

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

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

Level 17, Governor Macquarie Tower  
1 Farrer Place, Sydney

On Tuesday, 21 February 2017 at 10am

Before:

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

Counsel Assisting:	Ms Gail Furness SC
	Mr Stephen Free

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

1 Bishop for the Diocese of Sale?  
2  
3 ARCHBISHOP PROWSE: Correct.  
4  
5 MS FURNESS: You held that position until you took up your  
6 current position as archbishop in 2013?  
7  
8 ARCHBISHOP PROWSE: Correct.  
9  
10 MS FURNESS: Your archdiocese is what size?  
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12 ARCHBISHOP PROWSE: There's 56 parishes. It's  
13 geographically a very big diocese. It incorporates  
14 colonial, I suppose you could say, or farming areas, then  
15 goes down to coastal areas, the alpine region of Australia  
16 and also some of the big wheat and wool areas like Yass and  
17 Goulburn.  
18  
19 MS FURNESS: You have 50-odd schools in your area?  
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21 ARCHBISHOP PROWSE: Yes, 56 schools. Half of them are in  
22 the Australian Capital Territory and the other half are in  
23 regional New South Wales.  
24  
25 MS FURNESS: Thank you. Now, what engagement does your  
26 archdiocese have these days with children?  
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28 ARCHBISHOP PROWSE: We have an engagement with the  
29 children when they come to us particularly at schools.  
30 Clearly we educate a very substantial percentage of the  
31 schools in the whole region; they're not all Catholic.  
32 People would choose the Catholic school. Our engagement  
33 with them is through their teachers and through the  
34 activities. Then, of course, with children in our  
35 parishes, there would be youth groups; those that come to  
36 the mass on Sunday in family groups. So across the board,  
37 there would be children - family groups, because of our  
38 commitment to marriage and family life. So it's quite  
39 a universal spread.  
40  
41 MS FURNESS: Are you funded to deliver services other than  
42 in relation to education?  
43  
44 ARCHBISHOP PROWSE: We are involved also with  
45 CatholicCare, we call it, which is social welfare. Then  
46 there's Marymead, which is for children particularly, and  
47 that is both is funded by governments and also by local

1 fundraising and Church funding as well.

2

3 MS FURNESS: Tell us about Marymead.

4

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

10

11 MS FURNESS: So orphanages are run through --

12

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

18

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

22

23 ARCHBISHOP PROWSE: Correct.

24

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

27

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

30

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

32

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

34

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

36

37 ARCHBISHOP PROWSE: I have my statements, yes.

38

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

41

42 ARCHBISHOP PROWSE: Correct, yes.

43

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

45

46 ARCHBISHOP PROWSE: Correct, yes, it is.

47

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

5  
6 ARCHBISHOP PROWSE: Correct.

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

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

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

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

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

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

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

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

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

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

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

3

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

8

9 ARCHBISHOP PROWSE: Yes.

10

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

13

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

26

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

29

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

34

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

39

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

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

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

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

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

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

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

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37 ARCHBISHOP PROWSE: Yes.

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

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



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

3

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

6

7 MS FURNESS: That wasn't available before?

8

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

21

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

24

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

40

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

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

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ARCHBISHOP PROWSE: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

46  
47 ARCHBISHOP PROWSE: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 ARCHBISHOP PROWSE: Commissioner, in regard to the  
44 appointment of a bishop, is that --  
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46 COMMISSIONER MURRAY: No, no, I'm talking in regard to the  
47 issue of child sexual abuse.

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ARCHBISHOP PROWSE: Yes.

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

ARCHBISHOP PROWSE: Yes.

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

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

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

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

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



1 working through it in that way.

2

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

6

7 ARCHBISHOP PROWSE: Yes.

8

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

12

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

21

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

26

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

29

30 ARCHBISHOP PROWSE: Yes.

31

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

37

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

41

42 MS FURNESS: What are you sorry for?

43

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

46

47 MS FURNESS: Have you since attended something similar?

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

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

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

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

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

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

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

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

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

1 appropriate time.

2

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

12

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

19

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

24

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

29

30 ARCHBISHOP PROWSE: Yes.

31

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

33

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

36

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

39

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

46

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

1 that we were able to set up structures whereby, when cases  
2 came towards us, we were able to respond to them. Yes,  
3 again, it's a tragedy, it's a tragic statistic.  
4

5 MS FURNESS: You can't help us any more on your thoughts  
6 as to why it might have happened in that diocese where you  
7 were bishop for a time?  
8

9 ARCHBISHOP PROWSE: Yes, I would have thought that there  
10 seemed to be, in some areas of the Diocese of Sale, perhaps  
11 more so than in a big city, an extraordinary trust of the  
12 local priest, whereby he was able to really become part of  
13 the family in a way that perhaps wouldn't have been so in  
14 a bigger city. We're talking about regional areas.  
15

16 I think that was a breeding ground for immature and  
17 disconnected priests to be able to move into that area  
18 perhaps more so numerically than in a bigger city, where  
19 getting to know the priest is not as easy as in a country  
20 area where the priest knows everybody, everybody's name.  
21 I would have thought that would be something that struck me  
22 as one possibility to think about.  
23

24 MS FURNESS: And what do you do in your current  
25 archdiocese to ensure that that access is lessened or, in  
26 some way, mitigated in order for the abuse not to occur?  
27

28 ARCHBISHOP PROWSE: Well, first of all, I think the  
29 scrutiny of the priests; the Working With Children Check;  
30 a more vigorous professional standards in-servicing of  
31 priests and Church employees; a greater awareness of the  
32 situations that people ought avoid or making sure that  
33 there are other adults there. These are things that  
34 I think are helpful at the present moment.  
35

36 MS FURNESS: I think you've also found chapter 16A  
37 helpful, of the New South Wales child protection  
38 legislation, which enables you to exchange information with  
39 other agencies?  
40

41 ARCHBISHOP PROWSE: Yes, yes, I think that's very helpful  
42 and there's a greater way of being able to see what's  
43 happening, to work together, so it's a better situation  
44 where I'm forever working in a team in this area rather  
45 than just on my own.  
46

