think, five or  
36 six times, and each time he was moved to another area.

37  
38 What finally brought it to a head was the father of  
39 one of the victims in one of the rural parishes he was at  
40 took a shotgun and went to the home of one of his friends  
41 and said, "I'm going over to take care of  
42 Monsignor So-and-so. Do you want to come along?", and he  
43 was fully intent on shooting this man, the pastor.

44  
45 That word got back to the diocese and they decided,  
46 "Maybe we should do something." So they pulled  
47 Father Gotay offline and sent him to a place called the

1 House of Affirmation. At that point, the diocese entered  
2 into - they were approached - they knew. There were,  
3 I believe, nine families that had been after them  
4 constantly. They entered into an agreement with these  
5 nine families that involved total confidentiality on their  
6 part and a payment of approximately \$300,000 per family on  
7 the part of the diocese. Now, this was the first time that  
8 I know of that something like that happened.

9  
10 MS FURNESS: That was an awful lot of money then.

11  
12 DR DOYLE: It was a lot of money at that time, but there  
13 was a lot at stake at that time and they realised it.

14  
15 One of the families, however - let me backtrack. When  
16 that happened, the Vicar General of the diocese wrote  
17 a letter to the Papal Nuncio and he explained, "We have  
18 entered into an agreement with these families because this  
19 priest had done inappropriate things with their children,  
20 and it's all taken care of. Don't worry about a thing."

21  
22 So the Papal Nuncio read the letter at our staff  
23 meeting, gave it to me and said, "Prepare a response and  
24 put it in a file", which I dutifully did. Two days later,  
25 we received another letter from the same Vicar General, who  
26 said, in a sense, "Never mind, because one of the families  
27 has pulled out of the agreement. They have engaged the  
28 services of a very brilliant, a very aggressive  
29 anti-Catholic lawyer." The man was an anti-Catholic lawyer  
30 because he had been excommunicated by a former bishop for  
31 representing divorced people in divorce cases.

32  
33 So he was with this family and they were going to sue  
34 the diocese. They named in the suit the diocese, the  
35 bishop, the Vicar General, the priest, the pastor, the  
36 Papal Nuncio and the Pope. When that happened, of course,  
37 it was public knowledge all of a sudden. The district  
38 attorney in the area, which would be, I think, the  
39 equivalent of a Crown attorney here maybe, realised that  
40 these events were, many of them - all of them, within  
41 statute of limitations and he had to file criminal charges  
42 against the priest. That's when the media got involved.

43  
44 The media - unlike in the past where anything  
45 involving a priest of this nature was buried at the bottom  
46 of column 6 on the women's page, this time it was  
47 different. It was on the front page, with pictures, and it

1 went viral. There was a picture of this priest in his gaol  
2 cell that was in Newsweek magazine, so it was worldwide.  
3 That actually began - that's how I got started.  
4

5 I was in charge of handling the case, preparing  
6 documentation, keeping my boss informed as to what was  
7 going on, because the Nuncio was blown away. He didn't  
8 know what this was - he knew what it was about, but he was  
9 just stunned when he found out that these people were going  
10 to sue the Catholic Church and that the media was pointing  
11 at the bishops and blaming them.  
12

13 MS FURNESS: What were your riding instructions when you  
14 were handling the case?  
15

16 DR DOYLE: My instructions were simply to prepare  
17 information for the letters that had to be signed by the  
18 Apostolic Nuncio to the bishop and the diocese. One of the  
19 things I did was I realised that they needed some  
20 professional help dealing with the accused priest, so  
21 I connected the bishop up with a man named Father Michael  
22 Peterson, who was also a psychiatrist, who had founded  
23 a place called St Luke Institute, which was and still is  
24 a health care facility for priests dealing with substance  
25 abuse issues and psychosexual issues.  
26

27 Peterson went and interviewed the man, tested him and  
28 wanted to find out what was going on. He said, "We've got  
29 to bring him up to my place and give him a full battery of  
30 tests for about a week, and then he's got to go back into  
31 a lock-down situation." In fact, by then, they had him in  
32 gaol.  
33

34 MS FURNESS: Were his faculties taken from him?  
35

36 DR DOYLE: His faculties were taken from him. To my  
37 knowledge, he has not yet been officially laicised.  
38

39 MS FURNESS: Do you know why not?  
40

41 DR DOYLE: I don't know.  
42

43 MS FURNESS: He was ultimately convicted and gaoled?  
44

45 DR DOYLE: He was ultimately convicted. He was sentenced  
46 to 20 years and he got out after 10. He moved to a small  
47 house in East Texas, next door to a woman who had

1 a three-year-old son, and he was picked up for sexually  
2 abusing the three-year-old son and thrown in gaol. He was  
3 in gaol for about a year, but the woman didn't want to go  
4 forward because she didn't want to get on the stand and she  
5 didn't want her child exposed.

6  
7 So he got out of gaol for a while. Then he was picked  
8 up again for failure to report because he was on a sexual  
9 registry. To my knowledge, now, he has two types of cancer  
10 and he is living alone in a small house near Houston,  
11 Texas.

12  
13 MS FURNESS: Did the Church continue to support him  
14 financially after he got out of gaol the first time?

15  
16 DR DOYLE: I think they did for a while.

17  
18 MS FURNESS: Did they take any responsibility for  
19 supervising him?

20  
21 DR DOYLE: No.

22  
23 MS FURNESS: Is that something the Church does now?

24  
25 DR DOYLE: Well, they say they do, but the supervision,  
26 from my experience - now, let me just backtrack and say  
27 I have been involved directly with this issue for 33 years.  
28 I've been involved in actual cases in a number of ways  
29 throughout the United States and in several other  
30 countries, so I've seen the promises that, "Father will be  
31 under strict supervision. He will have three men who will  
32 be his support team." Sometimes that is actually done.  
33 I know of a few cases where it actually is done the right  
34 way. But for the most part, oftentimes you find that the  
35 men on the support team don't even know they're there, and  
36 this all comes out when the man reoffends. So in general,  
37 I think you cannot presume that the supervision will be  
38 done in a competent, effective manner.

39  
40 MS FURNESS: Just coming back to the role of the Nuncio,  
41 was his role in relation to liaising in some way with Rome  
42 or was it more of a local role?

43  
44 DR DOYLE: His role was liaising with Rome. He functioned  
45 as a regular ambassador. He had really no actual authority  
46 in his office, only what might have been given to him, so  
47 it was mostly liaising with Rome, which he did

1 significantly as we went through this.

2

3 I was tasked to prepare a report that he would sign  
4 and send to the Pope in February 1985.

5

6 MS FURNESS: Just let me stop you there for a moment. So  
7 you understood the purpose of your work was to inform the  
8 Nuncio, who in turn would inform Rome?

9

10 DR DOYLE: My job - that's exactly right. Inform the  
11 Nuncio; liaise with the dioceses; see what they were doing;  
12 and keep a file, a record, of everything.

13

14 MS FURNESS: When you say "liaise with the dioceses", did  
15 it involve any oversight or any discretion as to  
16 recommendations you might make to them?

17

18 DR DOYLE: What I did was connect them with this  
19 Father Peterson, and he was making recommendations as to  
20 what they were going to do, the disposition of the priest.

21

22 But another factor came into play in very early  
23 January 1985. The attorney who the diocese had hired to  
24 defend the priest on the criminal charges called  
25 Father Peterson, the psychiatrist, whom he had been  
26 liaising with, and he said, "I need to talk to this guy,  
27 Doyle, at the Vatican Embassy. It is very important."

28

29 So he flew up from Louisiana and on a freezing January  
30 morning sat down with me in my office. I had never met him  
31 before. He was very direct, and he always called me by my  
32 last name, never "Father", never "Tom". Now he calls me  
33 "Tom" once in a while. But he said, "Doyle, I want to tell  
34 you something" - I'm going to pretty much quote him. He  
35 said, "We've got this one guy, Gotay, down there under  
36 wraps, but the diocese is hiding about six others that are  
37 still roaming around and preying on children. Now, I'm  
38 worried about that for two reasons: One, I have three kids  
39 at home; and, two, I'm not going to be able to construct  
40 a decent defence if this is going on and the jury finds out  
41 about it."

42

43 What he wanted to do with Gotay, the priest, was work  
44 out a deal with the court whereby he would be in custody,  
45 he would be locked down, but at a special confinement  
46 centre in southern Maryland that dealt only with sexual  
47 offenders where they were actually studied by the Sexual

1 Disorders Clinic at Johns Hopkins University. That's what  
2 he wanted to have done. He wasn't trying to get him off  
3 the hook, because everybody knew the guy did it.

4  
5 MS FURNESS: But why did he come to you? What power did  
6 you have in that area?

7  
8 DR DOYLE: He knew I worked for the Vatican Embassy and he  
9 wanted me to go to my boss, the Papal Nuncio, and tell him  
10 that this was going on, that these other men were down  
11 there and that they knew about them, the Church knew about  
12 them. So I did.

13  
14 The Papal Nuncio, in the little meeting we had -  
15 Father Peterson, the psychiatrist, was in on the meeting.  
16 It all happened within 24 hours. We told him what the  
17 information was that we had, and he called the bishop up  
18 and he called the Archbishop of New Orleans and said,  
19 "I want the two of you up here within five days to meet  
20 with Father Doyle and Father Peterson to sort this out."

21  
22 So the two of them came up with their lawyers, and we  
23 confronted them with the fact that we knew about these  
24 people. They didn't know how we knew, and we told them,  
25 "It doesn't matter how we know. We know. Something needs  
26 to be done right now." The deal was that they would go  
27 back and inform - the bishop said they would take them  
28 offline; they would pull them in.

29  
30 We were too busy dealing with the one case to get --

31  
32 MS FURNESS: The bishop said that they would take them  
33 offline - that is, the six or so priests they knew about?

34  
35 DR DOYLE: Yes, the ones they knew about, that we informed  
36 them about. The bishop and the Vicar General knew about  
37 all of them - that they would take them out of ministry and  
38 put them on hold somewhere while they sorted out what they  
39 were going to do.

40  
41 Keep in mind, this was 1985. Up to that point, this  
42 had been going on all over the place, all over the United  
43 States, but it was done in a deeply secretive manner.  
44 Nobody found out. These men were transferred somewhere  
45 else under the cloak of secrecy, and if they were  
46 discovered again, they were transferred again.

47

1 MS FURNESS: So you prepared a report in 1985?

2

3 DR DOYLE: Yes. I suggested to the Papal Nuncio that we  
4 ask the Holy See to allow us to send a bishop down there to  
5 sort this out, to make an investigation, to find out what's  
6 going on, because I've only given you a little bit of the  
7 chaos that was going on. I mean, there were prominent  
8 laypeople involved trying to defend the Church. They were  
9 threatening to burn down the newspaper and the TV stations  
10 because they were publicising this. It was a mess.

11

12 So he agreed, but he said, "We have to get the  
13 permission of the Pope, and that could take a while, so  
14 we'll short-circuit this." He said, "You prepare me  
15 a report in detail and we will get it to the Pope as  
16 quickly as we can." So I did about a 42-page or  
17 44-page detailed graphic report, names, dates, places, what  
18 the guy actually did, from the reports from the  
19 psychologists. The Nuncio signed it without making  
20 a single change.

21

22 MS FURNESS: This is the one fellow now you are talking  
23 about?

24

25 DR DOYLE: The one man. But we also mentioned that there  
26 were six others down there floating around and that we  
27 also, by January, had heard information from two other  
28 dioceses where it was bubbling to the surface because of  
29 the publicity. So all of that went in there, in other  
30 words, basically saying, "There are credible reports of  
31 priests sexually abusing children right now, February 1985,  
32 from at least four dioceses in this country."

33

34 The report was sent by courier to the Cardinal  
35 Archbishop of Philadelphia, Cardinal Krol, who took it the  
36 next day to the Vatican, when he flew over. He gave it to  
37 the Pope and wired back that the Pope did read it, and the  
38 appointment of the bishop was made within three days.

39

40 MS FURNESS: So the bishop was appointed from within the  
41 United States?

42

43 DR DOYLE: Yes. His name was AJ Quinn. To cut to the  
44 chase on him, he turned out to be part of the problem and  
45 not part of the solution, because he was trying to figure  
46 out how they were going to continue with the cover-up.

47



1 MS FURNESS: How was he chosen?

2

3 DR DOYLE: Pardon, ma'am?

4

5 MS FURNESS: How was he chosen?

6

7 DR DOYLE: I chose him because I had - I was familiar with  
8 the bishops, because I would do the process on them, and  
9 I chose him for three reasons: first, he came out on the  
10 investigation squeaky clean, as we say; he had a doctorate  
11 in canon law and he had a civil law degree; and he also was  
12 a licensed pilot.

13

14 MS FURNESS: That was important?

15

16 DR DOYLE: Well, I just threw that in because I am also.  
17 So he looked good on paper. He came in. We briefed him  
18 for a day, and then off he went to Louisiana.

19

20 MS FURNESS: How did you find out that he was on the other  
21 side, as it were?

22

23 DR DOYLE: I found out when he came to me and tried to  
24 minimise what was going on and he was telling me that,  
25 "They're doing the right thing down there. The bishop has  
26 it under control", and I knew he didn't because the lawyer  
27 that is representing this guy is calling me every day with  
28 reports.

29

30 Now, this is a culture down there. They're Cajuns.  
31 They're all related to each other. So this guy is getting  
32 all this information from his cousins and his aunts and  
33 uncles about what's really happening. One of them worked  
34 in the Chancery Office, so she was making copies of  
35 documents and shooting them over to him and he would send  
36 them up to me. It was a crazy drama, but it was real. So  
37 all this was going on. Whenever I would get this  
38 information, I would feed it to my boss.

39

40 Well, in the process, we received another report from  
41 an attorney down there, who said, "I'm representing  
42 Mrs So-and-so and I want you to know that we're going to  
43 file a suit because Father Albert" - I forget his last  
44 name - "had sexually abused all five daughters in her  
45 family, and she wants you to know that she's not going to  
46 the bishop or to the Church. She's going directly to the  
47 court." This was 1985.

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So what they did with him - they told him to pack his bags and go to Holland because we don't have an extradition treaty with Holland. You can't make this stuff up. It sounds bizarre, I know. It may sound somewhat humorous, and I have to admit that one of the only ways I could cope with this through the years is find some humour. Otherwise I would have gone totally mad.

MS FURNESS: So the work you were involved in broadened after these events?

DR DOYLE: Yes. It broadened fairly quickly because of the publicity. What we learned was that the secular papers were now putting this in a prominent place. It was on TV in the secular papers. It wasn't being covered up.

So in many instances, families where parents had heard these things from their children, where their children would try to explain what Father had done, where they didn't believe them or didn't want to make a report - they were coming forward. I believe it was by June of that year we thought we had a huge number of reports, and it was about 42. Some would report directly to us. Some would report to a bishop, who then would call us and want to know what to do.

MS FURNESS: It seems unusual, doctor, that the Papal Nuncio's office, and you in particular, attracted all of these reports.

DR DOYLE: Unlike probably other embassies, in the United States people write to the Papal Nuncio for a lot of things. If the priest on Sunday doesn't say the right kind of sermon or does something a little off kilter, they write to the Papal Nuncio.

MS FURNESS: Is it because there was the perception that, indeed, the Papal Nuncio had a supervisory role over bishops and priests in the States?

DR DOYLE: I think the perception was that it would get to the Pope. Many people thought that the Pope would be interested in their report. Not everybody reported to the Nunciature. Many of these came from other bishops, who would then report in. It attracted a tremendous amount of interest from the American bishops because of the

1 publicity. They were all talking about it; they were all  
2 worried about it.

3  
4 MS FURNESS: They would have been worried from an asset  
5 protection point of view, wouldn't they?  
6

7 DR DOYLE: That played into it significantly. Many of  
8 them, I must say, that I talked to - because they knew  
9 I was the canonist there, so they called me for a lot of  
10 things, and that was one of them - said, "We've heard that  
11 this existed, but we don't know what to do." The ones that  
12 did know what to do - namely, cover it up and move them  
13 from one place to another - didn't call to ask.  
14

15 I also found out at that time that some of the  
16 bishops, in my opinion, sincerely wanted to do the right  
17 thing. The blockage in the United States didn't come from  
18 the body of bishops. And remember, we have approximately  
19 350 bishops in the United States. It came from the  
20 National Conference of Catholic Bishops General  
21 Secretariat, their administrative body at the top. They  
22 are the ones that didn't want anything to happen, and so  
23 they did the blocking.  
24

25 MS FURNESS: So you had, I think you said, 43 or 44 or  
26 42 reports?  
27

28 DR DOYLE: That's right.  
29

30 MS FURNESS: You thought that was large at the time?  
31

32 DR DOYLE: At the time, we thought it was large.  
33

34 MS FURNESS: Did they continue to come to you?  
35

36 DR DOYLE: They did continue to be - we continued to be  
37 made aware because sometimes the people - we would find out  
38 about it through the media, sometimes through other  
39 bishops. Sometimes other priests would write, that kind of  
40 thing. It was a different - there were a number of them.  
41 We weren't dealing with individual cases.  
42

43 What my two colleagues and I did, though, as a result  
44 of this - I mean, I was spending a significant amount of  
45 time every day on this. We decided that we would like to  
46 prepare some sort of a manual for the bishops so that they  
47 would have something to look at because this was new for us

1 and it was probably new for them. So we did. In preparing  
2 this, because I was dealing with bishops all the time,  
3 I consulted with several ones that I trusted and that  
4 I knew and that I liked.

5  
6 MS FURNESS: Not Bishop Quinn, I take it?

7  
8 DR DOYLE: No, Quinn I didn't. I consulted with a man who  
9 was a friend of mine - two men who were friends of mine at  
10 the time, whom I knew before they were bishops. One was  
11 Cardinal Law - he was a bishop at the time - and the other  
12 was Bishop Tony Bevilacqua, who eventually became the  
13 Archbishop of Philadelphia. They said, "Set this thing up  
14 in a question and answer format." So we did. It had  
15 sections on civil law, criminal law, insurance, pastoral  
16 care, canon law and the medical part. It had attached to  
17 it several articles that Father Peterson had selected on  
18 what paedophilia is, its incurability, the effect on the  
19 victims and the kinds of treatment modalities that are  
20 used. This came out to be a grand total of about  
21 140 pages.

22  
23 We finished it up. It was like a free-will offering,  
24 I guess, if you'd call it that. My boss, the Nuncio, was  
25 very much in favour of the endeavour. All we wanted to do  
26 was give it to the National Conference of Bishops and ask  
27 them to circulate it among the bishops so they would have  
28 something to use.

29  
30 MS FURNESS: Did you get the approval of Rome to prepare  
31 it and then circulate it?

32  
33 DR DOYLE: No, I got the approval of the Papal Nuncio.  
34 That's all we needed. It was not an official document; it  
35 was a pastoral aide, as they called it.

36  
37 Well, the National Conference of Bishops didn't want  
38 it. They made both public and private statements that  
39 everything in it they were aware of; they knew everything  
40 that was in it, and so they didn't want to - they didn't  
41 see any need to have it.

42  
43 In any event, the three of us were very disappointed.  
44 We had meetings, a couple of meetings, with some  
45 high-ranking bishops to discuss disseminating this and  
46 where to go from there, and that all stopped because we  
47 were told, "It's not going anywhere, so you may as well

1 forget about it."  
2

3 But at our expense, we did have copies made of that  
4 document and sent to every bishop in the United States, and  
5 we did that on December 8, 1985. Some of them used it.  
6 Some just put it in the trash, I guess. I don't know.  
7

8 MS FURNESS: Was it around this time that you started  
9 dealing with victims and their families?  
10

11 DR DOYLE: Yes, it was. There weren't too many, but  
12 I met - up to that time, dealing with it was a serious -  
13 I knew it was a serious problem, but the victims were  
14 pieces of paper that I read. I read the descriptions, and  
15 they were pretty disturbing.  
16

17 But then I met a 10-year-old boy with his family, and  
18 when I looked into his face - I still see it - it was  
19 empty. That moment changed my life. The parents were  
20 simple, good, decent people who could not comprehend why  
21 they were being treated the way they were by the Church.  
22 They couldn't understand why this man had been shifted from  
23 one place to another to another and nothing was done.  
24

25 I had no answers - I couldn't. But that was the first  
26 of - I can't count the number of victims I've met. The  
27 youngest was that boy, who was, I think, 10 or 11 at the  
28 time. The oldest was a woman who at the time was 91, who  
29 had waited until she was 88 or 89 to disclose what had  
30 happened to her when she was 12. What prompted her to  
31 disclose was when her own daughter, at the age of 60,  
32 disclosed what had happened to her. The woman told me that  
33 because of what had happened to her, she never was able -  
34 she had had three husbands - to have a decent relationship.  
35 She said, "I could never get rid of the anger or the shame  
36 or the guilt, and now because of what happened to my  
37 daughter, and it's out in the public, I feel I can talk  
38 about this."  
39

40 MS FURNESS: So if she was 91 when you spoke to her, the  
41 abuse happened in the late 1800s, early 1900s?  
42

43 DR DOYLE: This woman's abuse happened - well, I met her  
44 when I was stationed in Germany, so this would have been  
45 2001 or 2002. I don't remember exactly when it happened,  
46 but I did listen to her for the longest time, and she just  
47 unloaded. I didn't want to question, discuss, parse it.

1 Just listening was painful enough for both of us.

2

3 MS FURNESS: In what capacity were you talking to these  
4 people?

5

6 DR DOYLE: I was talking to them only in the capacity of  
7 someone who was interested in helping them. I had no  
8 official mandate from anyone. I felt that I was an active  
9 priest at the time, that that's what I should be doing, is  
10 reaching out as a pastor.

11

12 MS FURNESS: From that time on, you spoke to thousands of  
13 survivors and their families?

14

15 DR DOYLE: Yes. I still have contact. But since then,  
16 I've met them individually, in groups, contacted by phone.  
17 Many of them don't want to tell me who they are or didn't  
18 want to tell me who they were, but they wanted to talk.  
19 I was the only priest in the United States who was  
20 prominent, who was known to have stood up to the system,  
21 which is why I was exited out of the embassy in 1986.

22

23 MS FURNESS: When you say you were "exited", you were  
24 sacked?

25

26 DR DOYLE: I was sacked. They do it in a very gentle  
27 fashion.

28

29 MS FURNESS: I'm sure they do.

30

31 DR DOYLE: I was told that my room, my office and my  
32 bedroom, was going to be needed by another man who was  
33 coming. Well, I figured that out pretty quickly. I wasn't  
34 born yesterday, so - yes.

35

36 MS FURNESS: Had you achieved a public profile by that  
37 time?

38

39 DR DOYLE: I didn't - I was never looking for anything  
40 like that. I did achieve somewhat of a profile because  
41 when this document that we had prepared - when the media  
42 got a hold of it, my name was on it. So they were calling  
43 me and they were calling the other two, the lawyer and the  
44 priest psychiatrist.

45

46 MS FURNESS: But you prepared that report with the  
47 approval of the Nuncio?

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DR DOYLE: That's right.

MS FURNESS: Was he the one who sacked you?

DR DOYLE: I think they decided that there was too much heat and too much attention being given to this issue and that it would be better to let it sort of - I was told several times, "We don't air our dirty laundry. We take care of our problems in-house." I didn't want to do that.

MS FURNESS: Who is the "they" you are referring to?

DR DOYLE: The other members of the staff. The Nuncio told me that if I wanted to have a career, I had best change my interests elsewhere than that particular problem.

MS FURNESS: Where did you go after you were exited?

DR DOYLE: I went to work for the military, what at that time was called the military vicariate - the diocese for the military in the United States. I was with them for about three years, but in 1986 I enlisted in the United States Air Force.

MS FURNESS: Did you do some work there in relation to people with addiction?

DR DOYLE: Yes, I was a chaplain, and after I was certified as an addictions therapist, which was in 2000, then I did addiction work as well.

I will say, if it's okay, I'm a recovering alcoholic. I have 25 years of sobriety. I was trained as a therapist and am licensed and I'm approved, I guess. That work, or that reality, was something I've exchanged and shared with a lot of the victims, and it has helped me more than anything to have a rapport with some of these people.

MS FURNESS: What did you learn, doctor, after talking to those thousands of people over the years? What did you learn from them?

DR DOYLE: From the victims, a couple of things - many things, but there is unanimity about one, which is the profound spiritual damage that is done to victims who are from devout Catholic families and who are sexually violated

1 by a Catholic priest. I will say that one of the massive  
2 holes in the Roman Catholic Church's approach to this  
3 issue, still today, is a failure to completely comprehend  
4 the depth of the spiritual damage that is done to the  
5 victims, to their families, especially their parents, to  
6 their friends and to the community itself. There seems to  
7 be no ability to even ask the proper questions.

8  
9 I have never seen anything coming out of the Holy See  
10 dealing with the spiritual damage. All I've seen is, "Get  
11 them to go back to church", which is nuts. That's crazy.  
12 But I've not seen anything anywhere. I've seen a lot of  
13 people, both priests and religious, who have tried to  
14 figure out how to deal with this, in bringing aid and  
15 comfort and support to the victims. But as an institution,  
16 I have seen nothing.

17  
18 MS FURNESS: You are on the Pontifical Commission; is that  
19 right?

20  
21 DR DOYLE: Well, I'm not on the Pontifical Commission.  
22 That would be too much for the traffic to bear, to be  
23 honest with you. I was asked to be a consultant by two of  
24 the survivors who are on the Commission. They told me when  
25 they brought it to the attention of the full Commission,  
26 which at the time was 17 people, including four clerics,  
27 there were a lot of raised eyebrows but that the Cardinal  
28 supported it, and so they voted me in unanimously. So I've  
29 met with some of them and I have sent them information and  
30 communicated --

31  
32 MS FURNESS: This is the Pontifical Commission for the  
33 Protection of Minors?

34  
35 DR DOYLE: That's right.

36  
37 MS FURNESS: You were approached to be a consultant to it?

38  
39 DR DOYLE: That's right.

40  
41 MS FURNESS: And it had to be agreed by, presumably, the  
42 majority of the Commission for you to be a consultant?

43  
44 DR DOYLE: That's correct.

45  
46 MS FURNESS: When was this?

47



1 DR DOYLE: I think it took place about two and a half  
2 years ago, three years ago, perhaps. It was not long after  
3 they started up and got organised.  
4

5 MS FURNESS: What were you to do as a consultant?  
6

7 DR DOYLE: Well, the first thing I did, I met with  
8 a number of them in London, and they said, "We're going to  
9 give you two days, and all we want to hear is everything  
10 you know about this", which I did.  
11

12 MS FURNESS: Only in two days?  
13

14 DR DOYLE: Only in two days. Well, actually, we went over  
15 two, but I had to pick and choose, obviously, so I gave  
16 them what I thought were the key issues that they should  
17 know about this.  
18

19 The Commission is focused on the care and protection  
20 of minors - present and future protection of minors. What  
21 I told them, I said, "I'm going to give you the conclusion  
22 flat out, right now, before we do our two days." And if  
23 it's okay, I will do it here; I will tell you what it is.  
24

25 MS FURNESS: Certainly.  
26

27 DR DOYLE: I said that the key issue is not the protection  
28 of minors today and tomorrow. The issue today for the  
29 Church is the pastoral care and the support and the love of  
30 the hundreds of thousands of men and women who they have  
31 violated spiritually and physically over the years. The  
32 victims have to be taken care of.  
33

34 If there is one hole in all of the processes, the  
35 procedures and the protocols that have been issued from the  
36 top down, it is proper care of the victims. Over the  
37 number of protocols and reports that I've read, promoted  
38 and created by different Church entities, one of the things  
39 that I see hardly ever mentioned is something comprehensive  
40 about caring for the victims. It is not enough to say,  
41 "Give them money to go to psychologists."  
42

43 MS FURNESS: What was the response to that?  
44

45 DR DOYLE: They agreed. The people that were there, the  
46 laypeople, agreed. There were two survivors on the panel,  
47 and they said that was the main goal, was to convince the

1 Holy See and convince the panel, the Commission, that this  
2 is what is really important. Protecting children certainly  
3 is. That is doable. That we can do. We can set up all  
4 kinds of protocols. We can make sure they happen. We can  
5 fire bishops and priests if they don't make them happen.  
6 But what they don't know how to do, and what they didn't  
7 know how to do, was face the men and women who have already  
8 been harmed and deal with their anger, with their shame,  
9 with their guilt, with their disappointment.

10  
11 There is a major fear - and this is what I've learned  
12 over the years - to sit down, if you are a Church leader,  
13 across the table from some of these people, because they  
14 are going to have a lot to say, and there is a fear of  
15 dealing with the anger and the frustration that goes with  
16 it.

17  
18 MS FURNESS: Have you seen any change as a result of that  
19 advice you gave?

20  
21 DR DOYLE: On the part of the Commission?

22  
23 MS FURNESS: On the part of Rome or the Commission.

24  
25 DR DOYLE: Well, I'm not sure if anything happened because  
26 of the advice I gave. I gave them a tonne of information,  
27 including copies of documentaries that had been made over  
28 the past few years, the ones about sexual abuse. I gave  
29 them books, all of them, to read so that they would have  
30 a real - some of these people that were on it, all they  
31 knew was what little bit they might have read in the paper.  
32 They had no clue what this was really all about.

33  
34 One of the women on the Commission had been the Polish  
35 Ambassador to the Holy See - she thought her job there was  
36 to kind of make the Vatican look good to the Polish people.  
37 When some victims approached her to want to talk to her,  
38 she refused to see them. So there's something wrong with  
39 that picture.

40  
41 So I don't know if they took my advice. I do know  
42 that in the time they have been in existence, I think the  
43 most productive thing they have done was convince the Pope  
44 to create a law that made it against the law for bishops to  
45 be complicit or negligent in covering up those who sexually  
46 abuse children. Whether that will ever be applied in the  
47 canonical system is one question, but where it is very

1 helpful is in the civil courts, because now there is an  
2 official statement that, "What we have been saying all  
3 along is wrong. Now the Pope says it's wrong, namely,  
4 covering up and lying and being complicit with abusive  
5 bishops, enabling it to happen."  
6

7 MS FURNESS: There was talk of a tribunal in relation to  
8 bishops?  
9

10 DR DOYLE: That got scuttled. At first, you know, I would  
11 say in the first half hour, that sounded like a good idea,  
12 but actually all it was was another layer of bureaucracy  
13 that would allow them to prolong any accountability even  
14 further. And nobody - there was no - they just said,  
15 "There's going to be a tribunal", but there were no norms,  
16 no explanation, nothing, nothing about it. So it sunk.  
17

18 MS FURNESS: There is something that is set up,  
19 presumably, in its place?  
20

21 DR DOYLE: Nothing was set up in its place because the  
22 Pope doesn't need a tribunal to fire a bishop. All he  
23 needs is for somebody to give him the information. And he  
24 has done it. This Pope has done it. He has done what  
25 hasn't been done in history. He has actually laicised  
26 three or four bishops and made them go through the  
27 canonical process.  
28

29 MS FURNESS: The structure I thought that was established  
30 after the tribunal was, as you say, scuttled was related to  
31 misconducting priests, wasn't it?  
32

33 DR DOYLE: The structure that they developed was basically  
34 dealing with - the Holy See changed some of the laws  
35 dealing with the priests, the offending priests, but across  
36 the board, the main focus has to be on why they did what  
37 they did and why they were allowed to do what they did and  
38 why they were allowed to continue to do what they did.  
39

40 You mentioned Janis Joplin yesterday. The John Jay  
41 study - if I can divert into that just for a second?  
42

43 MS FURNESS: Yes, certainly.  
44

45 DR DOYLE: When that came out, the second version of it -  
46 the first one was valuable; it was somewhat like what you  
47 produced yesterday, statistics. The second one was titled

1 Causes and Contexts, and the hope was that this one was  
2 going to get into why this has happened.

3  
4 I was asked to go meet with them for three days, which  
5 I did. I gave them the best pitch I could as to the  
6 foundational structural problems that influence how and why  
7 bishops and other superiors do what they do in relation to  
8 sexual abuse.

9  
10 When the report came out, they dealt not at all with  
11 the structural issues or reasons. They dealt with, I would  
12 say, relational issues, circumstantial issues in the  
13 sociocultural environment. They said that a lot of these  
14 abuse reports came from the 1960s and 1970s, so it must  
15 have been, you know, the acid rock and the sexual  
16 revolution. So if you listened to Janis Joplin, you went  
17 out and violated a kid.

18  
19 But then our questions - my colleagues and I said they  
20 missed a major, major source of data, which is the data  
21 that comes from the court actions. Now, what do you do  
22 about all the priests that violated the kids in the 1940s  
23 and the 1950s? Are you going to nail Benny Goodman?  
24 Seriously. I mean, that's how shallow that report was, and  
25 it was roundly criticised.

26  
27 MS FURNESS: Why was that report so shallow in that  
28 respect, do you think?

29  
30 DR DOYLE: Because the bishops didn't want them to get  
31 into it. They were telling them what to look at. They  
32 were reporting in every six weeks. They didn't have  
33 freedom to do what they wanted to do. They were  
34 sociologists, so they would have needed theologians and  
35 canon lawyers to help them really look at the structure of  
36 the Church, the meaning, and sociologists that were experts  
37 in the clerical culture. But they didn't have any.  
38 John Jay College is a college for criminal justice.

39  
40 MS FURNESS: Just coming back to the 1960s, it has been  
41 said by a number of Church leaders that that, as you say,  
42 was the catalyst for a lot of sexual abuse. From the work  
43 you have done, particularly on the history, that's just not  
44 the case, is it?

45  
46 DR DOYLE: Absolutely not. I think that's an excuse.  
47 It's not a reason. It's a way to deflect from the core

1 issue.

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Two other gentleman and I published a book, and you mentioned one the other day, one of the gentlemen up here, Richard Sipe, who is probably the world's foremost authority on clerical celibacy. Anyway, we published a book in 2006 called Sex, Priests and Secret Codes. That was based on a huge report that I had done on prior notice. I thought I would take a look at prior notice up to the maybe 1940s or 1950s, but I used my skills - I specialised in medieval law, so I used my skills and I just kept digging, and the bottom of the hole I dug into went back as far as 309 AD.

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Since that time, I've done considerable research, as has Kieran Tapsell, who will also be on deck later, into this issue to trace the Church's own documentation. The paper trail, so to speak, is from official documents from the Catholic Church, and the first one we could find dates from the year approximately 98 AD. It was a teaching document called the Didache, or the teaching of the twelve apostles, which was found in the late - mid-19th century as a scroll somewhere. Anyway, it was a document that was used by the infant church, which was not an organised church at all; it was people gathering in homes.

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But they had a moral code, and the second chapter said two things: one, "Men shall not engage in sex with young boys"; and, two, "Nobody shall engage in illicit sex with anybody else", mainly males. Now, there were no clerics at the time. There was the leader of the community, who was probably at that time called a bishop. I'm not sure if the concept of priesthood came into it then or not. Anyway, the point was that in the Graeco-Roman culture that allowed that type of behaviour, they were saying, "You cannot do this." So that was 98.

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309 was the first actual Council of Catholic Bishops in southern Spain that enacted laws. They were called canons. The reason canon law is called "canon law" is from a Greek word "kanon" - it begins with what we call a "K" - which means a rule or a straight line. They enacted 81 canons at this meeting, and the majority of them dealt with sexual issues, including making it a canon, against the canon law, to engage in sex with minor boys, and those who did engage in sex with minor boys were denied communion even on their death bed.

1  
2           There was another canon that said that clerics,  
3 including priests and bishops and deacons - or deacons,  
4 priests and bishops - were forbidden to have illicit sex  
5 with women or boys, and, if they did, they were denied  
6 communion on their death bed. Pretty severe.

7  
8           From that time, I've searched out and isolated  
9 documentation from various sources consistently and  
10 continually down to the present day.

11  
12           During periods of Church history, sexual abuse of  
13 minors was not cloaked in deep secrecy. It was known.  
14 There were periods in the late middle ages and in the  
15 middle middle ages when the Church authorities collaborated  
16 with the secular authorities. They would defrock a priest  
17 and then turn him over to the secular authorities, who  
18 would apply whatever the secular penalty was.

19  
20           There were also, in my discoveries, penalties imposed  
21 by the Church itself, very, very harsh - imprisoning monks  
22 or priests in Church prisons, putting them on bread and  
23 water, beating them, shaving their heads, making them walk  
24 around in sack cloth and ashes, things like that. Pretty  
25 gruesome stuff.

26  
27           But what it did show was that someone understood the  
28 seriousness of males violating young boys. They would not  
29 have reacted in such a violent way to the perpetrators had  
30 it not been a very serious crime. So there is a lot of  
31 documentation indicating that this was publicly known.

32  
33           I think the cloak of secrecy went down in the late  
34 1900s and it began with a number of decrees from Rome that  
35 any consideration of these cases had to be covered in deep,  
36 deep secrecy. That secrecy remained, both officially and  
37 culturally, until the mid-1980s.

38  
39 MS FURNESS:    Has it changed?

40  
41 DR DOYLE:      It has changed somewhat. There has been  
42 significant change because bodies like yourselves, the  
43 courts, the media and the victims have forced the change.  
44 They have forced the institutional church to do the right  
45 thing, whether they like to do it or not.

46  
47           Now, there is no inconsistency there, unfortunately,

1 but there are protocols that they have to report offenders  
2 to civil authorities. There has been a tremendous amount  
3 of push-back against that by a lot of the people in the  
4 Vatican. Nevertheless, it is a major topic of conversation  
5 and something that has been, simply put, legislated: you  
6 have to do this.

7  
8 MS FURNESS: When you say there are protocols that they  
9 have to report offenders to civil authorities, is that only  
10 where there is a law, a secular law, in the jurisdiction  
11 requiring them to do that?

12  
13 DR DOYLE: No. I think the latest Vatican document, which  
14 goes back to 2010, said that they have to report it to  
15 civil authorities, I think. I can double-check it. When  
16 we get to canon law, I will talk about that. But the  
17 Vatican - when the Irish bishops sent their protocol over  
18 and when the Americans sent theirs over, both of them said  
19 "mandatory reporting to civil authorities" and they were  
20 sent back for correction, and they were sent back because  
21 their primary concern was the priests, due process for the  
22 accused priests, and they did not want that included in  
23 those protocols.

24  
25 MS FURNESS: As you say, that issue will be dealt with  
26 later. Just coming to the causal factors as you see them,  
27 doctor, where would you like to start?

28  
29 DR DOYLE: Let me look at my notes just for a second, if  
30 I may. It will only take a sec.

31  
32 MS FURNESS: Certainly.

33  
34 DR DOYLE: The causes. I believe the causes of why men  
35 sexually violate children - if they're children, they're  
36 paedophiles. That's a psychosexual disorder and that's not  
37 my competence to discuss, as you know.

38  
39 The majority sexually involve themselves with young  
40 adolescent boys or girls. That can come from a variety of  
41 issues. But my concern throughout has not been that.  
42 I have been concerned about the effect of the clerical  
43 culture in - I don't want to use the word "support", but  
44 enabling this, but my main concern has been the  
45 institutional systemic causes: why this has happened; why  
46 it has been covered up; why it has been lied about; why the  
47 victims have, in many instances, been turned into the

1 enemy; why, when the victims enter into the civil courts,  
2 they are pounded into the ground by the Church's attorneys,  
3 in many instances. You had a classic example of that right  
4 here in Australia with the John Ellis case.

5  
6 It's based on a number of factors, I think, that  
7 aren't too complicated to understand. The first is the  
8 Church's teaching on the meaning of the institutional  
9 Church. By that, I mean the external sociopolitical  
10 structures. It's based on the belief that God himself,  
11 through Jesus Christ, gave St Peter a blueprint. He said,  
12 "I'm founding my Church, and, as the Church teaches in the  
13 canon law, it's hierarchical by design."

14  
15 Unfortunately, the appeal to the veracity of that is  
16 to tradition, because there is nothing in scripture that  
17 adequately explains that that statement, "I give to you the  
18 kingdom, the keys to loosen and hold", actually was said by  
19 Christ. There is nothing in Church history that says Jesus  
20 Christ started a church as we know it.

21  
22 So the structure itself, over the years, has become  
23 sacrosanct because it is believed to be, or taught to be,  
24 the sole way to achieve eternal salvation, which is what  
25 happens on the other side. I think one of the issues that  
26 has to be brought into this, that a lot of psychologists of  
27 religion talk about, is the fear of the unknown, which had  
28 a lot to do with the foundation of religion in the first  
29 place. It all came about - they couldn't understand  
30 thunder and lightning, so there must be somebody up there  
31 shooting at us. Hence the concept of priesthood came about  
32 and the concept of the holy man, the most revered man in  
33 the community, who will talk to these powers and give them  
34 our sacrifices.

35  
36 So the concept of the institutional Church as the  
37 official entity through which Catholics receive salvation  
38 and the pillars of that Church - the Church is built upon  
39 the bishops. It teaches that the bishops are the  
40 successors of the twelve apostles, and when they are  
41 consecrated, they are told, "You are the successor of the  
42 apostles", and so on, "You are the teachers of the Church",  
43 et cetera. So every diocese is run by a bishop who is the  
44 representative of Christ in his diocese.

45  
46 So you have the great reverence toward this structure,  
47 and this must be protected at all costs, because if it



1 goes, our way to ensure salvation goes.

2

3 Now, attached to that are all the things to keep that  
4 structure going, which are sociocultural deference, respect  
5 of the community, and assets, commonly known as the  
6 patrimony - that's the money of the Church. So the  
7 protection of this entity is of all-encompassing  
8 importance. That means the bishops themselves must be  
9 protected at all costs and must be protected from  
10 embarrassment, from being lowered in the esteem of the  
11 community. Because if these things happen, the Church  
12 itself, as a way to salvation, will be seriously tainted  
13 and lose its ability.

14

15 MS FURNESS: What you have said there, doctor, goes to the  
16 response of the institution to the incidents of child  
17 sexual assaults being made public.

18

19 DR DOYLE: Exactly. The response - what I've noticed over  
20 my years of every other investigation that has been done  
21 into this, and by "every other" I mean every other,  
22 including some done by Church authorities - one of the main  
23 causal factors has been the prioritising of the image, the  
24 power, the authority of the institutional Church and the  
25 bishops over the welfare of the victims.

26

27 MS FURNESS: So in addition to that being part of the  
28 institutional response, how does that affect the fact of  
29 clergy and religious sexually abusing children?

30

31 DR DOYLE: That affects the fact of clergy and religious,  
32 those who sexually abuse children in this way: when they  
33 are reported, we have to keep it secret because if we don't  
34 keep it secret it will become known and it will cause an  
35 embarrassment. So that was the motivation over the years.

36

37 Now, I find it interesting - I read in the statement  
38 from the Truth, Justice and Healing Council yesterday  
39 a number of pages explaining about how society wasn't aware  
40 of what sexual abuse was back in the 1940s - that whole  
41 argument. I've seen that many, many times. My response  
42 is: well, if they didn't know how serious it was, if they  
43 didn't know it was a problem, why has the Church buried it  
44 in mountains of secrecy for so long and banished anybody  
45 who brought it forward publicly - if it's not that  
46 important, if nobody knew what it was, if it wasn't that  
47 serious?

1  
2           So it has also affected the victims because once they  
3 are encountered with, say, by Church authorities, they are  
4 enjoined in any way possible from ever going forward to  
5 lawyers, to the media, to making this known. The means  
6 that have been used have been soft, trying to convince  
7 them, "You wouldn't want to hurt the Church", "You wouldn't  
8 want to hurt the bishop". "No, I wouldn't want to". "You  
9 are very devout?" "Yes." " Okay, so let's just keep this  
10 quiet. We will take care of it" - which has never  
11 happened - up to and including, "If you go forward, you  
12 will be excommunicated".  
13

14           So the point is, the stature, the image, the power is  
15 far more important than the welfare of the victim. And in  
16 the theology that I believe in, there is no office in the  
17 Catholic Church or anywhere else that is so important that  
18 it justifies sacrificing the welfare of one innocent child.  
19 Period.  
20

21 MS FURNESS:   How is it that that structure creates an  
22 environment or a context which allows, permits, doesn't  
23 prevent, religious and priests sexually abusing children?  
24

25 DR DOYLE:     Let me see if I understand your question: how  
26 does that structure create a context whereby it allows men  
27 to abuse children?  
28

29 MS FURNESS:   What you have just said to us, doctor, is one  
30 of the factors in how the Church responds and why the  
31 Church responds to allegations. What I'm asking you is  
32 whether or not those factors also have a role to play in  
33 why priests and religious sexually abuse children?  
34

35 DR DOYLE:     Yes, they do. I believe they do for a number  
36 of reasons, but I will give you the ones that I think are  
37 the two main ones. That concept of the Church as  
38 a sociocultural reality in our life, as being all  
39 important, is grounded on the clerical subculture.  
40 Yesterday I believe someone talked about clericalism and  
41 gave a definition of it. It is a virus that has infected  
42 the Church, or any church, whereby it is believed that the  
43 churchmen, the priests, the bishops, are in some form or  
44 way sacred and above ordinary people, and because of this  
45 sacredness, because of their importance, they must be held  
46 as more important and protected more.  
47

1           So it enabled the priests, many of them, in doing  
2 this, because they felt that they would be protected. They  
3 used this stature, this belief on the part of people that  
4 they were higher beings, oftentimes, to seduce, to groom  
5 the victims, to lead them in. The victims didn't know what  
6 they were getting into. They had no idea. I can't tell  
7 you how many have said, "I thought it was a tremendous  
8 honour that he was picking me out, because he's a priest.  
9 He's on a pedestal. He's higher than others." And he's on  
10 that pedestal because this concept of the institutional  
11 Church has built that pedestal for him. So he's up there.  
12 And it's easier - the seduction, the grooming takes place  
13 and the priest can use that to control the victim, to scare  
14 the victim: "Don't you tell anyone about this or God will  
15 be angry." Many victims that I've talked to are totally,  
16 completely confused through all of this, because they are  
17 taught anything sexual is a mortal sin. "Priests don't do  
18 sex, priests don't do sin. He did this to me. It must be  
19 my fault. Why did he do it?"  
20

21           Priests take the place of God - which is another crazy  
22 belief that a lot of people have, that he takes the place  
23 of God - so "God is doing this to me. What did I do to  
24 offend God?" All of this comes from this structure. It  
25 doesn't come from the air; it doesn't come down like  
26 snowflakes. It comes from that structure and the victims  
27 believe that. That concept also is what has protected the  
28 disclosure, where parents would be afraid to disclose that  
29 their child had been abused because they are intimidated,  
30 oftentimes, because: "We don't want to hurt the church.  
31 If we hurt the church, if we hurt a priest, it is  
32 a heavy-duty sin, a mortal sin. We can't take that  
33 chance."  
34

35           It has also enabled a lot of judges to look the other  
36 way when they had a man in front of them who should have  
37 been sent to gaol but was sent home.  
38

39 MS FURNESS: You will be aware, doctor, that one topic  
40 certainly before this Commission and before other bodies  
41 that have considered these issues is whether or not  
42 mandatory celibacy may have been a factor in relation to  
43 what we now know about the extent of claims in relation to  
44 child sexual abuse. What is your view on that?  
45

46 DR DOYLE: Without going into it in depth, my view is that  
47 it is directly affected. I do agree with those who say

1 it's hard to stretch it that just because a man has assumed  
2 mandatory celibacy, because he can't have a sexual outlet  
3 with age-appropriate people, he's going to turn to  
4 children. I don't agree with that. But I do agree that  
5 the grounding for celibacy, the training, the nurturing and  
6 the formation for celibacy has prevented men from maturing  
7 sexually, emotionally, psychologically in many ways, so  
8 that, as one priest psychologist said, what we have out  
9 there is the best-educated group of 14-year-olds in the  
10 country.

11  
12 Unfortunately, the traditional seminary training,  
13 which you heard about very eloquently yesterday - that's  
14 what it was: intimacy was denigrated. By "intimacy",  
15 I mean male/female relationships were of a lower plain.  
16 Celibacy, virginity, is higher. We were taught that.

17  
18 I never was taught that in the Dominicans but it was  
19 the common teaching. So that means, all of a sudden, once  
20 you take vows, you are above your parents in God's eyes. A  
21 lot of us could never figure that one out. I mean, that  
22 was insulting; it is demeaning.

23  
24 So I think the formation for celibacy, the attitudes  
25 that are used to try to convince the individual - and  
26 celibacy also functions as a kind of clerical garb which  
27 sets the man apart. And I never fully understood this  
28 until one day when I was in Florida at a base I was  
29 stationed at, a young lady - I saw her at the chapel, she  
30 was an air force member - came in to talk to me and she  
31 wanted to become active in the chapel program. We got into  
32 this conversation over coffee. She said, "You guys, you  
33 priests, you must be really, really powerful and strong",  
34 I said, "Why?" "Because you never have sex and you really  
35 have to be strong not to do that." I thought about that,  
36 and that's the perception, that the power, the difference,  
37 the uniqueness is because we give that up - supposedly.

38  
39 But the other part of it that I've seen is to buy into  
40 celibacy you have to buy into the Church's traditional,  
41 bizarre teaching on human sexuality, which says that it's  
42 only good for making other Catholic babies: everything  
43 else is a mortal sin and you only do it reluctantly at  
44 best.