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

1 Capital Territory, can you?  
2  
3 ARCHBISHOP PROWSE: Yes, I can, but I want to do it in  
4 a way that's consistent with New South Wales, where I think  
5 the bar is higher. I want to raise the bar and encourage  
6 the ACT to be consistent with the New South Wales one.  
7  
8 MS FURNESS: So I take it you would be in favour of an  
9 information exchange regime like there is in New South  
10 Wales throughout Australia?  
11  
12 ARCHBISHOP PROWSE: I would, and I'd encourage it.  
13  
14 MS FURNESS: Mandatory reporting for priests varies around  
15 Australia, with the Northern Territory having all adults  
16 required to report to child protection authorities. What's  
17 your view on whether priests should be required to report  
18 risk of harm or significant risk of harm of children to the  
19 child protection authorities?  
20  
21 ARCHBISHOP PROWSE: I'm very sympathetic to it. Of  
22 course, that's bringing up the issue of the confessional  
23 seal, which I notice has been a topic here over these  
24 weeks. But, yes, I think to do something where - this is  
25 happening already with the schoolteachers already, in  
26 a teaching setting. Therefore, the door should be open to  
27 dialogue in regard to extending that.  
28  
29 MS FURNESS: Well, I'm opening the door to dialogue with  
30 you, archbishop. What's your view?  
31  
32 ARCHBISHOP PROWSE: I think it's a good idea. I think  
33 I would need to, again, discuss that, precisely what the  
34 legislation might mean, what it would include and what it  
35 would not include, but I think that would be a pathway that  
36 I think would be very positive.  
37  
38 MS FURNESS: Just finally, archbishop, you'll understand  
39 that the Commonwealth has responded to the Royal  
40 Commission's recommendation for a national redress scheme?  
41  
42 ARCHBISHOP PROWSE: Yes.  
43  
44 MS FURNESS: And as far as one currently knows, there may  
45 well be provision for individual dioceses, like yourself,  
46 to opt in to it.  
47

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

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

3

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

7

8 ARCHBISHOP PORTEOUS: I am, yes.

9

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

14

15 ARCHBISHOP PORTEOUS: I am, yes, yes.

16

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

22

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

32

33 MS FURNESS: Was it when you were rector?

34

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

45

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

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

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

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

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

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

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

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

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



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ARCHBISHOP PORTEOUS: Largely the acts of individuals?  
Could you explain that?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 ARCHBISHOP PORTEOUS: Sorry.  
15

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

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

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

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

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

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

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

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

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

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

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

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

1 people understand it and live it.

2

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

6

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

9

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

12

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

16

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

24

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

30

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

37

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

43

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

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

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

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

13  
14       And later she says:

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

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

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

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

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

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

7

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

14

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

24

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

26

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

33

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

38

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

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

2

3 ARCHBISHOP PORTEOUS: Sure.

4

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

8

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

16

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

20

21 ARCHBISHOP PORTEOUS: Yes.

22

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

31

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

40

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



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

6  
7 The second quality I've often spoken about is the  
8 importance of humility, and again this goes back to any  
9 sense of authority or any rights or claims to anything that  
10 might accrue by virtue of being a priest. One of the  
11 things I've often encouraged in both seminarians and  
12 priests are these sorts of qualities, which I'm hoping will  
13 bring about a cultural change or advance the culture of the  
14 priests in a healthy way to create a better environment  
15 where some of these other cultural elements you mentioned  
16 before won't be factors in priests failing in this area.

17  
18 COMMISSIONER MURRAY: I'm not sure - and I'll conclude on  
19 this basis: I'm not sure that that will reassure those who  
20 fear that that will not address the one in 14 chance of  
21 somebody having a sexual interest in children. That's my  
22 reaction to your reply.

23  
24 ARCHBISHOP PORTEOUS: Could I make one final comment, if  
25 I may? Again, I'll go back to my time as rector,  
26 particularly. It was one of the other areas that was of  
27 paramount importance to me, particularly as I was rector  
28 just after the revelations of the situation in Boston, and  
29 that really focused my own attention on this area. So as  
30 rector, I was very conscious to ensure that the seminarians  
31 coming through developed and had a healthy maturity in the  
32 sexual area so that we weren't having people come through  
33 who had deficiencies that might later on find expression in  
34 sexual abuse of minors. So I was very conscious of that  
35 and did work and at times acted to ensure that candidates  
36 coming through, as best I could, I felt that they had the  
37 maturity, the sexual maturity, the effective maturity, to  
38 be able to be good and effective priests.

39  
40 THE CHAIR: How do you do that, archbishop?

41  
42 ARCHBISHOP PORTEOUS: You do it, firstly - one of the  
43 advantages - I know there has been some comment about the  
44 structure of seminaries. One advantage, certainly in my  
45 time in the seminary, was that I had a seminary of up to  
46 about 40 students, and I was basically with them for  
47 seven years over the bulk of each year. You see them in

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

4

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

8

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

14

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

20

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

25

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

33

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

37

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

40

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

47

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

10  
11 If that evidence is correct, does it indicate that  
12 there is something missing in both seminary training and  
13 early ordainees, when they're out, that we need to look at  
14 as a Church, because if that is true, the efforts in the  
15 beginning to look at what's happening are important, but in  
16 fact are not the main time at which these behaviours, these  
17 boundary violations or abusive behaviours, become evident?  
18

19 ARCHBISHOP PORTEOUS: Certainly my own attitude is to  
20 ensure that a deacon or a newly ordained priest is placed  
21 with a very good priest in the parish. The normal practice  
22 would be that somebody would be assigned to a parish. One  
23 of the things that I do, I would speak to that priest  
24 fairly regularly, even if it's just to say, "How's the  
25 young fellow going? Any issues?", so I'd keep monitoring.  
26 Now, I can do that because I'm in a relatively small  
27 diocese, so it's not difficult for me to be able to monitor  
28 the young priests and to ensure that there are, again, no  
29 red flags, no issues emerging that we might need to  
30 address.  
31

32 COMMISSIONER ATKINSON: Archbishop, at that time when you  
33 were the rector, when the issues came out in Boston, it  
34 sounds as though you acted on your own initiative in terms  
35 of putting in place strategies in the seminary. Was there  
36 any support that you had or groundswell of concern in  
37 Tasmania, the Church hierarchy, or even throughout  
38 Australia, saying, "Well, here are the lessons of Boston,  
39 look what has happened there. We need to know what has  
40 happened here; we need to mitigate risk and do all we  
41 can" - was there any sense of that or were you on your own  
42 with that?  
43

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

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

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

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

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

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

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

COMMISSIONER ATKINSON: The Boston issue?

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

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

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

8  
9 COMMISSIONER ATKINSON: It's pretty significant. You  
10 mentioned earlier culture and you talked about police, and  
11 starting in the late 1980s there were a number of  
12 corruption inquiries in relation to police departments  
13 throughout Australia. Some of the lessons there were that  
14 they were, at the time, largely male-dominated,  
15 hierarchical organisations, and the culture was so powerful  
16 that wrongdoing by police, who take an oath to protect the  
17 public and enforce the laws, was supported and acknowledged  
18 by others. Do you think there perhaps are parallels with  
19 what happened in the Church as well?