45  
46 So a lot of the individuals, a lot of clerics, have  
47 a very stultified comprehension of human sexuality, and

1 that plays in when they are unable to comprehend the damage  
2 that the sexual violation of a boy or a girl does to an  
3 individual; when they are unable to comprehend the damage  
4 that rape does to an adult woman or what happens to  
5 a child.  
6

7 When the leadership - the bishops - say, "Well, father  
8 was passed by two psychiatrists, we're going to let him  
9 back in ministry" - when all they can see is that he has  
10 passed, they don't comprehend what has happened to those  
11 victims, that's never going to go away. It is never going  
12 to go away. That's soul murder, and sometimes those  
13 murdered souls stay dead.  
14

15 MS FURNESS: On that note, your Honour, is that  
16 a convenient time?  
17

18 THE CHAIR: We will take the morning adjournment.  
19

#### 20 **SHORT ADJOURNMENT**

21  
22 MS FURNESS: Dr Doyle, before the break you were speaking  
23 about celibacy - mandatory celibacy and the way in which  
24 that may have had a relationship to what had happened. You  
25 referred, I think, to "so-called celibacy". What did you  
26 mean by that?  
27

28 DR DOYLE: What I meant by that is that the concept of  
29 mandatory celibacy is in fact not practised universally and  
30 consistently by Catholic priests, probably throughout.  
31 It's fairly well known that in many of the Latin American  
32 countries, South American countries, African countries,  
33 priests have concubines or whatever - I'm trying to look  
34 for a respectable term to describe the woman, but they have  
35 them and they are accepted in the community and in the  
36 society. But the fact is, as one of the gentlemen cited  
37 Dr Sipe yesterday, his statistics still are solid and  
38 believable, and one of his conclusions is that less than  
39 50 per cent, at any given time, of priests are actually  
40 practising celibacy. Some involved in long-term, stable  
41 relationships; some short-term relationships; and then  
42 a certain percentage with children or young adolescents.  
43

44 THE CHAIR: Doctor, that somewhat challenges the integrity  
45 of the Church's public message?  
46

47 DR DOYLE: Yes, it does, and that's exactly what the

1 problem is, sir. There is a hypocritical dimension of that  
2 where the Church will say 98.9 per cent of priests are  
3 practising celibacy, where the data from surveys, from the  
4 courts, from therapists who are actually dealing one-on-one  
5 with the priests, says something quite different.  
6

7 THE CHAIR: From your experience inside the Church, how  
8 does the Church from within, those who are ordained, deal  
9 with that contradiction?  
10

11 DR DOYLE: How does it deal with it? Sir, it deals with  
12 it - when it is confronted with that information, there  
13 will be a defensive response, "Well, there is only a few  
14 and they really don't understand it and they need help",  
15 or, at a local level, let's say a rectory or a presbytery,  
16 as I believe you call them here, or monastery, if you know  
17 that there are men - sometimes they are just ignored; it's  
18 just ignored by the other priests in the house. Sometimes  
19 the superior will seek them out and talk to them and tell  
20 them to terminate the relationship, but in many instances  
21 it's tolerated, it's known, but it's kept secret - somewhat  
22 secret.  
23

24 The response of the institutional Church from the top  
25 down has been defensive and we are continually told that  
26 celibacy is of the essence of the priesthood, which it is  
27 not, because there are a lot of Catholic priests that are  
28 officially married men. All the eastern rites,  
29 84 per cent, are married men, and in several countries the  
30 Church is accepting former Anglican and other non-Catholic  
31 denominations, ministers and priests, re-ordaining them and  
32 then they go into ministry, full ministry, with their  
33 children and their wives.  
34

35 THE CHAIR: Can you explain, in these circumstances, why  
36 it is, then, that the Church continues to proclaim celibacy  
37 for its priests?  
38

39 DR DOYLE: Sir, I can only give you my opinion, which is  
40 shared by others. There are a lot of spiritual excuses  
41 surrounding celibacy, that if you are celibate, for  
42 example, you are totally dedicated to the ministry, you  
43 have no distracting issues such as your wife and your  
44 children.  
45

46 I was a military chaplain for many, many years, and  
47 I rubbed shoulders all the time with married Protestant

1 chaplains. I never met one that I thought was in any  
2 manner, way, shape or form less dedicated, less unselfish -  
3 in fact, most of them were more unselfish than I could ever  
4 dream of being. So that argument falls flat, I think.

5  
6 The justification is generally given in spiritual  
7 terms and it's all based on the teaching of human  
8 sexuality, that if you don't have sex you are a better  
9 person, a higher person than those who do. Frigidity is  
10 a higher calling. That doesn't say much about all the  
11 people who aren't that are married, but that's the official  
12 teaching.

13  
14 So those are some of the defences. But there is  
15 another layer that is not openly discussed and that's the  
16 fact that the celibacy issue creates a power link between  
17 the superiors and the priests, a controlling link that you  
18 have there. It also creates a mystique about the priests,  
19 as I mentioned earlier, that we have some sort of extra  
20 power, something about us because we are able to live in a  
21 celibate life, we are set apart, we are over there. So  
22 those are some of the issues that come, that surround it.

23  
24 Now, historically, one of the reasons that celibacy  
25 was a positive issue was because when the priests, the  
26 married priests, died, their property would go to their  
27 oldest son. So money talks, and if you eliminate the  
28 possibility of an oldest son, it will divert to the Church.  
29 There is a lot of historical evidence that verifies that.

30  
31 COMMISSIONER MURRAY: Going beyond the contradiction and  
32 back to the integrity issue, Dr Doyle, celibacy is a vow,  
33 is it not?

34  
35 DR DOYLE: Celibacy for diocesan priests is a promise.  
36 There is a technical difference in canon law. But  
37 essentially, the end result is the same: the diocesan  
38 priest assumes mandatory celibacy when he is ordained  
39 a deacon.

40  
41 COMMISSIONER MURRAY: Are you familiar with the "broken  
42 windows" concept?

43  
44 DR DOYLE: I'm not, I'm sorry. I probably should be if  
45 you have mentioned it.

46  
47 COMMISSIONER MURRAY: It is an American concept, and

1 Mayor Giuliani gives himself credit for it, but it is the  
2 idea that if there is a broken window in a district and you  
3 don't repair it, it allows for further broken windows and  
4 results in a general breakdown of order and so on and so  
5 forth. He said basically to his police force, "Attend to  
6 the broken windows and that will help attend to other  
7 things."  
8

9 The point of that analogy is this: surely, if, by  
10 virtue of human nature, priests are unable to contain  
11 themselves within the celibacy promise, then breaking that  
12 particular promise can induce a lack of observance of other  
13 promises?  
14

15 DR DOYLE: I think you are correct in that.  
16

17 COMMISSIONER MURRAY: And, therefore, that lack of  
18 integrity can extend to such things as child sexual abuse  
19 or the institutional response to reports of child sexual  
20 abuse - in other words, it diminishes all vows?  
21

22 DR DOYLE: I think you have phrased that in a way I wish  
23 I could, but yes, I would agree with that, that it does  
24 diminish.  
25

26 I believe the men who are sexually abusing children  
27 that are suffering from a psychosexual disorder are under  
28 a tremendous burden of compulsion. This much I do know  
29 from some of my training. They don't even think about vows  
30 or promises when they are compelled to act out. Many of  
31 them feel a tremendous amount of guilt and shame after they  
32 have acted out.  
33

34 It is much like an alcoholic, who is still an  
35 alcoholic, a practising alcoholic: he wants to stop  
36 drinking - and of this I know what I'm talking about. He  
37 wants to stop desperately, but when the situation is there,  
38 the compulsion to drink is too great and you cannot stop,  
39 and so you do, until something radical happens and there is  
40 a complete rebuilding of you, of your person from the  
41 inside out into sobriety.  
42

43 With this, in many instances, with the men who suffer  
44 from a serious psychosexual disorder, there is the  
45 compulsive level.  
46

47 I heard it described at a lecture I was taken to by



1 a psychiatrist in Baltimore. He was talking about  
2 paedophiles and he said that the level of compulsion that  
3 the paedophile has to act out sexually - now, by  
4 "paedophile" I mean with prepubescent children, not  
5 adolescents - the level of compulsion is approximately  
6 40 times more than the level of compulsion of a healthy  
7 male at the peak of his sexuality. That somewhat explains  
8 a little bit of the incredible compulsion of that  
9 particular sub-genre of this.

10  
11 COMMISSIONER MURRAY: I guess I'm going towards  
12 another nuance, if I can, and that is that someone who has  
13 broken the vow or the promise of celibacy, when they hear  
14 of another priest breaking the vow in a way that affects  
15 his attitudes or his relationships with children, a sexual  
16 risk to children, says to themselves, "Who am I to condemn  
17 that person because I have broken vows myself".  
18

19 Now, I don't know if that's part of the priestly  
20 mentality, but what is extraordinary about child sexual  
21 abuse within the Church is a lack of people coming forward  
22 to report it, and I have wondered if that's because they  
23 have taken the view, "We are all sinners: we have broken  
24 this vow, you have broken that vow, well" - you know?  
25

26 DR DOYLE: I can speak to that a little bit. I do know of  
27 the fact that very very few priests who have known about  
28 this happening in their living circumstances have reported  
29 it. Sometimes in the past I know of instances when they  
30 have reported it, and this factor that you have brought up,  
31 that's never come across my screen, so to speak.  
32 Ordinarily, the reason for failure to report is, "I don't  
33 want to get involved", or "I know this guy, I don't want to  
34 get him in trouble", or something of that nature. I mean,  
35 I've seen cases where priests have actually walked in on  
36 other priests engaging in sex with young boys or young  
37 girls and walked out the door and said nothing.  
38

39 So it's more, I think - but the question you ask is  
40 a very good question: why have not more men come forward?  
41 Part of that has to do with the fact that some of those who  
42 have have been told by the bishop, "Keep your mouth shut.  
43 Mind your own business. Go back."  
44

45 In the 1980s when all of this came out there were some  
46 priests who I knew of who preached about it from the  
47 pulpit, about the fact that we need to do something about

1 this seriously, and they were told to stand down, not to  
2 preach about it. So that's at that level there that did  
3 not want that becoming publicly known for the protection of  
4 the institution.

5  
6 Those priests who have publicly stood up and stood  
7 with victims and criticised or spoken out, every one has  
8 been penalised in one way or another. Every bishop who has  
9 stood up and stood with victims publicly - and there are  
10 only three that I know of, out of 4,400 - has been in some  
11 way or other penalised or isolated or sidelined, every one,  
12 by the Holy See. Because they have gone public with an  
13 issue that the system would still prefer to keep unknown  
14 and buried in secrecy.

15  
16 MS FURNESS: Doctor, you referred earlier to there being  
17 a misunderstanding of what the Church really is. Perhaps  
18 you could just explain that a bit further.

19  
20 DR DOYLE: Yes, I will. I will be happy to. Oftentimes  
21 we hear the phrase, "Don't do this, don't report it for the  
22 good of the Church", or the policeman who arrests a priest  
23 says, "I'm going to take him back to the rectory for the  
24 good of the Church", or victims are told, "Don't say  
25 anything about this for the good of the Church", or the  
26 excuse, "We have kept it under, we have hidden it, we've  
27 shuffled men around for the good of the Church" - who is  
28 "the Church"? That is heresy, because "the Church",  
29 according to the official teaching of the Second Vatican  
30 Council, is the people of God, all of the people of God,  
31 including the victims and their mothers and fathers,  
32 including the people who have walked out the door and left.  
33 They are officially the people of God.

34  
35 The structure which is oftentimes the Church in the  
36 minds of way too many people is part of that. That gives  
37 structure to the people of God. But that is not the be-all  
38 and the end-all of the concept of the Church.

39  
40 I have learned over the years of dealing with this  
41 that, unfortunately, the belief that we are the Church -  
42 namely, we who are in the governmental structure, we who  
43 are part of the system are the church - is not true. It is  
44 simply not true.

45  
46 But that belief, if you believe that deeply - first  
47 off, for many of these men that belief guarantees their

1 past, their present and their future, their whole life.

2  
3 Second, that belief justifies protecting the Church,  
4 "Even though we hate to have to do this, we don't want to  
5 sacrifice these victims and so on, but we must protect the  
6 Church at all costs." That essentially is what is the  
7 justification, the concept that this structure, this  
8 institution, this governing structure and the men in it -  
9 they are the Church and they must be protected at all  
10 costs.

11  
12 One thing I didn't mention earlier, and I can briefly  
13 say, is that the Catholic Church revolves around the  
14 sacraments, the seven ceremonies that are connected with  
15 various important parts of your life - communion, baptism,  
16 confirmation - and our way to salvation, to the door to the  
17 other side, is through the sacraments.

18  
19 The sacraments are controlled by the clergy. The  
20 average layperson has a passive dependant relationship with  
21 the priests because the priest decides if you are going to  
22 get married or not; he gives your communion; he hears your  
23 confession; he does your confirmation, or the bishop does,  
24 et cetera. So the sacraments, which are part of the  
25 institution, are the visible symbols or the insurance  
26 policy that you have, so to speak, and that's protected by  
27 the clerical culture and by the institutional Church. So  
28 that does take on a tremendous amount of importance whereby  
29 I think it renders it possible to not even see the concept  
30 of the Church as people of God, as this wide group out  
31 there, and not even consider these children or these young  
32 adults, or these older adults from abuse years ago, as as  
33 important a person in the Church as the Pope or the  
34 Cardinals. That is the doctrine: everybody is equal in  
35 the eyes of God. Not down here, but up there they are.

36  
37 MS FURNESS: Doctor, from your experience and knowledge  
38 are there any suggestions you might make to the  
39 Royal Commission as to what changes might be made to affect  
40 for the better the institutional response going forward?

41  
42 DR DOYLE: Yes. I wouldn't have come over here, I think,  
43 if I couldn't offer some suggestions, thank you.

44  
45 First, I would like to say I am very honoured to be  
46 here, because I believe what you are doing is unique in the  
47 world. It is historic. It is going to make a mammoth

1 difference in the long run. You have taken something on  
2 that is mind-boggling and you are going into it in a  
3 deeper, more enlightened, more courageous manner than any  
4 other body that I have had contact with, and I've had  
5 contact with a lot of them that are doing analogously the  
6 same thing.

7  
8 This problem, this sexual abuse, the way we've  
9 described it, the way you are seeing it, is not unique to  
10 Australia. It is worldwide. And what you do and what you  
11 say and what you come up with at the end is going to have  
12 an effect around the world. It is hopefully going to have  
13 a profound effect in the Vatican and it is another pile of  
14 information that is saying what they do not want to hear.

15  
16 But this issue is damaging the most vulnerable people  
17 in the Church, and I believe the community - you are the  
18 people of God - has an obligation to say to the system, to  
19 the institution, "This is what we have found. You need to  
20 make some changes to make sure this doesn't keep happening,  
21 and those changes are structural."

22  
23 Now, I'm not so naive to think that the monarchy is  
24 going to fall. There has never been a monarchy that we  
25 know of that has voluntarily given up its system in favour  
26 of democracy. But that's what you are dealing with.

27  
28 So somehow or other, to make it clear that the primary  
29 importance, the primary concern has to be the victims of  
30 sexual abuse or any other kind of abuse that happens at the  
31 hands of the clergy, and that the clergy, from the Pope on  
32 down, we're all on the same level. It's an equal playing  
33 field in the eyes of God, and so we have to take care of  
34 each other in the same way.

35  
36 I think that what you are doing here - one of the  
37 biggest holes, as I mentioned earlier, has been the lack of  
38 pastoral care for victims.

39  
40 Now, the Church, the broader Church, takes care of the  
41 victims. There are men and women, religious women, who are  
42 reaching out and helping the victims. There are two  
43 gentlemen out here who said that they are here to be aides  
44 for the victims.

45  
46 But the official system has not sent down a decree  
47 from on high on offering pastoral care and how to do it and

1 asking the kinds of questions, "What kinds of pastoral care  
2 do they need?"  
3

4 For me, it has just been listening - letting them cry,  
5 be angry, yell, scream, whatever, get it off, and trying to  
6 help the people understand, you know: "You aren't guilty  
7 of anything". But there is a whole bag there.  
8

9 But that is more important than all the protocols, all  
10 the structures, all the policies, all the paperwork, all  
11 the talk, talk, talk that has been going on. The action is  
12 what is needed. Victims are sick and tired of apologies  
13 and explanations, of more promises, of more protocols, of  
14 more policies, "We're going to do this, we're going to do  
15 that". They want something to happen so that if they make  
16 a complaint, why isn't it okay for the bishop to say, "I'm  
17 getting in my car and going over to her house and sitting  
18 with her family to listen to what happened." That's pretty  
19 important and I think that, to me, is the essence of the  
20 whole thing.  
21

22 So if you want to recommend one thing, it is that  
23 there has to be a primary concern on the care of the  
24 present victims, the ones who are there, those whose souls  
25 have either been damaged beyond repair or who are seriously  
26 suffering.  
27

28 COMMISSIONER MILROY: Dr Doyle, you said earlier in your  
29 evidence that there was an inability to comprehend the  
30 damage. Did you want to just elaborate a bit more about  
31 why there is this inability to comprehend the damage that  
32 clearly you have been able to understand as you have  
33 worked?  
34

35 DR DOYLE: When I first became involved in this I didn't  
36 have a full idea. I knew, just as a normal person, that if  
37 an adult male engages in some form of sex with a child or  
38 an adolescent, using force, that that is going to be  
39 damaging. I didn't know what it was. But I think as we've  
40 gone on, the whole concept of human sexuality - where it is  
41 put traditionally in the Catholic Church in the realm of  
42 morals. It's something the will controls. It is a sin and  
43 you get absolution for the sin. If you are the victim, you  
44 put it behind you and you move on. The inability I think  
45 to understand some of those non-concrete realities of what  
46 happens when you are violated sexually, and that stems,  
47 I think, from the inability or the lack of awareness as to

1 what human sexuality really is.

2

3 When you have the Vatican saying that homosexual men  
4 or women are intrinsically disordered, that says volumes.  
5 That says, "We don't really know what we're talking about",  
6 when you say that about any human being, that they are  
7 internally disordered.

8

9 So I think that's the best answer I can give you.  
10 I think it is a misunderstanding of human sexuality. It is  
11 sometimes an unwillingness to really want to learn how bad  
12 this is, because if we learn how bad this is, it's not  
13 going to make us look very good in the long run. So we  
14 would rather, you know, look the other way.

15

16 I have heard ad nauseam people say, "They told me to  
17 get over it, put it behind me and move on", and as we say  
18 in AA, you don't expect a man who has had his legs cut off,  
19 for them to grow back, and you don't expect a person who  
20 has been violated that way to ever go back to the complete  
21 way they were before.

22

23 MS FURNESS: Thank you, Dr Doyle. I have nothing further.

24

25 THE CHAIR: Mr Gray?

26

27 MR GRAY: No, I have no questions, your Honour.

28

29 THE CHAIR: No questions? Dr Doyle --

30

31 MS FURNESS: Cannot be excused, unfortunately for  
32 Dr Doyle. Dr Doyle will be joining us later.

33

34 THE CHAIR: We want you to stay, Dr Doyle.

35

36 DR DOYLE: I would be glad to. I just want to make sure  
37 that my gratitude on behalf of my colleagues and the people  
38 I represent in the States, unofficially, is heard by you,  
39 how grateful we are for what you are doing for us but  
40 especially what you are doing for those who have been  
41 violated, who will never come forward but know that  
42 somebody cares enough about them to go through all of this.  
43 That is important. Thank you.

44

45 THE CHAIR: Thank you, Dr Doyle, and we very much  
46 appreciate your coming.

47

1 He can't be excused, but what do I do with him?

2

3 MS FURNESS: Dr Doyle, you may leave the witness box.

4

5 THE WITNESS: Thank you. I don't want to go out in the  
6 rain, so I will stay here.

7

8 MS FURNESS: Do stay.

9

10 <THE WITNESS WITHDREW

11

12 MS FURNESS: Your Honour, there is a panel to be convened.  
13 It will take a little amount of time. Perhaps we might  
14 take an early luncheon adjournment.

15

16 THE CHAIR: We will take the luncheon adjournment now and  
17 resume at 1.30.

18

19 LUNCHEON ADJOURNMENT

20

21 MS FURNESS: Your Honour, we have three witnesses to be  
22 sworn in.

23

24 <FRANCIS JAMES MOLONEY, sworn: [1.34pm]

25

26 <NEIL JAMES ORMEROD, sworn: [1.34pm]

27

28 <MICHELLE KATHLEEN MULVIHILL, affirmed: [1.34pm]

29

30 <EXAMINATION BY MS FURNESS:

31

32 MS FURNESS: Starting with you, Dr Mulvihill, could you  
33 tell the Royal Commission your full name?

34

35 DR MULVIHILL: Yes, Michelle Kathleen Mulvihill.

36

37 MS FURNESS: And, doctor, what is your current occupation?

38

39 DR MULVIHILL: At present I'm the managing director and  
40 owner of a group called The Corpsych Australia, which is  
41 a psychology company, organisational psychologists  
42 consulting to not-for-profit organisations, corporations,  
43 businesses, health care sectors and, in some recent times  
44 too, a variety of churches around issues relating to child  
45 sexual assault.

46

47 MS FURNESS: How long has your company been operating?

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DR MULVIHILL: In 1986 we began. Some time ago.

MS FURNESS: And your qualifications?

DR MULVIHILL: Yes, I have a Bachelor of Arts in Psychology and a Graduate Diploma of Psychology, a Master of Arts in Counselling, a Master of Arts in Interdisciplinary Studies, Women's Studies, a Master of Education in Adult Education, and my PhD from the University of Technology in Sydney was around uncovering emotion in adult learning; how do we as adults learn with the aid of emotion rather than severing emotion?

MS FURNESS: You said that in more recent times you've been working with Catholic entities?

DR MULVIHILL: Yes. In about 1996, I think it was Bishop Geoff Robinson who invited me to assist the Catholic Church in Australia in relation to facilitating some mediations that they were involved in, and that was where I first came across this entire issue of child sexual assault in that Church.

Subsequent to that, I consulted to some and assisted some groups, particularly victim groups, in the Anglican Church, the Seventh Day Adventist Church, the Uniting Church, and so on.

More recently, after that, I continued to assist, and the St John of God Brothers in Sydney approached me because they said they were in trouble and needed someone to help them understand what was happening in their order, and I worked within that organisation for about seven years. I closed my business and worked just for that organisation

MS FURNESS: When was that?

DR MULVIHILL: That was between 1998 and 2006.

MS FURNESS: What was the difference between the organisation you first started with and the organisation you left?

DR MULVIHILL: In the St John of God Brothers?

MS FURNESS: Yes.



1  
2 DR MULVIHILL: I resigned from that organisation because  
3 I could no longer deal with the corruption and systemic  
4 abuse that was my experience of what was happening inside  
5 that organisation. I could do no more.  
6  
7 MS FURNESS: When did you leave, again?  
8  
9 DR MULVIHILL: 2006 - the end of 2006, beginning of 2007,  
10 when they voted in, to be on their leadership team, someone  
11 who is a criminal.  
12  
13 MS FURNESS: Since 2006, have you had any engagement as  
14 a psychologist with victims?  
15  
16 DR MULVIHILL: Yes. One rang me on the way here this  
17 morning. I have had some engagement. I work using the  
18 better health scheme for Medicare, which means offering  
19 free-of-charge counselling to some victims and to some  
20 victim groups in an ongoing way in different countries - in  
21 Australia, but I have probably stepped aside a little in  
22 the more recent years from dealing with this.  
23  
24 MS FURNESS: Do you have a religious background yourself?  
25  
26 DR MULVIHILL: Yes. My family was a very fervent  
27 religious family in Bathurst, New South Wales, and at the  
28 age of 17, or 18, I joined a religious order called the  
29 Sisters of Mercy in Bathurst and I was finally professed in  
30 that group. I stayed there for about 13 or 14 years and  
31 then left, came to Sydney and did some retraining.  
32  
33 MS FURNESS: So you left the order when you came to  
34 Sydney?  
35  
36 DR MULVIHILL: Yes, I did. Yes, I did.  
37  
38 MS FURNESS: What sort of work did you do when you were in  
39 the order?  
40  
41 DR MULVIHILL: I did a lot of youth work. I did some  
42 school counselling. I did a lot of travelling around rural  
43 New South Wales from place to place, parish to parish,  
44 working with young people and their families in rural and  
45 remote areas.  
46  
47 MS FURNESS: Thank you.

1  
2 Professor Ormerod, perhaps you could tell the Royal  
3 Commission your full name?

4  
5 PROFESSOR ORMEROD: Neil James Ormerod.

6  
7 MS FURNESS: And your current occupation?

8  
9 PROFESSOR ORMEROD: I'm Professor of Theology at  
10 Australian Catholic University.

11  
12 MS FURNESS: How long have you been in that position,  
13 professor?

14  
15 PROFESSOR ORMEROD: Twelve years.

16  
17 MS FURNESS: What sort of work did you do before that?

18  
19 PROFESSOR ORMEROD: Prior to that, I worked at the  
20 Catholic Institute of Sydney where we provided the  
21 theological education for seminarians. Prior to that, the  
22 Centre for Christian Spirituality. And prior to that,  
23 I was 10 years at St Paul's National Seminary teaching  
24 theology. That institution has since closed.

25  
26 MS FURNESS: Have you ever worked outside of the Church?

27  
28 PROFESSOR ORMEROD: Prior to all that, I worked as  
29 a mathematician at the University of New South Wales.

30  
31 MS FURNESS: And you moved from mathematics to religion?

32  
33 PROFESSOR ORMEROD: I did.

34  
35 MS FURNESS: Any particular reason?

36  
37 PROFESSOR ORMEROD: That's part of the story, yes. I had  
38 what might be called an adult faith appreciation at that  
39 stage. There were a number of us who were sort of living  
40 in a communal sort of setting. I met my wife in that  
41 setting, my future wife. We married. Some 12 years later,  
42 she revealed to me that the priest who was at the centre of  
43 that community had sexualised his relationship with her,  
44 and that set in train my interest in the issue of clergy  
45 sexual abuse.

46  
47 MS FURNESS: Your wife was an adult at the time?

1  
2 PROFESSOR ORMEROD: She was. Didn't fall under the child  
3 sexual abuse, but she was a vulnerable adult at the time  
4 and the relationship was quite exploitative. We knew  
5 immediately - or I knew immediately there would be a number  
6 of other victims who weren't difficult to identify.

7  
8 Out of our experience, my wife and I helped establish  
9 a network of survivors, known as Friends of Susanna, and  
10 together my wife and I wrote I think what's probably the  
11 first book on sexual abuse in the Australian context.

12  
13 MS FURNESS: I wonder if I could ask you just to speak  
14 a bit more closely to the microphone because I'm having  
15 a bit of difficulty hearing you.

16  
17 PROFESSOR ORMEROD: Sure.

18  
19 MS FURNESS: So you wrote the first book on sexual abuse.  
20 What was that?

21  
22 PROFESSOR ORMEROD: When Ministers Sin.

23  
24 MS FURNESS: When was that?

25  
26 PROFESSOR ORMEROD: 1995.

27  
28 MS FURNESS: So it has been an area where you have worked  
29 intellectually as well as with other survivors?

30  
31 PROFESSOR ORMEROD: Yes, and not just in the Catholic  
32 setting and not just in a church setting. In 1995, we were  
33 also part of an organising group for an international  
34 conference which included not just clergy survivors but  
35 also those in health care settings and other sort of adult  
36 survivor abuse situations.

37  
38 MS FURNESS: So I take it your wife's experience and your  
39 experience informed your work in seminaries?

40  
41 PROFESSOR ORMEROD: It did to some extent. It was  
42 a fraught situation. The abuser at the time was actually  
43 working with me at the seminary when my wife disclosed.  
44 Ironically, he was teaching the students about celibacy,  
45 amongst other things. So it was a difficult time and a lot  
46 of sorting out that had to go on. It did help inform my  
47 practice to some extent.

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When we moved, when I was finally at the Catholic Institute of Sydney, we were involved mainly in their theological formation, not their pastoral formation. The pastoral formation was conducted at the seminary itself, not at the Catholic Institute.

MS FURNESS: Can you explain the difference between the theological and pastoral formation?

PROFESSOR ORMEROD: There is. I was teaching Christology, Trinity, grace, these sorts of classic theological themes, and that intellectual formation is often carried out distinct from their spiritual and personal formation, which is undertaken at the seminary itself.

MS FURNESS: So to the extent there's any discussion about leading a celibate life, that would be in the pastoral side rather than the theological side?

PROFESSOR ORMEROD: That was a responsibility for the seminary, yes.

MS FURNESS: Does it still operate like that?

PROFESSOR ORMEROD: I believe so, yes.

MS FURNESS: Thank you.

Can I turn to you, Professor Moloney. Perhaps if you could provide the Royal Commission with your full name?

PROFESSOR MOLONEY: Francis James Moloney.

MS FURNESS: What do you do now, professor?

PROFESSOR MOLONEY: At the moment I'm a Senior Professorial Fellow at the Catholic Theological College, a member college of the University of Divinity in Victoria.

MS FURNESS: And you are a member of the Salesians?

PROFESSOR MOLONEY: Yes. Yes, I joined the Salesians in 1959, did the usual formation program, novitiate, teacher training; taught at Sunbury for three years; went overseas, did a Masters Degree in Theology in Rome; then did a Masters Degree specialising in Biblical Studies in Rome,

1 then did a PhD in Oxford; then came back and taught --  
2  
3 MS FURNESS: What was your PhD in?  
4  
5 PROFESSOR MOLONEY: This will relate to what I will say in  
6 a moment. My PhD was on the meaning, the sense, of the use  
7 of the expression "the son of man" in the fourth gospel.  
8 It's found 13 times. Why? And why where it's found?  
9  
10 MS FURNESS: How long did it take you, professor?  
11  
12 PROFESSOR MOLONEY: Three years.  
13  
14 MS FURNESS: And you published it?  
15  
16 PROFESSOR MOLONEY: Published. Second edition. Both sold  
17 out. It's now in its third edition.  
18  
19 THE CHAIR: Ms Furness, we need to stop. The professor  
20 can't be heard in the back of the room. We will have to do  
21 something about it.  
22  
23 MS FURNESS: You have a lapel mic.  
24  
25 PROFESSOR MOLONEY: Yes. Do I have to turn it on, or are  
26 they turning it on and off from there? Okay, they should  
27 be able to hear, they say. I'll speak loudly.  
28  
29 So I finished the PhD at Oxford. That was published.  
30 It's called The Johannine Son of Man. It has been through  
31 three editions, all sold out. It has become a classic in  
32 the field. Since then, I've continued to publish. I've  
33 been Visiting Professor of New Testament in Israel, in  
34 Europe, and I was in the United States for six years and  
35 taught at the Catholic University of America as  
36 the Professor of New Testament and was eventually the Dean  
37 of the School of Theology and Religious Studies at the  
38 Catholic University of America, until I was called home by  
39 the Superior of all the Salesians in the world because my  
40 predecessor, facing all these issues, had had a major  
41 breakdown and was not communicating. So I was asked if  
42 I would abandon what I was doing and come back to  
43 Australia, and I came back and took over there in 2006  
44 through until 2011.  
45  
46 MS FURNESS: So you took over as the Provincial Superior  
47 of the Salesians?

1  
2 PROFESSOR MOLONEY: That's correct.  
3  
4 MS FURNESS: Does that mean you were the head of the  
5 Salesians Australia wide?  
6  
7 PROFESSOR MOLONEY: And in New Zealand and Fiji and Samoa.  
8  
9 MS FURNESS: What did you find when you took over that  
10 job?  
11  
12 PROFESSOR MOLONEY: I found a great mess. I found a lot  
13 of difficulty, and I can understand why my predecessor, who  
14 was quite introspective, had had his breakdown and  
15 eventually died. He found the whole thing overwhelming.  
16  
17 I did the best I could to surmount the difficulties,  
18 to stand by victims at all stages, to keep a close  
19 relationship with police at all stages --  
20  
21 MS FURNESS: Let me stop you there. You talked about your  
22 predecessor finding the whole thing overwhelming and the  
23 difficulties you experienced. Perhaps you could be  
24 a little bit more specific about what you're referring to?  
25  
26 PROFESSOR MOLONEY: Yes. I think my predecessor found two  
27 things very distressing. The first was the face-to-face  
28 encounter with the victims, which is always stressing, soul  
29 destroying, and he found that very hard to cope with.  
30  
31 THE CHAIR: Professor, I think what Ms Furness was wanting  
32 to understand - when you say you found a mess, you're  
33 talking about the sexual abuse of children?  
34  
35 PROFESSOR MOLONEY: That's right.  
36  
37 THE CHAIR: By members of the order; is that right?  
38  
39 PROFESSOR MOLONEY: Yes, yes.  
40  
41 THE CHAIR: And your predecessor's response to that - he  
42 was overwhelmed by it?  
43  
44 PROFESSOR MOLONEY: He was overwhelmed by it, yes.  
45  
46 THE CHAIR: Now you're talking about what you faced and  
47 how --

1  
2 PROFESSOR MOLONEY: No, I'm answering what created the  
3 stress in my predecessor.  
4  
5 THE CHAIR: Okay, right.  
6  
7 PROFESSOR MOLONEY: And that was he eventually found those  
8 experiences emotionally overwhelming.  
9  
10 MS FURNESS: The experiences of talking to victims?  
11  
12 PROFESSOR MOLONEY: Exactly. And the second stressful  
13 thing, as always in our situation, is that you find people  
14 that you've lived with and known for 30 and 40 years have  
15 betrayed everything you stand for. He just couldn't cope  
16 with it and he had a complete breakdown.  
17  
18 MS FURNESS: So when you arrived, what was the situation  
19 that you arrived to in respect of the dealing with  
20 allegations and claims, and no doubt reality, of child  
21 sexual abuse within the Salesians?  
22  
23 PROFESSOR MOLONEY: Yes, I came back to a situation of  
24 a number of unresolved issues, some already in the process  
25 of legal procedure.  
26  
27 MS FURNESS: Perhaps if we could be a bit more precise,  
28 professor. What do you mean by "some unresolved issues"?  
29  
30 PROFESSOR MOLONEY: Some allegations that were as yet to  
31 be resolved either criminally or through the Towards  
32 Healing process - a number of those.  
33  
34 Then there were pending court cases that were still  
35 pending when I arrived home, both resolved --  
36  
37 MS FURNESS: Is that criminal and civil?  
38  
39 PROFESSOR MOLONEY: Criminal. Criminal. Both resolved --  
40  
41 MS FURNESS: By "resolved", what do you mean?  
42  
43 PROFESSOR MOLONEY: Those people finished in gaol. So  
44 that was the situation I had to run with.  
45  
46 MS FURNESS: And what did you do?  
47

1 PROFESSOR MOLONEY: What did I do? Worked as hard as  
2 I could day and night to meet victims, to make sure that  
3 all the people against whom allegations had been made were  
4 removed from any possible contact with young people and --  
5  
6 MS FURNESS: So do I take it from that that there were  
7 people still in contact with young people, against whom  
8 allegations had been made when you arrived?  
9  
10 PROFESSOR MOLONEY: No. That's a good remark.  
11  
12 MS FURNESS: It's a question.  
13  
14 PROFESSOR MOLONEY: A good question. All of the people  
15 had already been removed from ministry, but as I went on,  
16 of course, others came up and I had to remove them from  
17 ministry and try to begin the processes of eliminating them  
18 completely from the order and from their faculties - to  
19 defrock them, to use the technical term.  
20  
21 MS FURNESS: When you said "others came up", do you mean  
22 that allegations or claims were made?  
23  
24 PROFESSOR MOLONEY: Yes, of course.  
25  
26 MS FURNESS: Did you do anything, when you began in 2006,  
27 to try to understand what had happened and why it had  
28 happened in the years before you took over the job?  
29  
30 PROFESSOR MOLONEY: If you mean going to get some  
31 professional advice about what had happened and why it had  
32 happened, no.  
33  
34 MS FURNESS: Did you do anything?  
35  
36 PROFESSOR MOLONEY: Yes. I spoke to people with  
37 experience, largely legal people, also psychological  
38 people, people who worked in this area, but I didn't take  
39 on any formal course or anything like that. I sought  
40 advice where I felt I didn't understand what the situation  
41 was and worked extremely hard to get on top of the whole  
42 situation.  
43  
44 MS FURNESS: When you said you spoke with victims, are  
45 those victims who came forward of their own accord to you?  
46  
47 PROFESSOR MOLONEY: There were some of those, maybe four



1 or five. Most of the victims I spoke to were victims who  
2 were a part of the Towards Healing process. An essential,  
3 very important part of the Towards Healing process was that  
4 once the legal teams of both parties had met and come to  
5 some sort of agreement, then it was very important, as far  
6 as I was concerned, for me to have a one-on-one with the  
7 victim and anyone else from his family who wanted to be  
8 there. To me, that was the most essential part of the  
9 whole process.

10  
11 MS FURNESS: When you say "his family", I take it that  
12 most of them were male?

13  
14 PROFESSOR MOLONEY: All of them were male.

15  
16 MS FURNESS: All of them?

17  
18 PROFESSOR MOLONEY: All of them, but very often they had  
19 their wives with them in that session with me.

20  
21 MS FURNESS: Did you make any changes to the way in which  
22 the Salesians operated during the period that you were  
23 Provincial in relation to this particular area?

24  
25 PROFESSOR MOLONEY: I would say the change that I made was  
26 that I was more aggressive in seeing to the defrocking,  
27 elimination, of people and more aggressive in unconditional  
28 support to victims, both in terms of my care for them and  
29 in terms of the sorts of financial payments that were made  
30 to these victims.

31  
32 MS FURNESS: As an order, what was the process for  
33 laicisation?

34  
35 PROFESSOR MOLONEY: That, of course, is determined by  
36 Catholic Church canonical procedures. There are two  
37 differences. With Brothers, it's much simpler because you  
38 simply apply to the Superior-General of the congregation,  
39 and he very rapidly gets permission from the Holy See, and  
40 within three or four weeks you can dismiss a Brother. The  
41 problem is once they're in Holy Orders, once they become  
42 priests. Then you have to go through the process - there  
43 are two processes.

44  
45 The process is dismissal, which is the most vigorous  
46 way, which the Vatican has been very loath to allow. They  
47 will go through a long, long process in order to get to

1 this eventual dismissal.

2

3 The easier process - still a problem, but the easier  
4 process - is for the Provincial to try to talk the  
5 religious concerned, the priest religious concerned, to  
6 resign. Now, if they resign, then you have to go through  
7 a process of tracking back his records, any signs of this  
8 earlier, et cetera, because the Church won't let them  
9 resign unless there's very good reasons to resign.

10

11 Then you had to also call in up to four witnesses who  
12 had journeyed with him across his life. So it was  
13 basically an assessment of this person's character and then  
14 his personal request, giving the reasons why he thinks he  
15 should resign. That is a much more gentle process for the  
16 person you're throwing out and marginally quicker.

17

18 MS FURNESS: In the event that the reason you wanted to  
19 throw them out was that there were allegations which you  
20 had sufficient belief in to throw them out, wouldn't that  
21 be enough?

22

23 PROFESSOR MOLONEY: No. No. This isn't BHP. This is the  
24 Roman Catholic Church. I as Provincial can't say, "You are  
25 out. Pack your bags and go", because he can pack his bags  
26 and go, but he's still formally in religious orders.

27

28 MS FURNESS: But you can remove his faculties, can't you?

29

30 PROFESSOR MOLONEY: Oh, yes.

31

32 MS FURNESS: Which means he can't minister somewhere?

33

34 PROFESSOR MOLONEY: Absolutely. Oh, that always happened  
35 immediately. But that's not the same as dismissing them  
36 altogether.

37

38 MS FURNESS: Salesians have Brothers as well as priests?

39

40 PROFESSOR MOLONEY: Yes, not many, but we have some.

41

42 MS FURNESS: Not many priests?

43

44 PROFESSOR MOLONEY: Not many Brothers. I was surprised by  
45 those numbers. Going back to 1950 it talks about something  
46 about 22-point-something per cent allegations against  
47 Brothers. We've only had about 25 Brothers since 1950. So

1 that makes for a very high percentage - about a quarter of  
2 25 people - and I knew all those people. I find that  
3 pretty hard to imagine. But I know we gave you the  
4 figures, so that's where they're coming from.

5  
6 MS FURNESS: The figures were in relation to non-ordained  
7 religious, so the Brothers, 21.9 per cent; and in relation  
8 to the priests it was 17.2 per cent.

9  
10 PROFESSOR MOLONEY: Yes.

11  
12 MS FURNESS: Is there anything that you can tell us about  
13 why you think the figures are the way they are?

14  
15 PROFESSOR MOLONEY: Well, the figures came from our own  
16 records, and I have no idea. I mean, I haven't been in  
17 that office for six years. That has all been work that has  
18 been requested by the Commission and by the justice and  
19 peace group, and they've been worked on in the Provincial  
20 House with no consultation with me whatsoever.

21  
22 THE CHAIR: Professor, I think Ms Furness was actually  
23 seeking a different question to be answered, and that is  
24 why do you think it happened?

25  
26 PROFESSOR MOLONEY: Is that what you're asking?

27  
28 MS FURNESS: It was indeed what I was asking.

29  
30 PROFESSOR MOLONEY: Why did I think that there was --

31  
32 THE CHAIR: Why were there so many allegations against  
33 Salesians of abusing children?

34  
35 PROFESSOR MOLONEY: If I knew the answer to that, that  
36 would be very helpful.

37  
38 THE CHAIR: Well, professor, it's a serious question for  
39 us.

40  
41 PROFESSOR MOLONEY: Of course it is.

42  
43 THE CHAIR: And it surprises me that you, having held the  
44 position you did, haven't reflected upon why it happened.

45  
46 PROFESSOR MOLONEY: Of course I have.

47

1 THE CHAIR: Well, then, what's your --

2

3 PROFESSOR MOLONEY: What's my opinion?

4

5 THE CHAIR: Yes.

6

7 PROFESSOR MOLONEY: Well, my opinion would be that, to  
8 start with, there would have been people attracted to the  
9 Salesians, who worked for young people, particularly boys,  
10 who were paedophiles and would-be paedophiles whether they  
11 were Salesians or not. But coming into this order that  
12 looked after boys was a direction that they took. I'm not  
13 saying there was wickedness about them, but this was sort  
14 of something that attracted them - to work for young people  
15 for the rest of their lives. So that's one reason.

16

17 The second reason I think is poor formation. You took  
18 it for granted that if somebody wanted to abandon the world  
19 and come into a religious order and work for young people  
20 for the rest of their lives, the first thing they would do  
21 would be obey the ten commandments, and the second thing  
22 they would do would be to try to live by the gospel, and  
23 the third thing they would do would be to try to live the  
24 dream of a Salesian. They betrayed all three.

25

26 So why that happened, as I say, I think insufficient  
27 investigation into the quality of the people as they came  
28 in; insufficient intellectual formation and human formation  
29 in their formation period; and insufficient supervision of  
30 their lives after ordination. So I would suspect that's  
31 what went on.

32

33 We took it for granted that once people took this life  
34 on, they were going to do good things, not bad things, and  
35 that was a mistake.

36

37 MS FURNESS: Are you aware of Dr Marie Keenan's research  
38 in this area, professor?

39

40 PROFESSOR MOLONEY: I am. I've read the book, yes.

41

42 MS FURNESS: In the book, she discounts the theory that  
43 men coming into, in your case an order, did so in order to  
44 seek out children and with a known predisposition to abuse.  
45 You understand that?

46

47 PROFESSOR MOLONEY: Yes.

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MS FURNESS: Her research suggests that in fact that is not the case.

PROFESSOR MOLONEY: I agree.

MS FURNESS: You agree that that's not the case?

PROFESSOR MOLONEY: Yes. I don't think they were self-acknowledged paedophiles who became religious in order to be with young people. I think they'd come to us, and these tendencies emerge, but it's a psychosexual deviation that's there that is latent but then appears once they find themselves involved one-on-one with young people. So I don't think they joined for that purpose. I think Marie Keenan is quite right on that.

MS FURNESS: You think, then, that it's therefore situational, in that they're in a situation with access to children and they act on that in a criminal way?

PROFESSOR MOLONEY: Correct, in the way that Dr Doyle spoke about this morning. They find themselves in this situation and the powerful desire to act out - they just can't control it.

MS FURNESS: Dr Keenan has also said in her book that to look at it solely as situational or access driven denies the institutional factor, which is in one way the structure and governance of the Church. Do you agree with that?

PROFESSOR MOLONEY: Sure.

MS FURNESS: So what is it that you see in the structure and governance of the Church that permitted the numbers that we know about, in terms of claims, to abuse children?

PROFESSOR MOLONEY: I would agree here largely with what Dr Doyle said this morning about structures, what no doubt Neil and Michelle will say later on. I mean, we're basically dealing with a structure that is a pyramid where you have the point at the top and everything flows down from the top, and it must work in its hierarchical system, with all the possibilities of use and abuse of power that take place in that sort of situation, leading also to the appointment of fragile leadership, people who won't bite the bullet, who wait for advice from upstairs. All of

1 those institutional things played into this - clericalism.  
2 The widely discussed issues, I think, are the issues that  
3 need to be faced. There are institutional issues, yes.  
4

5 MS FURNESS: Coming back to clericalism in a moment, the  
6 various factors that you described are factors that are  
7 relevant to understand the institutional response of the  
8 Church to allegations and abuse; do you agree with that?  
9

10 PROFESSOR MOLONEY: Yes.  
11

12 MS FURNESS: What about factors that help understand why  
13 priests and religious abused children in the first place?  
14

15 PROFESSOR MOLONEY: In my opinion - and, you know, I'm not  
16 an expert in this. As I often say, anything after the fall  
17 of Jerusalem, I get a bit vague.  
18

19 MS FURNESS: Your opinion is what we're seeking,  
20 professor.  
21

22 PROFESSOR MOLONEY: Good, but it's only worth what it's  
23 worth. In my opinion, these were damaged people or  
24 socially, sexually deviant people latently before they  
25 come. They come, they then arrive into a situation, and  
26 these issues begin to emerge. That, I think, is why  
27 perhaps we are attractive for them - number one, we were  
28 working with young boys; number two, the Salesians have  
29 a basic philosophy of life which is one of affection, of  
30 warmth.  
31

32 I joined the Salesians at 21 years of age because  
33 I met Salesians who were regular human beings, not like the  
34 priest down the street, who dressed funny and wasn't very  
35 warm. Our system of education is one based on reason,  
36 religion and love. So this was the whole system, which  
37 they found attractive for probably very good reasons. But  
38 once they come in, then of course they're in a situation  
39 where any deviancy can blossom.  
40

41 MS FURNESS: So, effectively, you're saying that it is the  
42 individual make-up, psychosexual and otherwise, of  
43 individuals that makes them offend within your order?  
44

45 PROFESSOR MOLONEY: Well, I don't want to defend the order  
46 and say the order's perfect, because it isn't. But I can't  
47 think, after 57 years as a Salesian, that there is anything

1 in our internal structures that promotes or sort of opens  
2 the door to this sort of devastating activity. It just  
3 doesn't come to me.  
4

5 MS FURNESS: Professor Ormerod, is there anything you  
6 would like to assist the professor with in terms of  
7 structures?  
8

9 PROFESSOR ORMEROD: Yes. I took some interest in the  
10 figures that the Commission itself provided, and if you  
11 look at those figures in terms of the deviations from the  
12 norm, you already have data there which indicates some of  
13 the factors which are contributing to abuse.  
14

15 If you look at religious orders, in particular the  
16 male religious orders, it's very clear that a lot of that  
17 is about access to vulnerable people. Those who have the  
18 greatest access to the people who are most vulnerable are  
19 the ones who are abusing at the highest rate.  
20

21 MS FURNESS: And you're referring to --  
22

23 PROFESSOR ORMEROD: The St John of God Brothers.  
24

25 MS FURNESS: Having access to children with disability?  
26

27 PROFESSOR ORMEROD: They worked with children with  
28 disabilities, mental and physical disabilities. I would  
29 imagine you would find the same sort of thing happening in  
30 the nursing profession, those who are working with people  
31 with disabilities and with mental problems. It is  
32 something about the interaction of vulnerability, power and  
33 domination. Where people feel inadequate - and most  
34 religious life does leave people feeling very inadequate -  
35 they have this institutional power, personal - and  
36 Marie Keenan spells that out - private powerlessness,  
37 public unsupervised dominance.  
38

39 Now, that's a really potent mix, and there's something  
40 about vulnerability to a powerful person who has that that  
41 is sexually alluring. If I may tell a story on this, and  
42 it struck me - this is when I was working at St Paul's  
43 many years ago.  
44

45 We had a student who was openly homosexual, and at  
46 that stage that wouldn't automatically bar him from the  
47 seminary. He was really quite a well-integrated human

1 being. I got on really well with him. He told me of  
2 a pastoral situation he was in with a woman who was  
3 distressed, and he found himself being aroused.  
4

5 Now, this is a gay man. He said, "Look, I didn't know  
6 what was going on." But in that situation - and of course  
7 he didn't think, "Oh, this is an opportunity"; he was  
8 reflective enough to sit back and try to understand what it  
9 was about that situation which elicited that response from  
10 him. There is something sexually attractive about  
11 vulnerability. And we see it not only in these situations  
12 but in cultures of male violence, in rape, and so on. This  
13 is a much larger problem, I'm sure you're aware of that,  
14 but here it's been manifest in a situation where you have  
15 vulnerable people and other people who have access and  
16 power to use that. And that's what the statistics, it  
17 seems to me, are telling you.  
18

19 MS FURNESS: What do you need, going forward, then, to  
20 ensure the safety of vulnerable people - because there will  
21 always be vulnerable people, and there will always be  
22 members of churches who interact with them.  
23

24 PROFESSOR ORMEROD: Yes, indeed.  
25

26 MS FURNESS: Those members of churches will have gone  
27 through some formation process. What are your suggestions,  
28 going forward, for making those children safer?  
29

30 PROFESSOR ORMEROD: Sure. Look, the one that has been  
31 mentioned a number of times - and the word I think is  
32 a little bit misunderstood - is pastoral supervision. That  
33 doesn't mean someone looking over your shoulder, but it's  
34 the sort of thing that occurs in other professions, such as  
35 psychology, social work, psychotherapy. Anyone who's  
36 working with people in emotionally distressed situations,  
37 in vulnerable situations, almost as a professional  
38 responsibility has to have a person that they see on  
39 a regular basis to help them become reflective  
40 practitioners, to be able to reflect back to them their  
41 situation and their performance in that situation.  
42

43 This is, at present, one of the more effective ways,  
44 I think, of putting that barrier between the vulnerable  
45 person and the potential abuser and giving that potential  
46 abuser some tools of reflective self-understanding, of what  
47 it is that's happening to them in that situation.