20  
21 ARCHBISHOP PORTEOUS: I think that's a very good instance.  
22 What the royal commissions did was highlight - again, if  
23 I can say, the culture basically is a good thing. We need  
24 cultures in various professions, and they should enshrine  
25 the highest ideals. But you can also have a situation  
26 where there's a serious corruption of that culture taking  
27 place, particularly maybe at leadership level or perhaps  
28 groups within it.

29  
30 So I think that's something we have to be conscious  
31 of, too, and it could happen again. We need to say we must  
32 make sure that the culture of the priesthood is always set  
33 at the highest levels, and if there is betrayal of that  
34 culture, and particularly in an individual or maybe  
35 a certain attitude of being separated or having some sort  
36 of false approach to the culture, we need to deal with that  
37 and seek to eradicate it, because it is corrosive, it is  
38 damaging to the good of the profession, if I could use that  
39 as a whole.

40  
41 COMMISSIONER ATKINSON: Could I just ask you this, though.  
42 Probably in any occupation or profession there is a culture  
43 that, understandably, perhaps, might protect someone who's  
44 lazy or protect someone who is drinking to excess, but what  
45 we are talking about here is child sexual abuse, which is  
46 a serious crime. So would you agree that it must have been  
47 an incredibly powerful culture that protected child sexual

1 abuse?

2

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

7

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

13

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

21

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

28

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

41

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

47

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

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

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

19 ARCHBISHOP PORTEOUS: I think the leadership --  
20

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

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

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

32 ARCHBISHOP PORTEOUS: Yes, yes.  
33

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

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

38 **SHORT ADJOURNMENT**  
39

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

44 BISHOP HURLEY: Yes, Daniel Eugene Hurley.  
45

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

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



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MS FURNESS: What prompted you to take that action last month?

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

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

BISHOP HURLEY: No.

MS FURNESS: I tender that document, your Honour.

THE CHAIR: It will become exhibit 50-010.

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

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

BISHOP HURLEY: Yes.

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

BISHOP HURLEY: Yes.

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

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

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

1 BISHOP HURLEY: I'm not aware that it has affected them in  
2 any particular way, except that I expect them to take that  
3 very seriously, but I'm not aware of any particular effect  
4 it has had on them.  
5  
6 MS FURNESS: Have there been any discussions with the  
7 Community Services Department about reporting by priests?  
8  
9 BISHOP HURLEY: Community Services Department of?  
10  
11 MS FURNESS: Within the Northern Territory.  
12  
13 BISHOP HURLEY: No, not specifically to my knowledge.  
14  
15 MS FURNESS: Because the mandatory reporting regime  
16 results in reports to the equivalent of a Community  
17 Services Department, or Child Welfare Department?  
18  
19 BISHOP HURLEY: Yes, yes, that's true.  
20  
21 MS FURNESS: There haven't been any discussions with that  
22 agency?  
23  
24 BISHOP HURLEY: Not with me, no.  
25  
26 MS FURNESS: There haven't been any discussions among  
27 priests about whether it's onerous, not onerous, useful?  
28  
29 BISHOP HURLEY: Not to my knowledge, no. As I say, it's  
30 not something I think that has affected them directly, not  
31 that I'm aware of.  
32  
33 MS FURNESS: You wouldn't be seeking to argue that they  
34 should be exempt from it?  
35  
36 BISHOP HURLEY: Not at all.  
37  
38 MS FURNESS: Thank you. Just coming to your statement,  
39 question 2 on page 5, paragraph 16. It's in relation to  
40 complaints and settlements, and you note that the diocesan  
41 office had not made a settlement and that the Professional  
42 Standards Office had received very few complaints, and most  
43 of those had been referred to the relevant congregations.  
44  
45 BISHOP HURLEY: Yes.  
46  
47 MS FURNESS: So it's the case that if a complaint is

1 received in the diocesan office that affects a member of an  
2 order or congregation, you forward that to that body?  
3  
4 BISHOP HURLEY: Yes, I do. There is a procedure by which  
5 that happens, but ultimately, yes.  
6  
7 MS FURNESS: Then you have nothing more to do with it?  
8  
9 BISHOP HURLEY: Well, it's my personal policy to follow up  
10 and make sure that I have a clear understanding of what the  
11 result of that was, and my director of professional  
12 standards would always give me a file, including any  
13 documentation that she might think is useful.  
14  
15 MS FURNESS: Do you have any formal role in relation to  
16 that complaint that's about a member of an order or  
17 congregation?  
18  
19 BISHOP HURLEY: Only insofar as canon law requires me,  
20 that if the person is the subject of another entity -  
21 another diocesan bishop or religious leader - that I,  
22 through my director of professional standards, must see  
23 that that procedure is correctly run and that I need to -  
24 I certainly do check that it has happened. I would  
25 normally contact the person to whom that now - that they  
26 become the authority, and make sure there is no  
27 misunderstanding or lack of evidence that I can supply.  
28  
29 MS FURNESS: Do you have an interest in the outcome?  
30  
31 BISHOP HURLEY: Yes, I do.  
32  
33 MS FURNESS: Have you had cause to disagree with what  
34 you've been told was the outcome?  
35  
36 BISHOP HURLEY: No, I haven't, not in my time there. No,  
37 I haven't. They've been satisfactory, in my opinion.  
38  
39 MS FURNESS: There have been a couple of complaints  
40 against clergy?  
41  
42 BISHOP HURLEY: Yes.  
43  
44 MS FURNESS: You indicate that one was not able to be  
45 progressed, as the complainant had left Darwin.  
46  
47 BISHOP HURLEY: Yes.

1  
2 MS FURNESS: What about the priest against whom the  
3 complaint was made?  
4  
5 BISHOP HURLEY: That particular priest, as I understand  
6 it, was in a state of mental disability in a nursing home  
7 at the time, and he was counselled insofar as that was  
8 a possibility, but he was really incapax; he was incapable.  
9  
10 MS FURNESS: You didn't need to restrict his ministry in  
11 any way because of his circumstances?  
12  
13 BISHOP HURLEY: Correct.  
14  
15 MS FURNESS: You've indicated in one of your policies that  
16 risk assessments are conducted for diocesan activities  
17 involving children?  
18  
19 BISHOP HURLEY: Yes.  
20  
21 MS FURNESS: Is that a recent initiative?  
22  
23 BISHOP HURLEY: Well, no, it's something that I would have  
24 expected and has been part of - particularly in youth  
25 ministry, so that if they're having an immersion event in  
26 one of our communities or a weekend retreat, or what, then  
27 the director of youth ministry must carry out a risk  
28 assessment, and to the best of my knowledge that has always  
29 been done and I think it has borne fruit.  
30  
31 MS FURNESS: In what way?  
32  
33 BISHOP HURLEY: That there has never been an incident  
34 reported to me, either physical - you know, accidents,  
35 people travelling to and fro - and/or any suggestion of  
36 impropriety.  
37  
38 MS FURNESS: You have schools within your diocese?  
39  
40 BISHOP HURLEY: Yes, I do.  
41  
42 MS FURNESS: I take it you have an equivalent of  
43 a Catholic Education body?  
44  
45 BISHOP HURLEY: Yes, we do. The Catholic Education  
46 Office, we call it.  
47

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

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

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

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

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

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

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

1 elements.