1  
2 Now, other churches do employ this as a requirement of  
3 their ministers, and it's simply not happening in the  
4 Catholic Church. In fact, I was a bit put out when I read  
5 the document from the Truth, Justice and Healing Council,  
6 where a number of dioceses said that they had in place the  
7 protocols and procedures of the Integrity in Ministry  
8 document, and that's simply not accurate, because one of  
9 those requirements within that document is that priests and  
10 people in pastoral ministry should have ongoing pastoral  
11 supervision. And it's not happening.  
12

13 You saw that the other day Michael Whelan presented  
14 his evidence. Michael is on the side of the angels. He's  
15 a good guy. Only in the last six months has he undertaken  
16 pastoral supervision - had pastoral supervision from  
17 someone. These provisions have been in place since 2002.  
18

19 Now, if Michael Whelan, with all his background and  
20 insight, has only undertaken that in the last six months,  
21 I can tell you that there is probably not a parish priest  
22 in Sydney who is receiving pastoral supervision.  
23

24 MS FURNESS: I think we'll deal with that issue a bit  
25 later next week in terms of professional supervision. Can  
26 we just go back. Is it the case that you're saying had  
27 there been professional supervision of a real type earlier  
28 on, then there would not have been the abuse that the data  
29 suggests through the claims?  
30

31 PROFESSOR ORMEROD: I think it would have shifted the  
32 probabilities, yes. I don't know that you ever eliminate  
33 it any more than you can eliminate it in other professions,  
34 but you can shift the probabilities away from occurrence to  
35 it becoming less likely.  
36

37 MS FURNESS: What other causal factors do you believe  
38 exist or existed in relation to the abuse that's revealed  
39 by the claims data?  
40

41 PROFESSOR ORMEROD: The other interesting thing, of  
42 course, is what was the lowest diocese in Australia, and  
43 that was Adelaide. Now, ask ourselves what is it that is  
44 special about Adelaide? Why is Adelaide so different?  
45

46 Now, those of us who know the history somewhat of  
47 Adelaide know that when Leonard Faulkner was made

1 Archbishop in 1985, he was asked whether he wanted an  
2 auxiliary bishop, and he said, no, he didn't want an  
3 auxiliary bishop, he didn't need an auxiliary bishop, but  
4 he set up a pastoral team around him as Bishop, as  
5 Archbishop, of that diocese, which included a number of  
6 women. So that became a team in ministry between himself  
7 and those women. That's a decision that he made.

8  
9 Now, the priests at the diocese at the time didn't  
10 like it, but I think you begin to see some of the effect of  
11 that if you look at the continuing practice of  
12 Philip Wilson, who is the current archbishop there. He  
13 continues to have women in senior leadership roles within  
14 the diocese, and I think that's a significant factor of  
15 difference in that data from other dioceses in Australia.

16  
17 THE CHAIR: Can you explain to us how does the  
18 relationship between the bishop, or the archbishop, and  
19 that group work? What is their role? What does it do?

20  
21 PROFESSOR ORMEROD: I don't know the details. I do know  
22 that when Archbishop Faulkner was in place, he ran it as  
23 a council of advice and discussion and gave women a role  
24 and a voice within the leadership and the running of the  
25 archdiocese.

26  
27 THE CHAIR: So he would talk with them and make decisions  
28 based upon --

29  
30 PROFESSOR ORMEROD: Consultation with them.

31  
32 THE CHAIR: -- their advice, and it was resented by some  
33 who then were required to implement the decisions he made;  
34 is that --

35  
36 PROFESSOR ORMEROD: Well, you're talking about a very male  
37 culture, and suddenly to find that there are women in the  
38 diocese who have authority over them was not something that  
39 a lot of them appreciated. But the figures that you have  
40 bear out that there was a significant cultural difference  
41 in that diocese from every other diocese in Australia.

42  
43 THE CHAIR: The women who were part of that group - were  
44 they coming from an order of --

45  
46 PROFESSOR ORMEROD: Some of them were lay women. Some of  
47 them were nuns.

1  
2 THE CHAIR: And chosen all by the archbishop?  
3  
4 PROFESSOR ORMEROD: Yes.  
5  
6 THE CHAIR: How big was the group, or how big is the  
7 group?  
8  
9 PROFESSOR ORMEROD: It was fairly small. I think four or  
10 five.  
11  
12 The other thing, of course, is if you look at the  
13 dioceses where it is significantly higher, they're rural  
14 dioceses, they're dioceses with very few resources,  
15 loneliness, distance, isolation - these are significant  
16 contributing factors to the abuse.  
17  
18 MS FURNESS: More likely conservative and therefore less  
19 inclined to have women, lay or otherwise, in positions of  
20 some authority?  
21  
22 PROFESSOR ORMEROD: Yes, indeed.  
23  
24 PROFESSOR MOLONEY: If I might just add to what Neil  
25 said - the women were actually appointed, given the  
26 canonical status of episcopal vicars, which is a very  
27 significant status. That's why the priests didn't like  
28 that.  
29  
30 PROFESSOR ORMEROD: Yes.  
31  
32 PROFESSOR MOLONEY: To have a woman episcopal vicar - for  
33 schools, it has to be a priest.  
34  
35 THE CHAIR: You will have to explain?  
36  
37 PROFESSOR MOLONEY: What happens, there are various  
38 sectors in the life of the Church in any given diocese, and  
39 so the bishop appoints someone to be his episcopal vicar -  
40 he doesn't make them bishops, but they're vicars appointed  
41 by the bishop for a certain sector of the ministry of the  
42 archdiocese. So for the first time in the history of the  
43 Australian Church, Leonard Faulkner appointed women  
44 episcopal vicars.  
45  
46 THE CHAIR: And that gave them authority to make decisions  
47 and manage issues; is that the way it works?

1  
2 PROFESSOR MOLONEY: Yes. Always in consultation with him.  
3 He would have had a plenary council. But they were the  
4 ones - they were where the buck stopped.  
5  
6 THE CHAIR: Were they women who had taken orders?  
7  
8 PROFESSOR MOLONEY: No. There were one or two nuns,  
9 a couple of lay women.  
10  
11 THE CHAIR: So an episcopal vicar can be a layperson?  
12  
13 PROFESSOR MOLONEY: Absolutely.  
14  
15 MS FURNESS: Was that a decision made solely by the  
16 archbishop?  
17  
18 PROFESSOR MOLONEY: I would think so.  
19  
20 MS FURNESS: He didn't need to get anyone else's  
21 permission to do it?  
22  
23 PROFESSOR MOLONEY: Well, if he did, he didn't get it.  
24  
25 MS FURNESS: But I take it, as a matter of Canon Law, he  
26 didn't need to?  
27  
28 PROFESSOR MOLONEY: We might need help on that, but  
29 I think that might be a loophole. I think he might have  
30 worked on a loophole there and appointed episcopal vicars  
31 without getting permission from elsewhere.  
32  
33 MS FURNESS: If it is the case that Canon Law doesn't  
34 prohibit it, then there's nothing in law stopping other  
35 archbishops doing the same thing?  
36  
37 PROFESSOR MOLONEY: That's right.  
38  
39 PROFESSOR ORMEROD: And, to be fair, other bishops have  
40 since done that, and Philip Wilson has continued that  
41 practice in Adelaide. There are a number of episcopal  
42 vicars who are women in that diocese.  
43  
44 THE CHAIR: Does every diocese - they may not be women -  
45 have episcopal vicars?  
46  
47 PROFESSOR ORMEROD: Yes.

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THE CHAIR: Have they been with the Church for many, many years, or is it a recent thing?

PROFESSOR MOLONEY: Post Vatican II, I think. Yes, I think since the late 1960s. In an attempt to do what we're trying to suggest, to flatten out the administration, Vatican II insisted that every diocese have an episcopal vicar system, that it have a pastoral council, so that there is more answerability at a horizontal level in the administration of the diocese. That is what was requested at Vatican II. That then went down to the parish: every parish had to have a pastoral council, had to have a financial council. So these were all attempts to flatten it out.

As with so many other things, particularly in the more intimate life of the Church that have been requested by Vatican II, many of these things were acted upon, maybe in the first heady years, but have receded in many dioceses, which has been a return to the pyramid structure. So much less work is being done in many places by these pastoral councils, both at a diocesan level and at a parish level, which means the bishop and the parish priest tend to become the lawmaker.

MS FURNESS: Why was there that resistance to keep up what Vatican II wanted to happen?

PROFESSOR MOLONEY: I think Neil said it - the priests don't like it.

MS FURNESS: How do you get around the priests not liking it, professor?

PROFESSOR MOLONEY: Well, we keep working away, insisting, in season and out of season, those of us who have any voice - and this is where I think something like a strong recommendation coming from the Royal Commission telling the bishops of Australia to put Vatican II into practice might help. I mean, we need strong recommendations from strong voices.

MS FURNESS: Just going back to you, Professor Ormerod, you were speaking in relation to professional supervision and that being an issue. What other causal factors do you consider have been at play?

1  
2 PROFESSOR ORMEROD: Look, there are so many, and a number  
3 of them have already been mentioned and I don't want to  
4 repeat what other people have said.

5  
6 One interesting and significant contributing factor -  
7 again, this is about shifting probabilities, not solving  
8 problems in that sense - one of the things I noted when  
9 I was first immersing myself in this area and teaching in  
10 a seminary was that they had courses on the theology of  
11 priesthood and the morality of marriage and what they  
12 really needed were courses on the theology of marriage and  
13 the morality of priesthood.

14  
15 A lot of moral theology courses, which they do lots  
16 of, grew out of a tradition of training people to hear  
17 confessions, which was about other people's sins. They  
18 rarely - and I know of no course in any seminary in  
19 Australia where they actually look at the professional and  
20 ethical responsibilities of the power that they have as  
21 priests. So they don't reflect ethically on their own  
22 performance in priesthood.

23  
24 They have a very fine theology of priesthood, but they  
25 don't know anything about the ethics of priesthood, about  
26 the use of power, and there are many ways in which priests  
27 misuse power. And the sexual abuse issue is just another  
28 one of those.

29  
30 So I think a strong recommendation from the Commission  
31 should focus on the need for seminary training to include  
32 compulsory courses on the ethics of priesthood, on how to  
33 behave ethically as a responsible adult running a parish.

34  
35 Now, it sounds odd, but they just never do that, as  
36 far as I know. And that form of professional training  
37 should be ongoing.

38  
39 Again, if you look at some of the other churches -  
40 I know with the Uniting Church and the Baptist Church -  
41 they are required, for their annual registration, to have  
42 professional development in ethics. Now, these should be  
43 case study based; it involves the sexual abuse issue and  
44 maintaining of proper professional boundaries; but also the  
45 proper use of money, proper use of decision making. There  
46 are a whole lot of issues which have ethical significance,  
47 which they are not trained to think about.

1  
2 MS FURNESS: Doctor, in the work that you have done  
3 organisationally, have matters of ethics such as  
4 Professor Ormerod mentioned arisen?  
5

6 DR MULVIHILL: I suppose the matter of ethics arises at  
7 any point, and particularly going back to the so-called  
8 vulnerable people theory here this afternoon, where it  
9 sounds like it's being claimed that perhaps your group,  
10 professor, or others, offended because you were dealing  
11 with vulnerable people. I find that offensive. As  
12 a psychotherapist and therapist who works with vulnerable  
13 people every single day, what is it about your group that  
14 makes you more abusive than my group? Because that's what  
15 you're saying.  
16

17 In terms of ethics, I think we have really very little  
18 doubt that what we're talking about here is systemic abuse.  
19 I don't buy the "bad apple" theory for a moment. I don't  
20 buy the "these boys were damaged before they arrived at our  
21 place and we just didn't know". I don't buy that for  
22 a second.  
23

24 The amount of systemic abuse inside this organisation  
25 is massive. It's at every single level. And yesterday we  
26 heard that new changes are around because it's laypeople  
27 now who take care of education and human services and  
28 health care, and I would say to you it is the same barrel,  
29 it is the same system.  
30

31 The abuses are there every day, and the ethics around  
32 those - let me give you some examples. The systemic abuse,  
33 when you think about it, of taking vulnerable children into  
34 care - maybe into boarding schools, maybe these people are  
35 damaged in some way, that they have a learning difficulty  
36 or whatever - dressing them up in grass skirts in the  
37 community room and sitting around looking at them and  
38 fondling them together is not the sort of thing we can sit  
39 down and have an ethical discussion about. It's just  
40 wrong. It is just wrong. And this continues. This has  
41 happened, and, in my view, the systemic abuse is something  
42 that we haven't really faced yet.  
43

44 MS FURNESS: What is it that you see about the structures  
45 and governance of the Catholic Church that has allowed,  
46 permitted or provided an open door?  
47

1 DR MULVIHILL: It's all about power, isn't it? All roads  
2 lead to Rome. It's all about who's in charge, and that  
3 person, be they, as in yesterday, a good bishop or a bad  
4 bishop, or as in today, thinking about the role of the  
5 organisation and the boundaries within that organisation,  
6 where an organisation's main task becomes corrupted - that  
7 is, it changes from what you set out to do - when that task  
8 becomes corrupted, people move out of role and boundaries  
9 are breached. And that's what has happened and that is  
10 what continues to happen.

11  
12 MS FURNESS: What task do you say has been corrupted?

13  
14 DR MULVIHILL: Well, what is the main task of any church?  
15 There would be millions of answers and thousands of  
16 responses, I assume.

17  
18 MS FURNESS: But what do you the say the task is that has  
19 been corrupted?

20  
21 DR MULVIHILL: The main task of the Catholic Church,  
22 I thought, was about Christianity and the promulgation of  
23 Christianity. What I'm seeing has nothing to do with that.  
24 People have moved away from that task and the very priests  
25 and religious that we were looking at the figures for  
26 yesterday and today demonstrate, unfortunately, that that  
27 has happened.

28  
29 Now, I would be the last to demonise those people  
30 because I think it's time we stopped to say, "They're wrong  
31 and they're right. Those people did the wrong thing and  
32 these victims did the right thing", and I have spent my  
33 life with victims and know this.

34  
35 We need to look at the whole fabric, not just the  
36 different threads, and we need to stop this splitting,  
37 because the splitting plays into the hands of systemic  
38 abuse. It allows it to continue. And it's time we stopped  
39 it.

40  
41 MS FURNESS: So, doctor, what suggestions would you give  
42 to the Commissioners about how, going forward, this system  
43 can become attractive?

44  
45 DR MULVIHILL: First of all, we have been given documents  
46 for the Royal Commission in preparation, for example, into  
47 the setting up of a Truth, Justice and Healing Council Pty



1 Ltd or Catholic Professional Standards, whatever you want  
2 to call it. How many victims are going to be on the panel?  
3 How many victim support groups are going to be available?  
4 How many are on it now? The answer I will leave to you.  
5 How many are on it now?  
6

7 We need to change the power balance. How many women  
8 are engaged in a place, in a misogynous place, where women  
9 are told, "You don't really belong here. We can give you  
10 a job, if you like. You can do the flowers."  
11

12 Compulsory registration of active priests and  
13 religious is absolutely necessary. I'm registered as  
14 a psychologist. I have to report to the Australian health  
15 providers agency. I have to do training. I have to keep  
16 up my CPD points. And if something goes wrong, I can get  
17 the flick. You can't sack these people. They're  
18 unsackable, pretty much. That needs to be legislated for  
19 every pastoral worker in Australia, in my view. Anyone who  
20 says, "We are here on behalf of a church ", they need to be  
21 registered and Australians need to know who they are.  
22

23 I think it's time for us, as Australians, to stand up  
24 to Rome and to say, "We are not little Rome. We are not  
25 little Italy. We are Australians, and, in Australia, we  
26 believe in a fair go." It's time we all got a fair go.  
27 It's very much time victims got a fair go. It's time that  
28 people who are elevated into becoming bishops or  
29 archbishops get a fair go by being trained. Most of them  
30 aren't trained in anything useful, like administration,  
31 leadership, MBAs, and so on.  
32

33 And what about the Church providing, as soon as  
34 possible, some dignified spaces for discussion and  
35 conversation?  
36

37 See, dignity has been attacked at every level, from  
38 the position of a child whose innocence has been taken  
39 away, through to the position of normal and ordinary  
40 churchgoing people. If it is that we are the Church, then  
41 who are we and why aren't we rollicking down the barricades  
42 and saying to the Royal Commission and to anyone who wants  
43 to listen, "We will not put up with this again"?  
44

45 MS FURNESS: Professor Ormerod, in relation to the  
46 question of registration of those involved on behalf of the  
47 Church in pastoral care, what's your view?

1  
2 PROFESSOR ORMEROD: If that could be done, I think it  
3 would actually be a good idea. I don't know whether  
4 legally that would be possible, and I think the churches  
5 may well resist it, and it shouldn't just apply to the  
6 Catholic Church. It should be across the board.

7  
8 But there needs to be some way - and I mentioned in my  
9 submission, I talk about if certain things are not complied  
10 with, such as professional supervision, ongoing education,  
11 and so on, then they should not get their faculties  
12 renewed. There should be a way in which the Church can  
13 keep track of what their priests are doing, how they're  
14 progressing professionally, how they're being supervised in  
15 a professional way, and if they're not doing that, then the  
16 Church should simply say, "Sorry, all that good work you're  
17 doing, but your faculties are not being renewed" --

18  
19 DR MULVIHILL: Ms Furness, could I add --

20  
21 MS FURNESS: Wait until the professor is finished, please.

22  
23 DR MULVIHILL: I am sorry. My apologies.

24  
25 PROFESSOR ORMEROD: "Until you do that, you will not have  
26 your faculties renewed."

27  
28 MS FURNESS: Doctor?

29  
30 DR MULVIHILL: We have men coming out of gaol today who  
31 are religious and priests, whose faculties are not removed  
32 or they are not defrocked and they are not kicked out of  
33 religious orders.

34  
35 MS FURNESS: Just coming back to you, Professor Ormerod,  
36 the issue of supervision and training relates to individual  
37 priests and religious and maybe their leaders. Are you  
38 suggesting that the main way forward is to deal differently  
39 with individuals?

40  
41 PROFESSOR ORMEROD: Well, to inculcate those sorts of  
42 systems, because they are systemic responses, requires  
43 a cultural shift. That cultural shift has to come from the  
44 top.

45  
46 I thought it was interesting when Michael Whelan asked  
47 the question: how many bishops have pastoral supervision?

1 Like, where is the leadership being shown at the top level  
2 of bishops saying, "I need someone that I can talk to about  
3 my ministry to help me become a reflective practitioner"?  
4

5 One of the things, again - and this is about a culture  
6 of impotence, in many ways - as I say in my submission, in  
7 1998 there was a review by Rome of the Australian Catholic  
8 Church, and it resulted in a document called A Statement of  
9 Conclusions, and it mandated that there be ongoing  
10 intellectual formation, that this should be a permanent  
11 aspect of a priest's personal response to his vocation,  
12 that episcopal conferences should provide training, that  
13 dioceses should provide training. Now, this is from Roman  
14 Curia to the Australian Catholic Church. None of that  
15 happened.  
16

17 Now, of course, you think, well, why didn't the  
18 Australian Catholic Church do something about it? Of  
19 course, the other side of it is the people who said all  
20 this in Rome - they've never checked; they've never come  
21 back to the Church and said, "Oh, have you actually done  
22 these things?" No. The culture of impotence is right  
23 throughout the Church from the top to the bottom.  
24

25 MS FURNESS: That document that you've described, is it  
26 your understanding that that document would have gone to  
27 the Bishops Conference?  
28

29 PROFESSOR ORMEROD: Yes.  
30

31 MS FURNESS: And that it would have been a matter for the  
32 Bishops Conference to promulgate it and --  
33

34 PROFESSOR ORMEROD: Oh, at the time, there were various  
35 aspects to that document, some of which people got very hot  
36 under the collar about. There were public meetings.  
37 Michael Whelan was in fact very prominent in those public  
38 meetings. Bishops were complaining about it. It was on  
39 the TV. It was a very public document. The bishops knew  
40 full well about it. They were discussing it and debating  
41 it. Nothing happened.  
42

43 MS FURNESS: Why?  
44

45 PROFESSOR ORMEROD: That's what happens with most  
46 documents that come from Rome.  
47

1 MS FURNESS: But why, professor?  
2  
3 PROFESSOR ORMEROD: Because, in the end, there's very  
4 little that Rome can do if they don't do it, and also  
5 there's no follow-up, in general, from Rome to see whether  
6 they have done it.  
7  
8 MS FURNESS: Why, to your understanding, did the bishops  
9 in Australia not do what Rome suggested they should do?  
10  
11 PROFESSOR ORMEROD: I actually suggest you ask the bishops  
12 that when you sit them down in a week or two.  
13  
14 MS FURNESS: There is no question that that will be the  
15 case, professor, but at the moment, can I ask you?  
16  
17 PROFESSOR ORMEROD: Yes, and I don't know. I mean,  
18 I don't know why they don't. I think they feel  
19 overstretched, under-resourced, inadequate and have, as  
20 Michelle said, no training in management, no training in  
21 how to move from A to B in a decision chain. So it all  
22 gets put in the too-hard basket.  
23  
24 MS FURNESS: There's a capacity, I take it, within  
25 dioceses, and perhaps more broadly in the Church, to engage  
26 outsiders - that is, people outside the Church - with the  
27 necessary expertise to advise on these sorts of matters.  
28  
29 PROFESSOR ORMEROD: Yes.  
30  
31 MS FURNESS: That doesn't happen?  
32  
33 PROFESSOR ORMEROD: Look, in some areas, I think - you  
34 know, thankfully, in, say, the financial area, that's  
35 happening. The Church has wised up and every parish must  
36 have a financial council and every diocese must have  
37 a financial council, that it needs outside expertise in  
38 order to run that part of itself properly. But in other  
39 areas, it's still very amateurish.  
40  
41 MS FURNESS: Professor Moloney, are you aware of the  
42 document and what happened thereafter?  
43  
44 PROFESSOR MOLONEY: Yes, yes.  
45  
46 MS FURNESS: Can you help us with why what was suggested  
47 didn't happen?

1  
2 PROFESSOR MOLONEY: I would suggest that there is a very  
3 big issue that has not been mentioned in these discussions  
4 about the difficulties that the bishops and the leaders  
5 face, and that is that a lot of this bounces back from the  
6 local clergy. It sort of comes out, and the bishops make  
7 all these good resolutions, then it bounces back. Now, we  
8 need to look at the local clergy.

9  
10 The local clergy in Australia nowadays - and I don't  
11 have any figures, but it has to be something about  
12 60 per cent, and that might be optimistic, of elderly  
13 Australian men and 40 per cent of younger Africans,  
14 Vietnamese, Filipinos, et cetera. Now, they are forming  
15 about 40 per cent of the clergy.

16  
17 I would say one of the major concerns of every bishop  
18 is to have a priest in a certain place all across his  
19 diocese so that mass can be provided. So a big problem for  
20 the bishops is to get enough bodies to serve every region  
21 so that they'll at least have mass on a Sunday, and I would  
22 say that is preoccupation number one. And that's a battle.  
23 They're struggling to get that done.

24  
25 It generates a local clergy which is now  
26 multicultural - that's a nice word, but in reality on the  
27 ground it can be very difficult to work together. People  
28 coming from Africa and people coming from the Philippines  
29 and people coming from Vietnam taking over more and more of  
30 the leadership in the dioceses, they don't respond to these  
31 things. It's all foreign to them. They're much more used  
32 to the top-down.

33  
34 So I really think one of the problems why the bishops  
35 don't move on this thing is they're so overwrought with  
36 providing Sunday mass for so many people in so many places  
37 that they've got a real staff problem, before they start  
38 putting extra things on them, which they must do if we're  
39 going to go ahead. That I think is an element that's  
40 creating this difficulty.

41  
42 MS FURNESS: So is it a case of providing more resources  
43 to the bishops so that they can carry out the work that  
44 should be carried out in respect to the safety of children?

45  
46 PROFESSOR MOLONEY: Yes.  
47

1 MS FURNESS: Who would provide those resources?

2

3 PROFESSOR MOLONEY: Well, as always with the Catholic  
4 Church, it has to come from the Catholic people. If we're  
5 going to provide resources of the Catholic Church, the  
6 Catholic bishops - it's a bit like the government.

7

8 MS FURNESS: Raise taxes?

9

10 PROFESSOR MOLONEY: Raise taxes. If you want to provide  
11 universal childcare up until two years of age, raise taxes.  
12 If you want to have universal Medicare, raise taxes.

13

14 MS FURNESS: Do you think, from your knowledge of the way  
15 that the leadership of the Church works in Australia, that  
16 there would be a willingness to do this additional work,  
17 were there to be sufficient funds?

18

19 PROFESSOR MOLONEY: That's a tricky question because there  
20 are a number of bishops and they would have a number of  
21 views on this matter. We have some outstanding bishops in  
22 Australia who are doing their best to face these issues and  
23 to adopt courageous, forward-looking lines that will change  
24 our culture.

25

26 We also have a number of very poor bishops, who really  
27 are bad appointments and it's beyond them, and many of  
28 them - some of them don't think that, but you can ask them  
29 yourself when you see them. That would be my opinion.  
30 Some would be wonderful and you'll really get on side with  
31 them. Give them the resources and they would do everything  
32 they could to make this happen. Others would say, "What's  
33 the point? We're fine."

34

35 MS FURNESS: And in the current structure, those that  
36 would say, "What's the point? We're fine", stay where they  
37 are now?

38

39 PROFESSOR MOLONEY: They would. I think what would then  
40 happen is there would be a patchy response to this  
41 possibility. That would be my impression.

42

43 MS FURNESS: Doctor, do you have anything to add to that  
44 discussion?

45

46 DR MULVIHILL: Not at this point, no.

47

1 THE CHAIR: Can I just ask all of you, then. You are  
2 talking about different levels of change in the management  
3 of the Church. There will be some who will say management  
4 of the Church is no business of the Royal Commission;  
5 that's a matter for the Church. Can you help us to frame,  
6 in each of your own minds, why it is that the management of  
7 the Church is critical to the future safety of children who  
8 engage with Church people? Doctor, can you --

9  
10 DR MULVIHILL: The mismanagement of the Church is the  
11 business of the Royal Commission, in my view, because it  
12 has led to the situation that this Church is in. If this  
13 was a business, we'd be shut down a long time ago, and  
14 particularly with these figures that you've come up with  
15 yesterday.

16  
17 It is the business of the public of Australia that  
18 children who are sent to organisations in particular should  
19 be treated without any abuse, and the Catholic Church can  
20 do this. The Catholic Church can get rid of that. They  
21 can protect children. What it can't do is stop its own  
22 abusive activity on so many other levels.

23  
24 THE CHAIR: And then the professors, Professor Moloney?

25  
26 PROFESSOR MOLONEY: I think that the Royal Commission has  
27 a responsibility to the Australian people, and a part of  
28 the fabric of this nation is a decreasingly significant  
29 religious body called the Catholic Church. Nevertheless,  
30 they are a part of the fabric of this nation and, as such,  
31 the Royal Commission, in its care for the young people of  
32 this nation, has every right and, indeed, a responsibility,  
33 to make carefully articulated proposals, through the  
34 Nuncio, to Rome, that these cultural shifts, these  
35 structural shifts, must be done in order to protect our  
36 young people.

37  
38 THE CHAIR: So if we were to say, drawing upon the  
39 Adelaide discussion, that women should have a far more  
40 significant role in the management of the dioceses, you  
41 would see that as a legitimate thing for us to talk about?

42  
43 PROFESSOR MOLONEY: Absolutely, and you would be  
44 absolutely in agreement with Pope Francis. He's saying it  
45 in season and out of season. But there's a lot of people  
46 between us and Pope Francis, and they don't like him.

47

1 THE CHAIR: Professor Ormerod, do you have any thoughts on  
2 the issue? It's a very large issue, as you can appreciate.

3

4 PROFESSOR ORMEROD: It is. It is, because it touches on  
5 the whole issue of the relationship between Church and  
6 state, as you know, and it's a fraught area because of  
7 that. I find it difficult and perplexing to know exactly  
8 how to move forward.

9

10 I mean, it's easy for the Commission to make  
11 recommendations and suggestions. It's difficult to see how  
12 they can be enforced or followed up. And it's exactly in  
13 that area of follow-up that the Church is at its weakest,  
14 of implementing recommendations that have been made and  
15 following through and coming to a conclusion. It is  
16 a mighty task and a difficult task.

17

18 THE CHAIR: The first step is whether it's legitimate for  
19 the Commission to speak in this area. I mean, it would be  
20 easy to dismiss what we might say if the argument is,  
21 "Well, it's just none of your business. We're the Church,  
22 you're the state." You know, and shut the door.

23

24 PROFESSOR ORMEROD: I think as both Michelle and Frank  
25 have said, it has become the business of our society to  
26 feed back to the Church that it's not doing what it should  
27 be doing and that it needs to get its act together, and  
28 these are some concrete ways in which that can happen.

29

30 Now, clearly, the issue then is how is the  
31 follow-through on that? How can the Commission follow  
32 through? Can parliament follow through? Do the churches  
33 follow through? I think these are really very difficult  
34 questions.

35

36 DR MULVIHILL: Child sexual abuse is a criminal activity,  
37 and in so much as crimes are occurring, I expect the Royal  
38 Commission has every right to advise.

39

40 COMMISSIONER MURRAY: Are there some principles you can  
41 think through to guide us? I'll give you an example. It  
42 is a principle that if any person wishes to practise  
43 medicine, they must have an accreditation, a proper medical  
44 qualification, and that doesn't matter whether you're  
45 a priest or a judge or a grave-digger. It's the same for  
46 everyone.

47



1           So are there practices which apply - or principles  
2 which apply in the public interest which should apply to  
3 the priesthood? Of course we're not just talking about the  
4 Catholic Church but about all churches. Have you given  
5 some thought to that, as to what governance principles are  
6 in the public interest, and of course that don't interfere  
7 with the practise of faith?

8  
9           PROFESSOR MOLONEY: Yes. I think there is already  
10 something very vague in place, and they're trying to do  
11 something more concrete that these people might be able to  
12 help us with. There's already the notion of a priest in  
13 good standing. That actually is a qualification. If  
14 I want to go to Brisbane to celebrate a mass, to preach, to  
15 marry somebody, I have to communicate with the Archdiocese  
16 of Brisbane and my superior has to formally state that I am  
17 in good standing.

18  
19           Now, at the moment, in order to unify this - I think  
20 it's coming from you people - there is now a national  
21 computerised system, which is just in its beginnings, where  
22 everybody must be registered and checked out, so there will  
23 be a full computerised register of every ordained priest,  
24 and only those who are in good standing will be in that  
25 list.

26  
27           Now, I don't know the ins and outs - I know it's very  
28 slow getting off the ground, but I think that is something  
29 that has come from these discussions, that there will be  
30 this national register of priests in good standing.

31  
32           COMMISSIONER MURRAY: Let me question you a little on  
33 that. In other professions "in good standing" is governed  
34 by a code of conduct. So the code of conduct puts the  
35 framework in which good standing is judged.

36  
37           PROFESSOR MOLONEY: Yes.

38  
39           COMMISSIONER MURRAY: Are you suggesting to the Royal  
40 Commission that such a code of conduct is desirable?

41  
42           PROFESSOR MOLONEY: Well, in this document, which I've  
43 already filled in, you do have a full list of check boxes  
44 which indicate that you are in good standing, and your  
45 immediate superior must verify that. So there is a code of  
46 good standing in this document.

47

1           The real problem, as both Neil and Michelle have been  
2 indicating, is follow-up. You know, it's all right to have  
3 the form out there. How are we sure that all the criteria  
4 for somebody in good standing are in fact being continually  
5 lived in that person's ministry? That's the next problem.  
6

7           PROFESSOR ORMEROD: If I may say, in response to that, as  
8 I understand it, the document Integrity in Ministry was  
9 meant to do that. That was promulgated in 2002. It has  
10 been in place since then and has not been implemented.  
11

12           COMMISSIONER MURRAY: As the Royal Commission itself has  
13 identified through other public hearings, a code of conduct  
14 in a sports association, for instance, has no real force  
15 unless it is enforced and it's properly supervised, and  
16 that implies that the Church, or churches, will need to  
17 establish such bodies, because plainly the state will not  
18 get involved in that.  
19

20           PROFESSOR MOLONEY: That's correct, yes.  
21

22           PROFESSOR ORMEROD: Yes, yes, and I think with any system  
23 such as that it always becomes: who makes the judgments?  
24 As long as those judgments remain within a culture of - and  
25 I think you picked it yourself before. There's this sense  
26 of the weakness of their commitment to celibacy which gives  
27 them a sense of excusing the faults of others.  
28

29           If I may, again, tell a little story. I know a story  
30 of a survivor - it was an adult abuse case, again - who was  
31 talking to a priest and spoke about her experience of being  
32 abused and that there were other victims, and so on. The  
33 response of the priest was, "The poor man, he was  
34 struggling with his celibacy." Okay? It's this  
35 spontaneous identification not with the victim but with the  
36 perpetrator. That's what has to be broken down. But it's  
37 a very tight cultural group. They have all sorts of  
38 associations, common training, common backgrounds, common  
39 lifestyles, that they identify with one another. And  
40 that's the problem - that's one of the problems. It's not  
41 the only problem but one of the major problems.  
42

43           I think you'll probably find the same in military  
44 situations and armed forces, police forces, and so on, that  
45 there's this esprit de corps, there's this sort of bonhomie  
46 between priests. They are part of, and as we say, it's  
47 a clerical club. A lot of them don't even realise -

1 because it's so much part of their life, they don't realise  
2 the impact that it has on them. So it's very difficult for  
3 them to make assessments about their brother priests or  
4 religious, because they're the ones whom they spontaneously  
5 identify with when complaints are made, when action has to  
6 be taken.

7

8 COMMISSIONER FITZGERALD: Could I ask a question related  
9 to that. A large percentage of the abuse was by Brothers  
10 within orders and the orders operate in a very different  
11 way from the diocesan framework, and all of our  
12 conversation has been about bishops and dioceses. But in  
13 many of the orders, the Provincials change.

14

15 PROFESSOR MOLONEY: Yes, that's true.

16

17 COMMISSIONER FITZGERALD: They've had multiple life  
18 experiences. They don't have the same profile as bishops  
19 and, indeed, diocesan priests. I'm trying to understand  
20 why, therefore, in a quite different structure, albeit  
21 within the same culture of the Church, we had those very  
22 high levels within those orders, where in fact sometimes  
23 there is professional development of some description  
24 taking place and there is certainly less insulation from  
25 contact with other people and questioning of other people.

26

27 Are there any insights as to not only the dioceses but  
28 also what has happened in the orders themselves that has  
29 led to the very large figures that we have seen?

30

31 DR MULVIHILL: May I? It's my experience that many of  
32 these orders are laws unto their own. While the priests,  
33 bishops, and so on, don't seem to have feedback loops, even  
34 more so are religious orders particularly whose foundations  
35 may be in other countries, who report to Rome. They're out  
36 here in the colony doing whatever they wish. There's very  
37 little feedback from them. They can be despising Rome or  
38 anyone else who looks at them. They're their own people  
39 and they will do whatsoever they want. There's like  
40 a licence to do whatever. I think it's very fraught and  
41 it's very dangerous for the Australian community.

42

43 COMMISSIONER FITZGERALD: You've had experience working  
44 for a number of the orders, including the St John of God  
45 Brothers, the De La Salles, and a number of others.

46

47 DR MULVIHILL: Yes, I have.

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COMMISSIONER FITZGERALD: Out of that, have you seen any improvements that are worth reflecting from the orders?

DR MULVIHILL: When I look at the figures in front of me about the number of offences that have happened since 2000, I start to wonder if there have been any. There's certainly some idea about themselves having to be more accountable. I haven't yet seen, for example, an official apology from any religious order to victims for the terrible way they've been treated, for example, so I'm wondering when that's going to happen. If that happens, I think we can possibly say maybe there has been an enlightenment happening here. I haven't seen any apology from any bishop to any victims in his diocese, for example, that says, "I treated you badly. We mishandled this. We were in it", and so on.

So I think those are some of the indicators I would be looking for. I don't see them, personally. I have stood away, in the last few years, from it, so I'm not necessarily up to date and may not be the best person. That's what I'm looking for. I'm looking for an apology about the way people were treated and still are treated.

COMMISSIONER FITZGERALD: Can we just have a couple more comments. The reason I asked that is because a number of the orders are shrinking in Australia but expanding internationally. So whilst Australians look at these orders and say, well, there's no problem because they're reducing in numbers, in fact worldwide they're increasing, particularly in the Pacific, Asia, Africa and the Americas. So as a universal Church, these groups are growing, even if they're shrinking here. So I just want to look at the orders just in terms of what I said before.

PROFESSOR MOLONEY: I think you have put your finger on a significant issue. I also think you made part of the response in the fact that there is this change of leadership. There is a sort of moving target, you might say. But I would think that many of the things that generate the abuse issue among the priests - among religious priests, anyway - would be the same among the religious Brothers, and they would be loneliness, overwork, people who are fragile in themselves, the affective side of their lives undeveloped. I think this is common, particularly among male and I think also among female

1 religious, who are often thousands of miles from home,  
2 working in very different circumstances, and these problems  
3 emerge among both the priests and the men and the women who  
4 are not ordained.

5  
6 So I think a lot of the problems are common, but  
7 I think you're right that the change in superior is often  
8 a bit of a problem too. I think Michelle is also right  
9 that they can point somewhere else, you know, "We're not  
10 answerable here. We're answerable somewhere else." So  
11 they would be a number of things I would throw into the  
12 pot. I'm not too sure to what extent they're relevant.

13  
14 PROFESSOR ORMEROD: I'll just be a bit concrete because  
15 that's about all I can do. My brother is a De La Salle  
16 Brother. He's about to celebrate his 50 years as  
17 a De La Salle Brother. He entered it at the tender age of  
18 15. He received some training as a teacher and had a good,  
19 long career as a teacher.

20  
21 At a certain stage they decided he should be  
22 a principal of a school, and he suddenly went from being  
23 someone who just went along with what was going on to  
24 having to make every decision about the running of this  
25 school. Now, he wasn't prepared for that. He wasn't  
26 trained in that. He was just thrust into the job.

27  
28 We heard yesterday Michael Whelan talking about his  
29 experience of going into a teaching position. There's just  
30 a lack of professionalism. There's just a lack of  
31 awareness of the need for certain training and skills and  
32 expertise to fill positions that are demanding.

33  
34 I love my brother. I think he probably did a very  
35 good job as a principal in two major Catholic schools, one  
36 in Melbourne and one in Sydney, but what was done to him in  
37 putting him in those situations was really quite inhuman.  
38 They're the issues I think that religious orders have to  
39 face, of simply being unprofessional in the training of  
40 their people.

41  
42 THE CHAIR: It is said - and we'll no doubt hear it - that  
43 the Church has come to understand these problems and these  
44 issues and that, in many respects, change has already  
45 occurred. There's a better selection process for  
46 seminarians. There are better formation processes.  
47 There's a greater understanding of the issues relating to

1 the management, if you like, of priests and religious. It  
2 will also be said, as Commissioner Fitzgerald points out,  
3 that the numbers entering the orders in Australia are  
4 falling, perhaps almost non-existent in some respects.

5  
6 Now, you all speak in terms of a present and really  
7 significant set of problems. Are they answered by saying,  
8 well, no, the Church has already come to understand them  
9 and has responded?

10  
11 PROFESSOR MOLONEY: No, I don't think so. I think we're  
12 on the way, becoming aware of what the problems are, but  
13 again for the sorts of reasons, the cultural reasons, that  
14 were powerfully outlined this morning by Dr Doyle, it's  
15 like a great big wheel, you know, to slow it down, to get  
16 it to go the other way. I'd say it's in the slowing-down  
17 stage, but we haven't turned it around just yet.

18  
19 There are good things happening. But, for example, to  
20 say that the seminarians are now all fine, the seminaries  
21 have been renewed, they're being exposed to this wider  
22 society and all that, that is simply not true.

23  
24 The seminaries are closing their doors. They're  
25 putting garments on the boys. They're having long Latin  
26 liturgies. They like to walk around the streets with their  
27 soutanes. That's what's happening. So don't tell me  
28 things are changing. A lot of people believe that this is  
29 the solution to the problem - make them more clerical than  
30 ever. We've got to face these truths. I mean, we have  
31 a major problem in the Australian Church, and there's very  
32 few that are still coming. Many of them are like this.

33  
34 I published a little article in the priests journal  
35 many years ago, in 2006, I think. I was called to the  
36 seminary to answer to the students, "How dare you say this  
37 about us?" Too bad. But that's what you're dealing with.  
38 Whilst I do think that there is a genuine effort on the  
39 part of the bishops and the Catholic culture at large to  
40 somehow or other turn around this death-dealing wheel,  
41 there is also a resistance to it and some real problems  
42 faced in such things as formation, ongoing formation, as  
43 we've mentioned so often here, and ongoing supervision. So  
44 we've come some way, but the wheel's still turning the  
45 wrong way.

46  
47 COMMISSIONER FITZGERALD: Can I just take that point, if

1 I might. It's very noticeable, what you have just  
2 indicated, that whilst in this hearing and in other venues  
3 clericalism has been universally regarded as a problem -  
4 and we don't need to go into that - what you say is that  
5 the seminaries in Australia have returned back to a model  
6 of training which in fact reinforces clericalism. How does  
7 this dichotomy between what the evidence now shows and this  
8 reversion taking place come about and what is driving that?  
9

10 PROFESSOR MOLONEY: Again, I think we're dealing with the  
11 sort of issue that we dealt with earlier, that the Church  
12 in the late 1960s wanted to make a quantum leap into a new  
13 world. The Church in the Modern World was one of the  
14 documents that came out. There was a document on  
15 seminaries, and, since that, there has been a pontifical  
16 document on seminaries and it's about broader social  
17 integration, et cetera, et cetera - all the sorts of things  
18 that we're talking about that are necessary.  
19

20 And for five or ten years, that happened. There was  
21 a radical remodelling and a considerable amount of expense  
22 put into restructuring the whole seminary. Sydney is  
23 a good case in point. Sydney sat in that magnificent  
24 gothic building out at Manly since Cardinal Moran's time.  
25 So they decided, no, let's get into the city, let's get  
26 into town, so let's buy up this place, build individual  
27 houses where they would all live in a shared community  
28 situation, and we would have the intellectual part of it  
29 down the road, all in Strathfield.  
30

31 That went well. Things were looking good. But then  
32 suddenly in comes another archbishop, and it all got shut  
33 down. Back to the old system. And the old system is well  
34 and truly in force, so much so that the newly ordained  
35 priests will now wear little hats on their heads and long  
36 lace vestments and say their first mass in Latin. That's  
37 what we're looking at. We went backwards.  
38

39 PROFESSOR ORMEROD: Yes.

40  
41 THE CHAIR: Professor Ormerod, do you want to add to the  
42 discussion about where the Church has got to?  
43

44 PROFESSOR ORMEROD: Yes. I was working at the Catholic  
45 Institute of Sydney at the time of that change.  
46

47 THE CHAIR: The change back or the change forward?

1  
2 PROFESSOR ORMEROD: The change back. People who were  
3 working on issues of human development and sexuality and  
4 professional - you know, getting people to develop as  
5 mature adult Christians, people I knew and respected, were  
6 simply pushed out and other people were put in their place.  
7 As Frank has ably said, we noticed almost overnight  
8 a change in attitude in the students, that a lot of them  
9 sort of lost interest in their studies because it didn't  
10 matter any more, as long as they were pious.  
11  
12 THE CHAIR: When are we talking about?  
13  
14 PROFESSOR ORMEROD: This was in - well, I was there, let's  
15 see, 16 years ago. So it was at the time of then  
16 Archbishop Pell's appointment to the Sydney Archdiocese.  
17  
18 THE CHAIR: And was it as blunt as, "You must change", or  
19 is it just something that happened?  
20  
21 PROFESSOR ORMEROD: Sorry, who must change there?  
22  
23 THE CHAIR: Well, were orders given for change or was it  
24 just something that happened?  
25  
26 PROFESSOR ORMEROD: A new rector was appointed, and that  
27 rector dismantled the existing system and put in place  
28 a much more traditional form of seminary training.  
29  
30 THE CHAIR: Cardinal Pell had some involvement, I think,  
31 with seminarians in Victoria.  
32  
33 PROFESSOR MOLONEY: The same situation.  
34  
35 THE CHAIR: Is it the same --  
36  
37 PROFESSOR MOLONEY: The same situation.  
38  
39 THE CHAIR: Is that seminary still running along the same  
40 lines today or not?  
41  
42 PROFESSOR MOLONEY: Yes, the same lines as --  
43  
44 PROFESSOR ORMEROD: I can't say what's happening in the  
45 Sydney situation now.  
46  
47 PROFESSOR MOLONEY: No, I'm not too close to the seminary,



1 either, as you can imagine. But to give you a concrete  
2 example, there were some outstanding Australian artists  
3 involved in the design of the chapel for the seminary in  
4 Strathfield.

5  
6 PROFESSOR ORMEROD: Yes.

7  
8 PROFESSOR MOLONEY: When the change came over, these  
9 magnificent windows were covered because they weren't  
10 suitable for a Roman Catholic seminary. I mean, it's  
11 just --

12  
13 THE CHAIR: Did they have a particular design feature in  
14 them?

15  
16 PROFESSOR MOLONEY: I can't remember what the problem was,  
17 but I know the artist threatened to take the Church to  
18 court.

19  
20 COMMISSIONER MURRAY: There are those who will say that  
21 that has nothing to do with child sexual abuse and the  
22 institutional response to it. There are those who say that  
23 whether the Church governs itself conservatively or not, or  
24 liberally or not, has no effect. Why do you think the way  
25 in which the Church governs itself will affect the  
26 incidence of child sexual abuse and the response to it?

27  
28 PROFESSOR MOLONEY: I think it comes back to - again, I'd  
29 like to distinguish between - these are two particular  
30 situations. I think there are fine archbishops across  
31 Australia, who are doing a much better job on this, and  
32 bishops. But here we're dealing with a particular  
33 situation, which, however, probably trains about  
34 75 per cent of the priests in this country.

35  
36 The relationship between what's going on in these  
37 situations and the child sexual abuse is not direct, but  
38 what it does is it creates a clerical and a negative -  
39 I don't like to use the word "celibacy". Celibacy is what  
40 you don't do. I like to use "developing a positive sense  
41 of chastity", which we all have. We're all expected to  
42 respect our own personal sexuality and the sexuality of the  
43 other. It's chastity we're looking for, instead of this  
44 negative word, "celibacy", "you don't do it".

45  
46 So there has to be this broader - by developing  
47 a world where those things get blocked off and the

1 clericalism emerges, then you get - it's an indirect link,  
2 but it's a pretty dangerous indirect link, by creating  
3 a caste set apart that is answerable to no-one except their  
4 peer group.

5

6 COMMISSIONER MURRAY: Which then allows for greater sexual  
7 abuse to occur?

8

9 PROFESSOR MOLONEY: Exactly.

10

11 COMMISSIONER MURRAY: So are you saying to us that there  
12 is a danger in restructuring the Church that way, that the  
13 incidence of child sexual abuse might increase?

14

15 PROFESSOR MOLONEY: That's my opinion and I have said that  
16 in other places, and people would disagree strongly. But  
17 I think that the lurch to the right, to try to return to  
18 what we were in in the 1940s and 1950s, is a dangerous  
19 direction for the Church to take. I don't think it will  
20 take that direction. I think history, and hopefully this  
21 Royal Commission, will be an element of that, but there is  
22 that danger.

23

24 MS FURNESS: Professor, can I ask you about the current  
25 interaction between the Church and children? As we know,  
26 there are a lot of Brothers who were teachers in the past  
27 and there were a lot of orphanages, and the like, that were  
28 operated by particularly Brothers but also dioceses.  
29 Children are, by and large, no more in those situations; is  
30 that right?

31

32 PROFESSOR MOLONEY: That's correct, yes.

33

34 MS FURNESS: Where do children now intersect with the  
35 Church?

36

37 PROFESSOR MOLONEY: That's a big question and it has two  
38 sides to it. In the first place, these institutions that  
39 educated and cared for children on the whole still exist,  
40 but on the whole they are now in the hands of very capable  
41 and very well-trained people, who are supervised.

42

43 I'll give you an example from my own situation. When  
44 I became the Provincial of the Salesians in 2012, we had  
45 five Salesian principals, five number ones in our schools.  
46 When I left, we had none. But we had five outstanding  
47 educationalists, laypeople, who were there from 7 in the

1 morning till 10 at night, who know the contemporary issues  
2 of education. They've got it at their fingertips. The  
3 schools are booming and the quality of the care given to  
4 the kids is greatly improved.

5  
6 So the institutions still exist. There are still many  
7 young people in the care of institutions that belong to the  
8 Church. Of these three places - we own three - two we work  
9 for the diocese.

10  
11 MS FURNESS: But in terms of the clergy and religious  
12 interaction with the children, given that we know that lay  
13 have taken over teaching and they're publicly regulated,  
14 and the like, where do the clergy and religious interact  
15 with children these days?

16  
17 PROFESSOR MOLONEY: Well, unfortunately, not in many  
18 places. Basically in the parish. But in our schools, in  
19 my own experience, we would have a Salesian or two in some  
20 sort of pastoral ministry spending time with the kids,  
21 going on various activities with them. So we still do  
22 that, but it's becoming less and less. The interaction  
23 between religious people and young people in this country  
24 is becoming less and less simply because these religious  
25 are not around.

26  
27 MS FURNESS: So there's some interaction with counselling  
28 and pastoral work in schools?

29  
30 PROFESSOR MOLONEY: Yes, yes.

31  
32 MS FURNESS: Are there altar boys and girls these days?

33  
34 PROFESSOR MOLONEY: Not in the parish I'm in, but I think  
35 if you - for example, I talked about it earlier. If you go  
36 to a parish that's sort of 80 per cent Filipino, you might  
37 get 20 altar boys and altar girls on the altar. It varies  
38 from parish to parish and which particular culture that  
39 parish is serving, so there's no universal line under that.

40  
41 MS FURNESS: We'll deal with reconciliation later in the  
42 week, so I won't ask you about that. Given that the  
43 access, as you've described it, is variable but lesser than  
44 it was, say, 40 or 50 years ago, where is the current fear  
45 in relation to children in religious institutions?

46  
47 PROFESSOR MOLONEY: I think the trauma that we've been

1 through in this revelation, recognition and acceptance of  
2 what has been done and what still needs to be cared for, as  
3 again we were reminded this morning, has made us super  
4 cautious, super cautious. I think that the interaction  
5 between religious people and young people nowadays is so  
6 controlled that, for example, you just don't do this  
7 (demonstrating) to a kid any more. You just don't do it,  
8 whereas once upon a time this was normal. The kid's  
9 struggling, he's in a boarding school, he's homesick, he  
10 wants to get back to his mum and dad, so you'd go and put  
11 your arm around his shoulder. Not any more. This is  
12 a negative. This is a downside.

13  
14 So we're still trying to work out the ground rules,  
15 but I think the effectiveness of the presence of Christian  
16 people, high-quality Christian people, who have given their  
17 lives to the Christian mission to young people is severely  
18 damaged by what has happened in the past, and I think  
19 that's very sad.

20  
21 THE CHAIR: One of the vulnerable points that has turned  
22 up in some of our studies is the parish priest and the  
23 parish school. This is not the education stream that you  
24 speak of. In one situation we've looked at, of course,  
25 there was a closer relationship between the diocesan  
26 arrangements and the parish school than maybe I think  
27 occurs in other parts of the Australia. But presumably  
28 when you speak about the selection and training of priests,  
29 that intersection between the parish priest and the parish  
30 school is one that will continue, effectively,  
31 indefinitely; is that right?

32  
33 PROFESSOR ORMEROD: I think, even there, that while  
34 canonically they have authority, I think a lot of priests  
35 would say that they just don't have much expertise in that  
36 area.

37  
38 THE CHAIR: That may be so, but it's at that point where  
39 they have access to children and vulnerabilities emerge?

40  
41 PROFESSOR ORMEROD: Again, I can only speak from my  
42 experience. We had four children go through our parish.  
43 Most of the close work with children is undertaken by  
44 laypeople, not by the parish priest. Parish priests would  
45 be brought in to do certain things, sacramental programs,  
46 training, all that sort of stuff.

47

1 THE CHAIR: They're the vulnerable points.

2

3 PROFESSOR ORMEROD: Yes, but even the training of altar  
4 servers was undertaken by laypeople, not by the priest,  
5 because the priest was generally too busy doing other  
6 things. So it was usually parents who had some background,  
7 some training, who would be the ones who would be taking  
8 children through those programs.

9

10 DR MULVIHILL: Of course, that's in the formal structures.  
11 Then in the informal structures, there's the scenario of  
12 the lonely priest at night on the internet or finding  
13 children to teach English to and developing close personal  
14 relationships with them, which is totally unknown,  
15 unsupervised, and continues.

16

17 MS FURNESS: Professor, you were referring before to that  
18 period of time when there was a change in the approach to  
19 the seminary and it became more involved in teaching Latin  
20 and the various outfits and the like, and you said that  
21 there was a change in rector at the time. Who was the new  
22 rector?

23

24 PROFESSOR ORMEROD: Julian Porteous.

25

26 MS FURNESS: Who is now the Archbishop of Hobart?

27

28 PROFESSOR ORMEROD: Yes.

29

30 MS FURNESS: Thank you. I have nothing further,  
31 your Honour.

32

33 THE CHAIR: Mr Gray?

34

35 <EXAMINATION BY MR GRAY:

36

37 MR GRAY: Professor Ormerod, just one thing for you, if  
38 I may. You were saying that your understanding was that  
39 the Australian bishops - and I'm summarising - have not  
40 implemented necessary ongoing training and ongoing  
41 education for priests that ought to be happening.

42

43 PROFESSOR ORMEROD: Yes.

44

45 MR GRAY: Have you had an opportunity to see or to read  
46 the statements that the Australian archbishops and bishops  
47 have provided to the Commission in respect of this final

1 hearing?

2

3 PROFESSOR ORMEROD: No, I haven't.

4

5 MR GRAY: So you're not aware of the evidence that the  
6 archbishops and bishops have given in those statements  
7 about what is being done in the various dioceses and  
8 archdioceses in relation to ongoing education and training?

9

10 PROFESSOR ORMEROD: No.

11

12 MR GRAY: Then, Professor Moloney, one or two things for  
13 you. You would have heard, of course, what  
14 Professor Ormerod said this afternoon about supervision of  
15 priests and, in particular, how he thought that concept  
16 should be understood in terms of, for example, providing  
17 for each priest someone to talk to regularly from whom the  
18 priest could obtain help in dealing with the difficulties  
19 of the role. Do you remember those remarks?

20

21 PROFESSOR MOLONEY: Yes.

22

23 MR GRAY: And that, it might be thought, amounts in some  
24 respects to a form of care, ongoing care, for the priest.

25

26 PROFESSOR MOLONEY: Yes.

27

28 MR GRAY: Do you have any thoughts on that way of looking  
29 at the concept of supervision?

30

31 PROFESSOR MOLONEY: Yes, that's a very good remark. This  
32 needs to be managed strategically and I think the notion of  
33 care is the notion - not, "I'm your supervisor. You must  
34 see me once a month", but, "I'm your carer."

35

36 The bottom line is the bulk of these people are good  
37 people trying to do their best, but they frizzle up. They  
38 need help, and this is where we need to institute care, not  
39 so much some external supervisor that ticks the box in his  
40 little visit but somebody who exercises responsible care.  
41 In fact, I like the word "care" more than "supervision", as  
42 long as it's there and as long as it's regular, but they  
43 need care.

44

45 MR GRAY: Then, finally, a different topic but again for  
46 you, if I may, professor. You were the Provincial of your  
47 order for some years from 2006 --

1  
2 PROFESSOR MOLONEY: Yes, until 2011, for six years.  
3  
4 MR GRAY: Five or six years?  
5  
6 PROFESSOR MOLONEY: Six years.  
7  
8 MR GRAY: You spoke this afternoon of the claims of abuse,  
9 or some of them, that came to your attention during your  
10 time as Provincial.  
11  
12 PROFESSOR MOLONEY: Yes.  
13  
14 MR GRAY: During your time as Provincial, did you feel or  
15 believe that you were in any way constrained or inhibited  
16 by secrecy requirements or otherwise in passing those  
17 claims on to the appropriate authorities, such as the  
18 police?  
19  
20 PROFESSOR MOLONEY: Absolutely not, and I would have very  
21 good support for that from the police at both St Kilda and  
22 Fawkner. Never once did I feel, "Oh, no, I can't do that.  
23 I've got to protect the Church." Never. If there was an  
24 obvious possibility of a criminal offence, that went  
25 straight to the police from me.  
26  
27 MR GRAY: Thank you.  
28  
29 THE CHAIR: Ms Furness?  
30  
31 MS FURNESS: Nothing, your Honour.  
32  
33 THE CHAIR: Do these three come back to us at all?  
34  
35 MS FURNESS: The doctor does.  
36  
37 THE CHAIR: Well, then, doctor, I won't excuse you, but  
38 you other two I will excuse. Can I, on behalf of the  
39 Commission, thank you very much for your contribution  
40 today, including your written material. It's very  
41 important that the Commission gather together the widest of  
42 views from all segments of the Church so that we understand  
43 the problem and hopefully can make useful recommendations.  
44  
45 10 o'clock in the morning?  
46  
47 MS FURNESS: Your Honour, I might just indicate that, yes,

1 we do have the third panel at 10 o'clock, but at  
2 6pm tomorrow we have by videolink Father Gerry O'Hanlon and  
3 we will be sitting between 6pm and 8pm to accommodate the  
4 time frame. Therefore, we will be finishing earlier  
5 tomorrow with the first panel, so there will be a period of  
6 time throughout the day when we won't be sitting.

7  
8 THE CHAIR: Very well. We will adjourn until 10 o'clock.

9  
10 **AT 3.27PM THE COMMISSION WAS ADJOURNED**  
11 **TO WEDNESDAY, 8 FEBRUARY 2017 AT 10AM**

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**\$**  
**\$300,000** [1] - 24800:6  
**1**  
1 [1] - 24790:24  
**1.30** [1] - 24836:17  
**1.34pm** [3] - 24836:24,  
24836:26, 24836:28  
**10** [7] - 24801:46,  
24810:27, 24839:23,  
24880:1, 24884:45,  
24885:1, 24885:8  
**10-year-old** [1] -  
24810:17  
**10.07am** [1] - 24791:4  
**10am** [1] - 24790:27  
**10AM** [1] - 24885:11  
**11** [1] - 24810:27  
**12** [2] - 24810:30,  
24839:41  
**13** [2] - 24838:30,  
24842:8  
**14** [1] - 24838:30  
**14-year-olds** [1] -  
24825:9  
**140** [1] - 24809:21  
**15** [1] - 24874:18  
**16** [1] - 24877:15  
**17** [3] - 24790:23,  
24813:26, 24838:28  
**17.2** [1] - 24848:8  
**18** [1] - 24838:28  
**1800s** [1] - 24810:41  
**1900s** [2] - 24810:41,  
24819:34  
**1940s** [4] - 24817:22,  
24818:10, 24822:40,  
24879:18  
**1950** [2] - 24847:45,  
24847:47  
**1950s** [3] - 24817:23,  
24818:10, 24879:18  
**1959** [1] - 24841:44  
**1960s** [5] - 24792:3,  
24817:14, 24817:40,  
24858:6, 24876:12  
**1964** [2] - 24791:29,  
24791:36  
**1968** [3] - 24792:16,  
24792:18, 24792:27  
**1970s** [1] - 24817:14  
**1972** [1] - 24799:32  
**1978** [1] - 24792:43  
**1980s** [1] - 24830:45  
**1981** [2] - 24793:5,  
24797:22  
**1982** [1] - 24799:21  
**1985** [1] - 24797:19,

24797:33, 24797:35,  
24803:4, 24803:23,  
24804:41, 24805:1,  
24805:31, 24806:47,  
24810:5, 24855:1  
**1986** [3] - 24811:21,  
24812:23, 24837:2  
**1995** [2] - 24840:26,  
24840:32  
**1996** [1] - 24837:18  
**1998** [2] - 24837:39,  
24864:7  
**2**  
**20** [3] - 24793:38,  
24801:46, 24880:37  
**2000** [2] - 24812:30,  
24873:6  
**2001** [1] - 24810:45  
**2002** [3] - 24810:45,  
24854:17, 24871:9  
**2006** [9] - 24818:7,  
24837:39, 24838:9,  
24838:13, 24842:43,  
24845:26, 24875:35,  
24883:47  
**2007** [1] - 24838:9  
**2010** [1] - 24820:14  
**2011** [2] - 24842:44,  
24884:2  
**2012** [1] - 24879:44  
**2017** [2] - 24790:27,  
24885:11  
**21** [1] - 24851:32  
**21.9** [1] - 24848:7  
**22-point-something**  
[1] - 24847:46  
**24** [1] - 24804:16  
**243** [1] - 24790:20  
**25** [4] - 24793:38,  
24812:34, 24847:47,  
24848:2  
**3**  
**3.27PM** [1] - 24885:10  
**30** [1] - 24844:14  
**309** [2] - 24818:13,  
24818:38  
**33** [1] - 24802:27  
**350** [1] - 24808:19  
**4**  
**4,400** [1] - 24831:10  
**40** [6] - 24793:43,  
24830:6, 24844:14,  
24866:13, 24866:15,  
24880:44

**42** [2] - 24807:24,  
24808:26  
**42-page** [1] - 24805:16  
**43** [1] - 24808:25  
**44** [1] - 24808:25  
**44-page** [1] - 24805:17  
**5**  
**50** [5] - 24790:19,  
24793:43, 24826:39,  
24874:16, 24880:44  
**57** [1] - 24851:47  
**6**  
**6** [1] - 24800:46  
**60** [2] - 24810:31,  
24866:12  
**6pm** [2] - 24885:2,  
24885:3  
**7**  
**7** [2] - 24790:27,  
24879:47  
**75** [1] - 24878:34  
**8**  
**8** [2] - 24810:5,  
24885:11  
**80** [1] - 24880:36  
**81** [1] - 24818:43  
**84** [1] - 24827:29  
**88** [1] - 24810:29  
**89** [1] - 24810:29  
**8pm** [1] - 24885:3  
**9**  
**91** [2] - 24810:28,  
24810:40  
**98** [2] - 24818:20,  
24818:36  
**98.9** [1] - 24827:2  
**A**  
**AA** [1] - 24835:18  
**abandon** [2] -  
24842:42, 24849:18  
**ability** [2] - 24813:7,  
24822:13  
**able** [9] - 24794:35,  
24795:43, 24803:39,  
24810:33, 24828:20,  
24834:32, 24842:27,  
24853:40, 24870:11  
**ably** [1] - 24877:7

**absolutely** [7] -  
24817:46, 24847:34,  
24857:13, 24862:13,  
24868:43, 24868:44,  
24884:20  
**absolution** [1] -  
24834:43  
**ABUSE** [1] - 24790:15  
**abuse** [58] - 24791:23,  
24797:30, 24797:38,  
24801:25, 24810:41,  
24810:43, 24815:28,  
24815:46, 24817:8,  
24817:14, 24817:42,  
24819:12, 24822:32,  
24822:40, 24823:27,  
24823:33, 24824:44,  
24829:18, 24829:20,  
24830:21, 24832:32,  
24833:8, 24833:30,  
24838:4, 24839:45,  
24840:3, 24840:11,  
24840:19, 24840:36,  
24843:33, 24844:21,  
24849:44, 24850:36,  
24850:44, 24851:8,  
24852:13, 24854:28,  
24854:38, 24856:16,  
24859:27, 24859:43,  
24860:18, 24860:24,  
24860:32, 24860:41,  
24861:38, 24868:19,  
24869:36, 24871:30,  
24872:9, 24873:42,  
24878:21, 24878:26,  
24878:37, 24879:7,  
24879:13, 24884:8  
**abused** [6] -  
24798:22, 24799:26,  
24806:44, 24824:29,  
24851:13, 24871:32  
**abuser** [3] - 24840:42,  
24853:45, 24853:46  
**abuses** [1] - 24860:31  
**abusing** [7] - 24802:2,  
24805:31, 24822:29,  
24823:23, 24829:26,  
24848:33, 24852:19  
**abusive** [3] - 24816:4,  
24860:14, 24868:22  
**acceptance** [1] -  
24881:1  
**accepted** [2] -  
24794:28, 24826:35  
**accepting** [1] -  
24827:30  
**access** [8] - 24850:19,  
24850:28, 24852:17,  
24852:18, 24852:25,  
24853:15, 24880:43,  
24881:39  
**accommodate** [1] -  
24885:3  
**accord** [1] - 24845:45  
**according** [1] -  
24831:29  
**accountability** [1] -  
24816:13  
**accountable** [1] -  
24873:9  
**accreditation** [1] -  
24869:43  
**accurate** [1] - 24854:8  
**accused** [2] -  
24801:20, 24820:22  
**achieve** [2] -  
24811:40, 24821:24  
**achieved** [1] -  
24811:36  
**acid** [1] - 24817:15  
**acknowledge** [1] -  
24799:11  
**acknowledged** [1] -  
24850:10  
**act** [5] - 24829:30,  
24830:3, 24850:20,  
24850:24, 24869:27  
**acted** [2] - 24829:32,  
24858:19  
**action** [2] - 24834:11,  
24872:5  
**actions** [1] - 24817:21  
**active** [3] - 24811:8,  
24825:31, 24862:12  
**activities** [1] -  
24880:21  
**activity** [3] - 24852:2,  
24868:22, 24869:36  
**actual** [4] - 24797:32,  
24802:28, 24802:45,  
24818:38  
**ad** [1] - 24835:16  
**AD** [2] - 24818:13,  
24818:20  
**add** [4] - 24856:24,  
24863:19, 24867:43,  
24876:41  
**addiction** [2] -  
24812:27, 24812:31  
**addictions** [2] -  
24791:24, 24812:30  
**addition** [1] -  
24822:27  
**additional** [1] -  
24867:16  
**Adelaide** [6] -  
24854:43, 24854:44,  
24854:47, 24857:41,  
24868:39  
**adequately** [1] -

24821:17  
**adherence** [2] -  
24793:47, 24794:1  
**adjoin** [1] - 24885:8  
**adjournment** [3] -  
24826:18, 24836:14,  
24836:16  
**administration** [3] -  
24858:7, 24858:11,  
24862:30  
**administrative** [2] -  
24793:28, 24808:21  
**admit** [1] - 24807:6  
**adolescent** [2] -  
24820:40, 24834:38  
**adolescents** [2] -  
24826:42, 24830:5  
**adopt** [1] - 24867:23  
**Adult** [1] - 24837:10  
**adult** [10] - 24826:4,  
24834:37, 24837:12,  
24839:38, 24839:47,  
24840:3, 24840:35,  
24859:33, 24871:30,  
24877:5  
**adults** [3] - 24832:32,  
24837:12  
**Adventist** [1] -  
24837:27  
**adverse** [1] - 24794:42  
**advice** [8] - 24815:19,  
24815:26, 24815:41,  
24845:31, 24845:40,  
24850:47, 24855:23,  
24855:32  
**advise** [2] - 24865:27,  
24869:38  
**affect** [3] - 24822:28,  
24832:39, 24878:25  
**affected** [2] - 24823:2,  
24824:47  
**affection** [1] -  
24851:29  
**affective** [1] -  
24873:45  
**affects** [2] - 24822:31,  
24830:14  
**Affirmation** [1] -  
24800:1  
**affirmatively** [1] -  
24793:47  
**affirmed** [1] -  
24836:28  
**afraid** [1] - 24824:28  
**Africa** [2] - 24866:28,  
24873:32  
**African** [1] - 24826:32  
**Africans** [1] -  
24866:13  
**afternoon** [3] -  
24860:8, 24883:14,  
24884:8  
**age** [6] - 24810:31,  
24825:3, 24838:28,  
24851:32, 24867:11,  
24874:17  
**age-appropriate** [1] -  
24825:3  
**agency** [3] - 24797:44,  
24798:3, 24862:15  
**ages** [2] - 24819:14,  
24819:15  
**aggressive** [3] -  
24800:28, 24846:26,  
24846:27  
**ago** [9] - 24814:2,  
24832:32, 24837:2,  
24852:43, 24868:13,  
24875:35, 24877:15,  
24880:44  
**agree** [11] - 24791:31,  
24791:33, 24824:47,  
24825:4, 24829:23,  
24850:5, 24850:7,  
24850:30, 24850:38,  
24851:8  
**agreed** [4] - 24805:12,  
24813:41, 24814:45,  
24814:46  
**agreement** [5] -  
24800:4, 24800:18,  
24800:27, 24846:5,  
24868:44  
**ahead** [1] - 24866:39  
**aid** [2] - 24813:14,  
24837:13  
**aide** [1] - 24809:35  
**aides** [1] - 24833:43  
**air** [3] - 24812:9,  
24824:25, 24825:30  
**Air** [1] - 24812:24  
**airport** [1] - 24794:20  
**AJ** [1] - 24805:43  
**albeit** [1] - 24872:20  
**Albert** [1] - 24806:43  
**alcoholic** [4] -  
24812:33, 24829:34,  
24829:35  
**all-encompassing** [1]  
- 24822:7  
**allegations** [10] -  
24823:31, 24844:20,  
24844:30, 24845:3,  
24845:8, 24845:22,  
24847:19, 24847:46,  
24848:32, 24851:8  
**allow** [3] - 24805:4,  
24816:13, 24846:46  
**allowed** [4] -  
24816:37, 24816:38,  
24818:34, 24860:45  
**allows** [5] - 24823:22,  
24823:26, 24829:3,  
24861:38, 24879:6  
**alluring** [1] - 24852:41  
**almost** [4] - 24791:21,  
24853:37, 24875:4,  
24877:7  
**alone** [1] - 24802:10  
**altar** [5] - 24880:32,  
24880:37, 24882:3  
**altogether** [1] -  
24847:36  
**amateurish** [1] -  
24865:39  
**ambassador** [2] -  
24797:45, 24802:45  
**Ambassador** [1] -  
24815:35  
**ambassadors** [1] -  
24799:4  
**America** [3] -  
24792:44, 24842:35,  
24842:38  
**American** [4] -  
24807:47, 24826:31,  
24826:32, 24828:47  
**Americans** [1] -  
24820:18  
**Americas** [1] -  
24873:32  
**amount** [9] -  
24791:43, 24807:46,  
24808:44, 24820:2,  
24829:31, 24832:28,  
24836:13, 24860:24,  
24876:21  
**amounts** [1] -  
24883:23  
**analogously** [1] -  
24833:5  
**analogy** [1] - 24829:9  
**analysed** [1] -  
24796:23  
**Andrew** [1] - 24790:38  
**angels** [1] - 24854:14  
**anger** [3] - 24810:35,  
24815:8, 24815:15  
**Anglican** [2] -  
24827:30, 24837:26  
**angry** [2] - 24824:15,  
24834:5  
**Ann** [1] - 24790:34  
**annual** [1] - 24859:41  
**answer** [5] - 24809:14,  
24835:9, 24848:35,  
24862:4, 24875:36  
**answerability** [1] -  
24858:10  
**answerable** [3] -  
24874:10, 24879:3  
**answered** [3] -  
24793:46, 24848:23,  
24875:7  
**answering** [2] -  
24794:7, 24844:2  
**answers** [2] -  
24810:25, 24861:15  
**anti** [2] - 24800:29  
**anti-Catholic** [2] -  
24800:29  
**anything** [1] -  
24834:7  
**anyway** [4] - 24818:6,  
24818:23, 24818:33,  
24873:43  
**AO** [1] - 24790:35  
**apart** [3] - 24825:27,  
24828:21, 24879:3  
**APM** [1] - 24790:35  
**apologies** [2] -  
24834:12, 24863:23  
**apology** [3] -  
24873:10, 24873:14,  
24873:23  
**apostles** [3] -  
24818:22, 24821:40,  
24821:42  
**Apostolic** [1] -  
24801:18  
**appeal** [1] - 24821:15  
**apple** [1] - 24860:19  
**applied** [1] - 24815:46  
**apply** [6] - 24819:18,  
24846:38, 24863:5,  
24870:1, 24870:2  
**appointed** [7] -  
24798:23, 24805:40,  
24856:25, 24856:40,  
24856:43, 24857:30,  
24877:26  
**appointment** [4] -  
24798:12, 24805:38,  
24850:46, 24877:16  
**appointments** [1] -  
24867:27  
**apoints** [1] -  
24856:39  
**appreciate** [2] -  
24835:46, 24869:2  
**appreciated** [1] -  
24855:39  
**appreciation** [1] -  
24839:38  
**approach** [2] -  
24813:2, 24882:18  
**approached** [4] -  
24800:2, 24813:37,  
24815:37, 24837:31  
**appropriate** [2] -  
24825:3, 24884:17  
**approval** [5] -  
24794:23, 24796:16,  
24809:30, 24809:33,  
24811:47  
**approved** [1] -  
24812:35  
**archbishop** [5] -  
24855:12, 24855:18,  
24856:2, 24857:16,  
24876:32  
**Archbishop** [8] -  
24804:18, 24805:35,  
24809:13, 24855:1,  
24855:5, 24855:22,  
24877:16, 24882:26  
**archbishops** [5] -  
24857:35, 24862:29,  
24878:30, 24882:46,  
24883:6  
**Archdiocese** [3] -  
24793:13, 24870:15,  
24877:16  
**archdiocese** [2] -  
24855:25, 24856:42  
**archdioceses** [1] -  
24883:8  
**archive** [1] - 24797:1  
**area** [16] - 24791:26,  
24794:46, 24798:30,  
24799:36, 24800:38,  
24804:6, 24840:28,  
24845:38, 24846:23,  
24849:38, 24859:9,  
24865:34, 24869:6,  
24869:13, 24869:19,  
24881:36  
**areas** [4] - 24791:21,  
24838:45, 24865:33,  
24865:39  
**argument** [3] -  
24822:41, 24828:4,  
24869:20  
**arisen** [1] - 24860:4  
**arises** [1] - 24860:6  
**arm** [1] - 24881:11  
**armed** [1] - 24871:44  
**aroused** [1] - 24853:3  
**arrange** [1] - 24798:27  
**arrangements** [1] -  
24881:26  
**arrests** [1] - 24831:22  
**arrive** [1] - 24851:25  
**arrived** [5] - 24844:18,  
24844:19, 24844:35,  
24845:8, 24860:20  
**article** [1] - 24875:34  
**articles** [1] - 24809:17  
**articulated** [1] -  
24868:33

**artist** [1] - 24878:17  
**artists** [1] - 24878:2  
**Arts** [3] - 24837:6, 24837:8  
**ashes** [1] - 24819:24  
**Asia** [1] - 24873:32  
**aside** [1] - 24838:21  
**aspect** [1] - 24864:11  
**aspects** [1] - 24864:35  
**assault** [3] - 24799:32, 24836:45, 24837:23  
**assaults** [1] - 24822:17  
**assessment** [1] - 24847:13  
**assessments** [1] - 24872:3  
**asset** [1] - 24808:4  
**assets** [1] - 24822:5  
**assigned** [1] - 24799:34  
**assist** [3] - 24837:19, 24837:30, 24852:6  
**assistant** [1] - 24793:34  
**assisted** [1] - 24837:25  
**Assisting** [1] - 24790:42  
**association** [1] - 24871:14  
**associations** [1] - 24871:38  
**assume** [1] - 24861:16  
**assumed** [1] - 24825:1  
**assumes** [1] - 24828:38  
**AT** [2] - 24885:10, 24885:11  
**Atkinson** [1] - 24790:35  
**attached** [2] - 24809:16, 24822:3  
**attack** [1] - 24798:9  
**attacked** [1] - 24862:37  
**attempt** [1] - 24858:6  
**attempts** [1] - 24858:14  
**Attend** [1] - 24829:5  
**attend** [1] - 24829:6  
**attention** [3] - 24812:7, 24813:25, 24884:9  
**attitude** [1] - 24877:8  
**attitudes** [2] - 24825:24, 24830:15  
**attorney** [4] - 24800:38, 24800:39, 24803:23, 24806:41  
**attorneys** [1] - 24821:2  
**attracted** [6] - 24791:47, 24792:8, 24807:29, 24807:46, 24849:8, 24849:14  
**attractive** [4] - 24851:27, 24851:37, 24853:10, 24861:43  
**aunts** [1] - 24806:32  
**Australia** [24] - 24821:4, 24833:10, 24836:40, 24837:20, 24838:21, 24842:43, 24843:5, 24854:42, 24855:15, 24855:41, 24858:40, 24859:19, 24862:19, 24862:25, 24865:9, 24866:10, 24867:15, 24867:22, 24868:17, 24873:28, 24875:3, 24876:5, 24878:31, 24881:27  
**Australian** [14] - 24839:10, 24840:11, 24856:43, 24862:14, 24864:7, 24864:14, 24864:18, 24866:13, 24868:27, 24872:41, 24875:31, 24878:2, 24882:39, 24882:46  
**Australians** [4] - 24862:21, 24862:23, 24862:25, 24873:29  
**authorities** [10] - 24819:15, 24819:16, 24819:17, 24820:2, 24820:9, 24820:15, 24820:19, 24822:22, 24823:3, 24884:17  
**authority** [7] - 24802:45, 24818:6, 24822:24, 24855:38, 24856:20, 24856:46, 24881:34  
**automatically** [1] - 24852:46  
**auxiliary** [8] - 24793:34, 24794:8, 24795:3, 24795:8, 24855:2, 24855:3  
**available** [1] - 24862:3  
**average** [1] - 24832:20  
**aware** [9] - 24808:37, 24809:39, 24822:39, 24824:39, 24849:37, 24853:13, 24865:41, 24875:12, 24883:5  
**awareness** [2] - 24834:47, 24874:31  
**awful** [1] - 24800:10  


---

## B

---

**babies** [1] - 24825:42  
**Bachelor** [1] - 24837:6  
**background** [3] - 24838:24, 24854:19, 24882:6  
**backgrounds** [1] - 24871:38  
**backtrack** [2] - 24800:15, 24802:26  
**backwards** [1] - 24876:37  
**bad** [7] - 24835:11, 24835:12, 24849:34, 24860:19, 24861:3, 24867:27, 24875:37  
**badly** [1] - 24873:16  
**bag** [1] - 24834:7  
**bags** [3] - 24807:3, 24847:25  
**balance** [1] - 24862:7  
**Baltimore** [1] - 24830:1  
**banished** [1] - 24822:44  
**baptism** [1] - 24832:15  
**Baptist** [1] - 24859:40  
**bar** [1] - 24852:46  
**barrel** [1] - 24860:28  
**barricades** [1] - 24862:41  
**barrier** [1] - 24853:44  
**base** [1] - 24825:28  
**based** [8] - 24791:33, 24818:8, 24821:6, 24821:10, 24828:7, 24851:35, 24855:28, 24859:43  
**basic** [1] - 24851:29  
**basis** [1] - 24853:39  
**basket** [1] - 24865:22  
**Bathurst** [2] - 24838:27, 24838:29  
**battery** [1] - 24801:29  
**battle** [1] - 24866:22  
**be-all** [1] - 24831:37  
**bear** [2] - 24813:22, 24855:40  
**beating** [1] - 24819:23  
**became** [6] - 24809:12, 24834:35, 24850:10, 24855:6, 24879:44, 24882:19  
**become** [10] - 24821:22, 24822:34, 24825:31, 24842:31, 24846:41, 24853:39, 24858:24, 24861:43, 24864:3, 24869:25  
**becomes** [3] - 24861:6, 24861:8, 24871:23  
**becoming** [7] - 24792:9, 24831:3, 24854:35, 24862:28, 24875:12, 24880:22, 24880:24  
**bed** [2] - 24818:47, 24819:6  
**bedroom** [1] - 24811:32  
**began** [7] - 24792:27, 24797:20, 24797:22, 24801:3, 24819:34, 24837:2, 24845:26  
**begin** [3] - 24845:17, 24851:26, 24855:10  
**beginning** [2] - 24799:17, 24838:9  
**beginnings** [1] - 24870:21  
**begins** [1] - 24818:41  
**behalf** [4] - 24835:37, 24862:20, 24862:46, 24884:38  
**behave** [1] - 24859:33  
**behaviour** [1] - 24818:35  
**behind** [2] - 24834:44, 24835:17  
**beings** [2] - 24824:4, 24851:33  
**belief** [8] - 24821:10, 24824:3, 24824:22, 24831:41, 24831:46, 24831:47, 24832:3, 24847:20  
**believable** [1] - 24826:38  
**belong** [2] - 24862:9, 24880:7  
**Benedict** [1] - 24796:14  
**Benny** [1] - 24817:23  
**Bernie** [1] - 24798:35  
**best** [9] - 24812:15, 24817:5, 24825:9, 24825:44, 24835:9, 24843:17, 24867:22, 24873:22, 24883:37  
**best-educated** [1] - 24825:9  
**betrayed** [2] - 24844:15, 24849:24  
**better** [8] - 24798:4, 24812:8, 24828:8, 24832:40, 24838:18, 24874:45, 24874:46, 24878:31  
**between** [19] - 24828:16, 24837:39, 24837:41, 24841:8, 24853:44, 24855:6, 24855:18, 24868:46, 24869:5, 24871:46, 24876:7, 24878:29, 24878:36, 24879:25, 24880:23, 24881:5, 24881:25, 24881:29, 24885:3  
**Bevilacqua** [1] - 24809:12  
**beyond** [3] - 24828:31, 24834:25, 24867:27  
**BHP** [1] - 24847:23  
**Biblical** [1] - 24841:47  
**big** [6] - 24856:6, 24866:3, 24866:19, 24875:15, 24879:37  
**biggest** [1] - 24833:37  
**birth** [1] - 24794:23  
**Bishop** [6] - 24798:23, 24798:24, 24809:6, 24809:12, 24837:19, 24855:4  
**bishop** [57] - 24793:26, 24793:34, 24793:39, 24794:37, 24794:43, 24795:2, 24795:3, 24795:11, 24795:19, 24795:23, 24796:13, 24796:25, 24797:42, 24797:43, 24797:46, 24798:2, 24798:9, 24798:12, 24798:16, 24798:18, 24799:26, 24799:35, 24800:30, 24800:35, 24801:18, 24801:21, 24804:17, 24804:27, 24804:32, 24804:36, 24805:4, 24805:38, 24805:40, 24806:25, 24806:46, 24807:25, 24809:11, 24810:4, 24816:22, 24818:32, 24821:43, 24830:42, 24831:8, 24832:23, 24834:16, 24855:2, 24855:3, 24855:18, 24856:39, 24856:41, 24858:24, 24861:3, 24861:4, 24866:17, 24873:15  
**bishop\*** [1] - 24823:8

**Bishops** [8] - 24795:35, 24796:3, 24808:20, 24809:26, 24809:37, 24818:38, 24864:27, 24864:32  
**bishops** [63] - 24793:27, 24793:31, 24793:33, 24795:8, 24795:12, 24797:41, 24801:11, 24806:8, 24807:40, 24807:45, 24807:47, 24808:16, 24808:18, 24808:19, 24808:39, 24808:46, 24809:2, 24809:10, 24809:27, 24809:45, 24815:5, 24815:44, 24816:5, 24816:8, 24816:26, 24817:7, 24817:30, 24819:3, 24819:4, 24820:17, 24821:39, 24822:8, 24822:25, 24823:43, 24826:7, 24856:40, 24857:39, 24858:40, 24862:28, 24863:47, 24864:2, 24864:38, 24864:39, 24865:8, 24865:11, 24866:4, 24866:6, 24866:20, 24866:34, 24866:43, 24867:6, 24867:20, 24867:21, 24867:26, 24872:12, 24872:18, 24872:33, 24875:39, 24878:32, 24882:39, 24882:46, 24883:6  
**bit** [17] - 24805:6, 24815:31, 24830:8, 24830:26, 24831:18, 24834:30, 24840:14, 24840:15, 24843:24, 24844:27, 24851:17, 24853:32, 24854:4, 24854:24, 24867:6, 24874:8, 24874:14  
**bite** [1] - 24850:46  
**bizarre** [2] - 24807:5, 24825:41  
**blaming** [1] - 24801:11  
**blockage** [1] - 24808:17  
**blocked** [1] - 24878:47  
**blocking** [1] - 24808:23  
**blossom** [1] - 24851:39  
**blown** [1] - 24801:7  
**blueprint** [1] - 24821:11  
**blunt** [1] - 24877:18  
**board** [2] - 24816:36, 24863:6  
**boarding** [2] - 24860:34, 24881:9  
**Bob** [1] - 24790:35  
**bodies** [4] - 24819:42, 24824:40, 24866:20, 24871:17  
**body** [4] - 24808:18, 24808:21, 24833:4, 24868:29  
**boggling** [1] - 24833:2  
**bonhomie** [1] - 24871:45  
**book** [10] - 24797:25, 24797:26, 24818:3, 24818:7, 24840:11, 24840:19, 24849:40, 24849:42, 24850:27  
**books** [1] - 24815:29  
**booming** [1] - 24880:3  
**born** [1] - 24811:34  
**boss** [4] - 24801:6, 24804:9, 24806:38, 24809:24  
**bottom** [5] - 24797:1, 24800:45, 24818:12, 24864:23, 24883:36  
**bounces** [2] - 24866:5, 24866:7  
**boundaries** [3] - 24859:44, 24861:5, 24861:8  
**box** [2] - 24836:3, 24883:39  
**boxes** [1] - 24870:43  
**boy** [4] - 24799:32, 24810:17, 24810:27, 24826:2  
**boys** [16] - 24797:43, 24799:28, 24818:29, 24818:45, 24818:46, 24819:5, 24819:28, 24820:40, 24830:36, 24849:9, 24849:12, 24851:28, 24860:20, 24875:25, 24880:32, 24880:37  
**breached** [1] - 24861:9  
**bread** [1] - 24819:22  
**break** [1] - 24826:22  
**breakdown** [4] - 24829:4, 24842:41, 24843:14, 24844:16  
**breaking** [2] - 24829:11, 24830:14  
**briefed** [1] - 24806:17  
**briefly** [1] - 24832:12  
**brilliant** [1] - 24800:28  
**bring** [2] - 24794:33, 24801:29  
**bringing** [1] - 24813:14  
**Brisbane** [2] - 24870:14, 24870:16  
**broadened** [2] - 24807:10, 24807:13  
**broader** [3] - 24833:40, 24876:16, 24878:46  
**broadly** [1] - 24865:25  
**broken** [9] - 24828:41, 24829:2, 24829:3, 24829:6, 24830:13, 24830:17, 24830:23, 24830:24, 24871:36  
**Brother** [3] - 24846:40, 24874:16, 24874:17  
**brother** [3] - 24872:3, 24874:15, 24874:34  
**Brothers** [14] - 24837:31, 24837:45, 24846:37, 24847:38, 24847:44, 24847:47, 24848:7, 24852:23, 24872:9, 24872:45, 24873:44, 24879:26, 24879:28  
**brought** [8] - 24797:45, 24799:5, 24799:38, 24813:25, 24821:26, 24822:45, 24830:30, 24881:45  
**bubbling** [1] - 24805:28  
**buck** [1] - 24857:4  
**build** [1] - 24876:26  
**building** [1] - 24876:24  
**built** [2] - 24821:38, 24824:11  
**bulk** [1] - 24883:36  
**bullet** [1] - 24850:47  
**burden** [1] - 24829:28  
**bureaucracy** [1] - 24816:12  
**buried** [3] - 24800:45, 24822:43, 24831:14  
**burn** [1] - 24805:9  
**business** [8] - 24830:43, 24837:35, 24868:4, 24868:11, 24868:13, 24868:17, 24869:21, 24869:25  
**businesses** [1] - 24836:43  
**busy** [2] - 24804:30, 24882:5  
**buy** [6] - 24825:39, 24825:40, 24860:19, 24860:20, 24860:21, 24876:26  
**buzzword** [1] - 24799:13  
**BY** [3] - 24791:6, 24836:30, 24882:35  


---

**C**

---

**Cajuns** [1] - 24806:30  
**Canberra** [1] - 24795:14  
**cancer** [1] - 24802:9  
**candidacy** [2] - 24794:24, 24795:6  
**candidate** [6] - 24794:19, 24795:40, 24796:10, 24796:25, 24796:47, 24797:4  
**candidates** [7] - 24793:25, 24793:36, 24793:37, 24793:40, 24796:8, 24796:13  
**candidature** [1] - 24794:28  
**cannot** [5] - 24794:14, 24802:37, 24818:35, 24829:38, 24835:31  
**Canon** [2] - 24857:25, 24857:33  
**canon** [16] - 24792:39, 24792:47, 24793:1, 24795:29, 24795:32, 24806:11, 24809:16, 24817:35, 24818:40, 24818:44, 24818:45, 24819:2, 24820:16, 24821:13, 24828:36  
**canonical** [4] - 24815:47, 24816:27, 24846:36, 24856:26  
**canonically** [1] - 24881:34  
**Canonist** [1] - 24793:6  
**canonist** [2] - 24793:24, 24808:9  
**canons** [2] - 24818:40, 24818:43  
**capable** [1] - 24879:40  
**capacity** [3] - 24811:3, 24811:6, 24865:24  
**car** [1] - 24834:17  
**Cardinal** [6] - 24805:34, 24805:35, 24809:11, 24813:27, 24876:24, 24877:30  
**Cardinals** [1] - 24832:34  
**care** [33] - 24799:41, 24800:20, 24801:24, 24809:16, 24812:10, 24814:19, 24814:29, 24814:32, 24814:36, 24823:10, 24833:33, 24833:38, 24833:40, 24833:47, 24834:1, 24834:23, 24836:43, 24840:35, 24846:28, 24860:27, 24860:28, 24860:34, 24862:47, 24868:31, 24880:3, 24880:7, 24883:24, 24883:33, 24883:38, 24883:40, 24883:41, 24883:43  
**cared** [2] - 24879:39, 24881:2  
**career** [2] - 24812:15, 24874:19  
**carefully** [1] - 24868:33  
**carer** [1] - 24883:34  
**cares** [1] - 24835:42  
**caring** [1] - 24814:40  
**carried** [2] - 24841:13, 24866:44  
**carry** [1] - 24866:43  
**Case** [1] - 24790:19  
**case** [17] - 24799:5, 24799:23, 24801:5, 24801:14, 24804:30, 24817:44, 24821:4, 24849:43, 24850:3, 24850:7, 24854:26, 24857:33, 24859:43, 24865:15, 24866:42, 24871:30, 24876:23  
**cases** [7] - 24800:31, 24802:28, 24802:33, 24808:41, 24819:35, 24830:35, 24844:34  
**caste** [1] - 24879:3  
**catalyst** [1] - 24817:42  
**Catholic** [51] - 24791:17, 24791:20, 24792:43, 24800:29, 24801:10, 24808:20, 24812:47, 24813:1, 24813:2, 24818:19, 24818:38, 24823:17, 24825:42, 24826:30, 24827:27, 24827:30, 24832:13, 24834:41, 24837:16, 24837:19, 24839:10, 24839:20,

24840:31, 24841:2, 24841:6, 24841:38, 24842:35, 24842:38, 24846:36, 24847:24, 24854:4, 24860:45, 24861:21, 24862:1, 24863:6, 24864:7, 24864:14, 24864:18, 24867:3, 24867:4, 24867:5, 24867:6, 24868:19, 24868:20, 24868:29, 24870:4, 24874:35, 24875:39, 24876:44, 24878:10

**Catholics** [2] - 24791:41, 24821:37

**caught** [1] - 24798:3

**causal** [4] - 24820:26, 24822:23, 24854:37, 24858:46

**Causes** [1] - 24817:1

**causes** [3] - 24820:34, 24820:45

**caution** [1] - 24795:5

**cautious** [2] - 24881:4

**celebrate** [2] - 24870:14, 24874:16

**celibacy** [29] - 24818:6, 24824:42, 24825:2, 24825:5, 24825:6, 24825:16, 24825:24, 24825:26, 24825:40, 24826:23, 24826:29, 24826:40, 24827:3, 24827:26, 24827:36, 24827:41, 24828:16, 24828:24, 24828:32, 24828:35, 24828:38, 24829:11, 24830:13, 24840:44, 24871:26, 24871:34, 24878:39, 24878:44

**celibacy"** [2] - 24826:25, 24878:39

**celibate** [3] - 24827:41, 24828:21, 24841:18

**cell** [1] - 24801:2

**cent** [11] - 24826:39, 24827:2, 24827:29, 24847:46, 24848:7, 24848:8, 24866:12, 24866:13, 24866:15, 24878:34, 24880:36

**centre** [2] - 24803:46, 24839:42

**Centre** [1] - 24839:22

**century** [1] - 24818:22

**ceremonies** [1] - 24832:14

**certain** [8] - 24794:33, 24826:42, 24856:41, 24863:9, 24866:18, 24874:21, 24874:31, 24881:45

**certainly** [7] - 24814:25, 24815:2, 24816:43, 24820:32, 24824:40, 24872:24, 24873:8

**certificate** [1] - 24795:20

**certified** [1] - 24812:30

**cetera** [6] - 24821:43, 24832:24, 24847:8, 24866:14, 24876:17

**chain** [1] - 24865:21

**Chair** [1] - 24790:33

**CHAIR** [56] - 24826:18, 24826:44, 24827:7, 24827:35, 24835:25, 24835:29, 24835:34, 24835:45, 24836:16, 24842:19, 24843:31, 24843:37, 24843:41, 24843:46, 24844:5, 24848:22, 24848:32, 24848:38, 24848:43, 24849:1, 24849:5, 24855:17, 24855:27, 24855:32, 24855:43, 24856:2, 24856:6, 24856:35, 24856:46, 24857:6, 24857:11, 24857:44, 24858:2, 24868:1, 24868:24, 24868:38, 24869:1, 24869:18, 24874:42, 24876:41, 24876:47, 24877:12, 24877:18, 24877:23, 24877:30, 24877:35, 24877:39, 24878:13, 24881:21, 24881:38, 24882:1, 24882:33, 24884:29, 24884:33, 24884:37, 24885:8

**challenges** [1] - 24826:44

**chance** [1] - 24824:33

**Chancery** [1] - 24806:34

**change** [24] - 24805:20, 24812:16, 24815:18, 24819:42, 24819:43, 24846:25, 24862:7, 24867:23, 24868:2, 24872:13, 24873:39, 24874:7, 24874:44, 24876:45, 24876:47, 24877:2, 24877:8, 24877:18, 24877:21, 24877:23, 24878:8, 24882:18, 24882:21

**changed** [6] - 24793:27, 24795:12, 24810:19, 24816:34, 24819:39, 24819:41

**changes** [8] - 24796:27, 24832:39, 24833:20, 24833:21, 24846:21, 24860:26, 24861:7

**changing** [1] - 24875:28

**chaos** [1] - 24805:7

**chapel** [3] - 24825:29, 24825:31, 24878:3

**chaplain** [2] - 24812:29, 24827:46

**chaplains** [1] - 24828:1

**chapter** [1] - 24818:27

**character** [1] - 24847:13

**charge** [3] - 24801:5, 24838:19, 24861:2

**charges** [2] - 24800:41, 24803:24

**chase** [1] - 24805:44

**chastity** [2] - 24878:41, 24878:43

**check** [2] - 24820:15, 24870:43

**checked** [2] - 24864:20, 24870:22

**Chicago** [1] - 24793:14

**CHILD** [1] - 24790:15

**child** [20] - 24802:5, 24822:16, 24823:18, 24824:29, 24824:44, 24826:5, 24829:18, 24829:19, 24830:20, 24834:37, 24836:44, 24837:22, 24840:2, 24844:20, 24862:38, 24869:36, 24878:21, 24878:26, 24878:37, 24879:13

**childcare** [1] - 24867:11

**children** [51] - 24791:25, 24797:38, 24800:19, 24803:37, 24805:31, 24807:19, 24815:2, 24815:46, 24820:35, 24822:29, 24822:32, 24823:23, 24823:33, 24825:4, 24826:42, 24827:33, 24827:44, 24829:26, 24830:4, 24830:15, 24830:16, 24832:31, 24843:33, 24848:33, 24849:44, 24850:20, 24850:36, 24851:13, 24852:25, 24852:27, 24853:28, 24860:33, 24866:44, 24868:7, 24868:18, 24868:21, 24879:25, 24879:34, 24879:39, 24880:12, 24880:15, 24880:45, 24881:39, 24881:42, 24881:43, 24882:8, 24882:13

**choose** [1] - 24814:15

**chose** [2] - 24806:7, 24806:9

**chosen** [3] - 24806:1, 24806:5, 24856:2

**Christ** [4] - 24821:11, 24821:19, 24821:20, 24821:44

**Christian** [4] - 24839:22, 24881:15, 24881:16, 24881:17

**Christianity** [2] - 24861:22, 24861:23

**Christians** [1] - 24877:5

**Christology** [1] - 24841:11

**church** [12] - 24813:11, 24818:24, 24818:25, 24819:44, 24821:20, 24823:42, 24824:30, 24824:31, 24831:43, 24840:32, 24861:14, 24862:20

**Church** [145] - 24791:17, 24791:20, 24794:22, 24795:17, 24798:15, 24799:15, 24801:10, 24802:13, 24802:23, 24804:11, 24805:8, 24806:46, 24810:21, 24814:29, 24814:38, 24815:12, 24817:36, 24817:41, 24818:19, 24819:12, 24819:15, 24819:21, 24819:22, 24821:9, 24821:12, 24821:19, 24821:36, 24821:38, 24821:42, 24822:6, 24822:11, 24822:22, 24822:24, 24822:43, 24823:3, 24823:7, 24823:17, 24823:30, 24823:31, 24823:37, 24823:42, 24824:11, 24827:2, 24827:7, 24827:8, 24827:24, 24827:30, 24827:36, 24828:28, 24830:21, 24831:17, 24831:22, 24831:24, 24831:25, 24831:27, 24831:28, 24831:35, 24831:38, 24831:41, 24832:3, 24832:6, 24832:9, 24832:13, 24832:27, 24832:30, 24832:33, 24833:17, 24833:40, 24834:41, 24837:20, 24837:23, 24837:27, 24837:28, 24839:26, 24846:36, 24847:8, 24847:24, 24850:30, 24850:35, 24851:8, 24854:4, 24856:38, 24856:43, 24858:2, 24858:18, 24859:40, 24860:45, 24861:21, 24862:33, 24862:40, 24862:47, 24863:6, 24863:12, 24863:16, 24864:8, 24864:14, 24864:18, 24864:21, 24864:23, 24865:25, 24865:26, 24865:35, 24867:4, 24867:5, 24867:15, 24868:3, 24868:4, 24868:5, 24868:7, 24868:8, 24868:10, 24868:12, 24868:19, 24868:20, 24868:29, 24869:5, 24869:13, 24869:21, 24869:26, 24870:4, 24871:16, 24872:21, 24873:33, 24874:43, 24875:8, 24875:31, 24876:11, 24876:13, 24876:42, 24878:17, 24878:23, 24878:25, 24879:12, 24879:19, 24879:25, 24879:35, 24880:8, 24884:23, 24884:42