2

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

5

6 BISHOP HURLEY: Yes, I have.

7

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

11

12 BISHOP HURLEY: Yes, yes.

13

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

15

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

30

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

34

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

42

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

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

3

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

8

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

11

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

15

16 BISHOP HURLEY: Yes.

17

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

20

21 BISHOP HURLEY: Yes.

22

23 MS FURNESS: Often had overnight activities.

24

25 BISHOP HURLEY: Yes.

26

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

29

30 BISHOP HURLEY: Yes.

31

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

36

37 BISHOP HURLEY: No, that's true.

38

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

44

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



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

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

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

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

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

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

39  
40 BISHOP HURLEY: Which one?

41  
42 MS FURNESS: The fact of the celibacy.

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

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

BISHOP HURLEY: Part of it, yes.

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

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

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

MS FURNESS: You say that your thoughts are evolving?

BISHOP HURLEY: Yes.

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

BISHOP HURLEY: Yes, I do.

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

1 why?

2

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

11

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

21

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

26

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

28

29 BISHOP HURLEY: Yes, it is.

30

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

34

35 BISHOP HURLEY: Yes.

36

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

39

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

42

43 MS FURNESS: In Port Pirie?

44

45 BISHOP HURLEY: Yes.

46

47 MS FURNESS: In Port Pirie, who attended?

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BISHOP HURLEY: I did.

MS FURNESS: As the Bishop of Port Pirie?

BISHOP HURLEY: Yes.

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

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

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

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

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

BISHOP HURLEY: Yes, yes.

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

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

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

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

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

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

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

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

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

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

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

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

22 BISHOP HURLEY: Yes.  
23

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

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

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

39 BISHOP HURLEY: Yes.  
40

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

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

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

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

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

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

23 BISHOP HURLEY: Yes, I do.  
24

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

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

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

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

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

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

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

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

35 BISHOP HURLEY: Yes.  
36

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

40 BISHOP HURLEY: Yes.  
41

42 MS FURNESS: Why is that?  
43

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



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

2  
3 Other bishops do different things, but I do not do  
4 that specifically for that reason. I feel much more  
5 comfortable - and this is what we do. We invite priests  
6 from overseas, but I will know either the bishop very well  
7 or the vicar general. I would normally go, or the  
8 vicar general would go and interview those people in their  
9 place, where you have an opportunity to listen to them, to  
10 see how they react, to ask others about them and to look at  
11 any records that you might want to look at. And then  
12 they're on a contract, maybe a four-year contract.

13  
14 I feel that I can manage that much better, and if I'm  
15 uncomfortable about anything about that to the point that  
16 it's not being resolved, I would ask the bishop to take  
17 them back.

18  
19 But if I have a seminarian from overseas that trains  
20 here and becomes part of my diocese, well, then, he's part  
21 of the diocese forever, until he dies. I, as the bishop,  
22 want to be sure, as best I can, that he's going to be  
23 a good priest in our diocese, hopefully without any  
24 problems.

25  
26 MS FURNESS: Have you sent anyone back?

27  
28 BISHOP HURLEY: No, and I hope that that's a tribute to  
29 our preparation of people coming. I hope it is.

30  
31 MS FURNESS: You will understand that the Commonwealth has  
32 announced a redress scheme following the Royal Commission's  
33 recommendation?

34  
35 BISHOP HURLEY: Yes.

36  
37 MS FURNESS: Have you formed a view as to whether or not  
38 your diocese should opt in to that?

39  
40 BISHOP HURLEY: Absolutely. I think it's totally,  
41 absolutely imperative that we have an independent national  
42 redress system from the point of view that (a) it's  
43 whatever it is but (b) and for me the most important thing  
44 about it is that it takes that whole redress thing out of  
45 the pastoral approach to victims.

46  
47 One thing that I've found incredibly frustrating is

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

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

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

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

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

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

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

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

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

39  
40 MS FURNESS: When were you ordained?

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

44  
45 MS FURNESS: And as a priest?

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

1 1989, also in Melbourne.

2

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

5

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

17

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

21

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

23

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

25

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

29

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

31

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

34

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

37

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

42

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

46

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7

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

13

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

20

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

29

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

32

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

38

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

1 live and try to promote.

2

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

4

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

7

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

10

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

20

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

26

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

30

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

33

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

42

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 38 LUNCHEON ADJOURNMENT

39  
40 MS FURNESS: Thank you, your Honour. There are just  
41 a couple of matters I want to raise with the four of you  
42 before I ask questions of the gentlemen at the Bar table.  
43

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

1 otherwise?

2

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

6

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

8

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

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

17

18 BISHOP LONG: Yes, yes, I do.

19

20 MS FURNESS: Have you done anything similar?

21

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

27

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

30

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

37

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

43

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

47

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

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

3  
4 BISHOP SAUNDERS: Yes.

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

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

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

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

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

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

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

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

38  
39 BISHOP SAUNDERS: Yes, we have.