**Church's** [8] - 24793:47, 24794:2, 24813:2, 24818:17, 24821:2, 24821:8, 24825:40, 24826:45

**churches** [9] -

24836:44, 24853:22, 24853:26, 24854:2, 24859:39, 24863:4, 24869:32, 24870:4, 24871:16  
**churchgoing** [1] - 24862:40  
**churchmen** [1] - 24823:43  
**churchy** [1] - 24791:42  
**circuit** [1] - 24805:14  
**circulate** [2] - 24809:27, 24809:31  
**circumstances** [4] - 24794:27, 24827:35, 24830:28, 24874:2  
**circumstantial** [1] - 24817:12  
**cited** [1] - 24826:36  
**city** [1] - 24876:25  
**civil** [9] - 24806:11, 24809:15, 24816:1, 24820:2, 24820:9, 24820:15, 24820:19, 24821:1, 24844:37  
**claimed** [1] - 24860:9  
**claims** [8] - 24824:43, 24844:20, 24845:22, 24850:36, 24854:29, 24854:39, 24884:8, 24884:17  
**classic** [3] - 24821:3, 24841:12, 24842:31  
**classmates** [1] - 24793:40  
**clean** [1] - 24806:10  
**clear** [2] - 24833:28, 24852:16  
**clearly** [2] - 24834:32, 24869:30  
**clergy** [15] - 24797:30, 24822:29, 24822:31, 24832:19, 24833:31, 24839:44, 24840:34, 24866:6, 24866:8, 24866:10, 24866:15, 24866:25, 24880:11, 24880:14  
**clerical** [9] - 24817:37, 24818:6, 24820:42, 24823:39, 24825:26, 24832:27, 24871:47, 24875:29, 24878:38  
**clericalism** [6] - 24823:40, 24851:1, 24851:5, 24876:3, 24876:6, 24879:1  
**clerics** [4] - 24813:26, 24818:30, 24819:2, 24825:46  
**Clinic** [1] - 24804:1  
**cloak** [2] - 24804:45, 24819:33  
**cloaked** [1] - 24819:13  
**close** [4] - 24843:18, 24877:47, 24881:43, 24882:13  
**closed** [2] - 24837:35, 24839:24  
**closely** [1] - 24840:14  
**closer** [1] - 24881:25  
**closing** [1] - 24875:24  
**cloth** [1] - 24819:24  
**club** [1] - 24871:47  
**clue** [1] - 24815:32  
**Coate** [1] - 24790:34  
**code** [6] - 24818:27, 24870:34, 24870:40, 24870:45, 24871:13  
**Codes** [1] - 24818:7  
**coffee** [1] - 24825:32  
**collaborated** [1] - 24819:15  
**collar** [1] - 24864:36  
**colleagues** [3] - 24808:43, 24817:19, 24835:37  
**college** [3] - 24792:12, 24817:38, 24841:39  
**College** [2] - 24817:38, 24841:38  
**colony** [1] - 24872:36  
**column** [1] - 24800:46  
**comfort** [1] - 24813:15  
**coming** [23] - 24794:31, 24802:40, 24807:22, 24811:33, 24813:9, 24817:40, 24820:26, 24830:21, 24835:46, 24848:4, 24849:11, 24849:43, 24851:5, 24855:44, 24858:39, 24863:30, 24863:35, 24866:28, 24866:29, 24869:15, 24870:20, 24875:32  
**commandments** [1] - 24849:21  
**comments** [1] - 24873:27  
**Commission** [36] - 24813:18, 24813:21, 24813:24, 24813:25, 24813:32, 24813:42, 24814:19, 24815:1, 24815:21, 24815:23, 24815:34, 24824:40, 24832:39, 24836:33, 24839:3, 24841:31, 24848:18, 24852:10, 24858:39, 24859:30, 24861:46, 24862:42, 24868:4, 24868:11, 24868:26, 24868:31, 24869:10, 24869:19, 24869:31, 24869:38, 24870:40, 24871:12, 24879:21, 24882:47, 24884:39, 24884:41  
**COMMISSION** [2] - 24790:14, 24885:10  
**COMMISSIONER** [19] - 24828:31, 24828:41, 24828:47, 24829:17, 24830:11, 24834:28, 24869:40, 24870:32, 24870:39, 24871:12, 24872:8, 24872:17, 24872:43, 24873:2, 24873:26, 24875:47, 24878:20, 24879:6, 24879:11  
**Commissioner** [1] - 24875:2  
**Commissioners** [3] - 24790:34, 24791:1, 24861:42  
**commitment** [1] - 24871:26  
**common** [6] - 24825:19, 24871:38, 24873:46, 24874:6  
**commonly** [1] - 24822:5  
**communal** [1] - 24839:40  
**communicate** [1] - 24870:15  
**communicated** [1] - 24813:30  
**communicating** [1] - 24842:41  
**communion** [4] - 24818:46, 24819:6, 24832:15, 24832:22  
**community** [11] - 24813:6, 24818:31, 24821:33, 24822:5, 24822:11, 24826:35, 24833:17, 24839:43, 24860:37, 24872:41, 24876:27  
**company** [2] - 24836:41, 24836:47  
**compelled** [1] - 24829:30  
**competence** [1] - 24820:37  
**competent** [1] - 24802:38  
**complaining** [1] - 24864:38  
**complaint** [1] - 24834:16  
**complaints** [2] - 24794:42, 24872:5  
**complete** [5] - 24793:47, 24794:1, 24829:40, 24835:20, 24844:16  
**completed** [4] - 24792:27, 24796:22, 24796:23, 24796:36  
**completely** [3] - 24813:3, 24824:16, 24845:18  
**complicated** [1] - 24821:7  
**complicit** [2] - 24815:45, 24816:4  
**complied** [1] - 24863:9  
**comprehend** [7] - 24810:20, 24813:3, 24826:1, 24826:3, 24826:10, 24834:29, 24834:31  
**comprehension** [1] - 24825:47  
**comprehensive** [2] - 24793:42, 24814:39  
**compulsion** [6] - 24829:28, 24829:38, 24830:2, 24830:5, 24830:6, 24830:8  
**compulsive** [1] - 24829:45  
**compulsory** [2] - 24859:32, 24862:12  
**computerised** [2] - 24870:21, 24870:23  
**concept** [16] - 24818:33, 24821:31, 24821:32, 24821:36, 24823:37, 24824:10, 24824:27, 24826:28, 24828:42, 24828:47, 24831:38, 24832:7, 24832:29, 24834:40, 24883:15, 24883:29  
**concern** [5] - 24820:21, 24820:41, 24820:44, 24833:29, 24834:23  
**concerned** [4] - 24820:42, 24846:6, 24847:5  
**concerns** [1] - 24866:17  
**conclusion** [2] - 24814:21, 24869:15  
**conclusions** [2] - 24826:38, 24864:9  
**concrete** [5] - 24834:45, 24869:28, 24870:11, 24874:14, 24878:1  
**concubines** [1] - 24826:33  
**condemn** [1] - 24830:16  
**conduct** [4] - 24870:34, 24870:40, 24871:13  
**conducted** [1] - 24841:5  
**Conference** [5] - 24808:20, 24809:26, 24809:37, 24864:27, 24864:32  
**conference** [1] - 24840:34  
**conferences** [1] - 24864:12  
**confession** [1] - 24832:23  
**confessions** [1] - 24859:17  
**confidential** [1] - 24793:38  
**confidentiality** [1] - 24800:5  
**confinement** [1] - 24803:45  
**confirmation** [2] - 24832:16, 24832:23  
**confronted** [2] - 24804:23, 24827:12  
**confused** [1] - 24824:16  
**congregation** [1] - 24846:38  
**Congregation** [5] - 24795:35, 24795:37, 24795:39, 24796:3, 24796:11  
**connect** [1] - 24803:18  
**connected** [2] - 24801:21, 24832:14  
**consecrated** [2] - 24795:11, 24821:41  
**conservative** [1] - 24856:18  
**conservatively** [1] - 24878:23  
**consider** [2] - 24832:31, 24858:47  
**considerable** [2] -

24818:15, 24876:21  
**consideration** [2] -  
24798:37, 24819:35  
**considered** [2] -  
24791:45, 24824:41  
**consistently** [2] -  
24819:9, 24826:30  
**constantly** [1] -  
24800:4  
**constrained** [1] -  
24884:15  
**construct** [1] -  
24803:39  
**consultant** [4] -  
24813:23, 24813:37,  
24813:42, 24814:5  
**consultation** [3] -  
24848:20, 24855:30,  
24857:2  
**consulted** [3] -  
24809:3, 24809:8,  
24837:25  
**consulting** [1] -  
24836:42  
**contact** [12] -  
24797:32, 24797:33,  
24797:34, 24797:37,  
24797:40, 24798:28,  
24811:15, 24833:4,  
24833:5, 24845:4,  
24845:7, 24872:25  
**contacted** [1] -  
24811:16  
**contain** [1] - 24829:10  
**contemporary** [1] -  
24880:1  
**contents** [1] -  
24794:14  
**context** [3] -  
24823:22, 24823:26,  
24840:11  
**Contexts** [1] - 24817:1  
**continually** [3] -  
24819:10, 24827:25,  
24871:4  
**continue** [7] -  
24802:13, 24805:46,  
24808:34, 24808:36,  
24816:38, 24861:38,  
24881:30  
**continued** [4] -  
24808:36, 24837:30,  
24842:32, 24857:40  
**continues** [5] -  
24827:36, 24855:13,  
24860:40, 24861:10,  
24882:15  
**continuing** [1] -  
24855:11  
**contradiction** [2] -  
24827:9, 24828:31  
**contributing** [3] -  
24852:13, 24856:16,  
24859:6  
**contribution** [1] -  
24884:39  
**control** [4] - 24794:23,  
24806:26, 24824:13,  
24850:25  
**controlled** [2] -  
24832:19, 24881:6  
**controlling** [1] -  
24828:17  
**controls** [1] -  
24834:42  
**convened** [1] -  
24836:12  
**convenient** [1] -  
24826:16  
**conversation** [4] -  
24820:4, 24825:32,  
24862:35, 24872:12  
**convicted** [2] -  
24801:43, 24801:45  
**convince** [6] -  
24794:35, 24814:47,  
24815:1, 24815:43,  
24823:6, 24825:25  
**cope** [3] - 24807:6,  
24843:29, 24844:15  
**copies** [3] - 24806:34,  
24810:3, 24815:27  
**core** [1] - 24817:47  
**corporations** [1] -  
24836:42  
**corps** [1] - 24871:45  
**Corpsych** [1] -  
24836:40  
**correct** [7] - 24794:11,  
24813:44, 24829:15,  
24843:2, 24850:22,  
24871:20, 24879:32  
**correction** [1] -  
24820:20  
**corrupted** [4] -  
24861:6, 24861:8,  
24861:12, 24861:19  
**corruption** [1] -  
24838:3  
**costs** [4] - 24821:47,  
24822:9, 24832:6,  
24832:10  
**council** [7] -  
24855:23, 24857:3,  
24858:9, 24858:13,  
24858:14, 24865:36,  
24865:37  
**Council** [5] -  
24818:38, 24822:38,  
24831:30, 24854:5,  
24861:47  
**councils** [1] -  
24858:23  
**Counsel** [1] -  
24790:42  
**Counselling** [1] -  
24837:8  
**counselling** [3] -  
24838:19, 24838:42,  
24880:27  
**count** [1] - 24810:26  
**countries** [7] -  
24802:30, 24826:32,  
24827:29, 24838:20,  
24872:35  
**country** [4] -  
24805:32, 24825:10,  
24878:34, 24880:23  
**couple** [7] - 24796:15,  
24797:43, 24809:44,  
24812:44, 24857:9,  
24873:26  
**courageous** [2] -  
24833:3, 24867:23  
**courier** [1] - 24805:34  
**course** [20] -  
24792:23, 24800:36,  
24845:16, 24845:24,  
24845:39, 24846:35,  
24848:41, 24848:46,  
24851:38, 24853:6,  
24854:42, 24856:12,  
24859:18, 24864:17,  
24864:19, 24870:3,  
24870:6, 24881:24,  
24882:10, 24883:13  
**courses** [4] -  
24859:10, 24859:12,  
24859:15, 24859:32  
**court** [5] - 24803:44,  
24806:47, 24817:21,  
24844:34, 24878:18  
**courts** [4] - 24816:1,  
24819:43, 24821:1,  
24827:4  
**cousins** [1] -  
24806:32  
**cover** [3] - 24798:4,  
24805:46, 24808:12  
**cover-up** [1] -  
24805:46  
**covered** [5] - 24797:8,  
24807:16, 24819:35,  
24820:46, 24878:9  
**covering** [2] -  
24815:45, 24816:4  
**CPD** [1] - 24862:16  
**crazy** [3] - 24806:36,  
24813:11, 24824:21  
**create** [2] - 24815:44,  
24823:26  
**created** [3] -  
24793:26, 24814:38,  
24844:2  
**creates** [4] - 24823:21,  
24828:16, 24828:18,  
24878:38  
**creating** [2] -  
24866:40, 24879:2  
**credible** [1] -  
24805:30  
**credit** [1] - 24829:1  
**crime** [1] - 24819:30  
**crimes** [1] - 24869:37  
**criminal** [11] -  
24800:41, 24803:24,  
24809:15, 24817:38,  
24838:11, 24844:37,  
24844:39, 24850:20,  
24869:36, 24884:24  
**criminally** [1] -  
24844:31  
**criteria** [2] - 24794:9,  
24871:3  
**critical** [1] - 24868:7  
**criticised** [2] -  
24817:25, 24831:7  
**criticism** [1] - 24792:5  
**Crown** [1] - 24800:39  
**cry** [1] - 24834:4  
**cultural** [6] -  
24855:40, 24863:43,  
24868:34, 24871:37,  
24875:13  
**culturally** [1] -  
24819:37  
**culture** [13] -  
24806:30, 24817:37,  
24818:34, 24820:43,  
24832:27, 24855:37,  
24864:5, 24864:22,  
24867:24, 24871:24,  
24872:21, 24875:39,  
24880:38  
**cultures** [1] -  
24853:12  
**Curia** [1] - 24864:14  
**current** [7] - 24791:16,  
24836:37, 24839:7,  
24855:12, 24867:35,  
24879:24, 24880:44  
**curriculum** [1] -  
24795:25  
**custody** [1] -  
24803:44  
**cut** [2] - 24805:43,  
24835:18  
**CV** [1] - 24791:33

## D

**dad** [1] - 24881:10  
**damage** [7] -  
24812:46, 24813:4,  
24813:10, 24826:1,  
24826:3, 24834:30,  
24834:31  
**damaged** [5] -  
24834:25, 24851:23,  
24860:20, 24860:35,  
24881:18  
**damaging** [2] -  
24833:16, 24834:39  
**danger** [2] - 24879:12,  
24879:22  
**dangerous** [3] -  
24872:41, 24879:2,  
24879:18  
**dare** [1] - 24875:36  
**data** [7] - 24817:20,  
24827:3, 24852:12,  
24854:28, 24854:39,  
24855:15  
**date** [1] - 24873:22  
**dates** [2] - 24805:17,  
24818:19  
**daughter** [2] -  
24810:31, 24810:37  
**daughters** [1] -  
24806:44  
**days** [11] - 24798:45,  
24800:24, 24804:19,  
24805:38, 24814:9,  
24814:12, 24814:14,  
24814:22, 24817:4,  
24880:15, 24880:32  
**DC** [3] - 24793:7,  
24793:24, 24798:30  
**de** [1] - 24871:45  
**De** [3] - 24872:45,  
24874:15, 24874:17  
**deacon** [1] - 24828:39  
**deacons** [2] - 24819:3  
**dead** [1] - 24826:13  
**deal** [11] - 24791:25,  
24803:44, 24804:26,  
24813:14, 24815:8,  
24827:8, 24827:11,  
24838:3, 24854:24,  
24863:38, 24880:41  
**dealing** [24] -  
24792:46, 24801:20,  
24801:24, 24804:30,  
24808:41, 24809:2,  
24810:9, 24810:12,  
24813:10, 24815:15,  
24816:34, 24816:35,  
24827:4, 24831:40,  
24833:26, 24838:22,

24844:19, 24850:41, 24860:10, 24875:37, 24875:40, 24876:10, 24878:32, 24883:18  
**deals** [1] - 24827:11  
**dealt** [6] - 24803:46, 24817:10, 24817:11, 24818:43, 24820:25, 24876:11  
**Dean** [1] - 24842:36  
**death** [3] - 24818:47, 24819:6, 24875:40  
**death-dealing** [1] - 24875:40  
**debating** [1] - 24864:40  
**December** [1] - 24810:5  
**decent** [3] - 24803:40, 24810:20, 24810:34  
**decide** [2] - 24796:8, 24796:9  
**decided** [6] - 24797:16, 24799:45, 24808:45, 24812:6, 24874:21, 24876:25  
**decides** [1] - 24832:21  
**decision** [5] - 24855:7, 24857:15, 24859:45, 24865:21, 24874:24  
**decisions** [3] - 24855:27, 24855:33, 24856:46  
**deck** [1] - 24818:16  
**decreasingly** [1] - 24868:28  
**decree** [1] - 24833:46  
**decrees** [1] - 24819:34  
**dedicated** [2] - 24827:42, 24828:2  
**deep** [4] - 24794:12, 24819:13, 24819:35, 24819:36  
**deeper** [1] - 24833:3  
**deeply** [2] - 24804:43, 24831:46  
**defence** [1] - 24803:40  
**defences** [1] - 24828:14  
**defend** [3] - 24803:24, 24805:8, 24851:45  
**defensive** [2] - 24827:13, 24827:25  
**deference** [1] - 24822:4  
**definition** [1] - 24823:41  
**deflect** [1] - 24817:47  
**defrock** [2] - 24819:16, 24845:19  
**defrocked** [1] - 24863:32  
**defrocking** [1] - 24846:26  
**Degree** [2] - 24841:46, 24841:47  
**degree** [1] - 24806:11  
**demanding** [1] - 24874:32  
**demeaning** [1] - 24825:22  
**democracy** [1] - 24833:26  
**demonise** [1] - 24861:29  
**demonstrate** [1] - 24861:26  
**demonstrating** [1] - 24881:7  
**denied** [2] - 24818:46, 24819:5  
**denies** [1] - 24850:28  
**denigrated** [1] - 24825:14  
**denominations** [1] - 24827:31  
**dependant** [1] - 24832:20  
**depth** [2] - 24813:4, 24824:46  
**describe** [1] - 24826:34  
**described** [5] - 24829:47, 24833:9, 24851:6, 24864:25, 24880:43  
**description** [1] - 24872:23  
**descriptions** [1] - 24810:14  
**design** [3] - 24821:13, 24878:3, 24878:13  
**desirable** [1] - 24870:40  
**desire** [1] - 24850:24  
**desperately** [1] - 24829:37  
**despising** [1] - 24872:37  
**destroying** [1] - 24843:29  
**detail** [1] - 24805:15  
**detailed** [1] - 24805:17  
**details** [1] - 24855:21  
**determined** [1] - 24846:35  
**devastating** [1] - 24852:2

**develop** [1] - 24877:4  
**developed** [1] - 24816:33  
**developing** [3] - 24878:40, 24878:46, 24882:13  
**development** [3] - 24859:42, 24872:23, 24877:3  
**deviancy** [1] - 24851:39  
**deviant** [1] - 24851:24  
**deviation** [1] - 24850:12  
**deviations** [1] - 24852:11  
**devout** [3] - 24791:45, 24812:47, 24823:9  
**dichotomy** [1] - 24876:7  
**Didache** [1] - 24818:21  
**died** [3] - 24798:9, 24828:26, 24843:15  
**difference** [7] - 24825:36, 24828:36, 24833:1, 24837:41, 24841:8, 24855:15, 24855:40  
**differences** [2] - 24796:1, 24846:37  
**different** [15] - 24795:13, 24795:15, 24800:47, 24808:40, 24814:38, 24827:5, 24838:20, 24848:23, 24854:44, 24861:36, 24868:2, 24872:10, 24872:20, 24874:2, 24883:45  
**differently** [1] - 24863:38  
**difficult** [8] - 24840:6, 24840:45, 24866:27, 24869:7, 24869:11, 24869:16, 24869:33, 24872:2  
**difficulties** [4] - 24843:17, 24843:23, 24866:4, 24883:18  
**difficulty** [4] - 24840:15, 24843:13, 24860:35, 24866:40  
**digger** [1] - 24869:45  
**digging** [1] - 24818:12  
**dignified** [1] - 24862:34  
**dignity** [1] - 24862:37  
**dimension** [3] - 24792:13, 24793:28,

24827:1  
**diminish** [1] - 24829:24  
**diminishes** [1] - 24829:20  
**diocesan** [6] - 24828:35, 24828:37, 24858:23, 24872:11, 24872:19, 24881:25  
**Diocese** [2] - 24798:13, 24799:23  
**diocese** [32] - 24795:2, 24795:12, 24797:46, 24798:13, 24799:45, 24800:1, 24800:7, 24800:16, 24800:34, 24801:18, 24803:23, 24803:36, 24812:21, 24821:43, 24821:44, 24854:42, 24855:5, 24855:9, 24855:14, 24855:38, 24855:41, 24856:38, 24857:42, 24857:44, 24858:8, 24858:11, 24865:36, 24866:19, 24873:15, 24880:9  
**dioceses** [19] - 24793:26, 24803:11, 24803:14, 24805:28, 24805:32, 24854:6, 24855:15, 24856:13, 24856:14, 24858:20, 24864:13, 24865:25, 24866:30, 24868:40, 24872:12, 24872:27, 24879:28, 24883:7  
**Diploma** [1] - 24837:7  
**direct** [2] - 24803:31, 24878:37  
**direction** [3] - 24849:12, 24879:19, 24879:20  
**directly** [4] - 24802:27, 24806:46, 24807:24, 24824:47  
**director** [1] - 24836:39  
**dirty** [1] - 24812:9  
**disabilities** [3] - 24852:28, 24852:31  
**disability** [1] - 24852:25  
**disagree** [1] - 24879:16  
**disappointed** [1] - 24809:43  
**disappointment** [1] - 24815:9  
**disclose** [3] - 24810:29, 24810:31,

24824:28  
**disclosed** [2] - 24810:32, 24840:43  
**disclosure** [1] - 24824:28  
**discounts** [1] - 24849:42  
**discovered** [2] - 24799:30, 24804:46  
**discoveries** [1] - 24819:20  
**discretion** [3] - 24794:26, 24794:30, 24803:15  
**discuss** [5] - 24794:31, 24794:35, 24809:45, 24810:47, 24820:37  
**discussed** [4] - 24799:6, 24799:10, 24828:15, 24851:2  
**discussing** [1] - 24864:40  
**discussion** [9] - 24793:1, 24794:21, 24841:17, 24855:23, 24860:39, 24862:34, 24867:44, 24868:39, 24876:42  
**discussions** [2] - 24866:3, 24870:29  
**disgruntled** [1] - 24794:47  
**dismantled** [1] - 24877:27  
**dismiss** [2] - 24846:40, 24869:20  
**dismissal** [2] - 24846:45, 24847:1  
**dismissing** [1] - 24847:35  
**disorder** [3] - 24820:36, 24829:27, 24829:44  
**disordered** [2] - 24835:4, 24835:7  
**Disorders** [1] - 24804:1  
**disposition** [1] - 24803:20  
**disseminating** [1] - 24809:45  
**distance** [1] - 24856:15  
**distinct** [1] - 24841:14  
**distinguish** [1] - 24878:29  
**distracting** [1] - 24827:43  
**distressed** [2] -



24853:3, 24853:36  
**distressing** [1] -  
24843:27  
**district** [2] - 24800:37,  
24829:2  
**disturbing** [1] -  
24810:15  
**divert** [2] - 24816:41,  
24828:28  
**Divinity** [1] - 24841:39  
**divorce** [1] - 24800:31  
**divorced** [1] -  
24800:31  
**doable** [1] - 24815:3  
**doctor** [18] -  
24791:17, 24792:46,  
24807:28, 24812:40,  
24820:27, 24822:15,  
24823:29, 24824:39,  
24831:16, 24832:37,  
24836:37, 24860:2,  
24861:41, 24863:28,  
24867:43, 24868:8,  
24884:35, 24884:37  
**Doctor** [1] - 24826:44  
**doctorate** [2] -  
24792:43, 24806:10  
**doctrine** [3] - 24794:1,  
24794:2, 24832:34  
**document** [20] -  
24809:34, 24810:4,  
24811:41, 24818:21,  
24818:23, 24820:13,  
24854:5, 24854:8,  
24854:9, 24864:8,  
24864:25, 24864:26,  
24864:35, 24864:39,  
24865:42, 24870:42,  
24870:46, 24871:8,  
24876:14, 24876:16  
**documentaries** [1] -  
24815:27  
**documentation** [4] -  
24801:6, 24818:17,  
24819:9, 24819:31  
**documents** [5] -  
24806:35, 24818:18,  
24861:45, 24864:46,  
24876:14  
**dominance** [1] -  
24852:37  
**domination** [1] -  
24852:33  
**Dominican** [2] -  
24791:28, 24793:15  
**Dominicans** [3] -  
24791:47, 24792:8,  
24825:18  
**done** [41] - 24794:12,  
24794:15, 24795:11,  
24795:44, 24795:45,  
24795:47, 24796:19,  
24798:28, 24798:44,  
24800:19, 24802:32,  
24802:33, 24802:38,  
24804:2, 24804:26,  
24804:43, 24807:20,  
24810:23, 24812:46,  
24813:4, 24815:43,  
24816:24, 24816:25,  
24817:43, 24818:8,  
24818:15, 24822:20,  
24822:22, 24857:40,  
24858:22, 24860:2,  
24863:2, 24864:21,  
24865:6, 24866:23,  
24868:35, 24874:36,  
24881:2, 24883:7  
**door** [7] - 24801:47,  
24830:37, 24831:32,  
24832:16, 24852:2,  
24860:46, 24869:22  
**doors** [1] - 24875:24  
**double-check** [1] -  
24820:15  
**doubt** [4] - 24844:20,  
24850:39, 24860:18,  
24874:42  
**down** [37] - 24792:11,  
24795:29, 24797:2,  
24801:31, 24803:30,  
24803:35, 24803:45,  
24804:10, 24805:4,  
24805:9, 24805:26,  
24806:25, 24806:30,  
24806:41, 24814:36,  
24815:12, 24819:10,  
24819:33, 24824:25,  
24827:25, 24831:1,  
24832:35, 24833:32,  
24833:46, 24850:42,  
24851:34, 24858:12,  
24860:39, 24862:41,  
24865:12, 24866:32,  
24868:13, 24871:36,  
24875:15, 24875:16,  
24876:29, 24876:33  
**downside** [1] -  
24881:12  
**DOYLE** [121] -  
24791:4, 24791:10,  
24791:14, 24791:19,  
24791:31, 24791:36,  
24791:41, 24792:2,  
24792:18, 24792:22,  
24792:33, 24792:39,  
24792:43, 24793:3,  
24793:9, 24793:13,  
24793:23, 24793:33,  
24794:11, 24794:30,  
24794:45, 24795:10,  
24795:23, 24795:32,  
24795:47, 24796:7,  
24796:22, 24796:34,  
24796:38, 24796:43,  
24796:47, 24797:11,  
24797:15, 24797:22,  
24797:32, 24797:40,  
24798:42, 24798:47,  
24799:10, 24799:20,  
24800:12, 24801:16,  
24801:36, 24801:41,  
24801:45, 24802:16,  
24802:21, 24802:25,  
24802:44, 24803:10,  
24803:18, 24804:8,  
24804:35, 24805:3,  
24805:25, 24805:43,  
24806:3, 24806:7,  
24806:16, 24806:23,  
24807:13, 24807:32,  
24807:42, 24808:7,  
24808:28, 24808:32,  
24808:36, 24809:8,  
24809:33, 24810:11,  
24810:43, 24811:6,  
24811:15, 24811:26,  
24811:31, 24811:39,  
24812:2, 24812:6,  
24812:14, 24812:20,  
24812:29, 24812:44,  
24813:21, 24813:35,  
24813:39, 24813:44,  
24814:1, 24814:7,  
24814:14, 24814:27,  
24814:45, 24815:21,  
24815:25, 24816:10,  
24816:21, 24816:33,  
24816:45, 24817:30,  
24817:46, 24819:41,  
24820:13, 24820:29,  
24820:34, 24822:19,  
24822:31, 24823:25,  
24823:35, 24824:46,  
24826:28, 24826:47,  
24827:11, 24827:39,  
24828:35, 24828:44,  
24829:15, 24829:22,  
24830:26, 24831:20,  
24832:42, 24834:35,  
24835:36  
**Doyle** [19] - 24791:2,  
24791:8, 24791:14,  
24803:27, 24803:33,  
24804:20, 24826:22,  
24828:32, 24834:28,  
24835:23, 24835:29,  
24835:32, 24835:34,  
24835:45, 24836:3,  
24850:22, 24850:39,  
24875:14  
**DR** [148] - 24791:10,  
24791:14, 24791:19,  
24791:31, 24791:36,  
24791:41, 24792:2,  
24792:18, 24792:22,  
24792:33, 24792:39,  
24792:43, 24793:3,  
24793:9, 24793:13,  
24793:23, 24793:33,  
24794:11, 24794:30,  
24794:45, 24795:10,  
24795:23, 24795:32,  
24795:47, 24796:7,  
24796:22, 24796:34,  
24796:38, 24796:43,  
24796:47, 24797:11,  
24797:15, 24797:22,  
24797:32, 24797:40,  
24798:42, 24798:47,  
24799:10, 24799:20,  
24800:12, 24801:16,  
24801:36, 24801:41,  
24801:45, 24802:16,  
24802:21, 24802:25,  
24802:44, 24803:10,  
24803:18, 24804:8,  
24804:35, 24805:3,  
24805:25, 24805:43,  
24806:3, 24806:7,  
24806:16, 24806:23,  
24807:13, 24807:32,  
24807:42, 24808:7,  
24808:28, 24808:32,  
24808:36, 24809:8,  
24809:33, 24810:11,  
24810:43, 24811:6,  
24811:15, 24811:26,  
24811:31, 24811:39,  
24812:2, 24812:6,  
24812:14, 24812:20,  
24812:29, 24812:44,  
24813:21, 24813:35,  
24813:39, 24813:44,  
24814:1, 24814:7,  
24814:14, 24814:27,  
24814:45, 24815:21,  
24815:25, 24816:10,  
24816:21, 24816:33,  
24816:45, 24817:30,  
24817:46, 24819:41,  
24820:13, 24820:29,  
24820:34, 24822:19,  
24822:31, 24823:25,  
24823:35, 24824:46,  
24826:28, 24826:47,  
24827:11, 24827:39,  
24828:35, 24828:44,  
24829:15, 24829:22,  
24830:26, 24831:20,  
24832:42, 24834:35,  
24835:36  
24875:14  
**DR** [148] - 24791:10,  
24791:14, 24791:19,  
24791:31, 24791:36,  
24791:41, 24792:2,  
24792:18, 24792:22,  
24792:33, 24792:39,  
24792:43, 24793:3,  
24793:9, 24793:13,  
24793:23, 24793:33,  
24794:11, 24794:30,  
24794:45, 24795:10,  
24795:23, 24795:32,  
24795:47, 24796:7,  
24796:22, 24796:34,  
24796:38, 24796:43,  
24796:47, 24797:11,  
24797:15, 24797:22,  
24797:32, 24797:40,  
24798:42, 24798:47,  
24799:10, 24799:20,  
24800:12, 24801:16,  
24801:36, 24801:41,  
24801:45, 24802:16,  
24802:21, 24802:25,  
24802:44, 24803:10,  
24803:18, 24804:8,  
24804:35, 24805:3,  
24805:25, 24805:43,  
24806:3, 24806:7,  
24806:16, 24806:23,  
24807:13, 24807:32,  
24807:42, 24808:7,  
24808:28, 24808:32,  
24808:36, 24809:8,  
24809:33, 24810:11,  
24810:43, 24811:6,  
24811:15, 24811:26,  
24811:31, 24811:39,  
24812:2, 24812:6,  
24812:14, 24812:20,  
24812:29, 24812:44,  
24813:21, 24813:35,  
24813:39, 24813:44,  
24814:1, 24814:7,  
24814:14, 24814:27,  
24814:45, 24815:21,  
24815:25, 24816:10,  
24816:21, 24816:33,  
24816:45, 24817:30,  
24817:46, 24819:41,  
24820:13, 24820:29,  
24820:34, 24822:19,  
24822:31, 24823:25,  
24823:35, 24824:46,  
24826:28, 24826:47,  
24827:11, 24827:39,  
24828:35, 24828:44,  
24829:15, 24829:22,  
24830:26, 24831:20,  
24832:42, 24834:35,  
24835:36  
24835:36, 24836:35,  
24836:39, 24837:2,  
24837:6, 24837:18,  
24837:39, 24837:45,  
24838:2, 24838:9,  
24838:16, 24838:26,  
24838:36, 24838:41,  
24860:6, 24861:1,  
24861:14, 24861:21,  
24861:45, 24863:19,  
24863:23, 24863:30,  
24867:46, 24868:10,  
24869:36, 24872:31,  
24872:47, 24873:5,  
24882:10  
**Dr** [19] - 24791:2,  
24791:8, 24826:22,  
24826:37, 24828:32,  
24834:28, 24835:23,  
24835:29, 24835:32,  
24835:34, 24835:45,  
24836:3, 24836:32,  
24849:37, 24850:22,  
24850:27, 24850:39,  
24875:14  
**drama** [1] - 24806:36  
**drawing** [1] -  
24868:38  
**dream** [2] - 24828:4,  
24849:24  
**dressed** [1] -  
24851:34  
**dressings** [1] -  
24860:36  
**drink** [1] - 24829:38  
**drinking** [1] -  
24829:36  
**driven** [1] - 24850:28  
**driving** [1] - 24876:8  
**drove** [1] - 24798:31  
**drugs** [1] - 24791:26  
**Dubuque** [2] -  
24792:33, 24792:34  
**due** [1] - 24820:21  
**dug** [1] - 24818:12  
**during** [5] - 24792:23,  
24819:12, 24846:22,  
24884:9, 24884:14  
**dutifully** [1] -  
24800:24  
**duty** [2] - 24793:24,  
24824:32

---

## E

---

**early** [3] - 24803:22,  
24810:41, 24836:14  
**earth** [1] - 24792:11  
**easier** [3] - 24824:12,  
24847:3

**East** [1] - 24801:47  
**eastern** [1] - 24827:28  
**easy** [2] - 24869:10, 24869:20  
**ecclesiastical** [1] - 24793:14  
**edition** [2] - 24842:16, 24842:17  
**editions** [1] - 24842:31  
**educated** [2] - 24825:9, 24879:39  
**Education** [2] - 24837:10  
**education** [8] - 24839:21, 24851:35, 24860:27, 24863:10, 24880:2, 24881:23, 24882:41, 24883:8  
**educational** [1] - 24792:12  
**educationalists** [1] - 24879:47  
**effect** [6] - 24809:18, 24820:42, 24833:12, 24833:13, 24855:10, 24878:24  
**effective** [2] - 24802:38, 24853:43  
**effectively** [3] - 24796:31, 24851:41, 24881:30  
**effectiveness** [1] - 24881:15  
**effort** [1] - 24875:38  
**either** [3] - 24834:25, 24844:31, 24878:1  
**elaborate** [1] - 24834:30  
**elderly** [1] - 24866:12  
**element** [2] - 24866:39, 24879:21  
**elevated** [1] - 24862:28  
**elicited** [1] - 24853:9  
**eliminate** [3] - 24828:27, 24854:32, 24854:33  
**eliminating** [1] - 24845:17  
**elimination** [1] - 24846:27  
**Ellis** [1] - 24821:4  
**eloquently** [1] - 24825:13  
**elsewhere** [4] - 24795:45, 24812:16, 24857:31  
**embarrassment** [5] - 24799:12, 24799:14, 24822:10, 24822:35  
**embassies** [1] - 24807:32  
**embassy** [1] - 24811:21  
**Embassy** [3] - 24793:6, 24803:27, 24804:8  
**emerge** [4] - 24850:12, 24851:26, 24874:3, 24881:39  
**emerges** [1] - 24879:1  
**emotion** [3] - 24837:12, 24837:13  
**emotionally** [3] - 24825:7, 24844:8, 24853:36  
**employ** [1] - 24854:2  
**empty** [1] - 24810:19  
**enabled** [2] - 24824:1, 24824:35  
**enabling** [2] - 24816:5, 24820:44  
**enacted** [2] - 24818:39, 24818:42  
**encompassing** [1] - 24822:7  
**encounter** [2] - 24799:20, 24843:28  
**encountered** [1] - 24823:3  
**end** [9] - 24792:28, 24795:40, 24798:36, 24799:22, 24828:37, 24831:38, 24833:11, 24838:9, 24865:3  
**end-all** [1] - 24831:38  
**endeavour** [1] - 24809:25  
**ended** [2] - 24794:23, 24798:38  
**enemy** [1] - 24821:1  
**enforced** [2] - 24869:12, 24871:15  
**enforcement** [3] - 24797:42, 24797:44, 24798:3  
**engage** [6] - 24818:28, 24818:29, 24818:45, 24818:46, 24865:25, 24868:8  
**engaged** [2] - 24800:27, 24862:8  
**engagement** [2] - 24838:13, 24838:17  
**engages** [1] - 24834:37  
**engaging** [1] - 24830:36  
**English** [1] - 24882:13  
**enjoined** [1] - 24823:4  
**enlightened** [1] - 24833:3  
**enlightenment** [1] - 24873:14  
**enlisted** [1] - 24812:23  
**ensure** [2] - 24822:1, 24853:20  
**enter** [1] - 24821:1  
**entered** [5] - 24791:28, 24800:1, 24800:4, 24800:18, 24874:17  
**entering** [2] - 24791:38, 24875:3  
**entire** [1] - 24837:22  
**entities** [2] - 24814:38, 24837:16  
**entity** [2] - 24821:37, 24822:7  
**envelope** [2] - 24794:13, 24794:16  
**environment** [2] - 24817:13, 24823:22  
**episcopal** [10] - 24856:26, 24856:32, 24856:39, 24856:44, 24857:11, 24857:30, 24857:41, 24857:45, 24858:8, 24864:12  
**equal** [2] - 24832:34, 24833:32  
**equivalent** [1] - 24800:39  
**err** [1] - 24795:5  
**especially** [2] - 24813:5, 24835:40  
**esprit** [1] - 24871:45  
**essence** [2] - 24827:26, 24834:19  
**essential** [2] - 24846:2, 24846:8  
**essentially** [3] - 24795:34, 24828:37, 24832:6  
**establish** [2] - 24840:8, 24871:17  
**established** [1] - 24816:29  
**esteem** [1] - 24822:10  
**et** [6] - 24821:43, 24832:24, 24847:8, 24866:14, 24876:17  
**eternal** [1] - 24821:24  
**ethical** [3] - 24859:20, 24859:46, 24860:39  
**ethically** [2] - 24859:21, 24859:33  
**ethics** [7] - 24859:25, 24859:32, 24859:42, 24860:3, 24860:6, 24860:17, 24860:31  
**Europe** [1] - 24842:34  
**event** [3] - 24798:47, 24809:43, 24847:18  
**events** [2] - 24800:40, 24807:11  
**eventual** [1] - 24847:1  
**eventually** [5] - 24797:15, 24809:12, 24842:36, 24843:15, 24844:7  
**evidence** [6] - 24791:2, 24828:29, 24834:29, 24854:14, 24876:7, 24883:5  
**exactly** [9] - 24794:11, 24803:10, 24810:45, 24822:19, 24826:47, 24844:12, 24869:7, 24869:12, 24879:9  
**example** [16] - 24794:18, 24795:3, 24797:25, 24821:3, 24827:42, 24861:46, 24869:41, 24873:9, 24873:11, 24873:15, 24875:19, 24878:2, 24879:43, 24880:35, 24881:6, 24883:16  
**examples** [1] - 24860:32  
**except** [2] - 24798:1, 24879:3  
**exchanged** [1] - 24812:36  
**exclusively** [1] - 24791:21  
**excommunicated** [1] - 24800:30  
**excommunicated"** [1] - 24823:12  
**excuse** [4] - 24817:46, 24831:26, 24884:37, 24884:38  
**excused** [2] - 24835:31, 24836:1  
**excuses** [1] - 24827:40  
**excusing** [1] - 24871:27  
**exercises** [1] - 24883:40  
**exist** [3] - 24854:38, 24879:39, 24880:6  
**existed** [2] - 24808:11, 24854:38  
**existence** [1] - 24815:42  
**existent** [1] - 24875:4  
**existing** [1] - 24877:27  
**exited** [3] - 24811:21, 24811:23, 24812:18  
**expanding** [1] - 24873:28  
**expect** [3] - 24835:18, 24835:19, 24869:37  
**expected** [1] - 24878:41  
**expense** [2] - 24810:3, 24876:21  
**experience** [14] - 24802:26, 24827:7, 24832:37, 24838:4, 24840:8, 24840:38, 24840:39, 24845:37, 24871:31, 24872:31, 24872:43, 24874:29, 24880:19, 24881:42  
**experienced** [1] - 24843:23  
**experiences** [3] - 24844:8, 24844:10, 24872:18  
**expert** [1] - 24851:16  
**expertise** [4] - 24865:27, 24865:37, 24874:32, 24881:35  
**experts** [1] - 24817:36  
**explain** [6] - 24807:20, 24827:35, 24831:18, 24841:8, 24855:17, 24856:35  
**explained** [1] - 24800:17  
**explaining** [1] - 24822:39  
**explains** [2] - 24821:17, 24830:7  
**explanation** [1] - 24816:16  
**explanations** [1] - 24834:13  
**exploitative** [1] - 24840:4  
**exposed** [2] - 24802:5, 24875:21  
**expression** [1] - 24842:7  
**extend** [1] - 24829:18  
**extent** [5] - 24824:43, 24840:41, 24840:47, 24841:17, 24874:12  
**external** [2] - 24821:9, 24883:39  
**extra** [2] - 24828:19, 24866:38  
**extradition** [1] -

24807:3  
**extraordinary** [1] -  
24830:20  
**extremely** [1] -  
24845:41  
**eyebrows** [1] -  
24813:27  
**eyes** [3] - 24825:20,  
24832:35, 24833:33

---

## F

---

**fabric** [3] - 24861:35,  
24868:28, 24868:30  
**face** [8] - 24810:18,  
24815:7, 24843:27,  
24866:5, 24867:22,  
24874:39, 24875:30  
**face-to-face** [1] -  
24843:27  
**faced** [4] - 24843:46,  
24851:3, 24860:42,  
24875:42  
**facilitating** [1] -  
24837:20  
**facility** [1] - 24801:24  
**facing** [1] - 24842:40  
**fact** [23] - 24795:23,  
24798:23, 24798:37,  
24801:31, 24804:23,  
24822:28, 24822:31,  
24826:29, 24826:36,  
24828:3, 24828:16,  
24830:27, 24830:41,  
24830:47, 24850:2,  
24854:4, 24864:37,  
24871:4, 24872:22,  
24873:31, 24873:39,  
24876:6, 24883:41  
**factor** [6] - 24803:22,  
24824:42, 24830:30,  
24850:29, 24855:14,  
24859:6  
**factors** [13] -  
24794:36, 24820:26,  
24821:6, 24822:23,  
24823:30, 24823:32,  
24851:6, 24851:12,  
24852:13, 24854:37,  
24856:16, 24858:46  
**faculties** [8] -  
24801:34, 24801:36,  
24845:18, 24847:28,  
24863:11, 24863:17,  
24863:26, 24863:31  
**failure** [3] - 24802:8,  
24813:3, 24830:32  
**fair** [5] - 24857:39,  
24862:26, 24862:27,  
24862:29

**fairly** [4] - 24798:34,  
24807:13, 24826:31,  
24856:9  
**faith** [2] - 24839:38,  
24870:7  
**fall** [3] - 24833:24,  
24840:2, 24851:16  
**falling** [1] - 24875:4  
**falls** [1] - 24828:4  
**familiar** [2] - 24806:7,  
24828:41  
**families** [13] -  
24791:22, 24791:25,  
24800:3, 24800:5,  
24800:15, 24800:18,  
24800:26, 24807:18,  
24810:9, 24811:13,  
24812:47, 24813:5,  
24838:44  
**family** [14] - 24791:39,  
24791:44, 24791:45,  
24798:31, 24798:32,  
24800:6, 24800:33,  
24806:45, 24810:17,  
24834:18, 24838:26,  
24838:27, 24846:7,  
24846:11  
**far** [6] - 24794:36,  
24818:13, 24823:15,  
24846:5, 24859:36,  
24868:39  
**Farrer** [1] - 24790:24  
**fashion** [1] - 24811:27  
**father** [4] - 24791:42,  
24799:38, 24802:30,  
24826:7  
**Father** [12] - 24799:47,  
24801:21, 24803:19,  
24803:25, 24803:32,  
24804:15, 24804:20,  
24806:43, 24807:20,  
24809:17, 24885:2  
**fathers** [1] - 24831:31  
**Faulkner** [3] -  
24854:47, 24855:22,  
24856:43  
**fault** [1] - 24824:19  
**faults** [1] - 24871:27  
**favour** [2] - 24809:25,  
24833:25  
**Fawkner** [1] -  
24884:22  
**fear** [4] - 24815:11,  
24815:14, 24821:27,  
24880:44  
**feature** [1] - 24878:13  
**FEBRUARY** [1] -  
24885:11  
**February** [3] -  
24790:27, 24803:4,

24805:31  
**feed** [2] - 24806:38,  
24869:26  
**feedback** [2] -  
24872:33, 24872:37  
**Fellow** [1] - 24841:38  
**fellow** [1] - 24805:22  
**felt** [3] - 24811:8,  
24824:2, 24845:40  
**female** [1] - 24873:47  
**fervent** [1] - 24838:26  
**few** [9] - 24794:37,  
24798:2, 24802:33,  
24815:28, 24827:13,  
24830:27, 24856:14,  
24873:21, 24875:32  
**field** [2] - 24833:33,  
24842:32  
**figure** [3] - 24805:45,  
24813:14, 24825:21  
**figured** [1] - 24811:33  
**figures** [12] - 24848:4,  
24848:6, 24848:13,  
24848:15, 24852:10,  
24852:11, 24855:39,  
24861:25, 24866:11,  
24868:14, 24872:29,  
24873:5  
**Fiji** [1] - 24843:7  
**file** [5] - 24796:47,  
24800:24, 24800:41,  
24803:12, 24806:43  
**files** [5] - 24797:2,  
24797:6, 24797:8,  
24797:13, 24797:16  
**Filipino** [1] - 24880:36  
**Filipinos** [1] -  
24866:14  
**fill** [1] - 24874:32  
**filled** [1] - 24870:43  
**final** [3] - 24792:18,  
24792:25, 24882:47  
**finally** [4] - 24799:38,  
24838:29, 24841:2,  
24883:45  
**financial** [5] -  
24846:29, 24858:14,  
24865:34, 24865:36,  
24865:37  
**financially** [1] -  
24802:14  
**fine** [8] - 24798:1,  
24798:2, 24798:31,  
24859:24, 24867:33,  
24867:36, 24875:20,  
24878:30  
**finger** [1] - 24873:37  
**fingertips** [1] -  
24880:2  
**finish** [1] - 24796:7

**finished** [5] -  
24795:36, 24809:23,  
24842:29, 24844:43,  
24863:21  
**finishing** [1] - 24885:4  
**fire** [2] - 24815:5,  
24816:22  
**first** [39] - 24796:10,  
24797:29, 24797:32,  
24797:33, 24797:34,  
24797:40, 24798:28,  
24799:20, 24799:32,  
24800:7, 24802:14,  
24806:9, 24810:25,  
24814:7, 24816:10,  
24816:11, 24816:46,  
24818:19, 24818:38,  
24821:7, 24821:28,  
24831:46, 24832:45,  
24834:35, 24837:22,  
24837:42, 24840:11,  
24840:19, 24843:27,  
24849:20, 24851:13,  
24856:42, 24858:20,  
24859:9, 24861:45,  
24869:18, 24876:36,  
24879:38, 24885:5  
**FITZGERALD** [6] -  
24872:8, 24872:17,  
24872:43, 24873:2,  
24873:26, 24875:47  
**Fitzgerald** [2] -  
24790:36, 24875:2  
**five** [10] - 24799:35,  
24804:19, 24806:44,  
24846:1, 24856:10,  
24876:20, 24879:45,  
24879:46, 24884:4  
**flat** [2] - 24814:22,  
24828:4  
**flatten** [2] - 24858:7,  
24858:14  
**flew** [2] - 24803:29,  
24805:36  
**flick** [1] - 24862:17  
**floating** [1] - 24805:26  
**floor** [1] - 24797:1  
**Florida** [1] - 24825:28  
**flowers** [1] - 24862:10  
**flows** [1] - 24850:42  
**focus** [2] - 24816:36,  
24859:31  
**focused** [1] -  
24814:19  
**follow** [7] - 24865:5,  
24869:13, 24869:31,  
24869:32, 24869:33,  
24871:2  
**follow-through** [1] -  
24869:31

**follow-up** [3] -  
24865:5, 24869:13,  
24871:2  
**followed** [1] -  
24869:12  
**following** [1] -  
24869:15  
**fondling** [1] -  
24860:38  
**forbidden** [1] -  
24819:4  
**Force** [1] - 24812:24  
**force** [5] - 24825:30,  
24829:5, 24834:38,  
24871:14, 24876:34  
**forced** [2] - 24819:43,  
24819:44  
**forces** [2] - 24871:44  
**foreign** [1] - 24866:31  
**foremost** [1] - 24818:5  
**forget** [2] - 24806:43,  
24810:1  
**form** [8] - 24795:44,  
24823:43, 24828:2,  
24834:37, 24859:36,  
24871:3, 24877:28,  
24883:24  
**formal** [2] - 24845:39,  
24882:10  
**formally** [2] -  
24847:26, 24870:16  
**format** [1] - 24809:14  
**formation** [19] -  
24792:23, 24825:6,  
24825:24, 24841:4,  
24841:5, 24841:9,  
24841:13, 24841:14,  
24841:44, 24849:17,  
24849:28, 24849:29,  
24853:27, 24864:10,  
24874:46, 24875:42  
**former** [3] - 24798:20,  
24800:30, 24827:30  
**forming** [1] - 24866:14  
**forth** [1] - 24829:5  
**forward** [19] -  
24795:24, 24802:4,  
24807:22, 24822:45,  
24823:4, 24823:11,  
24830:21, 24830:40,  
24832:40, 24835:41,  
24845:45, 24853:19,  
24853:28, 24861:42,  
24863:38, 24867:23,  
24869:8, 24876:47  
**forward-looking** [1] -  
24867:23  
**foundation** [1] -  
24821:28  
**foundational** [1] -