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

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

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

1  
2 BISHOP SAUNDERS: There has been a complaint, but it was  
3 looked into by the police and wasn't taken any further, as  
4 the person involved who is accused is out of the country.  
5  
6 MS FURNESS: What did you do in relation to that  
7 complaint?  
8  
9 BISHOP SAUNDERS: Well, I was out of the country myself  
10 when it became public, so I asked the local priest to  
11 contact the police. This had already happened, because it  
12 was in fact something that was revealed within the school  
13 bounds, so then we sort of stepped back from it.  
14  
15 MS FURNESS: What did you do in respect of the priest?  
16 I understand you said he was overseas, but did you take any  
17 action in relation to the priest's faculties or --  
18  
19 BISHOP SAUNDERS: Yes, I rang his superior to tell him  
20 that when he returned from vacation, he would be stood down  
21 while there was a police investigation taking place. His  
22 superior didn't know that he was in the country and didn't  
23 know where he was at that stage. So that's all that we  
24 did.  
25  
26 MS FURNESS: Did the priest come back?  
27  
28 BISHOP SAUNDERS: He did not.  
29  
30 MS FURNESS: He didn't come back?  
31  
32 BISHOP SAUNDERS: He did not, despite the fact that I had  
33 urged his superior to send him back.  
34  
35 MS FURNESS: What order was it?  
36  
37 BISHOP SAUNDERS: It was the Heralds of Good News.  
38  
39 MS FURNESS: Is that a male order?  
40  
41 BISHOP SAUNDERS: It is a male order of priests based in  
42 the subcontinent.  
43  
44 MS FURNESS: In your statement, at paragraph 8 you say  
45 that your observations of the working of this  
46 Royal Commission and the encouragement of the Bishops  
47 Conference have led you to be more vigilant with regard to

1 clergy and religious. That's right?  
2  
3 BISHOP SAUNDERS: That's correct.  
4  
5 MS FURNESS: How has that vigilance played out?  
6  
7 BISHOP SAUNDERS: Well, in two ways. We're very, very  
8 strict on any priest coming in to the diocese. We have  
9 a lot of people on holidays. The only significant industry  
10 that is at work in Broome is the tourist industry, and we  
11 have a lot of clergy and religious who would come up on  
12 holidays, so we're very strict about them having  
13 professional standards clearances before they are able to  
14 celebrate mass or to be part and parcel of any life within  
15 the parish.  
16  
17 The other thing that we have decided to do is that at  
18 the next meeting of the priests and pastoral associates and  
19 principals, they will be having in-servicing from the  
20 Professional Standards Office of Western Australia.  
21  
22 MS FURNESS: In relation to the clergy that come on  
23 holidays and the like, you said that they need to have  
24 professional standards clearances.  
25  
26 BISHOP SAUNDERS: Mmm.  
27  
28 MS FURNESS: What do you mean by that?  
29  
30 BISHOP SAUNDERS: Well, I mean they have to have a letter  
31 from their bishop saying they are of good standing.  
32  
33 MS FURNESS: So a certificate, as it were, of good  
34 standing?  
35  
36 BISHOP SAUNDERS: That's correct.  
37  
38 MS FURNESS: Anything else?  
39  
40 BISHOP SAUNDERS: Well, this national system that is being  
41 rolled out will eventually take care of that.  
42  
43 MS FURNESS: By which you mean the register?  
44  
45 BISHOP SAUNDERS: That's correct.  
46  
47 MS FURNESS: You have heard the discussion this morning,



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

4  
5 BISHOP SAUNDERS: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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BISHOP SAUNDERS: I am not.

MS FURNESS: There are various forums available to you, with your fellow bishops, to discuss matters of common interest to the Church?

BISHOP SAUNDERS: Yes.

MS FURNESS: At any of those gatherings or forums, has this issue been raised?

BISHOP SAUNDERS: Which particular issue?

MS FURNESS: The one you have just spoken about in terms of --

BISHOP SAUNDERS: Clericalism?

MS FURNESS: Yes.

BISHOP SAUNDERS: I certainly have been part of conversations on several occasions with individual bishops or with a group of bishops. I would stand to be corrected here, but I don't know that we've spoken about it in plenary as a subject, but certainly with groups of bishops and individually with bishops.

MS FURNESS: In those discussions, have you found that your view is generally held or you are an outlier?

BISHOP SAUNDERS: Well, nobody has expressed a view to the contrary. In the conversations to which I have been party, there is great concern that our clergy are seen, by all of the bishops, as serving their people and serving them in equality. We know that doesn't exist, but it's also difficult in some circumstances to change things overnight, to change the scene as we would want it.

Certainly one of the things that has come up in conversation is this matter of clericalism, and indeed many of the matters that have been raised by the Royal Commission should become a subject of discussion at our synod, the Australian Synod which is planned in 2020. I would think that it has been fertile ground here today and in the other days to have listened to the proceedings of the Royal Commission, and I imagine that the findings of

1 the Royal Commission not only will be fertile ground but  
2 will be subject matter for that synod.  
3  
4 MS FURNESS: You refer to things not changing overnight,  
5 but of course it has been 20 years since the Church set up  
6 its first formal structure, being Towards Healing.  
7  
8 BISHOP SAUNDERS: Mmm.  
9  
10 MS FURNESS: So there has been a deal of time that has  
11 passed.  
12  
13 BISHOP SAUNDERS: Yes, there has, mmm.  
14  
15 MS FURNESS: And have there been changes in that time?  
16  
17 BISHOP SAUNDERS: Oh, I've seen lots of changes, but,  
18 I mean, one of the bishops I think said that sometimes  
19 parish priests are in a position where they are  
20 unassailable. Perhaps that's my word, not his. But that  
21 being the case, it's sometimes difficult, very difficult,  
22 to implement the sort of change that you want to implement  
23 because really it means changing people's attitudes. If  
24 you're going to change people's attitudes, that means  
25 well-founded strategies and good formation, ongoing  
26 formation for clergy with these issues in mind.  
27  
28 MS FURNESS: When you say "good strategy", do you mean  
29 strategy in addition to formation or that is part of the  
30 strategy?  
31  
32 BISHOP SAUNDERS: I mean winning over the minds of clergy  
33 and those that are working with you in such a way that they  
34 will want to not only cooperate but be part and parcel of  
35 a new way of being Church.  
36  
37 MS FURNESS: I take it from what you have said that there  
38 are priests whose minds have yet to be won over?  
39  
40 BISHOP SAUNDERS: I would imagine - that I had won over?  
41  
42 MS FURNESS: No, that haven't been won over.  
43  
44 BISHOP SAUNDERS: Yes.  
45  
46 MS FURNESS: That's right; that's your understanding?  
47

1 BISHOP SAUNDERS: I would imagine so.  
2  
3 MS FURNESS: What does one need to do to win them over?  
4  
5 BISHOP SAUNDERS: Well, I don't know that I can answer  
6 that. I think that that's --  
7  
8 MS FURNESS: The Church has to be able to answer it,  
9 doesn't it?  
10  
11 BISHOP SAUNDERS: I think that every Church in itself  
12 needs to answer that. In the Church of the Kimberley,  
13 where I come from, we're doing what we can because we know  
14 the people and we know the situation. The Church of  
15 wherever we want to talk about knows its own people and  
16 needs to apply itself to its own people.  
17  
18 A national approach is only good if it is implemented  
19 locally. To have a national standard is a wonderful thing,  
20 but it has to be accepted and then applied locally, and  
21 that's what takes time.  
22  
23 MS FURNESS: You believe you have applied it locally in  
24 your area?  
25  
26 BISHOP SAUNDERS: Well, I think we have. I think we have.  
27 I think we have a sense of mission that we share. Part of  
28 that, I have to say, is because of the geographical  
29 location of where we are and how we operate and the small  
30 numbers that are involved. We're able to discuss these  
31 issues in a mature way and apply strategies where  
32 necessary.  
33  
34 MS FURNESS: So the effect of what you are saying is that  
35 it depends upon individual bishops to effect the change you  
36 have described?  
37  
38 BISHOP SAUNDERS: The way the Catholic Church is, yes, it  
39 depends largely on the bishop - not entirely, but largely  
40 on the bishop and the leadership that the bishop affords  
41 his diocese. Of course, he has to have the cooperation of  
42 others, too.  
43  
44 MS FURNESS: Others being outside his diocese?  
45  
46 BISHOP SAUNDERS: Others being the priests that he is  
47 working with within his own diocese.

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

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

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

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

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

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

BISHOP SAUNDERS: Mmm.

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

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

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

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

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

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

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

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

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

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

10

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

15

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

20

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

23

24 BISHOP SAUNDERS: That's correct.

25

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

27

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

42

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

46

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



1  
2 MS FURNESS: You heard Bishop Hurley's evidence in  
3 relation to the Sacrament of Reconciliation and what he has  
4 done. Have you done anything similar in your diocese?  
5  
6 BISHOP SAUNDERS: Well, no, I haven't. The general  
7 practice for reconciliation in our diocese is to use the  
8 second rite, which is as he described, I think. Actually,  
9 the second rite goes a bit further. There is a public  
10 examination of conscience, scripture readings, so it is  
11 a liturgical moment, and then the individual confessions  
12 take place in the open, but obviously people are distanced  
13 from each other.  
14  
15 MS FURNESS: So in full sight, with supervision, in  
16 relation to children; is that right?  
17  
18 BISHOP SAUNDERS: Yes, and adults, yes.  
19  
20 MS FURNESS: Now, just turning to the redress scheme which  
21 the Commonwealth has indicated it will introduce, have you  
22 formed a view as to whether your diocese should be part of  
23 that scheme?  
24  
25 BISHOP SAUNDERS: I think it's absolutely essential.  
26  
27 MS FURNESS: Thank you. Perhaps if I can now turn to you,  
28 bishop. Would you tell the Royal Commission your full  
29 name?  
30  
31 BISHOP TARABAY: Antoine-Charbel Tarabay.  
32  
33 MS FURNESS: And your position?  
34  
35 BISHOP TARABAY: Maronite Bishop of Australia.  
36  
37 MS FURNESS: Perhaps you could say that again somewhat  
38 slower?  
39  
40 BISHOP TARABAY: Maronite Bishop of Australia.  
41  
42 MS FURNESS: The Maronite is an eastern rite eparchy?  
43  
44 BISHOP TARABAY: Yes.  
45  
46 MS FURNESS: Perhaps you could explain to us what that  
47 means?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 involve children?  
2  
3 BISHOP TARABAY: Yes. In our parishes, we have activities  
4 for children, especially during Saturday and Sunday, and we  
5 have different groups of children coming to the parishes  
6 for that reason.  
7  
8 MS FURNESS: I think you follow Towards Healing?  
9  
10 BISHOP TARABAY: Yes, we do.  
11  
12 MS FURNESS: Have you had many complaints in relation to  
13 allegations against Maronites?  
14  
15 BISHOP TARABAY: Only one complaint. After I became  
16 bishop in 2013, a few months later we received one  
17 complaint, in October 2013.  
18  
19 MS FURNESS: What happened with that complaint?  
20  
21 BISHOP TARABAY: Firstly, Ms Furness, because after the  
22 verdict, there is a non-publication order, so I might ask  
23 you to guide me in answering this question.  
24  
25 MS FURNESS: By "verdict", do you mean in a criminal  
26 court?  
27  
28 BISHOP TARABAY: Yes.  
29  
30 MS FURNESS: So a person was convicted?  
31  
32 BISHOP TARABAY: Yes, the person was convicted. However,  
33 there is a non-publication order, so if you can help me  
34 answering this question, please?  
35  
36 MS FURNESS: In respect of his name; is that how you  
37 understand it?  
38  
39 BISHOP TARABAY: I'm trying to ask you to guide me how to  
40 understand the non-publication order.  
41  
42 THE CHAIR: It would probably be an order that covers the  
43 complainant as well as the wrongdoer, and that would be to  
44 protect the name of the complainant. So no names, and no  
45 locations, either.  
46  
47 MS FURNESS: What happened to that priest - he was

1 a priest, was he?  
2  
3 BISHOP TARABAY: Yes.  
4  
5 MS FURNESS: What happened to that priest after the court  
6 verdict?  
7  
8 BISHOP TARABAY: He is serving his sentence in gaol.  
9  
10 MS FURNESS: Have you taken any action against him?  
11  
12 BISHOP TARABAY: When we received the complaint,  
13 immediately we put him on leave and we informed - we were  
14 in touch with the Office of Professional Standards of the  
15 Catholic Church and we were guided by them. We informed  
16 the police, and the procedure started. So he was on leave.  
17 He has no right to practise any ministry during that time,  
18 during the investigation.  
19  
20 MS FURNESS: Thank you. Do you have a copy of your  
21 statement with you?  
22  
23 BISHOP TARABAY: Yes.  
24  
25 MS FURNESS: I think that is dated 4 November 2016?  
26  
27 BISHOP TARABAY: Correct.  
28  
29 MS FURNESS: And the contents of that are true and  
30 correct, bishop?  
31  
32 BISHOP TARABAY: Yes, it is correct.  
33  
34 MS FURNESS: In paragraph 50, towards the end of your  
35 statement, you describe that most of your clergy live in  
36 a presbytery with other priest or priests, and you say that  
37 they are supervised in that they live in company with one  
38 another. Now, is it the case that they are aware, by you,  
39 that by living together they have some supervisory role  
40 over each other?  
41  
42 BISHOP TARABAY: Yes. Let me first explain, Ms Furness,  
43 that for the clergy in the diocese at the moment, I have  
44 54; 21 of them are married, so they live with their  
45 families at home. We adopt the policy in the diocese to  
46 try not to have a priest living alone, to have all the time  
47 two priests, three priests. In some parishes, we have six

1 or seven priests living together.