24817:6  
**foundations** [1] -  
24872:34  
**founded** [1] -  
24801:22  
**founding** [1] -  
24821:12  
**four** [8] - 24805:32,  
24813:26, 24816:26,  
24845:47, 24846:40,  
24847:11, 24856:9,  
24881:42  
**fourth** [1] - 24842:7  
**fragile** [2] - 24850:46,  
24873:45  
**frame** [2] - 24868:5,  
24885:4  
**framework** [2] -  
24870:35, 24872:11  
**FRANCIS** [1] -  
24836:24  
**Francis** [3] -  
24841:33, 24868:44,  
24868:46  
**Frank** [2] - 24869:24,  
24877:7  
**fraught** [3] - 24840:42,  
24869:6, 24872:40  
**free** [2] - 24809:23,  
24838:19  
**Free** [1] - 24790:43  
**free-of-charge** [1] -  
24838:19  
**free-will** [1] -  
24809:23  
**freedom** [1] -  
24817:33  
**freezing** [1] -  
24803:29  
**friend** [1] - 24809:9  
**Friends** [1] - 24840:9  
**friends** [3] - 24799:40,  
24809:9, 24813:6  
**frigidity** [1] - 24828:9  
**frizzle** [1] - 24883:37  
**front** [3] - 24800:47,  
24824:36, 24873:5  
**frustration** [1] -  
24815:15  
**full** [13] - 24791:8,  
24791:12, 24791:14,  
24801:29, 24813:25,  
24827:32, 24834:36,  
24836:33, 24839:3,  
24841:31, 24864:40,  
24870:23, 24870:43  
**fully** [2] - 24799:43,  
24825:27  
**functioned** [1] -  
24802:44

**functions** [1] -  
24825:26  
**funds** [1] - 24867:17  
**funny** [1] - 24851:34  
**Furness** [6] -  
24790:42, 24842:19,  
24843:31, 24848:22,  
24863:19, 24884:29  
**FURNESS** [247] -  
24791:1, 24791:6,  
24791:8, 24791:12,  
24791:16, 24791:28,  
24791:33, 24791:38,  
24791:47, 24792:16,  
24792:20, 24792:30,  
24792:37, 24792:41,  
24792:46, 24793:5,  
24793:11, 24793:21,  
24793:30, 24794:6,  
24794:26, 24794:41,  
24795:8, 24795:19,  
24795:29, 24795:43,  
24796:5, 24796:19,  
24796:30, 24796:36,  
24796:41, 24796:45,  
24797:8, 24797:13,  
24797:19, 24797:29,  
24797:37, 24798:40,  
24798:44, 24799:8,  
24799:17, 24800:10,  
24801:13, 24801:34,  
24801:39, 24801:43,  
24802:13, 24802:18,  
24802:23, 24802:40,  
24803:6, 24803:14,  
24804:5, 24804:32,  
24805:1, 24805:22,  
24805:40, 24806:1,  
24806:5, 24806:14,  
24806:20, 24807:10,  
24807:28, 24807:38,  
24808:4, 24808:25,  
24808:30, 24808:34,  
24809:6, 24809:30,  
24810:8, 24810:40,  
24811:3, 24811:12,  
24811:23, 24811:29,  
24811:36, 24811:46,  
24812:4, 24812:12,  
24812:18, 24812:26,  
24812:40, 24813:18,  
24813:32, 24813:37,  
24813:41, 24813:46,  
24814:5, 24814:12,  
24814:25, 24814:43,  
24815:18, 24815:23,  
24816:7, 24816:18,  
24816:29, 24816:43,  
24817:27, 24817:40,  
24819:39, 24820:8,  
24820:25, 24820:32,  
24822:15, 24822:27,  
24823:21, 24823:29,  
24824:39, 24826:15,  
24826:22, 24831:16,  
24832:37, 24835:23,  
24835:31, 24836:3,  
24836:8, 24836:12,  
24836:21, 24836:30,  
24836:32, 24836:37,  
24836:47, 24837:4,  
24837:15, 24837:37,  
24837:41, 24837:47,  
24838:7, 24838:13,  
24838:24, 24838:33,  
24838:38, 24838:47,  
24839:7, 24839:12,  
24839:17, 24839:26,  
24839:31, 24839:35,  
24839:47, 24840:13,  
24840:19, 24840:24,  
24840:28, 24840:38,  
24841:8, 24841:17,  
24841:24, 24841:28,  
24841:35, 24841:41,  
24842:3, 24842:10,  
24842:14, 24842:23,  
24842:46, 24843:4,  
24843:9, 24843:21,  
24844:10, 24844:18,  
24844:27, 24844:37,  
24844:41, 24844:46,  
24845:6, 24845:12,  
24845:21, 24845:26,  
24845:34, 24845:44,  
24846:11, 24846:16,  
24846:21, 24846:32,  
24847:18, 24847:28,  
24847:32, 24847:38,  
24847:42, 24848:6,  
24848:12, 24848:28,  
24849:37, 24849:42,  
24850:2, 24850:7,  
24850:18, 24850:27,  
24850:34, 24851:5,  
24851:12, 24851:19,  
24851:41, 24852:5,  
24852:21, 24852:25,  
24853:19, 24853:26,  
24854:24, 24854:37,  
24856:18, 24857:15,  
24857:20, 24857:25,  
24857:33, 24858:27,  
24858:33, 24858:44,  
24860:2, 24860:44,  
24861:12, 24861:18,  
24861:41, 24862:45,  
24863:21, 24863:28,  
24863:35, 24864:25,  
24864:31, 24864:43,  
24865:1, 24865:8,  
24865:14, 24865:24,  
24865:31, 24865:41,  
24865:46, 24866:42,  
24867:1, 24867:8,  
24867:14, 24867:35,  
24867:43, 24879:24,  
24879:34, 24880:11,  
24880:27, 24880:32,  
24880:41, 24882:17,  
24882:26, 24882:30,  
24884:31, 24884:35,  
24884:47  
**future** [4] - 24814:20,  
24832:1, 24839:41,  
24868:7

---

**G**

---

**Gail** [1] - 24790:42  
**gaol** [9] - 24801:1,  
24801:32, 24802:2,  
24802:3, 24802:7,  
24802:14, 24824:37,  
24844:43, 24863:30  
**gaoled** [1] - 24801:43  
**garb** [1] - 24825:26  
**garments** [1] -  
24875:25  
**gather** [1] - 24884:41  
**gathering** [1] -  
24818:25  
**gay** [1] - 24853:5  
**general** [4] -  
24796:16, 24802:36,  
24829:4, 24865:5  
**General** [6] -  
24800:16, 24800:25,  
24800:35, 24804:36,  
24808:20, 24846:38  
**generally** [5] -  
24794:46, 24796:12,  
24797:15, 24828:6,  
24882:5  
**generate** [1] -  
24873:42  
**generates** [1] -  
24866:25  
**genre** [1] - 24830:9  
**gentle** [2] - 24811:26,  
24847:15  
**gentleman** [1] -  
24818:3  
**gentlemen** [3] -  
24818:4, 24826:36,  
24833:43  
**genuine** [1] -  
24875:38  
**Geoff** [1] - 24837:19  
**Germany** [1] -  
24810:44

**Gerry** [1] - 24885:2  
**girl** [1] - 24826:2  
**girls** [4] - 24820:40,  
24830:37, 24880:32,  
24880:37  
**Giuliani** [1] - 24829:1  
**given** [18] - 24794:12,  
24794:27, 24802:46,  
24805:6, 24812:7,  
24826:39, 24828:6,  
24833:25, 24856:25,  
24856:38, 24861:45,  
24870:4, 24877:23,  
24880:3, 24880:12,  
24880:42, 24881:16,  
24883:6  
**glad** [1] - 24835:36  
**goal** [1] - 24814:47  
**God** [18] - 24821:10,  
24824:14, 24824:21,  
24824:23, 24824:24,  
24831:30, 24831:33,  
24831:37, 24832:30,  
24832:35, 24833:18,  
24833:33, 24837:31,  
24837:45, 24852:23,  
24872:44  
**God's** [1] - 24825:20  
**Goodman** [1] -  
24817:23  
**gospel** [2] - 24842:7,  
24849:22  
**Gotay** [3] - 24799:47,  
24803:35, 24803:43  
**gothic** [1] - 24876:24  
**governance** [4] -  
24850:30, 24850:35,  
24860:45, 24870:5  
**governed** [1] -  
24870:33  
**governing** [1] -  
24832:8  
**government** [1] -  
24867:6  
**governmental** [1] -  
24831:42  
**Governor** [1] -  
24790:23  
**governs** [2] -  
24878:23, 24878:25  
**grace** [1] - 24841:12  
**Graduate** [1] -  
24837:7  
**Graeco** [1] - 24818:34  
**Graeco-Roman** [1] -  
24818:34  
**grand** [1] - 24809:20  
**granted** [2] -  
24849:18, 24849:33  
**graphic** [1] - 24805:17

**grass** [1] - 24860:36  
**grateful** [1] - 24835:39  
**gratitude** [1] - 24835:37  
**grave** [1] - 24869:45  
**grave-digger** [1] - 24869:45  
**Gray** [2] - 24835:25, 24882:33  
**GRAY** [13] - 24835:27, 24882:35, 24882:37, 24882:45, 24883:5, 24883:12, 24883:23, 24883:28, 24883:45, 24884:4, 24884:8, 24884:14, 24884:27  
**great** [5] - 24791:25, 24821:46, 24829:38, 24843:12, 24875:15  
**greater** [2] - 24874:47, 24879:6  
**greatest** [1] - 24852:18  
**greatly** [1] - 24880:4  
**Greek** [1] - 24818:41  
**grew** [1] - 24859:16  
**groom** [1] - 24824:4  
**grooming** [1] - 24824:12  
**ground** [4] - 24821:2, 24866:27, 24870:28, 24881:14  
**grounded** [1] - 24823:39  
**grounding** [1] - 24825:5  
**group** [15] - 24825:9, 24832:30, 24836:40, 24838:30, 24840:33, 24848:19, 24855:19, 24855:43, 24856:6, 24856:7, 24860:9, 24860:13, 24860:14, 24871:37, 24879:4  
**groups** [6] - 24811:16, 24837:26, 24838:20, 24862:3, 24873:33  
**grow** [1] - 24835:19  
**growing** [1] - 24873:33  
**gruesome** [1] - 24819:25  
**guarantees** [1] - 24831:47  
**guess** [4] - 24809:24, 24810:6, 24812:35, 24830:11  
**guide** [1] - 24869:41  
**guidelines** [2] - 24795:34

**guilt** [3] - 24810:36, 24815:9, 24829:31  
**guilty** [1] - 24834:6  
**guy** [9] - 24795:1, 24803:26, 24803:35, 24804:3, 24805:18, 24806:27, 24806:31, 24830:33, 24854:15  
**guys** [1] - 24825:32

---

## H

---

**half** [2] - 24814:1, 24816:11  
**handled** [1] - 24793:27  
**handling** [2] - 24801:5, 24801:14  
**hands** [3] - 24833:31, 24861:37, 24879:40  
**happy** [1] - 24831:20  
**hard** [6] - 24825:1, 24843:29, 24845:1, 24845:41, 24848:3, 24865:22  
**hardly** [1] - 24814:39  
**harmd** [1] - 24815:8  
**Harrisburg** [3] - 24798:13, 24798:23, 24798:24  
**harsh** [1] - 24819:21  
**hate** [1] - 24832:4  
**hats** [1] - 24876:35  
**head** [2] - 24799:38, 24843:4  
**heads** [2] - 24819:23, 24876:35  
**heady** [1] - 24858:20  
**Healing** [6] - 24822:38, 24844:32, 24846:2, 24846:3, 24854:5, 24861:47  
**health** [6] - 24801:24, 24836:43, 24838:18, 24840:35, 24860:28, 24862:14  
**healthy** [2] - 24791:43, 24830:6  
**hear** [7] - 24814:9, 24830:13, 24831:21, 24833:14, 24842:27, 24859:16, 24874:42  
**heard** [11] - 24805:27, 24807:18, 24808:10, 24825:13, 24829:47, 24835:16, 24835:38, 24842:20, 24860:26, 24874:28, 24883:13  
**Hearing** [1] - 24790:19  
**hearing** [3] -

24840:15, 24876:2, 24883:1  
**hearings** [1] - 24871:13  
**hears** [1] - 24832:22  
**heart** [1] - 24798:9  
**heat** [1] - 24812:7  
**heavy** [1] - 24824:32  
**heavy-duty** [1] - 24824:32  
**held** [2] - 24823:45, 24848:43  
**Helen** [1] - 24790:37  
**help** [18] - 24795:44, 24801:20, 24817:35, 24827:14, 24829:6, 24834:6, 24837:32, 24840:46, 24851:12, 24853:39, 24857:28, 24858:41, 24864:3, 24865:46, 24868:5, 24870:12, 24883:18, 24883:38  
**helped** [2] - 24812:37, 24840:8  
**helpful** [2] - 24816:1, 24848:36  
**helping** [2] - 24811:7, 24833:42  
**hence** [1] - 24821:31  
**heresy** [1] - 24831:28  
**hidden** [1] - 24831:26  
**hiding** [1] - 24803:36  
**hierarchical** [2] - 24821:13, 24850:43  
**hierarchy** [1] - 24799:14  
**high** [5] - 24809:45, 24833:47, 24848:1, 24872:22, 24881:16  
**high-quality** [1] - 24881:16  
**high-ranking** [1] - 24809:45  
**higher** [7] - 24795:16, 24824:4, 24824:9, 24825:16, 24828:9, 24828:10, 24856:13  
**highest** [1] - 24852:19  
**himself** [4] - 24821:10, 24829:1, 24853:3, 24855:6  
**hired** [1] - 24803:23  
**historic** [1] - 24832:47  
**historical** [1] - 24828:29  
**historically** [1] - 24828:24  
**history** [7] - 24816:25, 24817:43, 24819:12,

24821:19, 24854:46, 24856:42, 24879:20  
**Hobart** [1] - 24882:26  
**hold** [3] - 24804:38, 24811:42, 24821:18  
**hole** [2] - 24814:34, 24818:12  
**holes** [2] - 24813:2, 24833:37  
**Holland** [2] - 24807:3, 24807:4  
**holy** [1] - 24821:32  
**Holy** [8] - 24805:4, 24813:9, 24815:1, 24815:35, 24816:34, 24831:12, 24846:39, 24846:41  
**home** [6] - 24799:40, 24803:39, 24824:37, 24842:38, 24844:35, 24874:1  
**homes** [1] - 24818:25  
**homesick** [1] - 24881:9  
**homosexual** [2] - 24835:3, 24852:45  
**homosexuality** [1] - 24794:3  
**honest** [2] - 24799:3, 24813:23  
**Honour** [8] - 24791:1, 24826:15, 24835:27, 24836:12, 24836:21, 24882:31, 24884:31, 24884:47  
**honour** [1] - 24824:8  
**honourable** [1] - 24792:3  
**honoured** [1] - 24832:45  
**hook** [1] - 24804:3  
**hope** [1] - 24817:1  
**hopefully** [3] - 24833:12, 24879:20, 24884:43  
**Hopkins** [1] - 24804:1  
**horizontal** [1] - 24858:10  
**hot** [1] - 24864:35  
**hour** [1] - 24816:11  
**hours** [1] - 24804:16  
**house** [6] - 24801:47, 24802:10, 24812:10, 24827:18, 24834:17, 24848:20  
**House** [1] - 24800:1  
**houses** [1] - 24876:27  
**Houston** [1] - 24802:10  
**huge** [3] - 24797:1,

24807:23, 24818:8  
**human** [13] - 24825:41, 24825:47, 24828:7, 24829:10, 24834:40, 24835:1, 24835:6, 24835:10, 24849:28, 24851:33, 24852:47, 24860:27, 24877:3  
**humour** [1] - 24807:7  
**humorous** [1] - 24807:5  
**hundreds** [1] - 24814:30  
**hurt** [5] - 24823:7, 24823:8, 24824:30, 24824:31  
**husbands** [1] - 24810:34  
**hypocritical** [1] - 24827:1

---

## I

---

**idea** [7] - 24816:11, 24824:6, 24829:2, 24834:36, 24848:16, 24863:3, 24873:8  
**identification** [1] - 24871:35  
**identified** [1] - 24871:13  
**identify** [3] - 24840:6, 24871:39, 24872:5  
**ignored** [2] - 24827:17, 24827:18  
**Il** [7] - 24793:45, 24858:5, 24858:8, 24858:12, 24858:19, 24858:28, 24858:40  
**illicit** [2] - 24818:29, 24819:4  
**image** [2] - 24822:23, 24823:14  
**imagine** [3] - 24848:3, 24852:29, 24878:1  
**immediate** [1] - 24870:45  
**immediately** [3] - 24840:5, 24847:35  
**immersing** [1] - 24859:9  
**impact** [1] - 24872:2  
**implement** [1] - 24855:33  
**implemented** [2] - 24871:10, 24882:40  
**implementing** [1] - 24869:14  
**implies** [1] - 24871:16

**importance** [4] - 24822:8, 24823:45, 24832:28, 24833:29  
**important** [17] - 24794:39, 24803:27, 24806:14, 24815:2, 24822:46, 24823:15, 24823:17, 24823:39, 24823:46, 24832:15, 24832:33, 24834:9, 24834:19, 24835:43, 24846:3, 24846:5, 24884:41  
**imposed** [1] - 24819:20  
**impotence** [2] - 24864:6, 24864:22  
**impressed** [1] - 24792:10  
**impression** [1] - 24867:41  
**imprisoning** [1] - 24819:21  
**improved** [1] - 24880:4  
**improvements** [1] - 24873:3  
**in-house** [1] - 24812:10  
**inability** [4] - 24834:29, 24834:31, 24834:44, 24834:47  
**inadequate** [3] - 24852:33, 24852:34, 24865:19  
**inappropriate** [1] - 24800:19  
**incidence** [2] - 24878:26, 24879:13  
**incidents** [1] - 24822:16  
**inclined** [1] - 24856:19  
**include** [1] - 24859:31  
**included** [3] - 24820:22, 24840:34, 24855:5  
**including** [10] - 24813:26, 24815:27, 24818:44, 24819:3, 24822:22, 24823:11, 24831:31, 24831:32, 24872:44, 24884:40  
**inconsistency** [1] - 24819:47  
**increase** [1] - 24879:13  
**increasing** [1] - 24873:31  
**incredible** [1] - 24830:8  
**inculcate** [1] - 24863:41  
**incurability** [1] - 24809:18  
**indeed** [6] - 24807:39, 24848:28, 24853:24, 24856:22, 24868:32, 24872:19  
**indefinitely** [1] - 24881:31  
**indicate** [2] - 24870:44, 24884:47  
**indicated** [2] - 24794:7, 24876:2  
**indicates** [1] - 24852:12  
**indicating** [2] - 24819:31, 24871:2  
**indicators** [1] - 24873:19  
**indirect** [2] - 24879:1, 24879:2  
**individual** [7] - 24794:24, 24808:41, 24825:25, 24826:3, 24851:42, 24863:36, 24876:26  
**individually** [1] - 24811:16  
**individuals** [3] - 24825:46, 24851:43, 24863:39  
**induce** [1] - 24829:12  
**infant** [1] - 24818:24  
**infected** [1] - 24823:41  
**influence** [1] - 24817:6  
**inform** [5] - 24803:7, 24803:8, 24803:10, 24804:27, 24840:46  
**informal** [1] - 24882:11  
**information** [12] - 24798:25, 24799:1, 24801:17, 24804:17, 24805:27, 24806:32, 24806:38, 24813:29, 24815:26, 24816:23, 24827:12, 24833:14  
**informed** [5] - 24793:16, 24798:36, 24801:6, 24804:35, 24840:39  
**inhibited** [1] - 24884:15  
**inhuman** [1] - 24874:37  
**innocence** [1] - 24862:38  
**innocent** [1] - 24823:18  
**inside** [4] - 24827:7, 24829:41, 24838:4, 24860:24  
**insight** [1] - 24854:20  
**insights** [1] - 24872:27  
**insisted** [1] - 24858:8  
**insisting** [1] - 24858:36  
**instance** [3] - 24797:42, 24798:11, 24871:14  
**instances** [6] - 24807:18, 24820:47, 24821:3, 24827:20, 24829:43, 24830:29  
**instead** [1] - 24878:43  
**Institute** [5] - 24801:23, 24839:20, 24841:3, 24841:6, 24876:45  
**institute** [1] - 24883:38  
**institution** [8] - 24799:12, 24813:15, 24822:16, 24831:4, 24832:8, 24832:25, 24833:19, 24839:24  
**INSTITUTIONAL** [1] - 24790:14  
**institutional** [19] - 24791:19, 24799:15, 24819:44, 24820:45, 24821:8, 24821:36, 24822:24, 24822:28, 24824:10, 24827:24, 24829:19, 24832:27, 24832:40, 24850:29, 24851:1, 24851:3, 24851:7, 24852:35, 24878:22  
**institutions** [4] - 24879:38, 24880:6, 24880:7, 24880:45  
**instructions** [2] - 24801:13, 24801:16  
**insufficient** [3] - 24849:26, 24849:28, 24849:29  
**insulation** [1] - 24872:24  
**insulting** [1] - 24825:22  
**insurance** [2] - 24809:15, 24832:25  
**integrated** [1] - 24852:47  
**integration** [1] - 24843:14  
**integrated** [1] - 24876:17  
**integrity** [3] - 24826:44, 24828:32, 24829:18  
**Integrity** [2] - 24854:7, 24871:8  
**intellectual** [4] - 24841:13, 24849:28, 24864:10, 24876:28  
**intellectually** [1] - 24840:29  
**intent** [1] - 24799:43  
**interact** [2] - 24853:22, 24880:14  
**interaction** [6] - 24852:32, 24879:25, 24880:12, 24880:22, 24880:27, 24881:4  
**Interdisciplinary** [1] - 24837:9  
**interest** [6] - 24807:47, 24839:44, 24852:9, 24870:2, 24870:6, 24877:9  
**interested** [4] - 24792:13, 24792:14, 24807:44, 24811:7  
**interesting** [4] - 24822:37, 24854:41, 24859:6, 24863:46  
**interests** [1] - 24812:16  
**interfere** [1] - 24870:6  
**internal** [1] - 24852:1  
**internally** [1] - 24835:7  
**international** [1] - 24840:33  
**internationally** [2] - 24795:43, 24873:29  
**internet** [1] - 24882:12  
**intersect** [1] - 24879:34  
**intersection** [1] - 24881:29  
**interview** [1] - 24793:18  
**interviewed** [1] - 24801:27  
**intimacy** [2] - 24825:14  
**intimate** [1] - 24858:18  
**intimidated** [1] - 24824:29  
**INTO** [1] - 24790:14  
**intrinsically** [1] - 24835:4  
**introspective** [1] - 24793:26, 24795:33  
**investigated** [2] - 24794:33, 24795:38, 24795:44, 24795:47, 24796:19, 24798:28, 24805:5, 24806:10, 24822:20, 24849:27  
**investigation** [10] - 24793:30  
**investigations** [1] - 24793:30  
**invited** [1] - 24837:19  
**involve** [2] - 24803:15, 24820:39  
**involved** [19] - 24797:41, 24798:11, 24799:23, 24800:5, 24800:42, 24802:27, 24802:28, 24805:8, 24807:10, 24826:40, 24830:33, 24834:35, 24837:21, 24841:3, 24850:14, 24862:46, 24871:18, 24878:3, 24882:19  
**involvement** [3] - 24799:17, 24799:21, 24877:30  
**involves** [1] - 24859:43  
**involving** [1] - 24800:45  
**Iowa** [2] - 24792:33, 24792:34  
**Irish** [1] - 24820:17  
**ironically** [1] - 24840:44  
**Island** [1] - 24798:20  
**isolated** [2] - 24819:8, 24831:11  
**isolation** [1] - 24856:15  
**Israel** [1] - 24842:33  
**issue** [30] - 24797:40, 24799:18, 24802:27, 24812:7, 24813:3, 24814:27, 24814:28, 24818:1, 24818:17, 24820:25, 24828:16, 24828:25, 24828:32, 24831:13, 24833:16, 24837:22, 24839:44, 24854:24, 24858:46, 24859:27, 24859:43, 24863:36, 24866:3, 24869:2, 24869:5, 24869:30, 24873:38, 24873:42, 24876:11  
**issued** [1] - 24814:35  
**issues** [29] -

24794:33, 24801:25,  
24814:16, 24817:11,  
24817:12, 24818:44,  
24820:41, 24821:25,  
24824:41, 24827:43,  
24828:22, 24836:44,  
24842:40, 24844:24,  
24844:28, 24851:2,  
24851:3, 24851:26,  
24856:47, 24859:46,  
24867:22, 24874:38,  
24874:44, 24874:47,  
24877:3, 24880:1  
it" [1] - 24878:44  
Italy [1] - 24862:25  
itself [1] - 24813:6,  
24819:21, 24821:22,  
24822:12, 24841:5,  
24841:15, 24852:10,  
24865:38, 24871:12,  
24878:23, 24878:25

---

## J

---

**JAMES** [2] - 24836:24,  
24836:26  
**James** [2] - 24839:5,  
24841:33  
**Janis** [2] - 24816:40,  
24817:16  
**January** [3] -  
24803:23, 24803:29,  
24805:27  
**Jay** [2] - 24816:40,  
24817:38  
**Jennifer** [1] -  
24790:34  
**Jerusalem** [1] -  
24851:17  
**Jesus** [2] - 24821:11,  
24821:19  
**job** [1] - 24793:18,  
24793:21, 24793:23,  
24803:10, 24815:35,  
24843:10, 24845:28,  
24862:10, 24874:26,  
24874:35, 24878:31  
**Johannine** [1] -  
24842:30  
**John** [10] - 24793:45,  
24796:14, 24797:3,  
24816:40, 24817:38,  
24821:4, 24837:31,  
24837:45, 24852:23,  
24872:44  
**Johns** [1] - 24804:1  
**joined** [4] - 24838:28,  
24841:43, 24850:15,  
24851:32  
**joining** [2] - 24792:47,

24835:32  
**Joplin** [2] - 24816:40,  
24817:16  
**journal** [1] - 24875:34  
**journeyed** [1] -  
24847:12  
**judge** [2] - 24793:14,  
24869:45  
**judged** [1] - 24870:35  
**judges** [1] - 24824:35  
**judgments** [2] -  
24871:23, 24871:24  
**Julian** [1] - 24882:24  
**June** [1] - 24807:22  
**jurisdiction** [1] -  
24820:10  
**jury** [1] - 24803:40  
**justice** [2] - 24817:38,  
24848:18  
**Justice** [5] - 24790:33,  
24790:34, 24822:38,  
24854:5, 24861:47  
**justification** [2] -  
24828:6, 24832:7  
**justifies** [2] -  
24823:18, 24832:3

---

## K

---

**kanon** [1] - 24818:41  
**KATHLEEN** [1] -  
24836:28  
**Kathleen** [1] -  
24836:35  
**Keenan** [3] -  
24850:16, 24850:27,  
24852:36  
**Keenan's** [1] -  
24849:37  
**keep** [14] - 24803:12,  
24804:41, 24822:3,  
24822:33, 24822:34,  
24823:9, 24830:42,  
24831:13, 24833:20,  
24843:18, 24858:27,  
24858:36, 24862:15,  
24863:13  
**keeping** [1] - 24801:6  
**kept** [3] - 24818:11,  
24827:21, 24831:26  
**key** [3] - 24793:46,  
24814:16, 24814:27  
**keys** [1] - 24821:18  
**kicked** [1] - 24863:32  
**kid** [2] - 24817:17,  
24881:7  
**kid's** [1] - 24881:8  
**kids** [4] - 24803:38,  
24817:22, 24880:4,  
24880:20

**Kieran** [1] - 24818:16  
**Kilda** [1] - 24884:21  
**kilter** [1] - 24807:35  
**kind** [5] - 24807:34,  
24808:39, 24815:36,  
24825:26, 24833:30  
**kinds** [4] - 24809:19,  
24815:4, 24834:1  
**kingdom** [1] -  
24821:18  
**kitchen** [1] - 24799:33  
**know"** [1] - 24860:21  
**knowledge** [5] -  
24800:37, 24801:37,  
24802:9, 24832:37,  
24867:14  
**known** [16] -  
24794:42, 24796:17,  
24798:30, 24811:20,  
24819:13, 24819:31,  
24822:5, 24822:34,  
24823:5, 24826:31,  
24827:21, 24830:27,  
24831:3, 24840:9,  
24844:14, 24849:44  
**Krol** [1] - 24805:35

---

## L

---

**lace** [1] - 24876:36  
**lack** [7] - 24829:12,  
24829:17, 24830:21,  
24833:37, 24834:47,  
24874:30  
**lady** [1] - 24825:29  
**Lafayette** [1] -  
24799:24  
**laicisation** [1] -  
24846:33  
**laicised** [3] -  
24798:20, 24801:37,  
24816:25  
**lapel** [1] - 24842:23  
**large** [7] - 24808:30,  
24808:32, 24869:2,  
24872:9, 24872:29,  
24875:39, 24879:29  
**largely** [2] - 24845:37,  
24850:38  
**larger** [1] - 24853:13  
**last** [6] - 24803:32,  
24806:43, 24854:15,  
24854:20, 24861:29,  
24873:21  
**late** [6] - 24810:41,  
24818:22, 24819:14,  
24819:33, 24858:6,  
24876:12  
**latent** [1] - 24850:13  
**latently** [1] - 24851:24

**latest** [1] - 24820:13  
**Latin** [4] - 24826:31,  
24875:25, 24876:36,  
24882:19  
**laundry** [1] - 24812:9  
**law** [25] - 24792:39,  
24792:47, 24793:1,  
24795:29, 24795:32,  
24797:42, 24797:44,  
24798:3, 24806:11,  
24809:15, 24809:16,  
24815:44, 24818:11,  
24818:40, 24818:45,  
24820:10, 24820:16,  
24821:13, 24828:36,  
24857:34  
**Law** [3] - 24809:11,  
24857:25, 24857:33  
**lawmaker** [1] -  
24858:25  
**laws** [3] - 24816:34,  
24818:39, 24872:32  
**lawyer** [4] - 24800:29,  
24806:26, 24811:43  
**lawyers** [3] -  
24804:22, 24817:35,  
24823:5  
**lay** [4] - 24855:46,  
24856:19, 24857:9,  
24880:12  
**layer** [2] - 24816:12,  
24828:15  
**laypeople** [6] -  
24805:8, 24814:46,  
24860:26, 24879:47,  
24881:44, 24882:4  
**layperson** [2] -  
24832:20, 24857:11  
**lead** [2] - 24824:5,  
24861:2  
**leader** [2] - 24815:12,  
24818:31  
**leaders** [3] - 24817:41,  
24863:37, 24866:4  
**leadership** [10] -  
24826:7, 24838:10,  
24850:46, 24855:13,  
24855:24, 24862:31,  
24864:1, 24866:30,  
24867:15, 24873:40  
**leading** [2] -  
24841:18, 24850:45  
**leap** [1] - 24876:12  
**learn** [5] - 24812:40,  
24812:42, 24835:11,  
24835:12, 24837:12  
**learned** [3] -  
24807:14, 24815:11,  
24831:40  
**learning** [2] -

24837:12, 24860:35  
**least** [3] - 24792:6,  
24805:32, 24866:21  
**leave** [4] - 24836:3,  
24838:7, 24852:34,  
24862:4  
**lecture** [1] - 24829:47  
**led** [2] - 24868:12,  
24872:29  
**left** [5] - 24831:32,  
24837:43, 24838:31,  
24838:33, 24879:46  
**legal** [3] - 24844:25,  
24845:37, 24846:4  
**legally** [2] - 24798:21,  
24863:4  
**legislated** [2] -  
24820:5, 24862:18  
**legitimate** [2] -  
24868:41, 24869:18  
**legs** [1] - 24835:18  
**Leonard** [2] -  
24854:47, 24856:43  
**less** [11] - 24826:38,  
24828:2, 24854:35,  
24856:18, 24858:22,  
24872:24, 24880:22,  
24880:24  
**lesser** [1] - 24880:43  
**letter** [5] - 24798:11,  
24798:19, 24800:17,  
24800:22, 24800:25  
**letters** [1] - 24801:17  
**letting** [1] - 24834:4  
**Level** [1] - 24790:23  
**level** [13] - 24827:15,  
24829:45, 24830:2,  
24830:5, 24830:6,  
24831:2, 24833:32,  
24858:10, 24858:23,  
24860:25, 24862:37,  
24864:1  
**levels** [3] - 24868:2,  
24868:22, 24872:22  
**liaise** [2] - 24803:11,  
24803:14  
**liaising** [4] - 24802:41,  
24802:44, 24802:47,  
24803:26  
**liberally** [1] - 24878:24  
**licence** [1] - 24872:40  
**licensed** [3] -  
24791:24, 24806:12,  
24812:35  
**lied** [1] - 24820:46  
**life** [15] - 24810:19,  
24823:38, 24828:21,  
24832:1, 24832:15,  
24841:18, 24847:12,  
24849:33, 24851:29,

24852:34, 24856:38, 24858:18, 24861:33, 24872:1, 24872:17  
**lifestyles** [1] - 24871:39  
**lightning** [1] - 24821:30  
**likely** [2] - 24854:35, 24856:18  
**limitations** [1] - 24800:41  
**line** [3] - 24818:42, 24880:39, 24883:36  
**lines** [3] - 24867:23, 24877:40, 24877:42  
**link** [4] - 24828:16, 24828:17, 24879:1, 24879:2  
**list** [2] - 24870:25, 24870:43  
**listen** [3] - 24810:46, 24834:18, 24862:43  
**listened** [1] - 24817:16  
**listening** [2] - 24811:1, 24834:4  
**lists** [1] - 24793:36  
**liturgies** [1] - 24875:26  
**live** [4] - 24828:20, 24849:22, 24849:23, 24876:27  
**lived** [2] - 24844:14, 24871:5  
**lives** [5] - 24849:15, 24849:20, 24849:30, 24873:46, 24881:17  
**living** [4] - 24797:47, 24802:10, 24830:28, 24839:39  
**loath** [1] - 24846:46  
**local** [6] - 24802:42, 24827:15, 24866:6, 24866:8, 24866:10, 24866:25  
**locally** [2] - 24796:19, 24796:22  
**lock** [1] - 24801:31  
**lock-down** [1] - 24801:31  
**locked** [1] - 24803:45  
**London** [1] - 24814:8  
**loneliness** [2] - 24856:15, 24873:44  
**lonely** [1] - 24882:12  
**long-term** [1] - 24826:40  
**longest** [1] - 24810:46  
**look** [29] - 24793:35, 24795:16, 24796:14, 24808:47, 24815:36, 24817:31, 24817:35, 24818:9, 24820:29, 24824:35, 24826:33, 24835:13, 24835:14, 24850:28, 24852:11, 24852:15, 24853:5, 24853:30, 24855:11, 24856:12, 24859:2, 24859:19, 24859:39, 24861:35, 24865:33, 24866:8, 24873:5, 24873:29, 24873:34  
**looked** [5] - 24798:34, 24806:17, 24810:18, 24849:12, 24881:24  
**looking** [12] - 24811:39, 24853:33, 24860:37, 24861:25, 24867:23, 24873:20, 24873:23, 24876:31, 24876:37, 24878:43, 24883:28  
**looks** [1] - 24872:38  
**loophole** [2] - 24857:29, 24857:30  
**loops** [1] - 24872:33  
**loosen** [1] - 24821:18  
**lose** [1] - 24822:13  
**lost** [1] - 24877:9  
**loudly** [1] - 24842:27  
**Louisiana** [5] - 24797:35, 24799:24, 24803:29, 24806:18  
**love** [3] - 24814:29, 24851:36, 24874:34  
**lower** [1] - 24825:15  
**lowered** [1] - 24822:10  
**lowest** [1] - 24854:42  
**Ltd** [1] - 24862:1  
**Luke** [1] - 24801:23  
**luncheon** [2] - 24836:14, 24836:16  
**lurch** [1] - 24879:17  
**lying** [1] - 24816:4

---

**M**

---

**ma'am** [5] - 24793:3, 24795:10, 24795:47, 24797:11, 24806:3  
**Macquarie** [1] - 24790:23  
**mad** [1] - 24807:8  
**magazine** [1] - 24801:2  
**magnificent** [2] - 24876:23, 24878:9  
**mail** [1] - 24797:25  
**main** [10] - 24793:24, 24814:47, 24816:36, 24820:44, 24822:22, 24823:37, 24861:6, 24861:14, 24861:21, 24863:38  
**maintaining** [1] - 24859:44  
**major** [9] - 24815:11, 24817:20, 24820:4, 24842:40, 24866:17, 24871:41, 24874:35, 24875:31  
**majority** [3] - 24813:42, 24818:43, 24820:39  
**make-up** [1] - 24851:42  
**male** [8] - 24830:7, 24834:37, 24846:12, 24846:14, 24852:16, 24853:12, 24855:36, 24873:47  
**male/female** [1] - 24825:15  
**males** [2] - 24818:30, 24819:28  
**mammoth** [1] - 24832:47  
**Man** [1] - 24842:30  
**man** [25] - 24794:18, 24795:14, 24795:26, 24798:19, 24798:31, 24798:32, 24798:37, 24799:43, 24800:29, 24801:21, 24801:27, 24802:36, 24805:25, 24809:8, 24810:22, 24811:32, 24821:32, 24824:36, 24825:1, 24825:27, 24835:18, 24842:7, 24853:5, 24871:33  
**man's** [2] - 24794:27, 24795:24  
**manage** [2] - 24793:25, 24856:47  
**managed** [1] - 24883:32  
**management** [6] - 24865:20, 24868:2, 24868:3, 24868:6, 24868:40, 24875:1  
**managing** [1] - 24836:39  
**mandate** [1] - 24811:8  
**mandated** [1] - 24864:9  
**mandatory** [6] - 24820:19, 24824:42, 24825:2, 24826:23, 24826:29, 24828:38  
**manifest** [1] - 24853:14  
**Manly** [1] - 24876:24  
**manner** [4] - 24802:38, 24804:43, 24828:2, 24833:3  
**manual** [1] - 24808:46  
**marginally** [1] - 24847:16  
**Marie** [3] - 24849:37, 24850:16, 24852:36  
**marriage** [3] - 24794:2, 24859:11, 24859:12  
**married** [8] - 24798:21, 24827:28, 24827:29, 24827:47, 24828:11, 24828:26, 24832:22, 24839:41  
**marry** [1] - 24870:15  
**Maryland** [1] - 24803:46  
**mass** [5] - 24866:19, 24866:21, 24866:36, 24870:14, 24876:36  
**massive** [2] - 24813:1, 24860:25  
**Master** [3] - 24837:7, 24837:8, 24837:9  
**Masters** [2] - 24841:46, 24841:47  
**material** [3] - 24796:30, 24796:34, 24884:40  
**mathematician** [1] - 24839:29  
**mathematics** [1] - 24839:31  
**matter** [8] - 24804:25, 24857:25, 24860:6, 24864:31, 24867:21, 24868:5, 24869:44, 24877:10  
**matters** [2] - 24860:3, 24865:27  
**mature** [1] - 24877:5  
**maturing** [1] - 24825:6  
**Mayor** [1] - 24829:1  
**MBAs** [1] - 24862:31  
**McClellan** [1] - 24790:33  
**mean** [25] - 24794:7, 24805:7, 24808:44, 24817:24, 24821:9, 24822:21, 24825:15, 24825:21, 24826:26, 24830:4, 24830:34, 24843:4, 24844:28, 24844:41, 24845:21, 24845:30, 24848:16, 24850:40, 24853:33, 24858:41, 24865:17, 24869:10, 24869:19, 24875:30, 24878:10  
**meaning** [3] - 24817:36, 24821:8, 24842:6  
**means** [8] - 24799:13, 24818:42, 24822:8, 24823:5, 24825:19, 24838:18, 24847:32, 24858:24  
**meant** [2] - 24826:28, 24871:9  
**media** [7] - 24800:42, 24800:44, 24801:10, 24808:38, 24811:41, 24819:43, 24823:5  
**mediations** [1] - 24837:21  
**medical** [2] - 24809:16, 24869:43  
**Medicare** [2] - 24838:18, 24867:12  
**medicine** [1] - 24869:43  
**medieval** [1] - 24818:11  
**meet** [4] - 24794:9, 24804:19, 24817:4, 24845:2  
**meeting** [4] - 24800:23, 24804:14, 24804:15, 24818:43  
**meetings** [4] - 24809:44, 24864:36, 24864:38  
**meets** [1] - 24796:11  
**Melbourne** [1] - 24874:36  
**member** [3] - 24825:30, 24841:39, 24841:41  
**members** [5] - 24797:24, 24812:14, 24843:37, 24853:22, 24853:26  
**men** [27] - 24798:22, 24802:31, 24802:35, 24804:10, 24804:44, 24809:9, 24814:30, 24815:7, 24818:28, 24820:34, 24823:26, 24825:6, 24827:17, 24827:28, 24827:29, 24829:26, 24829:43, 24830:40, 24831:27, 24831:47, 24832:8



24833:41, 24835:3, 24849:43, 24863:30, 24866:13, 24874:3  
**mental** [2] - 24852:28, 24852:31  
**mentality** [1] - 24830:20  
**mention** [1] - 24832:12  
**mentioned** [14] - 24794:45, 24805:25, 24814:39, 24816:40, 24818:4, 24828:19, 24828:45, 24833:37, 24853:31, 24859:3, 24860:4, 24863:8, 24866:3, 24875:43  
**Mercy** [1] - 24838:29  
**mess** [3] - 24805:10, 24843:12, 24843:32  
**message** [1] - 24826:45  
**met** [13] - 24792:9, 24803:30, 24810:12, 24810:17, 24810:26, 24810:43, 24811:16, 24813:29, 24814:7, 24828:1, 24839:40, 24846:4, 24851:33  
**mic** [1] - 24842:23  
**MICHAEL** [1] - 24791:4  
**Michael** [8] - 24791:14, 24801:21, 24854:13, 24854:14, 24854:19, 24863:46, 24864:37, 24874:28  
**MICHELLE** [1] - 24836:28  
**Michelle** [6] - 24836:35, 24850:40, 24865:20, 24869:24, 24871:1, 24874:8  
**microphone** [1] - 24840:14  
**mid-1980s** [1] - 24819:37  
**mid-19th** [1] - 24818:22  
**middle** [3] - 24819:14, 24819:15  
**might** [21] - 24802:46, 24803:16, 24815:31, 24832:38, 24832:39, 24836:13, 24839:38, 24856:24, 24857:28, 24857:29, 24858:40, 24866:12, 24869:20, 24870:11, 24873:40, 24876:1, 24879:13, 24880:36, 24883:23, 24884:47  
**mighty** [1] - 24869:16  
**miles** [1] - 24874:1  
**military** [5] - 24812:20, 24812:21, 24812:22, 24827:46, 24871:43  
**millions** [1] - 24861:15  
**MILROY** [1] - 24834:28  
**Milroy** [1] - 24790:37  
**mind** [4] - 24800:26, 24804:41, 24830:43, 24833:2  
**mind-boggling** [1] - 24833:2  
**minds** [2] - 24831:36, 24868:6  
**mine** [2] - 24809:9  
**minimise** [1] - 24806:24  
**minister** [1] - 24847:32  
**Ministers** [1] - 24840:22  
**ministers** [2] - 24827:31, 24854:3  
**Ministry** [2] - 24854:7, 24871:8  
**ministry** [14] - 24791:20, 24804:37, 24826:9, 24827:32, 24827:42, 24845:15, 24845:17, 24854:10, 24855:6, 24856:41, 24864:3, 24871:5, 24880:20  
**minor** [3] - 24794:38, 24818:45, 24818:46  
**Minors** [1] - 24813:33  
**minors** [4] - 24814:20, 24814:28, 24819:13  
**misconducting** [1] - 24816:31  
**mishandled** [1] - 24873:16  
**mismanagement** [1] - 24868:10  
**misogynous** [1] - 24862:8  
**missed** [1] - 24817:20  
**mission** [1] - 24881:17  
**mistake** [1] - 24849:35  
**misunderstanding** [2] - 24831:17, 24835:10  
**misunderstood** [1] - 24853:32  
**misuse** [1] - 24859:27  
**mix** [1] - 24852:39  
**modalities** [1] - 24809:19  
**model** [1] - 24876:5  
**Modern** [1] - 24876:13  
**MOLONEY** [110] - 24836:24, 24841:33, 24841:37, 24841:43, 24842:5, 24842:12, 24842:16, 24842:25, 24843:2, 24843:7, 24843:12, 24843:26, 24843:35, 24843:39, 24843:44, 24844:2, 24844:7, 24844:12, 24844:23, 24844:30, 24844:39, 24844:43, 24845:1, 24845:10, 24845:14, 24845:24, 24845:30, 24845:36, 24845:47, 24846:14, 24846:18, 24846:25, 24846:35, 24847:23, 24847:30, 24847:34, 24847:40, 24847:44, 24848:10, 24848:15, 24848:26, 24848:30, 24848:35, 24848:41, 24848:46, 24849:3, 24849:7, 24849:40, 24849:47, 24850:5, 24850:9, 24850:22, 24850:32, 24850:38, 24851:10, 24851:15, 24851:22, 24851:45, 24856:24, 24856:32, 24856:37, 24857:2, 24857:8, 24857:13, 24857:18, 24857:23, 24857:28, 24857:37, 24858:5, 24858:30, 24858:36, 24865:44, 24866:2, 24866:46, 24867:3, 24867:10, 24867:19, 24867:39, 24868:26, 24868:43, 24870:9, 24870:37, 24870:42, 24871:20, 24872:15, 24873:37, 24875:11, 24876:10, 24877:33, 24877:37, 24877:42, 24877:47, 24878:8, 24878:16, 24878:28, 24879:9, 24879:15, 24879:32, 24879:37, 24880:17, 24880:30, 24880:34, 24880:47, 24883:21, 24883:26, 24883:31, 24884:2, 24884:6, 24884:12, 24884:20  
**Moloney** [5] - 24841:30, 24841:33, 24865:41, 24868:24, 24883:12  
**moment** [8] - 24803:6, 24810:19, 24841:37, 24842:6, 24851:5, 24860:19, 24865:15, 24870:19  
**monarchy** [2] - 24833:23, 24833:24  
**monastery** [1] - 24827:16  
**money** [6] - 24800:10, 24800:12, 24814:41, 24822:6, 24828:27, 24859:45  
**monks** [1] - 24819:21  
**Monsignor** [1] - 24799:42  
**month** [1] - 24883:34  
**months** [3] - 24798:2, 24854:15, 24854:20  
**moral** [2] - 24818:27, 24859:15  
**morality** [3] - 24794:1, 24859:11, 24859:13  
**morals** [1] - 24834:42  
**Moran's** [1] - 24876:24  
**morning** [11] - 24791:2, 24791:10, 24803:30, 24826:18, 24838:17, 24850:23, 24850:39, 24875:14, 24880:1, 24881:3, 24884:45  
**mortal** [3] - 24824:17, 24824:32, 24825:43  
**most** [17] - 24792:6, 24792:22, 24796:2, 24802:34, 24815:43, 24821:32, 24828:3, 24833:16, 24846:1, 24846:8, 24846:12, 24846:45, 24852:18, 24852:33, 24862:29, 24864:45, 24881:43  
**mostly** [1] - 24802:47  
**mothers** [1] - 24831:31  
**motivation** [1] - 24822:35  
**mountains** [1] - 24822:44  
**mouth** [1] - 24830:42  
**move** [7] - 24808:12, 24834:44, 24835:17, 24861:8, 24865:21, 24866:35, 24869:8  
**moved** [5] - 24799:36, 24801:46, 24839:31, 24841:2, 24861:24  
**moving** [1] - 24873:40  
**multicultural** [1] - 24866:26  
**multiple** [1] - 24872:17  
**MULVIHILL** [29] - 24836:28, 24836:35, 24836:39, 24837:2, 24837:6, 24837:18, 24837:39, 24837:45, 24838:2, 24838:9, 24838:16, 24838:26, 24838:36, 24838:41, 24860:6, 24861:1, 24861:14, 24861:21, 24861:45, 24863:19, 24863:23, 24863:30, 24867:46, 24868:10, 24869:36, 24872:31, 24872:47, 24873:5, 24882:10  
**Mulvihill** [2] - 24836:32, 24836:35  
**mum** [1] - 24881:10  
**murder** [1] - 24826:12  
**murdered** [1] - 24826:13  
**MURRAY** [12] - 24828:31, 24828:41, 24828:47, 24829:17, 24830:11, 24869:40, 24870:32, 24870:39, 24871:12, 24878:20, 24879:6, 24879:11  
**Murray** [1] - 24790:38  
**must** [22] - 24808:8, 24817:14, 24821:30, 24821:47, 24822:8, 24822:9, 24823:45, 24824:18, 24825:33, 24832:5, 24832:9, 24850:43, 24865:35, 24865:36, 24866:38, 24868:35, 24869:43, 24870:22, 24870:45, 24877:18, 24877:21, 24883:33  
**myself** [1] - 24830:17  
**mystique** [1] - 24828:18