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

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

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

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

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

21 THE CHAIR: Commissioner Atkinson?  
22

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

27 ARCHBISHOP PROWSE: Yes.  
28

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

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

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

43 ARCHBISHOP PROWSE: I did.  
44

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

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

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

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

19  
20 COMMISSIONER ATKINSON: You do mention that project in  
21 your statement. Within Tasmania, then, under your  
22 stewardship, do any of the programs that you have engage  
23 with organisations that work as victim support agencies?  
24

25 ARCHBISHOP PORTEOUS: No, we haven't.

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

29  
30 JUSTICE COATE: Archbishop Prowse, your evidence to us was  
31 that you have 56 schools in your parish?  
32

33 ARCHBISHOP PROWSE: Correct.

34  
35 JUSTICE COATE: If I have understood what you have  
36 provided to us in your statement, you are effectively the  
37 structural head of the Catholic Education Office --  
38

39 ARCHBISHOP PROWSE: Correct.

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

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

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

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

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

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

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

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

1 in each of the 56 schools in your parish?

2

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

8

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

11

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

20

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

30

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

36

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

41

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

46

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 THE CHAIR: Ms Needham?  
42

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

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

1 <EXAMINATION BY MS NEEDHAM:

2

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

8

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

10

11 MS NEEDHAM: Do your seminarians attend that seminary?

12

13 ARCHBISHOP PROWSE: They do.

14

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

18

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

24

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

27

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

34

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

41

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

44

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

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

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

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

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

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

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

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

35  
36 ARCHBISHOP PROWSE: Yes.

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

41  
42 ARCHBISHOP PROWSE: Yes.

43  
44 THE CHAIR: Have you addressed that issue?

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



1 fully, thank you.  
2  
3 MS NEEDHAM: And you are also currently the administrator  
4 of the Diocese of Wagga Wagga?  
5  
6 ARCHBISHOP PROWSE: Yes, just over the last few months  
7 I have been.  
8  
9 MS NEEDHAM: And that's a temporary appointment until a  
10 bishop is appointed; is that right?  
11  
12 ARCHBISHOP PROWSE: Yes, the former bishop has resigned  
13 due to ill health and we now wait for the Pope to appoint  
14 a new bishop, and in the interregnum I have been asked to  
15 be the apostolic administrator.  
16  
17 MS NEEDHAM: Has that been for the last four months?  
18  
19 ARCHBISHOP PROWSE: Yes, it has.  
20  
21 MS NEEDHAM: Have you, in that time, visited the Wagga  
22 seminary?  
23  
24 ARCHBISHOP PROWSE: I have once, for an extended afternoon  
25 and evening. Only once, though.  
26  
27 MS NEEDHAM: Are you in a position to make or recommend  
28 changes, if necessary, to the Wagga seminary?  
29  
30 ARCHBISHOP PROWSE: No, I wouldn't think I would have the  
31 authority to do that just at the moment, but I would like  
32 to, in the times ahead, be able to visit there a bit more  
33 often. I have been in touch with the rector there through  
34 correspondence and what have you.  
35  
36 MS NEEDHAM: Thank you. You were also asked some  
37 questions about your non-attendance at the Marist College  
38 liturgy of lament.  
39  
40 ARCHBISHOP PROWSE: Yes.  
41  
42 MS NEEDHAM: Is it the case that you refused to go to  
43 that?  
44  
45 ARCHBISHOP PROWSE: No, I didn't refuse to go to it. Some  
46 of my senior priests went to it. I was very keen to engage  
47 the whole diocese on this important area, and I - in

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

4  
5 MS NEEDHAM: And was that the media release dated  
6 11 November which you published?

7  
8 ARCHBISHOP PROWSE: Correct.

9  
10 MS NEEDHAM: Thank you. Now, Archbishop Porteous, you  
11 gave evidence that your seminarians attended the Corpus  
12 Christi seminary in Melbourne; is that correct?

13  
14 ARCHBISHOP PORTEOUS: That's correct, yes.

15  
16 MS NEEDHAM: You gave some evidence about a psychologist  
17 being in-house. Are you aware of any other screening  
18 process that goes on in that seminary?

19  
20 ARCHBISHOP PORTEOUS: Yes. My reference to the  
21 psychologist before was in relation to Sydney. So with  
22 regard to Melbourne, I have actually for a long time had  
23 a great confidence in the processes that are in place in  
24 Melbourne. They have some very thorough-going sessions to  
25 deal with growth in sexual maturity and so on. The  
26 processes in the seminary itself - I think there is a very  
27 high quality of pastoral oversight from formation staff.  
28 So all of my experience with Melbourne has been very, very  
29 positive and gives me a great deal of confidence in the  
30 programs that are in place in that seminary.

31  
32 MS NEEDHAM: And are you aware of the Vitality service  
33 provided by Dr Robinson who gave evidence earlier in these  
34 proceedings?

35  
36 ARCHBISHOP PORTEOUS: I've been aware of it because that  
37 was in Sydney, yes, when I was in Sydney, yes.

38  
39 MS NEEDHAM: Are you aware of her service having any role  
40 in the Melbourne seminary?

41  
42 ARCHBISHOP PORTEOUS: No, no, I would not be familiar with  
43 that.

44  
45 MS NEEDHAM: Now, you were asked some questions about the  
46 Safe Communities program, or I think you mentioned that in  
47 an answer. Would you be able to tell the Commissioners a

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

3

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

11

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

19

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

34

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

42

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

46

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

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

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

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

25  
26 BISHOP TARABAY: Yes.

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

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

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

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

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

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

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

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

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

34  
35 BISHOP TARABAY: Yes, I am.

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

40  
41 BISHOP TARABAY: I thank her for that.

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

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

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

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

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

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

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

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

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

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

47

1 So I became very determined that this must be my  
2 priority, especially as an ordinary in the diocese, to  
3 ensure that victims receive justice, receive respect,  
4 receive dignity, receive all that is due to them.  
5

6 And so when I came to Parramatta, I wanted to  
7 implement that, and I can say with a degree of confidence  
8 that the victims who have had recourse to our system, to  
9 our Office of Safeguarding and Professional Standards, are  
10 treated with dignity, respect and, most of all, justice.  
11

12 The Healing and Support team is one way to ensure that  
13 the victims are properly assisted, accompanied, that there  
14 isn't a legal shield that prevents them from accessing  
15 justice and dignity.  
16

17 I must say that the victims who have gone through our  
18 system are, by and large, satisfied with the way we have  
19 treated them. I sat with nine victims and listened to  
20 their stories and all nine of them conveyed their  
21 appreciation and gratitude. That's not to say that I can  
22 be complacent about it, but I just want to ensure that  
23 victims who come to our diocese, come to our system, do  
24 experience, genuinely, healing, justice and dignity.  
25

26 MS NEEDHAM: Do you take the view that your own personal  
27 experience, which we have heard about, as a refugee  
28 transiting through a Malaysian refugee camp - has that  
29 informed in any way your response to the victims of child  
30 sexual abuse?  
31

32 BISHOP LONG: I think it does. I think we are all  
33 products of our life experiences and being a refugee  
34 provides me with that particular vantage point through  
35 which I form relationships with people, I evaluate their  
36 individuality, their personal stories, their dignity.  
37

38 I was also a victim of sexual abuse by clergy when  
39 I first came to Australia, even though I was an adult, so  
40 that had a powerful impact on me and how I want to, you  
41 know, walk in the shoes of other victims and really  
42 endeavour to attain justice and dignity for them.  
43

44 MS NEEDHAM: Thank you, Bishop Long. No further  
45 questions.  
46

47 MS FURNESS: Nothing further, your Honour.

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THE CHAIR: May they all be excused?