---

## N

---

**nail** [1] - 24817:23  
**naive** [1] - 24833:23

**name** [11] - 24791:8, 24791:12, 24791:14, 24795:24, 24803:32, 24805:43, 24806:44, 24811:42, 24836:33, 24839:3, 24841:31  
**named** [2] - 24800:34, 24801:21  
**namely** [3] - 24808:12, 24816:3, 24831:42  
**names** [4] - 24793:33, 24793:35, 24793:39, 24805:17  
**nation** [3] - 24868:28, 24868:30, 24868:32  
**National** [4] - 24808:20, 24809:26, 24809:37, 24839:23  
**national** [2] - 24870:20, 24870:30  
**nature** [3] - 24800:45, 24829:10, 24830:34  
**nauseam** [1] - 24835:16  
**near** [1] - 24802:10  
**nebulous** [1] - 24795:4  
**necessarily** [1] - 24873:22  
**necessary** [4] - 24862:13, 24865:27, 24876:18, 24882:40  
**need** [29] - 24803:26, 24809:41, 24816:22, 24827:14, 24830:47, 24833:19, 24834:2, 24842:19, 24851:3, 24853:19, 24855:3, 24857:20, 24857:26, 24857:28, 24858:41, 24859:31, 24861:35, 24861:36, 24862:7, 24862:20, 24862:21, 24864:2, 24866:8, 24871:16, 24874:31, 24876:4, 24883:38, 24883:43  
**needed** [7] - 24801:19, 24809:34, 24811:32, 24817:34, 24834:12, 24837:32, 24859:12  
**needs** [8] - 24804:25, 24816:23, 24862:18, 24863:8, 24865:37, 24869:27, 24881:2, 24883:32  
**negative** [3] - 24878:38, 24878:44, 24881:12  
**negligent** [1] - 24815:45  
**Neil** [5] - 24839:5, 24850:40, 24856:24, 24858:30, 24871:1  
**NEIL** [1] - 24836:26  
**nephew** [1] - 24798:21  
**network** [1] - 24840:9  
**never** [27] - 24797:4, 24797:5, 24799:1, 24800:26, 24803:30, 24803:32, 24810:33, 24810:35, 24811:39, 24813:9, 24823:10, 24825:18, 24825:21, 24825:27, 24825:34, 24826:11, 24828:1, 24830:31, 24833:24, 24835:41, 24859:35, 24864:20, 24884:22, 24884:23  
**nevertheless** [3] - 24794:28, 24820:4, 24868:29  
**new** [6] - 24808:47, 24809:1, 24860:26, 24876:12, 24877:26, 24882:21  
**New** [7] - 24804:18, 24838:27, 24838:43, 24839:29, 24842:33, 24842:36, 24843:7  
**newly** [1] - 24876:34  
**newspaper** [1] - 24805:9  
**Newsweek** [1] - 24801:2  
**next** [5] - 24798:16, 24801:47, 24805:36, 24854:25, 24871:5  
**nice** [1] - 24866:26  
**night** [3] - 24845:2, 24880:1, 24882:12  
**nine** [2] - 24800:3, 24800:5  
**no-one** [1] - 24879:3  
**nobody** [4] - 24804:44, 24816:14, 24818:29, 24822:46  
**non** [4] - 24827:30, 24834:45, 24848:6, 24875:4  
**non-Catholic** [1] - 24827:30  
**non-concrete** [1] - 24834:45  
**non-existent** [1] - 24875:4  
**non-ordained** [1] - 24848:6  
**none** [4] - 24798:42, 24864:14, 24869:21, 24879:46  
**norm** [1] - 24852:12  
**normal** [4] - 24792:11, 24834:36, 24862:39, 24881:8  
**norms** [1] - 24816:15  
**not-for-profit** [1] - 24836:42  
**note** [1] - 24826:15  
**noted** [1] - 24859:8  
**notes** [1] - 24820:29  
**nothing** [15] - 24810:23, 24813:16, 24816:16, 24816:21, 24821:16, 24821:19, 24830:37, 24835:23, 24857:34, 24861:23, 24864:41, 24878:21, 24882:30, 24884:31  
**notice** [2] - 24818:8, 24818:9  
**noticeable** [1] - 24876:1  
**noticed** [2] - 24822:19, 24877:7  
**notified** [1] - 24797:41  
**notion** [3] - 24870:12, 24883:32, 24883:33  
**novitiate** [3] - 24791:29, 24791:38, 24841:44  
**nowadays** [2] - 24866:10, 24881:5  
**nuance** [1] - 24830:12  
**number** [32] - 24802:28, 24807:23, 24808:40, 24810:26, 24814:8, 24814:37, 24817:41, 24819:34, 24821:6, 24822:39, 24823:35, 24839:39, 24840:5, 24844:24, 24844:32, 24851:27, 24851:28, 24853:31, 24854:6, 24855:5, 24857:41, 24859:2, 24866:22, 24867:20, 24867:26, 24872:44, 24872:45, 24873:6, 24873:27, 24874:11, 24879:45  
**numbers** [4] - 24847:45, 24850:35, 24873:31, 24875:3  
**Nunciature** [6] - 24793:23, 24797:1, 24797:17, 24797:34, 24797:41, 24807:45  
**Nuncio** [26] - 24794:32, 24796:26, 24797:24, 24797:37, 24798:27, 24798:37, 24800:17, 24800:22, 24800:36, 24801:7, 24801:18, 24802:40, 24803:8, 24803:11, 24804:9, 24804:14, 24805:3, 24805:19, 24807:33, 24807:36, 24807:39, 24809:24, 24809:33, 24811:47, 24812:14, 24868:34  
**Nuncio's** [3] - 24793:17, 24796:24, 24807:29  
**nuns** [2] - 24855:47, 24857:8  
**nursing** [1] - 24852:30  
**nurturing** [1] - 24825:5  
**nuts** [1] - 24813:11  


---

**O**

---

**o'clock** [3] - 24884:45, 24885:1, 24885:8  
**O'Hanlon** [1] - 24885:2  
**obey** [1] - 24849:21  
**obligation** [1] - 24833:18  
**observance** [1] - 24829:12  
**obtain** [1] - 24883:18  
**obvious** [1] - 24884:24  
**obviously** [1] - 24814:15  
**occupation** [2] - 24836:37, 24839:7  
**occur** [1] - 24879:7  
**occurred** [1] - 24874:45  
**occurrence** [1] - 24854:34  
**occurring** [1] - 24869:37  
**occurs** [2] - 24853:34, 24881:27  
**odd** [1] - 24859:35  
**offence** [1] - 24884:24  
**offences** [1] - 24873:6  
**offend** [2] - 24824:24, 24851:43  
**offended** [1] - 24860:10  
**offenders** [3] - 24803:47, 24820:1, 24820:9  
**offending** [1] - 24816:35  
**offensive** [1] - 24860:11  
**offer** [2] - 24793:18, 24832:43  
**offering** [3] - 24809:23, 24833:47, 24838:18  
**Office** [1] - 24806:34  
**office** [12] - 24793:17, 24793:25, 24796:13, 24796:25, 24798:33, 24799:4, 24802:46, 24803:30, 24807:29, 24811:31, 24823:16, 24848:17  
**official** [11] - 24794:22, 24798:6, 24809:34, 24811:8, 24816:2, 24818:18, 24821:37, 24828:11, 24831:29, 24833:46, 24873:9  
**officially** [4] - 24801:37, 24819:36, 24827:28, 24831:33  
**offline** [4] - 24799:26, 24799:47, 24804:28, 24804:33  
**often** [6] - 24841:13, 24846:18, 24851:16, 24874:1, 24874:7, 24875:13  
**oftentimes** [5] - 24802:34, 24824:4, 24824:30, 24831:20, 24831:35  
**old** [4] - 24802:1, 24802:2, 24876:33  
**older** [1] - 24832:32  
**oldest** [3] - 24810:28, 24828:27, 24828:28  
**once** [14] - 24794:13, 24796:12, 24803:33, 24823:2, 24825:19, 24846:4, 24846:41, 24849:33, 24850:13, 24851:38, 24881:8, 24883:34, 24884:22  
**one** [95] - 24791:21, 24792:4, 24792:10, 24793:47, 24794:9, 24794:18, 24794:20, 24795:12, 24796:10, 24797:41, 24798:22, 24799:24, 24799:39, 24799:40, 24800:15, 24800:26, 24801:18,

24803:35, 24804:30, 24805:22, 24805:25, 24806:33, 24807:6, 24808:10, 24808:13, 24809:10, 24810:23, 24812:4, 24812:45, 24813:1, 24814:34, 24814:38, 24815:34, 24815:47, 24816:46, 24816:47, 24817:1, 24818:4, 24818:19, 24818:28, 24821:25, 24822:22, 24823:18, 24823:29, 24824:39, 24825:8, 24825:21, 24825:28, 24826:36, 24826:38, 24827:4, 24828:1, 24828:24, 24831:7, 24831:8, 24831:11, 24832:12, 24833:36, 24834:22, 24838:16, 24846:6, 24849:15, 24850:14, 24850:29, 24851:27, 24851:29, 24851:35, 24853:30, 24853:43, 24854:8, 24857:8, 24859:6, 24859:8, 24859:28, 24864:5, 24866:17, 24866:22, 24866:34, 24871:39, 24871:40, 24871:41, 24874:35, 24874:36, 24876:13, 24879:3, 24881:21, 24881:24, 24881:30, 24882:37, 24883:12

**One** [1] - 24803:38

**one-on-one** [3] - 24827:4, 24846:6, 24850:14

**ones** [14] - 24795:36, 24804:35, 24808:11, 24808:22, 24809:3, 24815:28, 24823:36, 24823:37, 24834:24, 24852:19, 24857:4, 24872:4, 24879:45, 24882:7

**ongoing** [11] - 24838:20, 24854:10, 24859:37, 24863:10, 24864:9, 24875:42, 24875:43, 24882:40, 24883:8, 24883:24

**open** [3] - 24794:13, 24798:14, 24860:46

**openly** [2] - 24828:15, 24852:45

**opens** [1] - 24852:1

**operate** [2] - 24841:24, 24872:10

**operated** [2] - 24846:22, 24879:28

**operating** [1] - 24836:47

**opinion** [10] - 24796:24, 24808:16, 24827:39, 24849:3, 24849:7, 24851:15, 24851:19, 24851:23, 24867:29, 24879:15

**opportunity** [2] - 24853:7, 24882:45

**optimistic** [1] - 24866:12

**ordained** [8] - 24792:26, 24792:28, 24827:8, 24828:38, 24848:6, 24870:23, 24874:4, 24876:34

**ordaining** [1] - 24827:31

**order** [24] - 24792:22, 24792:26, 24829:4, 24837:33, 24838:28, 24838:33, 24838:39, 24843:37, 24845:18, 24846:32, 24846:47, 24849:11, 24849:19, 24849:43, 24850:10, 24851:43, 24851:45, 24855:44, 24865:38, 24868:35, 24870:19, 24873:10, 24883:47

**order's** [1] - 24851:46

**Orders** [1] - 24846:41

**orders** [20] - 24847:26, 24852:15, 24852:16, 24857:6, 24863:33, 24872:10, 24872:13, 24872:22, 24872:28, 24872:32, 24872:34, 24872:44, 24873:3, 24873:28, 24873:30, 24873:35, 24874:38, 24875:3, 24877:23

**ordinarily** [1] - 24830:32

**ordinary** [2] - 24823:44, 24862:39

**ordination** [6] - 24792:24, 24799:31, 24799:32, 24799:34, 24849:30

**organisation** [9] - 24837:34, 24837:35, 24837:42, 24838:2, 24838:5, 24860:24, 24861:5

**organisation's** [1] - 24861:6

**organisational** [1] - 24836:41

**organisationally** [1] - 24860:3

**organisations** [2] - 24836:42, 24868:18

**organised** [2] - 24814:3, 24818:24

**organising** [1] - 24840:33

**Orleans** [1] - 24804:18

**ORMEROD** [67] - 24836:26, 24839:5, 24839:9, 24839:15, 24839:19, 24839:28, 24839:33, 24839:37, 24840:2, 24840:17, 24840:22, 24840:26, 24840:31, 24840:41, 24841:11, 24841:21, 24841:26, 24852:9, 24852:23, 24852:27, 24853:24, 24853:30, 24854:31, 24854:41, 24855:21, 24855:30, 24855:36, 24855:46, 24856:4, 24856:9, 24856:22, 24856:30, 24857:39, 24857:47, 24859:2, 24863:2, 24863:25, 24863:41, 24864:29, 24864:34, 24864:45, 24865:3, 24865:11, 24865:17, 24865:29, 24865:33, 24869:4, 24869:24, 24871:7, 24871:22, 24874:14, 24876:39, 24876:44, 24877:2, 24877:14, 24877:21, 24877:26, 24877:44, 24878:6, 24881:33, 24881:41, 24882:3, 24882:24, 24882:28, 24882:43, 24883:3, 24883:10

**Ormerod** [11] - 24839:2, 24839:5, 24852:5, 24858:44, 24860:4, 24862:45, 24863:35, 24869:1, 24876:41, 24882:37, 24883:14

**orphanages** [1] - 24879:27

**otherwise** [4] - 24807:7, 24851:42, 24856:19, 24884:16

**ought** [1] - 24882:41

**ourselves** [1] - 24854:43

**outfits** [1] - 24882:20

**outlet** [1] - 24825:2

**outlined** [1] - 24875:14

**outs** [1] - 24870:27

**outside** [3] - 24839:26, 24865:26, 24865:37

**outsiders** [1] - 24865:26

**outstanding** [3] - 24867:21, 24878:2, 24879:46

**overnight** [1] - 24877:7

**overseas** [1] - 24841:45

**oversight** [1] - 24803:15

**overstretched** [1] - 24865:19

**overwhelmed** [2] - 24843:42, 24843:44

**overwhelming** [3] - 24843:15, 24843:22, 24844:8

**overwork** [1] - 24873:44

**overwrought** [1] - 24866:35

**own** [16] - 24793:36, 24796:47, 24810:31, 24818:17, 24830:43, 24845:45, 24848:15, 24859:21, 24868:6, 24868:21, 24872:32, 24872:38, 24878:42, 24879:43, 24880:8, 24880:19

**owner** [1] - 24836:40

**Oxford** [2] - 24842:1, 24842:29

---

**P**

---

**Pacific** [1] - 24873:32

**pack** [3] - 24807:2, 24847:25

**paedophile** [3] - 24799:27, 24830:3, 24830:4

**paedophiles** [5] - 24820:36, 24830:2, 24849:10, 24850:10

**paedophilia** [1] - 24809:18

**page** [2] - 24800:46, 24800:47

**pages** [3] - 24793:42, 24809:21, 24822:39

**painful** [1] - 24811:1

**panel** [6] - 24814:46, 24815:1, 24836:12, 24862:2, 24885:1, 24885:5

**Papal** [19] - 24793:17, 24793:23, 24794:32, 24796:24, 24797:45, 24798:27, 24798:37, 24799:3, 24800:17, 24800:22, 24800:36, 24804:9, 24804:14, 24805:3, 24807:28, 24807:33, 24807:36, 24807:39, 24809:33

**paper** [4] - 24806:17, 24810:14, 24815:31, 24818:18

**papers** [3] - 24798:29, 24807:14, 24807:16

**paperwork** [1] - 24834:10

**pardon** [1] - 24806:3

**parents** [6] - 24807:18, 24810:19, 24813:5, 24824:28, 24825:20, 24882:6

**parish** [24] - 24792:14, 24838:43, 24854:21, 24858:12, 24858:13, 24858:23, 24858:24, 24859:33, 24865:35, 24880:18, 24880:34, 24880:36, 24880:38, 24880:39, 24881:22, 24881:23, 24881:26, 24881:29, 24881:42, 24881:44

**parishes** [1] - 24799:39

**parliament** [1] - 24869:32

**parse** [1] - 24810:47

**part** [31] - 24794:41, 24800:6, 24800:7, 24802:34, 24805:44, 24805:45, 24809:16, 24815:21, 24815:23, 24822:27, 24824:3, 24825:39, 24830:19, 24830:41, 24831:36, 24831:43, 24832:24, 24839:37, 24840:33, 24846:2, 24846:3, 24846:8, 24855:43, 24865:38, 24868:27,

24868:30, 24871:46,  
24872:1, 24873:38,  
24875:39, 24876:28  
**particular** [16] -  
24794:24, 24795:40,  
24797:17, 24807:29,  
24812:16, 24829:12,  
24830:9, 24839:35,  
24846:23, 24852:15,  
24868:18, 24878:13,  
24878:29, 24878:32,  
24880:38, 24883:15  
**particularly** [10] -  
24817:43, 24837:26,  
24849:9, 24858:17,  
24860:7, 24868:14,  
24872:34, 24873:32,  
24873:47, 24879:28  
**particulars** [1] -  
24791:34  
**parties** [1] - 24846:4  
**parts** [2] - 24832:15,  
24881:27  
**pass** [2] - 24794:3,  
24794:6  
**passed** [2] - 24826:8,  
24826:10  
**passing** [1] -  
24884:16  
**passive** [1] - 24832:20  
**past** [6] - 24800:44,  
24815:28, 24830:29,  
24832:1, 24879:26,  
24881:18  
**pastor** [3] - 24799:43,  
24800:35, 24811:10  
**pastoral** [26] -  
24809:15, 24809:35,  
24814:29, 24833:38,  
24833:47, 24834:1,  
24841:4, 24841:5,  
24841:9, 24841:18,  
24853:2, 24853:32,  
24854:10, 24854:16,  
24854:22, 24855:4,  
24858:9, 24858:13,  
24858:22, 24862:19,  
24862:47, 24863:47,  
24880:20, 24880:28  
**patchy** [1] - 24867:40  
**Patrick** [1] - 24791:14  
**PATRICK** [1] -  
24791:4  
**patrimony** [1] -  
24822:6  
**Paul** [2] - 24793:45,  
24796:14  
**Paul's** [2] - 24839:23,  
24852:42  
**payment** [1] - 24800:6  
**payments** [1] -  
24846:29  
**peace** [1] - 24848:19  
**peak** [1] - 24830:7  
**pedestal** [3] -  
24824:9, 24824:10,  
24824:11  
**peer** [1] - 24879:4  
**Pell** [1] - 24877:30  
**Pell's** [1] - 24877:16  
**penalised** [2] -  
24831:8, 24831:11  
**penalties** [1] -  
24819:20  
**penalty** [1] - 24819:18  
**pending** [2] -  
24844:34, 24844:35  
**Pennsylvania** [1] -  
24798:13  
**People** [1] - 24861:24  
**people** [126] -  
24793:38, 24793:40,  
24800:31, 24801:9,  
24804:24, 24807:33,  
24807:43, 24808:37,  
24810:20, 24811:4,  
24812:27, 24812:38,  
24812:41, 24813:13,  
24813:26, 24814:45,  
24815:13, 24815:30,  
24815:36, 24818:25,  
24820:3, 24823:44,  
24824:3, 24824:22,  
24825:3, 24828:11,  
24830:21, 24831:30,  
24831:32, 24831:33,  
24831:36, 24831:37,  
24832:30, 24833:16,  
24833:18, 24834:6,  
24835:16, 24835:37,  
24838:44, 24844:13,  
24844:43, 24845:3,  
24845:4, 24845:7,  
24845:14, 24845:36,  
24845:37, 24845:38,  
24846:27, 24848:2,  
24849:8, 24849:9,  
24849:14, 24849:19,  
24849:27, 24849:33,  
24850:11, 24850:14,  
24850:46, 24851:23,  
24851:24, 24852:17,  
24852:18, 24852:30,  
24852:33, 24852:34,  
24853:15, 24853:20,  
24853:21, 24853:36,  
24854:10, 24859:4,  
24859:16, 24860:8,  
24860:11, 24860:13,  
24860:34, 24861:8,  
24861:29, 24861:31,  
24862:17, 24862:28,  
24862:40, 24864:19,  
24864:35, 24865:26,  
24866:27, 24866:28,  
24866:29, 24866:36,  
24867:4, 24868:8,  
24868:27, 24868:31,  
24868:36, 24868:45,  
24870:11, 24870:20,  
24872:25, 24872:38,  
24873:24, 24873:45,  
24874:40, 24875:28,  
24877:2, 24877:4,  
24877:5, 24877:6,  
24879:16, 24879:41,  
24880:7, 24880:23,  
24881:5, 24881:16,  
24881:17, 24883:36,  
24883:37  
**people's** [1] -  
24859:17  
**per** [12] - 24800:6,  
24826:39, 24827:2,  
24827:29, 24847:46,  
24848:7, 24848:8,  
24866:12, 24866:13,  
24866:15, 24878:34,  
24880:36  
**percentage** [3] -  
24826:42, 24848:1,  
24872:9  
**perception** [3] -  
24807:38, 24807:42,  
24825:36  
**perfect** [1] - 24851:46  
**performance** [2] -  
24853:41, 24859:22  
**perhaps** [11] -  
24814:2, 24831:17,  
24836:13, 24839:2,  
24841:30, 24843:23,  
24844:27, 24851:27,  
24860:9, 24865:25,  
24875:4  
**period** [5] - 24823:19,  
24846:22, 24849:29,  
24882:18, 24885:5  
**periods** [2] -  
24819:12, 24819:14  
**permanent** [1] -  
24864:10  
**permission** [4] -  
24805:13, 24846:39,  
24857:21, 24857:31  
**permits** [1] - 24823:22  
**permitted** [2] -  
24850:35, 24860:46  
**perpetrator** [1] -  
24871:36  
**perpetrators** [1] -  
24819:29  
**perplexing** [1] -  
24869:7  
**person** [15] -  
24795:19, 24828:9,  
24829:40, 24830:17,  
24832:33, 24834:36,  
24835:19, 24847:16,  
24852:40, 24853:38,  
24853:45, 24861:3,  
24869:42, 24873:22  
**person's** [2] -  
24847:13, 24871:5  
**personal** [6] -  
24841:14, 24847:14,  
24852:35, 24864:11,  
24878:42, 24882:13  
**personally** [1] -  
24873:20  
**Peter** [2] - 24790:33,  
24821:11  
**Peterson** [7] -  
24801:22, 24801:27,  
24803:19, 24803:25,  
24804:15, 24804:20,  
24809:17  
**PhD** [6] - 24792:37,  
24837:10, 24842:1,  
24842:3, 24842:6,  
24842:29  
**Philadelphia** [2] -  
24805:35, 24809:13  
**Philip** [2] - 24855:12,  
24857:40  
**Philippines** [1] -  
24866:28  
**philosophy** [1] -  
24851:29  
**phone** [1] - 24811:16  
**phrase** [1] - 24831:21  
**phrased** [1] -  
24829:22  
**physical** [1] -  
24852:28  
**physically** [2] -  
24796:41, 24814:31  
**pick** [1] - 24814:15  
**picked** [4] - 24797:42,  
24802:1, 24802:7,  
24871:25  
**picking** [1] - 24824:8  
**picture** [2] - 24801:1,  
24815:39  
**pictures** [1] -  
24800:47  
**pieces** [1] - 24810:14  
**pile** [1] - 24833:13  
**pillars** [1] - 24821:38  
**pilot** [1] - 24806:12  
**pious** [1] - 24877:10  
**pitch** [1] - 24817:5  
**Place** [1] - 24790:24  
**place** [35] - 24792:24,  
24799:33, 24799:47,  
24801:23, 24801:29,  
24804:42, 24807:15,  
24808:13, 24810:23,  
24814:1, 24816:19,  
24816:21, 24821:29,  
24824:12, 24824:21,  
24824:22, 24838:43,  
24850:45, 24851:13,  
24854:6, 24854:17,  
24855:22, 24860:21,  
24862:8, 24866:18,  
24870:10, 24871:10,  
24872:24, 24876:8,  
24876:26, 24877:6,  
24877:27, 24879:38  
**places** [6] - 24805:17,  
24858:22, 24866:36,  
24879:16, 24880:8,  
24880:18  
**plain** [1] - 24825:15  
**plainly** [1] - 24871:17  
**plane** [1] - 24794:20  
**play** [3] - 24803:22,  
24823:32, 24858:47  
**played** [2] - 24808:7,  
24851:1  
**playing** [1] - 24833:32  
**plays** [2] - 24826:1,  
24861:37  
**plenary** [1] - 24857:3  
**point** [15] - 24800:1,  
24804:41, 24808:5,  
24818:34, 24823:14,  
24829:9, 24850:42,  
24860:7, 24867:33,  
24867:36, 24867:46,  
24874:9, 24875:47,  
24876:23, 24881:38  
**pointing** [1] -  
24801:10  
**points** [4] - 24862:16,  
24875:2, 24881:21,  
24882:1  
**police** [9] - 24798:40,  
24799:4, 24799:11,  
24829:5, 24843:19,  
24871:44, 24884:18,  
24884:21, 24884:25  
**policeman** [1] -  
24831:22  
**policies** [2] -  
24834:10, 24834:14  
**policy** [1] - 24832:26  
**Polish** [2] - 24815:34,  
24815:36

**Pontifical** [3] - 24813:18, 24813:21, 24813:32

**pontifical** [3] - 24794:14, 24797:8, 24876:15

**poor** [3] - 24849:17, 24867:26, 24871:33

**Pope** [22] - 24793:45, 24796:11, 24796:12, 24796:14, 24797:3, 24800:36, 24803:4, 24805:13, 24805:15, 24805:37, 24807:43, 24815:43, 24816:3, 24816:22, 24816:24, 24832:33, 24833:31, 24868:44, 24868:46

**Porteous** [1] - 24882:24

**position** [6] - 24797:20, 24839:12, 24848:44, 24862:38, 24862:39, 24874:29

**positions** [2] - 24856:19, 24874:32

**positive** [2] - 24828:25, 24878:40

**possibilities** [1] - 24850:44

**possibility** [3] - 24828:28, 24867:41, 24884:24

**possible** [7] - 24793:35, 24793:36, 24823:4, 24832:29, 24845:4, 24862:34, 24863:4

**possibly** [1] - 24873:13

**Post** [1] - 24858:5

**pot** [1] - 24874:12

**potent** [1] - 24852:39

**potential** [6] - 24793:30, 24793:33, 24794:8, 24794:43, 24853:45

**pounded** [1] - 24821:2

**power** [15] - 24804:5, 24822:24, 24823:14, 24825:36, 24828:16, 24828:20, 24850:44, 24852:32, 24852:35, 24853:16, 24859:20, 24859:26, 24859:27, 24861:1, 24862:7

**powerful** [4] - 24794:36, 24825:33, 24850:24, 24852:40

**powerfully** [1] - 24875:14

**powerlessness** [1] - 24852:36

**powers** [1] - 24821:33

**practice** [4] - 24840:47, 24855:11, 24857:41, 24858:40

**practices** [1] - 24870:1

**practise** [2] - 24869:42, 24870:7

**practised** [1] - 24826:29

**practising** [4] - 24791:41, 24826:40, 24827:3, 24829:35

**practitioner** [1] - 24864:3

**practitioners** [1] - 24853:40

**preach** [2] - 24831:2, 24870:14

**preached** [1] - 24830:46

**precise** [1] - 24844:27

**predecessor** [5] - 24842:40, 24843:13, 24843:22, 24843:26, 24844:3

**predecessor's** [1] - 24843:41

**predisposition** [1] - 24849:44

**Prefect** [1] - 24796:11

**prefer** [1] - 24831:13

**preoccupation** [1] - 24866:22

**preparation** [1] - 24861:46

**prepare** [8] - 24796:24, 24796:27, 24800:23, 24801:16, 24803:3, 24805:14, 24808:46, 24809:30

**prepared** [5] - 24796:26, 24805:1, 24811:41, 24811:46, 24874:25

**preparing** [2] - 24801:5, 24809:1

**prepubescent** [2] - 24799:28, 24830:4

**presbytery** [1] - 24827:15

**presence** [1] - 24881:15

**present** [7] - 24814:20, 24819:10, 24832:1, 24834:24, 24836:39, 24853:43,

24875:6

**presented** [1] - 24854:13

**presumably** [3] - 24813:41, 24816:19, 24881:27

**presume** [1] - 24802:37

**pretty** [9] - 24803:34, 24810:15, 24811:33, 24819:6, 24819:24, 24834:18, 24848:3, 24862:18, 24879:2

**prevent** [1] - 24823:23

**prevented** [1] - 24825:6

**preying** [1] - 24803:37

**priest** [54] - 24792:9, 24792:14, 24792:24, 24792:28, 24794:8, 24798:20, 24798:29, 24799:23, 24799:25, 24800:19, 24800:35, 24800:42, 24800:45, 24801:1, 24801:20, 24803:20, 24803:24, 24803:43, 24807:34, 24811:9, 24811:19, 24811:44, 24813:1, 24819:16, 24824:8, 24824:13, 24824:31, 24825:8, 24828:38, 24830:14, 24831:22, 24832:21, 24839:42, 24847:5, 24851:34, 24854:21, 24856:33, 24858:24, 24866:18, 24869:45, 24870:12, 24870:23, 24871:31, 24871:33, 24881:22, 24881:29, 24881:44, 24882:4, 24882:5, 24882:12, 24883:17, 24883:18, 24883:24

**priest's** [1] - 24864:11

**priesthood** [11] - 24792:3, 24818:33, 24821:31, 24827:26, 24859:11, 24859:13, 24859:22, 24859:24, 24859:25, 24859:32, 24870:3

**priestly** [1] - 24830:19

**Priests** [1] - 24818:7

**priests** [82] - 24794:2, 24798:15, 24801:24, 24804:33, 24805:31, 24807:40, 24808:39, 24813:13, 24815:5, 24816:31, 24816:35,

24817:22, 24819:3, 24819:4, 24819:22, 24820:21, 24820:22, 24823:23, 24823:33, 24823:43, 24824:1, 24824:17, 24824:18, 24824:21, 24825:33, 24826:30, 24826:33, 24826:39, 24827:2, 24827:5, 24827:18, 24827:27, 24827:31, 24827:37, 24828:17, 24828:18, 24828:25, 24828:26, 24828:35, 24829:10, 24830:27, 24830:35, 24830:36, 24830:46, 24831:6, 24832:21, 24846:42, 24847:38, 24847:42, 24848:8, 24851:13, 24854:9, 24855:9, 24856:27, 24858:30, 24858:33, 24859:21, 24859:26, 24861:24, 24862:12, 24863:13, 24863:31, 24863:37, 24870:30, 24871:46, 24872:3, 24872:19, 24872:32, 24873:42, 24873:43, 24874:3, 24875:1, 24875:34, 24876:35, 24878:34, 24881:28, 24881:34, 24881:44, 24882:41, 24883:15

**primary** [4] - 24820:21, 24833:28, 24833:29, 24834:23

**principal** [2] - 24874:22, 24874:35

**principals** [1] - 24879:45

**principle** [1] - 24869:42

**principles** [3] - 24869:40, 24870:1, 24870:5

**prioritising** [1] - 24822:23

**prisons** [1] - 24819:22

**private** [2] - 24809:38, 24852:36

**probabilities** [3] - 24854:32, 24854:34, 24859:7

**problem** [23] - 24797:33, 24805:44, 24810:13, 24812:16, 24822:43, 24827:1, 24833:8, 24846:41,

24847:3, 24853:13, 24866:19, 24866:37, 24871:1, 24871:5, 24871:40, 24871:41, 24873:30, 24874:8, 24875:29, 24875:31, 24876:3, 24878:16, 24884:43

**problems** [13] - 24812:10, 24817:6, 24852:31, 24859:8, 24866:34, 24871:40, 24871:41, 24874:2, 24874:6, 24874:43, 24875:7, 24875:12, 24875:41

**procedure** [2] - 24795:29, 24844:25

**procedures** [3] - 24814:35, 24846:36, 24854:7

**process** [25] - 24793:25, 24795:8, 24795:10, 24795:36, 24796:2, 24796:7, 24806:8, 24806:40, 24816:27, 24820:21, 24844:24, 24844:32, 24846:2, 24846:3, 24846:9, 24846:32, 24846:42, 24846:45, 24846:47, 24847:3, 24847:4, 24847:7, 24847:15, 24853:27, 24874:45

**processes** [4] - 24814:34, 24845:17, 24846:43, 24874:46

**proclaim** [1] - 24827:36

**produced** [1] - 24816:47

**productive** [1] - 24815:43

**professed** [1] - 24838:29

**profession** [2] - 24792:4, 24852:30

**Professional** [1] - 24862:1

**professional** [14] - 24801:20, 24845:31, 24853:37, 24854:25, 24854:32, 24858:45, 24859:19, 24859:36, 24859:42, 24859:44, 24863:10, 24863:15, 24872:23, 24877:4

**professionalism** [1] - 24874:30

**professionally** [1] - 24863:14  
**professions** [3] - 24853:34, 24854:33, 24870:33  
**PROFESSOR** [175] - 24839:5, 24839:9, 24839:15, 24839:19, 24839:28, 24839:33, 24839:37, 24840:2, 24840:17, 24840:22, 24840:26, 24840:31, 24840:41, 24841:11, 24841:21, 24841:26, 24841:33, 24841:37, 24841:43, 24842:5, 24842:12, 24842:16, 24842:25, 24843:2, 24843:7, 24843:12, 24843:26, 24843:35, 24843:39, 24843:44, 24844:2, 24844:7, 24844:12, 24844:23, 24844:30, 24844:39, 24844:43, 24845:1, 24845:10, 24845:14, 24845:24, 24845:30, 24845:36, 24845:47, 24846:14, 24846:18, 24846:25, 24846:35, 24847:23, 24847:30, 24847:34, 24847:40, 24847:44, 24848:10, 24848:15, 24848:26, 24848:30, 24848:35, 24848:41, 24848:46, 24849:3, 24849:7, 24849:40, 24849:47, 24850:5, 24850:9, 24850:22, 24850:32, 24850:38, 24851:10, 24851:15, 24851:22, 24851:45, 24852:9, 24852:23, 24852:27, 24853:24, 24853:30, 24854:31, 24854:41, 24855:21, 24855:30, 24855:36, 24855:46, 24856:4, 24856:9, 24856:22, 24856:24, 24856:30, 24856:32, 24856:37, 24857:2, 24857:8, 24857:13, 24857:18, 24857:23, 24857:28, 24857:37, 24857:39, 24857:47, 24858:5, 24858:30, 24858:36, 24859:2, 24863:2, 24863:25, 24863:41, 24864:29, 24864:34, 24864:45, 24865:3, 24865:11, 24865:17, 24865:29, 24865:33, 24865:44, 24866:2, 24866:46, 24867:3, 24867:10, 24867:19, 24867:39, 24868:26, 24868:43, 24869:4, 24869:24, 24870:9, 24870:37, 24870:42, 24871:7, 24871:20, 24871:22, 24872:15, 24873:37, 24874:14, 24875:11, 24876:10, 24876:39, 24876:44, 24877:2, 24877:14, 24877:21, 24877:26, 24877:33, 24877:37, 24877:42, 24877:44, 24877:47, 24878:6, 24878:8, 24878:16, 24878:28, 24879:9, 24879:15, 24879:32, 24879:37, 24880:17, 24880:30, 24880:34, 24880:47, 24881:33, 24881:41, 24882:3, 24882:24, 24882:28, 24882:43, 24883:3, 24883:10, 24883:21, 24883:26, 24883:31, 24884:2, 24884:6, 24884:12, 24884:20  
**Professor** [17] - 24790:37, 24839:2, 24839:9, 24841:30, 24842:33, 24842:36, 24852:5, 24858:44, 24860:4, 24863:35, 24865:41, 24868:24, 24869:1, 24876:41, 24882:37, 24883:12, 24883:14  
**professor** [20] - 24839:13, 24841:35, 24842:10, 24842:19, 24843:31, 24844:28, 24848:22, 24848:38, 24849:38, 24851:20, 24852:6, 24858:34, 24860:10, 24862:45, 24863:21, 24865:1, 24865:15, 24879:24, 24882:17, 24883:46  
**Professorial** [1] - 24841:38  
**professors** [1] - 24868:24  
**profile** [3] - 24811:36, 24811:40, 24872:18  
**profit** [1] - 24836:42  
**profound** [2] - 24812:46, 24833:13  
**program** [2] - 24825:31, 24841:44  
**programs** [2] - 24881:45, 24882:8  
**progressing** [1] - 24863:14  
**prohibit** [1] - 24857:34  
**prolong** [1] - 24816:13  
**prominent** [4] - 24805:7, 24807:15, 24811:20, 24864:37  
**promise** [4] - 24828:35, 24829:11, 24829:12, 24830:13  
**promises** [4] - 24802:30, 24829:13, 24829:30, 24834:13  
**promote** [1] - 24796:10  
**promoted** [5] - 24795:12, 24795:14, 24795:23, 24797:5, 24814:37  
**promotes** [1] - 24852:1  
**prompted** [1] - 24810:30  
**promulgate** [1] - 24864:32  
**promulgated** [1] - 24871:9  
**promulgation** [1] - 24861:22  
**proper** [6] - 24813:7, 24814:36, 24859:44, 24859:45, 24869:43  
**properly** [2] - 24865:38, 24871:15  
**property** [1] - 24828:26  
**proposals** [1] - 24868:33  
**propose** [1] - 24796:11  
**protect** [4] - 24832:5, 24868:21, 24868:35, 24884:23  
**protected** [8] - 24821:47, 24822:9, 24823:46, 24824:2, 24824:27, 24832:9, 24832:26  
**protecting** [2] - 24815:2, 24832:3  
**protection** [6] - 24808:5, 24814:19, 24814:20, 24814:27, 24822:7, 24831:3  
**Protection** [1] - 24813:33  
**Protestant** [1] - 24827:47  
**protocol** [1] - 24820:17  
**protocols** [9] - 24814:35, 24814:37, 24815:4, 24820:1, 24820:8, 24820:23, 24834:9, 24834:13, 24854:7  
**provide** [6] - 24841:31, 24864:12, 24864:13, 24867:1, 24867:5, 24867:10  
**provided** [6] - 24793:39, 24839:20, 24852:10, 24860:46, 24866:19, 24882:47  
**providers** [1] - 24862:15  
**providing** [4] - 24862:33, 24866:36, 24866:42, 24883:16  
**Provincial** [10] - 24793:15, 24842:46, 24846:23, 24847:4, 24847:24, 24848:19, 24879:44, 24883:46, 24884:10, 24884:14  
**Provincials** [1] - 24872:13  
**provisions** [1] - 24854:17  
**psychiatrist** [5] - 24801:22, 24803:25, 24804:15, 24811:44, 24830:1  
**psychiatrists** [1] - 24826:8  
**psychological** [1] - 24845:37  
**psychologically** [1] - 24825:7  
**psychologist** [3] - 24825:8, 24838:14, 24862:14  
**psychologists** [4] - 24805:19, 24814:41, 24821:26, 24836:41  
**Psychology** [2] - 24837:7  
**psychology** [2] - 24836:41, 24853:35  
**psychosexual** [6] - 24801:25, 24820:36, 24829:27, 24829:44, 24850:12, 24851:42  
**psychotherapist** [1] - 24860:12  
**psychotherapy** [1] - 24853:35  
**Pty** [1] - 24861:47  
**public** [16] - 24798:24, 24800:37, 24809:38, 24810:37, 24811:36, 24822:17, 24826:45, 24831:12, 24852:37, 24864:36, 24864:37, 24864:39, 24868:17, 24870:2, 24870:6, 24871:13  
**Public** [1] - 24790:19  
**publicising** [1] - 24805:10  
**publicity** [3] - 24805:29, 24807:14, 24808:1  
**publicly** [6] - 24819:31, 24822:45, 24831:3, 24831:6, 24831:9, 24880:13  
**publish** [1] - 24842:32  
**published** [6] - 24818:3, 24818:6, 24842:14, 24842:16, 24842:29, 24875:34  
**pull** [1] - 24804:28  
**pulled** [3] - 24799:26, 24799:46, 24800:27  
**pulpit** [1] - 24830:47  
**purpose** [2] - 24803:7, 24850:15  
**push** [1] - 24820:3  
**push-back** [1] - 24820:3  
**pushed** [1] - 24877:6  
**pushing** [1] - 24798:29  
**put** [21] - 24795:23, 24795:24, 24796:41, 24796:43, 24797:4, 24800:24, 24804:38, 24810:6, 24820:5, 24834:41, 24834:44, 24835:17, 24854:4, 24858:40, 24862:43, 24865:22, 24873:37, 24876:22, 24877:6, 24877:27, 24881:10  
**puts** [1] - 24870:34  
**putting** [6] - 24807:15, 24819:22, 24853:44, 24866:38, 24874:37, 24875:25  
**pyramid** [2] - 24850:41, 24858:21

---

**Q**

---

- qualification** [2] - 24869:44, 24870:13  
**qualifications** [1] - 24837:4  
**quality** [3] - 24849:27, 24880:3, 24881:16  
**quantum** [1] - 24876:12  
**quarter** [1] - 24848:1  
**questioning** [1] - 24872:25  
**questionnaires** [4] - 24793:37, 24793:38, 24793:42, 24794:31  
**questions** [10] - 24793:43, 24793:46, 24795:13, 24795:15, 24813:7, 24817:19, 24834:1, 24835:27, 24835:29, 24869:34  
**quicker** [1] - 24847:16  
**quickly** [3] - 24805:16, 24807:13, 24811:33  
**quiet** [1] - 24823:10  
**Quinn** [3] - 24805:43, 24809:6, 24809:8  
**quite** [8] - 24794:19, 24827:5, 24840:4, 24843:14, 24850:16, 24852:47, 24872:20, 24874:37  
**quote** [1] - 24803:34
- 
- radical** [2] - 24829:39, 24876:21  
**rain** [1] - 24836:6  
**raise** [4] - 24867:8, 24867:10, 24867:11, 24867:12  
**raised** [1] - 24813:27  
**ran** [1] - 24855:22  
**rang** [1] - 24838:16  
**ranking** [1] - 24809:45  
**rape** [2] - 24826:4, 24853:12  
**rapidly** [1] - 24846:39  
**rapport** [1] - 24812:38  
**rarely** [1] - 24859:18  
**rate** [1] - 24852:19  
**rather** [4] - 24797:44, 24835:14, 24837:13, 24841:19  
**re** [1] - 24827:31  
**re-ordaining** [1] - 24827:31  
**reaching** [2] - 24811:10, 24833:42  
**reacted** [1] - 24819:29  
**read** [12] - 24797:26, 24800:22, 24805:37, 24810:14, 24814:37, 24815:29, 24815:31, 24822:37, 24849:40, 24854:4, 24882:45  
**real** [8] - 24799:21, 24806:36, 24815:30, 24854:27, 24866:37, 24871:1, 24871:14, 24875:41  
**realise** [2] - 24871:47, 24872:1  
**realised** [3] - 24800:13, 24800:39, 24801:19  
**realism** [1] - 24791:44  
**realities** [1] - 24834:45  
**reality** [5] - 24799:11, 24812:36, 24823:38, 24844:20, 24866:26  
**really** [27] - 24794:37, 24802:45, 24806:33, 24815:2, 24815:32, 24817:35, 24825:33, 24825:34, 24827:14, 24831:17, 24835:1, 24835:5, 24835:11, 24852:39, 24852:47, 24853:1, 24859:12, 24860:17, 24860:42, 24862:9, 24866:34, 24867:26, 24867:30, 24869:33, 24874:37, 24875:6  
**realm** [1] - 24834:41  
**reason** [9] - 24817:47, 24818:40, 24830:32, 24839:35, 24847:18, 24849:15, 24849:17, 24851:35, 24873:27  
**reasons** [10] - 24803:38, 24806:9, 24817:11, 24823:36, 24828:24, 24847:9, 24847:14, 24851:37, 24875:13  
**rebuilding** [1] - 24829:40  
**receded** [1] - 24858:20  
**receive** [1] - 24821:37  
**received** [7] - 24792:43, 24795:35, 24798:12, 24798:19, 24800:25, 24806:40, 24874:18  
**receiving** [2] - 24793:16, 24854:22  
**recent** [4] - 24836:43, 24837:15, 24838:22, 24858:3  
**recently** [1] - 24837:30  
**recipients** [1] - 24794:12  
**recognition** [1] - 24881:1  
**recommend** [1] - 24834:22  
**recommendation** [2] - 24858:39, 24859:30  
**recommendations** [6] - 24803:16, 24803:19, 24858:41, 24869:11, 24869:14, 24884:43  
**reconciliation** [1] - 24880:41  
**record** [1] - 24803:12  
**records** [2] - 24847:7, 24848:16  
**recovering** [1] - 24812:33  
**rector** [4] - 24877:26, 24877:27, 24882:21, 24882:22  
**rectory** [3] - 24799:33, 24827:15, 24831:23  
**reducing** [1] - 24873:31  
**refer** [1] - 24793:5  
**referees** [1] - 24796:31  
**referred** [2] - 24826:25, 24831:16  
**referring** [4] - 24812:12, 24843:24, 24852:21, 24882:17  
**reflect** [2] - 24853:40, 24859:21  
**reflected** [1] - 24848:44  
**reflecting** [1] - 24873:3  
**reflective** [4] - 24853:8, 24853:39, 24853:46, 24864:3  
**refused** [1] - 24815:38  
**regarded** [1] - 24876:3  
**region** [1] - 24866:20  
**register** [2] - 24870:23, 24870:30  
**registered** [3] - 24862:13, 24862:21, 24870:22  
**registration** [3] - 24859:41, 24862:12, 24862:46  
**registry** [1] - 24802:9  
**regular** [4] - 24802:45, 24851:33, 24853:39, 24883:42  
**regularly** [1] - 24883:17  
**regulated** [1] - 24880:13  
**reinforces** [1] - 24876:6  
**relate** [1] - 24842:5  
**related** [3] - 24806:31, 24816:30, 24872:8  
**relates** [1] - 24863:36  
**relating** [2] - 24836:44, 24874:47  
**relation** [16] - 24797:38, 24802:41, 24812:26, 24816:7, 24817:7, 24824:42, 24824:43, 24837:20, 24846:23, 24848:6, 24848:7, 24854:38, 24858:45, 24862:45, 24880:45, 24883:8  
**relational** [1] - 24817:12  
**relationship** [11] - 24810:34, 24826:24, 24827:20, 24832:20, 24839:43, 24840:4, 24843:19, 24855:18, 24869:5, 24878:36, 24881:25  
**relationships** [5] - 24825:15, 24826:41, 24830:15, 24882:14  
**relative** [1] - 24798:12  
**relevant** [2] - 24851:7, 24874:12  
**religion** [4] - 24821:27, 24821:28, 24839:31, 24851:36  
**Religious** [1] - 24842:37  
**religious** [41] - 24791:39, 24792:22, 24813:13, 24822:29, 24822:31, 24823:23, 24823:33, 24833:41, 24838:24, 24838:27, 24838:28, 24847:5, 24847:26, 24848:7, 24849:19, 24850:10, 24851:13, 24852:15, 24852:16, 24852:34, 24861:25, 24862:13, 24863:31, 24863:33, 24863:37, 24868:29, 24872:4, 24872:34, 24873:10, 24873:43, 24874:1, 24874:38, 24875:1, 24880:11, 24880:14, 24880:23, 24880:24, 24880:45, 24881:5  
**reluctantly** [1] - 24825:43  
**remain** [1] - 24871:24  
**remained** [2] - 24797:6, 24819:36  
**remark** [2] - 24845:10, 24883:31  
**remarks** [1] - 24883:19  
**remember** [4] - 24808:18, 24810:45, 24878:16, 24883:19  
**reminded** [1] - 24881:3  
**remodelling** [1] - 24876:21  
**remote** [1] - 24838:45  
**remove** [2] - 24845:16, 24847:28  
**removed** [3] - 24845:4, 24845:15, 24863:31  
**renders** [1] - 24832:29  
**renewed** [4] - 24863:12, 24863:17, 24863:26, 24875:21  
**reoffends** [1] - 24802:36  
**repair** [2] - 24829:3, 24834:25  
**repeat** [1] - 24859:4  
**report** [30] - 24795:25, 24796:23, 24797:27, 24798:34, 24802:8, 24803:3, 24805:1, 24805:15, 24805:17, 24805:34, 24806:40, 24807:21, 24807:24, 24807:25, 24807:44, 24807:46, 24811:46, 24817:10, 24817:24, 24817:27, 24818:8, 24820:1, 24820:9, 24820:14, 24830:22, 24830:32, 24831:21, 24862:14, 24872:35  
**reported** [6] - 24799:25, 24799:35, 24807:44, 24822:33, 24830:28, 24830:30  
**reporting** [2] - 24817:32, 24820:19  
**reports** [9] - 24805:18,

24805:30, 24806:28, 24807:23, 24807:30, 24808:26, 24814:37, 24817:14, 24829:19  
**represent** [1] - 24835:38  
**representative** [1] - 24821:44  
**representing** [3] - 24800:31, 24806:27, 24806:41  
**request** [1] - 24847:14  
**requested** [3] - 24848:18, 24858:11, 24858:18  
**requesting** [1] - 24795:2  
**required** [3] - 24795:20, 24855:33, 24859:41  
**requirement** [1] - 24854:2  
**requirements** [2] - 24854:9, 24884:16  
**requires** [1] - 24863:42  
**requiring** [1] - 24820:11  
**research** [4] - 24792:12, 24818:15, 24849:37, 24850:2  
**resented** [1] - 24855:32  
**resign** [5] - 24847:6, 24847:9, 24847:15  
**signed** [1] - 24838:2  
**resist** [1] - 24863:5  
**resistance** [2] - 24858:27, 24875:41  
**resolutions** [1] - 24866:7  
**resolved** [4] - 24844:31, 24844:35, 24844:39, 24844:41  
**resourced** [1] - 24865:19  
**resources** [5] - 24856:14, 24866:42, 24867:1, 24867:5, 24867:31  
**respect** [6] - 24817:28, 24822:4, 24844:19, 24866:44, 24878:42, 24882:47  
**respectable** [1] - 24826:34  
**respected** [1] - 24877:5  
**respects** [3] - 24874:44, 24875:4, 24883:24  
**respond** [1] - 24866:30  
**responded** [1] - 24875:9  
**responds** [2] - 24823:30, 24823:31  
**response** [20] - 24800:23, 24814:43, 24822:16, 24822:19, 24822:28, 24822:41, 24827:13, 24827:24, 24829:19, 24832:40, 24843:41, 24851:7, 24853:9, 24864:11, 24867:40, 24871:7, 24871:33, 24873:39, 24878:22, 24878:26  
**responses** [3] - 24794:34, 24861:16, 24863:42  
**RESPONSES** [1] - 24790:15  
**responsibilities** [2] - 24795:17, 24859:20  
**responsibility** [5] - 24802:18, 24841:21, 24853:38, 24868:27, 24868:32  
**responsible** [2] - 24859:33, 24883:40  
**rest** [3] - 24796:16, 24849:15, 24849:20  
**restructuring** [2] - 24876:22, 24879:12  
**result** [3] - 24808:43, 24815:18, 24828:37  
**resulted** [1] - 24864:8  
**results** [2] - 24794:31, 24829:4  
**resume** [1] - 24836:17  
**retired** [3] - 24793:27, 24797:43, 24797:46  
**retraining** [1] - 24838:31  
**return** [2] - 24858:21, 24879:17  
**returned** [1] - 24876:5  
**reveal** [2] - 24794:14, 24794:17  
**revealed** [2] - 24839:42, 24854:38  
**revelation** [1] - 24881:1  
**revered** [1] - 24821:32  
**reverence** [1] - 24821:46  
**reversion** [1] - 24876:8  
**review** [1] - 24864:7  
**revolution** [1] - 24817:16  
**revolves** [1] - 24832:13  
**Richard** [1] - 24818:5  
**rid** [2] - 24810:35, 24868:20  
**riding** [1] - 24801:13  
**risk** [1] - 24830:16  
**rites** [1] - 24827:28  
**road** [1] - 24876:29  
**roads** [1] - 24861:1  
**roaming** [1] - 24803:37  
**Robert** [1] - 24790:36  
**Robinson** [1] - 24837:19  
**rock** [1] - 24817:15  
**role** [12] - 24802:40, 24802:41, 24802:42, 24802:44, 24807:39, 24823:32, 24855:19, 24855:23, 24861:4, 24861:8, 24868:40, 24883:19  
**roles** [1] - 24855:13  
**rollicking** [1] - 24862:41  
**Roman** [5] - 24813:2, 24818:34, 24847:24, 24864:13, 24878:10  
**Rome** [30] - 24795:35, 24796:5, 24796:7, 24796:20, 24797:4, 24797:13, 24797:15, 24797:16, 24797:17, 24802:41, 24802:44, 24802:47, 24803:8, 24809:30, 24815:23, 24819:34, 24841:46, 24841:47, 24861:2, 24862:24, 24864:7, 24864:20, 24864:46, 24865:4, 24865:5, 24865:9, 24868:34, 24872:35, 24872:37  
**room** [3] - 24811:31, 24842:20, 24860:37  
**roundly** [1] - 24817:25  
**Royal** [15] - 24832:39, 24836:33, 24839:2, 24841:31, 24858:39, 24861:46, 24862:42, 24868:4, 24868:11, 24868:26, 24868:31, 24869:37, 24870:39, 24871:12, 24879:21  
**ROYAL** [1] - 24790:14  
**rubbed** [1] - 24827:47  
**rule** [1] - 24818:42  
**rules** [1] - 24881:14  
**rumours** [2] - 24798:15, 24798:18  
**run** [5] - 24821:43, 24833:1, 24835:13, 24844:44, 24865:38  
**running** [4] - 24855:24, 24859:33, 24874:24, 24877:39  
**rural** [4] - 24799:39, 24838:42, 24838:44, 24856:13  


---

## S

---

**sack** [2] - 24819:24, 24862:17  
**sacked** [3] - 24811:24, 24811:26, 24812:4  
**sacramental** [1] - 24881:45  
**sacraments** [4] - 24832:14, 24832:17, 24832:19, 24832:24  
**sacred** [1] - 24823:44  
**sacredness** [1] - 24823:45  
**sacrifice** [1] - 24832:5  
**sacrifices** [1] - 24821:34  
**sacrificing** [1] - 24823:18  
**sacrosanct** [1] - 24821:23  
**sad** [1] - 24881:19  
**safer** [1] - 24853:28  
**safety** [3] - 24853:20, 24866:44, 24868:7  
**Salesian** [4] - 24849:24, 24851:47, 24879:45, 24880:19  
**Salesians** [15] - 24841:41, 24841:43, 24842:39, 24842:47, 24843:5, 24844:21, 24846:22, 24847:38, 24848:33, 24849:9, 24849:11, 24851:28, 24851:32, 24851:33, 24879:44  
**Salle** [2] - 24874:15, 24874:17  
**Salles** [1] - 24872:45  
**salvation** [5] - 24821:24, 24821:37, 24822:1, 24822:12, 24832:16  
**Samoa** [1] - 24843:7  
**sat** [2] - 24803:30, 24876:23  
**saw** [3] - 24797:47, 24825:29, 24854:13  
**SC** [1] - 24790:42  
**scandal** [1] - 24799:13  
**scare** [1] - 24824:13  
**scenario** [1] - 24882:11  
**scepticism** [1] - 24791:43  
**scheme** [1] - 24838:18  
**school** [7] - 24838:42, 24874:22, 24874:25, 24881:9, 24881:23, 24881:26, 24881:30  
**School** [1] - 24842:37  
**schools** [7] - 24856:33, 24860:34, 24874:35, 24879:45, 24880:3, 24880:18, 24880:28  
**scientist** [1] - 24791:42  
**scream** [1] - 24834:5  
**screen** [1] - 24830:31  
**scripture** [1] - 24821:16  
**scroll** [1] - 24818:23  
**scuttled** [2] - 24816:10, 24816:30  
**searched** [1] - 24819:8  
**season** [4] - 24858:37, 24868:45  
**sec** [1] - 24820:30  
**second** [12] - 24798:11, 24816:41, 24816:45, 24816:47, 24818:27, 24820:29, 24832:3, 24842:16, 24844:12, 24849:17, 24849:21, 24860:22  
**Second** [1] - 24831:29  
**secrecy** [9] - 24794:12, 24804:45, 24819:13, 24819:33, 24819:36, 24822:44, 24831:14, 24884:16  
**Secret** [1] - 24818:7  
**secret** [6] - 24794:14, 24797:9, 24822:33, 24822:34, 24827:21, 24827:22  
**Secretariat** [1] - 24808:21  
**Secretary** [1] - 24793:6  
**Secretary-Canonist** [1] - 24793:6  
**secretive** [1] - 24804:43



**sections** [1] - 24809:15  
**sector** [1] - 24856:41  
**sectors** [2] - 24836:43, 24856:38  
**secular** [6] - 24807:14, 24807:16, 24819:16, 24819:17, 24819:18, 24820:10  
**seduce** [1] - 24824:4  
**seduction** [1] - 24824:12  
**see** [23] - 24803:11, 24809:41, 24810:18, 24814:39, 24815:38, 24820:26, 24823:25, 24826:9, 24832:29, 24850:34, 24853:11, 24853:38, 24855:10, 24860:44, 24862:37, 24865:5, 24867:29, 24868:41, 24869:11, 24873:20, 24877:15, 24882:45, 24883:34  
**See** [7] - 24805:4, 24813:9, 24815:1, 24815:35, 24816:34, 24831:12, 24846:39  
**seeing** [3] - 24833:9, 24846:26, 24861:23  
**seek** [2] - 24827:19, 24849:44  
**seeking** [2] - 24848:23, 24851:19  
**seem** [1] - 24872:33  
**segments** [1] - 24884:42  
**selected** [1] - 24809:17  
**selection** [2] - 24874:45, 24881:28  
**self** [2] - 24850:10, 24853:46  
**self-acknowledged** [1] - 24850:10  
**self-understanding** [1] - 24853:46  
**seminarians** [4] - 24839:21, 24874:46, 24875:20, 24877:31  
**seminaries** [6] - 24840:39, 24875:20, 24875:24, 24876:5, 24876:15, 24876:16  
**seminary** [18] - 24792:34, 24825:12, 24840:43, 24841:5, 24841:15, 24841:22, 24852:47, 24859:10, 24859:18, 24859:31, 24875:36, 24876:22, 24877:28, 24877:39, 24877:47, 24878:3, 24878:10, 24882:19  
**Seminary** [1] - 24839:23  
**send** [8] - 24793:35, 24793:37, 24794:15, 24794:16, 24797:25, 24803:4, 24805:4, 24806:35  
**Senior** [1] - 24841:37  
**senior** [1] - 24855:13  
**sense** [6] - 24800:26, 24842:6, 24859:8, 24871:25, 24871:27, 24878:40  
**sent** [17] - 24794:16, 24795:37, 24796:9, 24796:30, 24796:31, 24799:47, 24805:34, 24810:4, 24813:29, 24820:17, 24820:18, 24820:20, 24824:37, 24833:46, 24868:18  
**sentenced** [1] - 24801:45  
**separate** [1] - 24792:25  
**serious** [7] - 24810:12, 24810:13, 24819:30, 24822:42, 24822:47, 24829:44, 24848:38  
**seriously** [4] - 24817:24, 24822:12, 24831:1, 24834:25  
**seriousness** [1] - 24819:28  
**sermon** [1] - 24807:35  
**serve** [2] - 24793:6, 24866:20  
**servers** [1] - 24882:4  
**services** [2] - 24800:28, 24860:27  
**serving** [1] - 24880:39  
**session** [1] - 24846:19  
**Set** [1] - 24809:13  
**set** [10] - 24795:29, 24815:3, 24816:18, 24816:21, 24828:21, 24839:44, 24855:4, 24861:7, 24875:7, 24879:3  
**sets** [1] - 24825:27  
**setting** [5] - 24839:40, 24839:41, 24840:32, 24861:47  
**settings** [1] - 24840:35  
**seven** [2] - 24832:14, 24837:34  
**Seventh** [1] - 24837:27  
**several** [7] - 24793:42, 24793:46, 24802:29, 24809:3, 24809:17, 24812:9, 24827:29  
**severe** [1] - 24819:6  
**severely** [1] - 24881:17  
**severing** [1] - 24837:13  
**sex** [11] - 24818:7, 24818:28, 24818:29, 24818:45, 24818:46, 24819:4, 24824:18, 24825:34, 24828:8, 24830:36, 24834:37  
**Sexual** [1] - 24803:47  
**sexual** [40] - 24791:23, 24794:1, 24797:30, 24797:38, 24802:8, 24803:46, 24815:28, 24817:8, 24817:15, 24817:42, 24818:44, 24819:12, 24822:17, 24822:40, 24824:17, 24824:44, 24825:2, 24826:2, 24829:18, 24829:19, 24830:15, 24830:20, 24833:8, 24833:30, 24836:45, 24837:22, 24839:45, 24840:3, 24840:11, 24840:19, 24843:33, 24844:21, 24859:27, 24859:43, 24869:36, 24878:21, 24878:26, 24878:37, 24879:6, 24879:13  
**SEXUAL** [1] - 24790:15  
**sexualised** [1] - 24839:43  
**sexuality** [11] - 24794:46, 24825:41, 24825:47, 24828:8, 24830:7, 24834:40, 24835:1, 24835:10, 24877:3, 24878:42  
**sexually** [20] - 24798:21, 24799:26, 24802:1, 24805:31, 24806:44, 24812:47, 24815:45, 24820:35, 24820:39, 24822:29, 24822:32, 24823:23, 24823:33, 24825:7, 24829:26, 24830:3, 24834:46, 24851:24, 24852:41, 24853:10  
**shall** [2] - 24818:28, 24818:29  
**shallow** [2] - 24817:24, 24817:27  
**shame** [3] - 24810:35, 24815:8, 24829:31  
**shape** [1] - 24828:2  
**shared** [3] - 24812:36, 24827:40, 24876:27  
**shaving** [1] - 24819:23  
**shift** [3] - 24854:34, 24863:43  
**shifted** [2] - 24810:22, 24854:31  
**shifting** [1] - 24859:7  
**shifts** [2] - 24868:34, 24868:35  
**shooting** [3] - 24799:43, 24806:35, 24821:31  
**short** [3] - 24798:34, 24805:14, 24826:41  
**short-circuit** [1] - 24805:14  
**short-term** [1] - 24826:41  
**shotgun** [1] - 24799:40  
**shoulder** [2] - 24853:33, 24881:11  
**shoulders** [1] - 24827:47  
**show** [1] - 24819:27  
**shown** [1] - 24864:1  
**shows** [1] - 24876:7  
**shrinking** [2] - 24873:28, 24873:34  
**shuffled** [1] - 24831:27  
**shut** [4] - 24830:42, 24868:13, 24869:22, 24876:32  
**sick** [1] - 24834:12  
**side** [10] - 24795:5, 24806:21, 24821:25, 24832:17, 24841:18, 24841:19, 24854:14, 24864:19, 24867:30, 24873:45  
**sidelined** [1] - 24831:11  
**sides** [1] - 24879:38  
**sign** [3] - 24796:15, 24796:26, 24803:3  
**signed** [2] - 24801:17, 24805:19  
**significance** [1] - 24859:46  
**significant** [12] - 24792:5, 24808:44, 24819:42, 24855:14, 24855:40, 24856:15, 24856:27, 24859:6, 24868:28, 24868:40, 24873:38, 24875:7  
**significantly** [3] - 24803:1, 24808:7, 24856:13  
**signs** [1] - 24847:7  
**simple** [1] - 24810:20  
**simpler** [1] - 24846:37  
**simply** [11] - 24801:16, 24820:5, 24831:44, 24846:38, 24854:3, 24854:8, 24863:16, 24874:39, 24875:22, 24877:6, 24880:24  
**Sin** [1] - 24840:22  
**sin** [7] - 24824:17, 24824:18, 24824:32, 24825:43, 24834:42, 24834:43  
**sincerely** [1] - 24808:16  
**single** [3] - 24805:20, 24860:13, 24860:25  
**sinner** [1] - 24830:23  
**sins** [1] - 24859:17  
**Sipe** [2] - 24818:5, 24826:37  
**Sisters** [1] - 24838:29  
**sit** [4] - 24815:12, 24853:8, 24860:38, 24865:12  
**sitting** [6] - 24794:20, 24797:46, 24834:17, 24860:37, 24885:3, 24885:6  
**situation** [29] - 24801:31, 24829:37, 24840:42, 24844:13, 24844:18, 24844:23, 24844:44, 24845:40, 24845:42, 24850:19, 24850:24, 24850:45, 24851:25, 24851:38, 24853:2, 24853:6, 24853:9, 24853:14, 24853:41, 24853:47, 24868:12, 24876:28, 24877:33, 24877:37, 24877:45, 24878:33, 24879:43, 24881:24  
**situational** [2] - 24850:19, 24850:28  
**situations** [9] - 24840:36, 24853:11,

24853:36, 24853:37, 24871:44, 24874:37, 24878:30, 24878:37, 24879:29  
**six** [12] - 24799:36, 24803:36, 24804:33, 24805:26, 24817:32, 24842:34, 24848:17, 24854:15, 24854:20, 24884:2, 24884:4, 24884:6  
**skills** [3] - 24818:10, 24818:11, 24874:31  
**skirts** [1] - 24860:36  
**slightly** [1] - 24795:13  
**slow** [2] - 24870:28, 24875:15  
**slowing** [1] - 24875:16  
**slowing-down** [1] - 24875:16  
**small** [3] - 24801:46, 24802:10, 24856:9  
**snowflakes** [1] - 24824:26  
**so-and-so** [2] - 24799:42, 24806:42  
**so-called** [2] - 24826:25, 24860:7  
**sobriety** [2] - 24812:34, 24829:41  
**social** [2] - 24853:35, 24876:16  
**socially** [1] - 24851:24  
**society** [4] - 24822:39, 24826:36, 24869:25, 24875:22  
**sociocultural** [3] - 24817:13, 24822:4, 24823:38  
**sociologists** [2] - 24817:34, 24817:36  
**sociopolitical** [1] - 24821:9  
**soft** [1] - 24823:6  
**sold** [2] - 24842:16, 24842:31  
**sole** [1] - 24821:24  
**solely** [2] - 24850:28, 24857:15  
**solemn** [1] - 24792:26  
**solid** [1] - 24826:37  
**solution** [2] - 24805:45, 24875:29  
**solving** [1] - 24859:7  
**someone** [13] - 24795:39, 24811:7, 24819:27, 24823:40, 24830:12, 24837:32, 24838:10, 24853:33, 24854:17, 24856:39, 24864:2, 24874:23, 24883:17  
**sometimes** [10] - 24802:32, 24808:37, 24808:38, 24808:39, 24826:12, 24827:17, 24827:18, 24830:29, 24835:11, 24872:22  
**somewhat** [9] - 24795:15, 24807:5, 24811:40, 24816:46, 24819:41, 24826:44, 24827:21, 24830:7, 24854:46  
**somewhere** [6] - 24804:38, 24804:44, 24818:23, 24847:32, 24874:9, 24874:10  
**son** [5] - 24802:1, 24802:2, 24828:27, 24828:28, 24842:7  
**Son** [1] - 24842:30  
**soon** [2] - 24793:16, 24862:33  
**sorry** [4] - 24828:44, 24863:16, 24863:23, 24877:21  
**sort** [27] - 24792:9, 24804:20, 24805:5, 24808:46, 24812:8, 24828:19, 24838:38, 24839:17, 24839:39, 24839:40, 24840:35, 24846:5, 24849:13, 24850:45, 24852:1, 24852:2, 24852:29, 24853:34, 24860:38, 24866:6, 24871:45, 24873:40, 24876:11, 24877:9, 24880:20, 24880:36, 24881:46  
**sorted** [1] - 24804:38  
**sorting** [1] - 24840:46  
**sorts** [7] - 24841:12, 24846:29, 24863:41, 24865:27, 24871:37, 24875:13, 24876:17  
**sought** [1] - 24845:39  
**soul** [2] - 24826:12, 24843:28  
**souls** [2] - 24826:13, 24834:24  
**sound** [1] - 24807:5  
**sounded** [1] - 24816:11  
**sounds** [3] - 24807:5, 24859:35, 24860:9  
**source** [1] - 24817:20  
**sources** [1] - 24819:9  
**soutanes** [1] - 24875:27  
**South** [4] - 24826:32, 24838:27, 24838:43, 24839:29  
**south** [1] - 24799:25  
**southern** [3] - 24799:24, 24803:46, 24818:39  
**spaces** [1] - 24862:34  
**Spain** [1] - 24818:39  
**speaking** [2] - 24826:22, 24858:45  
**special** [2] - 24803:45, 24854:44  
**specialised** [1] - 24818:10  
**specialising** [1] - 24841:47  
**specific** [1] - 24843:24  
**speculative** [1] - 24794:38  
**spells** [1] - 24852:36  
**spending** [2] - 24808:44, 24880:20  
**spent** [1] - 24861:32  
**spiritual** [6] - 24812:46, 24813:4, 24813:10, 24827:40, 24828:6, 24841:14  
**Spirituality** [1] - 24839:22  
**spiritually** [1] - 24814:31  
**splitting** [2] - 24861:36, 24861:37  
**spoken** [1] - 24831:7  
**spontaneous** [1] - 24871:35  
**spontaneously** [1] - 24872:4  
**sports** [1] - 24871:14  
**squeaky** [1] - 24806:10  
**St** [9] - 24801:23, 24821:11, 24837:31, 24837:45, 24839:23, 24852:23, 24852:42, 24872:44, 24884:21  
**stable** [1] - 24826:40  
**staff** [5] - 24793:24, 24797:23, 24800:22, 24812:14, 24866:37  
**stage** [4] - 24839:39, 24852:46, 24874:21, 24875:17  
**stages** [2] - 24843:18, 24843:19  
**stake** [1] - 24800:13  
**stand** [5] - 24802:4, 24831:1, 24843:18, 24844:15, 24862:23  
**Standards** [1] - 24862:1  
**standing** [10] - 24795:21, 24870:13, 24870:17, 24870:24, 24870:30, 24870:33, 24870:35, 24870:44, 24870:46, 24871:4  
**start** [4] - 24820:27, 24849:8, 24866:37, 24873:7  
**started** [5] - 24801:3, 24810:8, 24814:3, 24821:20, 24837:42  
**starting** [1] - 24836:32  
**state** [4] - 24869:6, 24869:22, 24870:16, 24871:17  
**statement** [4] - 24816:2, 24821:17, 24822:37, 24864:8  
**statements** [3] - 24809:38, 24882:46, 24883:6  
**states** [1] - 24799:25  
**States** [13] - 24802:29, 24804:43, 24805:41, 24807:33, 24807:40, 24808:17, 24808:19, 24810:4, 24811:19, 24812:22, 24812:24, 24835:38, 24842:34  
**stationed** [2] - 24810:44, 24825:29  
**stations** [1] - 24805:9  
**statistics** [3] - 24816:47, 24826:37, 24853:16  
**stature** [2] - 24823:14, 24824:3  
**status** [2] - 24856:26, 24856:27  
**statute** [1] - 24800:41  
**stay** [5] - 24826:13, 24835:34, 24836:6, 24836:8, 24867:36  
**stayed** [1] - 24838:30  
**stems** [1] - 24834:46  
**step** [1] - 24869:18  
**Stephen** [1] - 24790:43  
**stepped** [1] - 24838:21  
**still** [26] - 24794:28, 24795:15, 24801:23, 24803:37, 24810:18, 24811:15, 24813:3, 24826:37, 24829:34, 24831:13, 24841:24, 24844:34, 24845:7, 24847:3, 24847:26, 24865:39, 24873:24, 24875:32, 24875:44, 24877:39, 24879:39, 24880:6, 24880:21, 24881:2, 24881:14  
**stood** [6] - 24811:20, 24831:6, 24831:9, 24873:20  
**stop** [8] - 24803:6, 24829:35, 24829:37, 24829:38, 24842:19, 24843:21, 24861:36, 24868:8  
**stopped** [4] - 24809:46, 24857:4, 24861:30, 24861:38  
**stopping** [1] - 24857:34  
**story** [4] - 24839:37, 24852:41, 24871:29  
**straight** [2] - 24818:42, 24884:25  
**strategically** [1] - 24883:32  
**Strathfield** [2] - 24876:29, 24878:4  
**stream** [1] - 24881:23  
**street** [1] - 24851:34  
**streets** [1] - 24875:26  
**stress** [1] - 24844:3  
**stressful** [1] - 24844:12  
**stressing** [1] - 24843:28  
**stretch** [1] - 24825:1  
**strict** [1] - 24802:31  
**strong** [6] - 24825:33, 24825:35, 24858:38, 24858:41, 24859:30  
**strongly** [1] - 24879:16  
**struck** [1] - 24852:42  
**structural** [4] - 24817:6, 24817:11, 24833:21, 24868:35  
**structure** [21] - 24816:29, 24816:33, 24817:35, 24821:22, 24821:46, 24822:4, 24823:21, 24823:26, 24824:24, 24824:26, 24831:35, 24831:37, 24831:42, 24832:7, 24832:8, 24850:29, 24850:34, 24850:41, 24858:21, 24867:35, 24872:20  
**structures** [8] -

24821:10, 24834:10, 24850:39, 24852:1, 24852:7, 24860:44, 24882:10, 24882:11  
**struggling** [3] - 24866:23, 24871:34, 24881:9  
**student** [1] - 24852:45  
**students** [3] - 24840:44, 24875:36, 24877:8  
**studied** [1] - 24803:47  
**studies** [4] - 24792:28, 24792:30, 24877:9, 24881:22  
**Studies** [4] - 24837:9, 24841:47, 24842:37  
**Study** [1] - 24790:19  
**study** [2] - 24816:41, 24859:43  
**stuff** [3] - 24807:4, 24819:25, 24881:46  
**stultified** [1] - 24825:47  
**stunned** [1] - 24801:9  
**sub** [1] - 24830:9  
**sub-genre** [1] - 24830:9  
**subculture** [1] - 24823:39  
**subjected** [1] - 24792:5  
**submission** [2] - 24863:9, 24864:6  
**subsequent** [1] - 24837:25  
**substance** [1] - 24801:24  
**successor** [1] - 24821:41  
**successors** [1] - 24821:40  
**sudden** [2] - 24800:37, 24825:19  
**suddenly** [3] - 24855:37, 24874:22, 24876:32  
**sue** [2] - 24800:33, 24801:10  
**suffer** [1] - 24829:43  
**suffering** [2] - 24829:27, 24834:26  
**sufficient** [2] - 24847:20, 24867:17  
**suggest** [3] - 24858:7, 24865:11, 24866:2  
**suggested** [3] - 24805:3, 24865:9, 24865:46  
**suggesting** [2] - 24863:38, 24870:39  
**suggestions** [5] - 24832:38, 24832:43, 24853:27, 24861:41, 24869:11  
**suggests** [2] - 24850:2, 24854:29  
**suit** [2] - 24800:34, 24806:43  
**suitability** [2] - 24795:16, 24795:25  
**suitable** [3] - 24795:33, 24796:25, 24878:10  
**summarising** [1] - 24882:32  
**Sunbury** [1] - 24841:45  
**Sunday** [3] - 24807:34, 24866:21, 24866:36  
**sunk** [1] - 24816:16  
**super** [2] - 24881:3, 24881:4  
**Superior** [3] - 24842:39, 24842:46, 24846:38  
**superior** [5] - 24793:15, 24827:19, 24870:16, 24870:45, 24874:7  
**Superior-General** [1] - 24846:38  
**superiors** [2] - 24817:7, 24828:17  
**supervised** [3] - 24863:14, 24871:15, 24879:41  
**supervising** [1] - 24802:19  
**supervision** [19] - 24802:25, 24802:31, 24802:37, 24849:29, 24853:32, 24854:11, 24854:16, 24854:22, 24854:25, 24854:27, 24858:45, 24863:10, 24863:36, 24863:47, 24875:43, 24883:14, 24883:29, 24883:41  
**supervisor** [2] - 24883:33, 24883:39  
**supervisory** [1] - 24807:39  
**support** [9] - 24802:13, 24802:32, 24802:35, 24813:15, 24814:29, 24820:43, 24846:28, 24862:3, 24884:21  
**supported** [1] - 24813:28  
**suppose** [1] - 24860:6  
**supposedly** [1] - 24825:37  
**surely** [1] - 24829:9  
**surface** [1] - 24805:28  
**surmount** [1] - 24843:17  
**surprised** [1] - 24847:44  
**surprises** [1] - 24848:43  
**surround** [1] - 24828:22  
**surrounding** [1] - 24827:41  
**survey** [2] - 24794:7, 24794:41  
**surveys** [4] - 24796:36, 24796:38, 24827:3  
**survivor** [2] - 24840:36, 24871:30  
**survivors** [10] - 24791:22, 24797:30, 24797:32, 24797:34, 24811:13, 24813:24, 24814:46, 24840:9, 24840:29, 24840:34  
**Susanna** [1] - 24840:9  
**suspect** [1] - 24849:30  
**sworn** [4] - 24791:4, 24836:22, 24836:24, 24836:26  
**Sydney** [15] - 24790:24, 24795:15, 24837:11, 24837:31, 24838:31, 24838:34, 24839:20, 24841:3, 24854:22, 24874:36, 24876:22, 24876:23, 24876:45, 24877:16, 24877:45  
**symbols** [1] - 24832:25  
**synthesised** [1] - 24796:23  
**system** [18] - 24811:20, 24815:47, 24831:13, 24831:43, 24833:18, 24833:25, 24833:46, 24850:43, 24851:35, 24851:36, 24858:9, 24860:29, 24861:42, 24870:21, 24871:22, 24876:33, 24877:27  
**systemic** [8] - 24820:45, 24838:3, 24860:18, 24860:24, 24860:32, 24860:41, 24861:37, 24863:42  
**systems** [1] - 24863:42

---

**T**

---

**table** [2] - 24799:5, 24815:13  
**tainted** [1] - 24822:12  
**talks** [2] - 24828:27, 24847:45  
**Tapsell** [1] - 24818:16  
**target** [1] - 24873:40  
**task** [9] - 24861:6, 24861:7, 24861:12, 24861:14, 24861:18, 24861:21, 24861:24, 24869:16  
**tasked** [1] - 24803:3  
**taught** [7] - 24821:23, 24824:17, 24825:16, 24825:18, 24841:45, 24842:1, 24842:35  
**taxes** [4] - 24867:8, 24867:10, 24867:11, 24867:12  
**teach** [1] - 24882:13  
**teacher** [3] - 24841:44, 24874:18, 24874:19  
**teachers** [2] - 24821:42, 24879:26  
**teaches** [2] - 24821:12, 24821:39  
**teaching** [15] - 24818:20, 24818:21, 24821:8, 24825:19, 24825:41, 24828:7, 24828:12, 24831:29, 24839:23, 24840:44, 24841:11, 24859:9, 24874:29, 24880:13, 24882:19  
**team** [5] - 24802:32, 24802:35, 24838:10, 24855:4, 24855:6  
**teams** [1] - 24846:4  
**technical** [2] - 24828:36, 24845:19  
**Technology** [1] - 24837:11  
**teenage** [1] - 24797:43  
**telephone** [1] - 24793:16  
**ten** [2] - 24849:21, 24876:20  
**tend** [1] - 24858:24  
**tendencies** [1] - 24850:12  
**tender** [1] - 24874:17  
**term** [4] - 24826:34, 24826:40, 24826:41, 24845:19  
**terminate** [2] - 24795:5, 24827:20  
**terms** [12] - 24828:7, 24846:28, 24846:29, 24850:36, 24852:6, 24852:11, 24854:25, 24860:17, 24873:35, 24875:6, 24880:11, 24883:16  
**terna** [1] - 24796:9  
**terrible** [1] - 24873:11  
**Testament** [2] - 24842:33, 24842:36  
**tested** [1] - 24801:27  
**tests** [1] - 24801:30  
**Texas** [2] - 24801:47, 24802:11  
**thankfully** [1] - 24865:34  
**that"** [1] - 24834:15  
**theirs** [1] - 24820:18  
**themes** [1] - 24841:12  
**themselves** [9] - 24820:39, 24822:8, 24829:11, 24830:16, 24850:14, 24850:23, 24872:28, 24873:8, 24873:45  
**theologians** [1] - 24817:34  
**theological** [7] - 24792:27, 24792:30, 24839:21, 24841:4, 24841:9, 24841:12, 24841:19  
**Theological** [1] - 24841:38  
**Theology** [3] - 24839:9, 24841:46, 24842:37  
**theology** [8] - 24792:33, 24792:34, 24823:16, 24839:24, 24859:10, 24859:12, 24859:15, 24859:24  
**theory** [3] - 24849:42, 24860:8, 24860:19  
**therapist** [4] - 24791:24, 24812:30, 24812:34, 24860:12  
**therapists** [1] - 24827:4  
**thereafter** [1] - 24865:42  
**therefore** [5] -

24829:17, 24850:18, 24856:18, 24872:20, 24885:4  
**they've** [7] - 24848:19, 24864:20, 24866:37, 24872:17, 24873:11, 24880:2  
**thinking** [2] - 24792:9, 24861:4  
**thinks** [1] - 24847:14  
**third** [6] - 24798:5, 24798:8, 24798:9, 24842:17, 24849:23, 24885:1  
**Thomas** [2] - 24791:2, 24791:14  
**THOMAS** [1] - 24791:4  
**thoughts** [2] - 24869:1, 24883:28  
**thousands** [5] - 24811:12, 24812:41, 24814:30, 24861:15, 24874:1  
**threads** [1] - 24861:36  
**threatened** [1] - 24878:17  
**threatening** [1] - 24805:9  
**three** [25] - 24793:35, 24796:8, 24799:34, 24802:1, 24802:2, 24802:31, 24803:38, 24805:38, 24806:9, 24809:43, 24810:34, 24812:23, 24814:2, 24816:26, 24817:4, 24831:10, 24836:21, 24841:45, 24842:12, 24842:31, 24846:40, 24849:24, 24880:8, 24884:33  
**three-year-old** [2] - 24802:1, 24802:2  
**threw** [1] - 24806:16  
**throughout** [7] - 24796:1, 24797:23, 24802:29, 24820:41, 24826:30, 24864:23, 24885:6  
**throw** [3] - 24847:19, 24847:20, 24874:11  
**throwing** [1] - 24847:16  
**thrown** [1] - 24802:2  
**thrust** [1] - 24874:26  
**thunder** [1] - 24821:30  
**ticks** [1] - 24883:39  
**tight** [1] - 24871:37  
**tired** [1] - 24834:12  
**titled** [1] - 24816:47  
**TO** [2] - 24790:15, 24885:11  
**to"** [1] - 24823:8  
**today** [8] - 24813:3, 24814:28, 24861:4, 24861:26, 24863:30, 24877:40, 24884:40  
**together** [5] - 24840:10, 24860:38, 24866:27, 24869:27, 24884:41  
**tolerated** [1] - 24827:21  
**Tom** [1] - 24803:33  
**Tom"** [1] - 24803:32  
**tomorrow** [3] - 24814:28, 24885:2, 24885:5  
**tonne** [1] - 24815:26  
**Tony** [1] - 24809:12  
**too-hard** [1] - 24865:22  
**took** [15] - 24792:16, 24799:33, 24799:40, 24805:35, 24814:1, 24815:41, 24842:43, 24842:46, 24843:9, 24845:28, 24849:12, 24849:17, 24849:33, 24852:9  
**tools** [1] - 24853:46  
**top** [10] - 24808:21, 24814:36, 24827:24, 24845:41, 24850:42, 24850:43, 24863:44, 24864:1, 24864:23, 24866:32  
**top-down** [1] - 24866:32  
**topic** [3] - 24820:4, 24824:39, 24883:45  
**total** [2] - 24800:5, 24809:20  
**totally** [4] - 24807:8, 24824:15, 24827:42, 24882:14  
**touch** [1] - 24797:29  
**touches** [1] - 24869:4  
**toward** [1] - 24821:46  
**towards** [1] - 24830:11  
**Towards** [3] - 24844:31, 24846:2, 24846:3  
**Tower** [1] - 24790:23  
**town** [1] - 24876:26  
**trace** [1] - 24818:17  
**traces** [1] - 24794:17  
**track** [1] - 24863:13  
**tracking** [1] - 24847:7  
**tradition** [2] - 24821:16, 24859:16  
**traditional** [3] - 24825:12, 24825:40, 24877:28  
**traditionally** [1] - 24834:41  
**traffic** [1] - 24813:22  
**trail** [1] - 24818:18  
**train** [1] - 24839:44  
**trained** [6] - 24812:34, 24859:47, 24862:29, 24862:30, 24874:26, 24879:41  
**training** [25] - 24825:5, 24825:12, 24829:29, 24841:45, 24859:16, 24859:31, 24859:36, 24862:15, 24863:36, 24864:12, 24864:13, 24865:20, 24871:38, 24874:18, 24874:31, 24874:39, 24876:6, 24877:28, 24881:28, 24881:46, 24882:3, 24882:7, 24882:40, 24883:8  
**trains** [1] - 24878:33  
**transferred** [3] - 24793:27, 24804:44, 24804:46  
**trash** [1] - 24810:6  
**trauma** [1] - 24880:47  
**travelling** [1] - 24838:42  
**treated** [6] - 24810:21, 24868:19, 24873:11, 24873:16, 24873:24  
**treatment** [1] - 24809:19  
**treaty** [1] - 24807:4  
**tremendous** [6] - 24807:46, 24820:2, 24824:7, 24829:28, 24829:31, 24832:28  
**tribunal** [5] - 24793:14, 24816:7, 24816:15, 24816:22, 24816:30  
**tricky** [1] - 24867:19  
**tried** [2] - 24806:23, 24813:13  
**Trinity** [1] - 24841:12  
**trouble** [2] - 24830:34, 24837:32  
**true** [5] - 24799:27, 24831:43, 24831:44, 24872:15, 24875:22  
**truly** [1] - 24876:34  
**trusted** [1] - 24809:3  
**Truth** [3] - 24822:38, 24854:5, 24861:47  
**truths** [1] - 24875:30  
**try** [10] - 24794:46, 24807:20, 24825:25, 24845:17, 24845:27, 24847:4, 24849:22, 24849:23, 24853:8, 24879:17  
**trying** [11] - 24804:2, 24805:8, 24805:45, 24823:6, 24826:33, 24834:5, 24858:7, 24870:10, 24872:19, 24881:14, 24883:37  
**Tuesday** [1] - 24790:27  
**turn** [7] - 24797:45, 24803:8, 24819:17, 24825:3, 24841:30, 24842:25, 24875:40  
**turned** [4] - 24805:44, 24820:47, 24875:17, 24881:21  
**turning** [2] - 24842:26, 24875:44  
**TV** [3] - 24805:9, 24807:15, 24864:39  
**twelve** [3] - 24818:21, 24821:40, 24839:15  
**two** [42] - 24791:21, 24792:10, 24792:11, 24797:41, 24800:24, 24802:9, 24803:38, 24803:39, 24804:19, 24804:22, 24805:27, 24808:43, 24809:9, 24811:43, 24813:23, 24814:1, 24814:9, 24814:12, 24814:14, 24814:15, 24814:22, 24814:46, 24818:3, 24818:28, 24818:29, 24823:37, 24826:8, 24833:42, 24843:26, 24846:36, 24846:43, 24851:28, 24857:8, 24865:12, 24867:11, 24874:35, 24878:29, 24879:37, 24880:8, 24880:19, 24883:12, 24884:38  
**type** [3] - 24795:47, 24818:35, 24854:27  
**types** [1] - 24802:9  
**unable** [3] - 24826:1, 24826:3, 24829:10  
**unanimity** [1] - 24812:45  
**unanimously** [1] - 24813:28  
**uncles** [1] - 24806:33  
**unconditional** [1] - 24846:27  
**uncovering** [1] - 24837:11  
**under** [15] - 24793:41, 24794:13, 24796:14, 24798:37, 24802:31, 24803:35, 24804:45, 24806:26, 24829:27, 24831:26, 24840:2, 24864:36, 24865:19, 24880:39  
**under-resourced** [1] - 24865:19  
**understood** [4] - 24803:7, 24819:27, 24825:27, 24883:16  
**undertaken** [5] - 24841:15, 24854:15, 24854:20, 24881:43, 24882:4  
**undertook** [1] - 24792:30  
**undeveloped** [1] - 24873:46  
**unfortunately** [7] - 24819:47, 24821:15, 24825:12, 24831:41, 24835:31, 24861:26, 24880:17  
**unify** [1] - 24870:19  
**unique** [2] - 24832:46, 24833:9  
**uniqueness** [1] - 24825:37  
**United** [11] - 24802:29, 24804:42, 24805:41, 24807:32, 24808:17, 24808:19, 24810:4, 24811:19, 24812:22, 24812:23, 24842:34  
**Uniting** [2] - 24837:27, 24859:40  
**universal** [4] - 24867:11, 24867:12, 24873:33, 24880:39  
**universally** [2] - 24826:29, 24876:3  
**University** [8] - 24792:44, 24804:1, 24837:11, 24839:10, 24801:45

## U

**ultimately** [3] - 24792:37, 24801:43,

24839:29, 24841:39,  
24842:35, 24842:38  
**unknown** [3] -  
24821:27, 24831:13,  
24882:14  
**unless** [3] - 24799:4,  
24847:9, 24871:15  
**unlike** [2] - 24800:44,  
24807:32  
**unloaded** [1] -  
24810:47  
**unofficially** [1] -  
24835:38  
**unprofessional** [1] -  
24874:39  
**unresolved** [2] -  
24844:24, 24844:28  
**unsackable** [1] -  
24862:18  
**unselfish** [2] -  
24828:2, 24828:3  
**unsupervised** [2] -  
24852:37, 24882:15  
**unto** [1] - 24872:32  
**unusual** [1] -  
24807:28  
**unwillingness** [1] -  
24835:11  
**up** [63] - 24794:33,  
24794:34, 24797:43,  
24798:31, 24801:21,  
24801:29, 24802:1,  
24802:8, 24803:29,  
24804:17, 24804:19,  
24804:22, 24804:41,  
24805:46, 24806:36,  
24807:4, 24807:16,  
24808:12, 24809:13,  
24809:23, 24810:12,  
24811:20, 24814:3,  
24815:3, 24815:45,  
24816:4, 24816:18,  
24816:21, 24818:4,  
24818:9, 24820:46,  
24821:30, 24823:11,  
24824:11, 24825:37,  
24830:30, 24831:6,  
24831:9, 24832:35,  
24833:11, 24833:25,  
24845:16, 24845:21,  
24847:11, 24851:42,  
24855:4, 24858:27,  
24860:36, 24861:47,  
24862:16, 24862:23,  
24862:43, 24865:5,  
24865:35, 24867:11,  
24868:14, 24869:12,  
24869:13, 24871:2,  
24873:22, 24876:26,  
24881:22, 24883:37

**upstairs** [1] -  
24850:47  
**useful** [2] - 24862:30,  
24884:43  
**usual** [1] - 24841:44

---

## V

---

**vague** [2] - 24851:17,  
24870:10  
**valuable** [1] -  
24816:46  
**variable** [1] - 24880:43  
**varies** [1] - 24880:37  
**variety** [3] - 24791:23,  
24820:40, 24836:44  
**various** [8] - 24819:9,  
24832:15, 24851:6,  
24856:37, 24864:34,  
24880:21, 24882:20,  
24883:7  
**Vatican** [19] - 24793:6,  
24796:28, 24803:27,  
24804:8, 24805:36,  
24815:36, 24820:4,  
24820:13, 24820:17,  
24831:29, 24833:13,  
24835:3, 24846:46,  
24858:5, 24858:8,  
24858:12, 24858:19,  
24858:28, 24858:40  
**venues** [1] - 24876:2  
**veracity** [1] - 24821:15  
**verifies** [1] - 24828:29  
**verify** [3] - 24794:46,  
24795:1, 24870:45  
**version** [1] - 24816:45  
**vestments** [1] -  
24876:36  
**Vicar** [4] - 24800:16,  
24800:25, 24800:35,  
24804:36  
**vicar** [4] - 24856:32,  
24856:39, 24857:11,  
24858:9  
**vicariate** [1] -  
24812:21  
**vicars** [6] - 24856:26,  
24856:40, 24856:44,  
24857:30, 24857:42,  
24857:45  
**victim** [9] - 24823:15,  
24824:13, 24824:14,  
24834:43, 24837:26,  
24838:20, 24846:7,  
24862:3, 24871:35  
**victims** [59] -  
24791:22, 24797:30,  
24799:27, 24799:39,  
24809:19, 24810:9,

24810:13, 24810:26,  
24812:37, 24812:44,  
24812:46, 24813:5,  
24813:15, 24814:32,  
24814:36, 24814:40,  
24815:37, 24819:43,  
24820:47, 24821:1,  
24822:25, 24823:2,  
24824:5, 24824:15,  
24824:26, 24826:11,  
24831:7, 24831:9,  
24831:24, 24831:31,  
24832:5, 24833:29,  
24833:38, 24833:41,  
24833:42, 24833:44,  
24834:12, 24834:24,  
24838:14, 24838:19,  
24840:6, 24843:18,  
24843:28, 24844:10,  
24845:2, 24845:44,  
24845:45, 24846:1,  
24846:28, 24846:30,  
24861:32, 24861:33,  
24862:2, 24862:27,  
24871:32, 24873:10,  
24873:15  
**Victoria** [2] -  
24841:39, 24877:31  
**videolink** [1] -  
24885:2  
**Vietnam** [1] -  
24866:29  
**Vietnamese** [1] -  
24866:14  
**view** [8] - 24808:5,  
24824:44, 24824:46,  
24830:23, 24860:41,  
24862:19, 24862:47,  
24868:11  
**views** [2] - 24867:21,  
24884:42  
**vigorous** [1] -  
24846:45  
**violate** [1] - 24820:35  
**violated** [7] -  
24812:47, 24814:31,  
24817:17, 24817:22,  
24834:46, 24835:20,  
24835:41  
**violating** [1] -  
24819:28  
**violation** [1] - 24826:2  
**violence** [1] -  
24853:12  
**violent** [1] - 24819:29  
**viral** [1] - 24801:1  
**virginity** [1] -  
24825:16  
**virtue** [1] - 24829:10  
**virus** [1] - 24823:41

**visible** [1] - 24832:25  
**visit** [2] - 24798:31,  
24883:40  
**Visiting** [1] - 24842:33  
**vitae** [1] - 24795:25  
**vocation** [1] -  
24864:11  
**voice** [2] - 24855:24,  
24858:38  
**voices** [1] - 24858:42  
**volumes** [1] - 24835:4  
**voluntarily** [1] -  
24833:25  
**voted** [2] - 24813:28,  
24838:10  
**voting** [1] - 24795:26  
**vow** [5] - 24828:32,  
24830:13, 24830:14,  
24830:24  
**vows** [9] - 24792:16,  
24792:18, 24792:23,  
24792:25, 24792:26,  
24825:20, 24829:20,  
24829:29, 24830:17  
**vulnerabilities** [1] -  
24881:39  
**vulnerability** [3] -  
24852:32, 24852:40,  
24853:11  
**vulnerable** [15] -  
24833:16, 24840:3,  
24852:17, 24852:18,  
24853:15, 24853:20,  
24853:21, 24853:37,  
24853:44, 24860:8,  
24860:11, 24860:12,  
24860:33, 24881:21,  
24882:1

---

## W

---

**wait** [2] - 24850:47,  
24863:21  
**waited** [1] - 24810:29  
**waiting** [1] - 24794:20  
**Wales** [3] - 24838:27,  
24838:43, 24839:29  
**walk** [2] - 24819:23,  
24875:26  
**walked** [3] - 24830:35,  
24830:37, 24831:32  
**wants** [6] - 24793:34,  
24806:45, 24829:35,  
24829:37, 24862:42,  
24881:10  
**warm** [1] - 24851:35  
**warmth** [1] - 24851:30  
**Washington** [4] -  
24793:7, 24793:24,  
24798:30, 24799:18

**water** [1] - 24819:23  
**ways** [7] - 24802:28,  
24807:6, 24825:7,  
24853:43, 24859:26,  
24864:6, 24869:28  
**weakest** [1] -  
24869:13  
**weakness** [1] -  
24871:26  
**wear** [1] - 24876:35  
**WEDNESDAY** [1] -  
24885:11  
**week** [5] - 24796:12,  
24801:30, 24854:25,  
24865:12, 24880:42  
**weeks** [3] - 24799:34,  
24817:32, 24846:40  
**welfare** [3] - 24822:25,  
24823:15, 24823:18  
**well-integrated** [1] -  
24852:47  
**well-trained** [1] -  
24879:41  
**whatsoever** [3] -  
24798:42, 24848:20,  
24872:39  
**wheel** [2] - 24875:15,  
24875:40  
**wheel's** [1] - 24875:44  
**Whelan** [5] -  
24854:13, 24854:19,  
24863:46, 24864:37,  
24874:28  
**whereas** [1] - 24881:8  
**whereby** [6] -  
24793:25, 24793:26,  
24803:44, 24823:26,  
24823:42, 24832:28  
**whilst** [3] - 24873:29,  
24875:38, 24876:2  
**whole** [17] - 24796:47,  
24822:40, 24832:1,  
24834:7, 24834:20,  
24834:40, 24843:15,  
24843:22, 24845:41,  
24846:9, 24851:36,  
24859:46, 24861:35,  
24869:5, 24876:22,  
24879:39, 24879:40  
**wickedness** [1] -  
24849:13  
**wide** [2] - 24832:30,  
24843:5  
**widely** [1] - 24851:2  
**wider** [1] - 24875:21  
**widest** [1] - 24884:41  
**wife** [7] - 24827:43,  
24839:40, 24839:41,  
24839:47, 24840:8,  
24840:10, 24840:43

**wife's** [2] - 24798:21, 24840:38  
**willingness** [1] - 24867:16  
**Wilson** [2] - 24855:12, 24857:40  
**window** [1] - 24829:2  
**windows** [4] - 24828:42, 24829:3, 24829:6, 24878:9  
**wired** [1] - 24805:37  
**wised** [1] - 24865:35  
**wish** [2] - 24829:22, 24872:36  
**wishes** [1] - 24869:42  
**WITHDREW** [1] - 24836:10  
**witness** [1] - 24836:3  
**WITNESS** [2] - 24836:5, 24836:10  
**witnesses** [2] - 24836:21, 24847:11  
**wives** [2] - 24827:33, 24846:19  
**woman** [8] - 24801:47, 24802:3, 24810:28, 24810:32, 24826:4, 24826:34, 24853:2, 24856:32  
**woman's** [1] - 24810:43  
**women** [26] - 24794:2, 24814:30, 24815:7, 24815:34, 24819:5, 24833:41, 24835:4, 24855:6, 24855:7, 24855:13, 24855:23, 24855:37, 24855:43, 24855:46, 24856:19, 24856:25, 24856:43, 24857:6, 24857:9, 24857:42, 24857:44, 24862:7, 24862:8, 24868:39, 24874:3  
**Women's** [1] - 24837:9  
**women's** [1] - 24800:46  
**wonder** [2] - 24840:13, 24873:7  
**wondered** [1] - 24830:22  
**wonderful** [1] - 24867:30  
**wondering** [1] - 24873:12  
**word** [8] - 24799:45, 24818:41, 24820:43, 24853:31, 24866:26, 24878:39, 24878:44, 24883:41  
**words** [2] - 24805:30, 24829:20  
**worker** [1] - 24862:19  
**works** [3] - 24856:47, 24860:12, 24867:15  
**world** [8] - 24796:1, 24796:2, 24832:47, 24833:12, 24842:39, 24849:18, 24876:13, 24878:47  
**World** [1] - 24876:13  
**world's** [1] - 24818:5  
**worldwide** [3] - 24801:2, 24833:10, 24873:31  
**worried** [3] - 24803:38, 24808:2, 24808:4  
**worry** [1] - 24800:20  
**worth** [3] - 24851:22, 24851:23, 24873:3  
**would-be** [1] - 24849:10  
**wraps** [1] - 24803:36  
**write** [3] - 24807:33, 24807:35, 24808:39  
**writing** [1] - 24795:1  
**written** [1] - 24884:40  
**wrote** [4] - 24794:18, 24800:16, 24840:10, 24840:19

---

**X**

---

**XXIII** [1] - 24797:3

---

**Y**

---

**year** [5] - 24802:1, 24802:2, 24802:3, 24807:22, 24818:20  
**years** [47] - 24798:30, 24799:1, 24801:46, 24802:27, 24807:7, 24812:23, 24812:34, 24812:41, 24814:2, 24814:31, 24815:12, 24815:28, 24821:22, 24822:20, 24822:35, 24827:46, 24831:40, 24832:32, 24837:34, 24838:22, 24838:30, 24839:15, 24839:23, 24839:41, 24841:45, 24842:12, 24842:34, 24844:14, 24845:28, 24848:17, 24851:32, 24851:47, 24852:43, 24858:3, 24858:20, 24867:11, 24873:21, 24874:16, 24875:35, 24876:20, 24877:15, 24880:44, 24883:47, 24884:2, 24884:4, 24884:6  
**yell** [1] - 24834:5  
**yesterday** [12] - 24811:34, 24816:40, 24816:47, 24822:38, 24823:40, 24825:13, 24826:37, 24860:25, 24861:3, 24861:26, 24868:15, 24874:28  
**young** [25] - 24798:32, 24799:32, 24818:28, 24819:28, 24820:39, 24825:29, 24826:42, 24830:36, 24832:31, 24838:44, 24845:4, 24845:7, 24849:9, 24849:14, 24849:19, 24850:11, 24850:14, 24851:28, 24868:31, 24868:36, 24880:7, 24880:23, 24881:5, 24881:17  
**younger** [1] - 24866:13  
**youngest** [1] - 24810:27  
**yourself** [3] - 24838:24, 24867:29, 24871:25  
**yourselves** [1] - 24819:42  
**youth** [1] - 24838:41

---

**Z**

---

**Zealand** [1] - 24843:7