MS FURNESS: Yes.

THE CHAIR: You are all excused. Before you go, can I thank each of you for joining with us today. Some of you have travelled a great distance.

The work that we have done over, now, four years, of course, has concerned or is concerned with a great many institutions throughout Australia, not just the Catholic Church, but I'm sure it's apparent to all of you, and others, that the numbers, if nothing else, tell us that there is a story that needed to be looked at with the Church, with your Church, in detail, and that not only is it necessary for us to understand, but it's more important, perhaps, that you understand what has been taking place and come, with all of your colleagues, to determine the way forward. So thank you again. You are excused.

**<THE WITNESSES WITHDREW**

MS FURNESS: Your Honour, perhaps just before we adjourn, could I tender a bundle of documents which are the policies and procedures described in the statement tender bundle, which I tendered this morning.

THE CHAIR: That will be exhibit 50-011.

MS FURNESS: There is one exception to that, which is tab 539, which is not tendered.

THE CHAIR: Very well. Tomorrow morning at 10?

MS FURNESS: Yes, your Honour.

THE CHAIR: Who do we have tomorrow?

MS FURNESS: We have the heads of the various religious institutes.

THE CHAIR: The institutes. Yes, very well. We will adjourn until then.

**AT 3.40PM THE COMMISSION WAS ADJOURNED TO  
WEDNESDAY, 22 FEBRUARY 2017 AT 10AM**



<p style="text-align: center;"><b>#</b></p> <p><b>#50-009</b> [1] - 25722:33 <b>#50-010</b> [1] - 25759:23</p> <p style="text-align: center;"><b>1</b></p> <p><b>1</b> [1] - 25719:23 <b>10</b> [3] - 25788:27, 25818:14, 25822:34 <b>10,000</b> [1] - 25787:41 <b>10.04am</b> [6] - 25720:11, 25720:13, 25720:15, 25720:17, 25720:19, 25720:21 <b>10am</b> [1] - 25719:26 <b>10AM</b> [1] - 25822:47 <b>11</b> [2] - 25727:44, 25816:6 <b>13</b> [2] - 25787:45, 25792:19 <b>14</b> [5] - 25749:42, 25749:46, 25751:20, 25758:10, 25807:18 <b>15.1</b> [1] - 25737:27 <b>16</b> [3] - 25760:39, 25777:28, 25778:46 <b>16,000</b> [1] - 25740:43 <b>16A</b> [1] - 25738:36 <b>17</b> [3] - 25719:22, 25807:20, 25807:21 <b>18</b> [1] - 25759:42 <b>19</b> [2] - 25805:29, 25807:21 <b>1950</b> [2] - 25737:40, 25809:40 <b>1950s</b> [1] - 25731:34 <b>1960s</b> [1] - 25731:34 <b>1974</b> [1] - 25740:24 <b>1980</b> [2] - 25720:38, 25777:27 <b>1980s</b> [1] - 25755:11 <b>1981</b> [1] - 25777:33 <b>1989</b> [1] - 25777:1 <b>1990s</b> [1] - 25743:25 <b>1996</b> [3] - 25787:22, 25796:23, 25796:30</p>	<p>25803:25, 25805:27 <b>2017</b> [2] - 25719:26, 25822:47 <b>2020</b> [1] - 25793:44 <b>20th</b> [2] - 25777:32, 25801:1 <b>21</b> [2] - 25719:26, 25803:44 <b>22</b> [1] - 25822:47 <b>23</b> [1] - 25800:11 <b>252</b> [1] - 25719:19 <b>26</b> [1] - 25776:43 <b>28</b> [1] - 25758:18</p> <p style="text-align: center;"><b>3</b></p> <p><b>3.40PM</b> [1] - 25822:46 <b>30</b> [1] - 25798:14 <b>37</b> [1] - 25770:40</p> <p style="text-align: center;"><b>4</b></p> <p><b>4</b> [3] - 25722:40, 25796:31, 25803:25 <b>40</b> [1] - 25751:46 <b>4th</b> [1] - 25800:26</p> <p style="text-align: center;"><b>5</b></p> <p><b>5</b> [1] - 25760:39 <b>50</b> [4] - 25719:18, 25773:29, 25792:8, 25803:34 <b>50-009</b> [1] - 25722:31 <b>50-010</b> [1] - 25759:21 <b>50-011</b> [1] - 25822:29 <b>50-odd</b> [1] - 25721:19 <b>539</b> [1] - 25822:32 <b>54</b> [1] - 25803:44 <b>56</b> [4] - 25721:12, 25721:21, 25808:31, 25810:1 <b>5th</b> [1] - 25800:26</p> <p style="text-align: center;"><b>6</b></p> <p><b>6</b> [1] - 25740:14 <b>60</b> [1] - 25773:29</p> <p style="text-align: center;"><b>7</b></p> <p><b>7</b> [2] - 25749:42, 25749:46 <b>707</b> [1] - 25817:14 <b>75</b> [1] - 25792:7 <b>773,000</b> [1] - 25787:34</p> <p style="text-align: center;"><b>8</b></p> <p><b>8</b> [3] - 25723:2, 25789:44, 25805:25 <b>82</b> [1] - 25772:8</p>	<p style="text-align: center;"><b>9</b></p> <p><b>9</b> [1] - 25805:27 <b>90</b> [2] - 25801:2</p> <p style="text-align: center;"><b>A</b></p> <p><b>abetting</b> [1] - 25811:13 <b>ability</b> [2] - 25747:19, 25750:10 <b>able</b> [48] - 25724:24, 25724:30, 25724:32, 25724:37, 25724:40, 25727:18, 25729:32, 25730:17, 25730:21, 25730:39, 25731:25, 25731:37, 25733:28, 25733:31, 25734:26, 25734:40, 25737:8, 25738:1, 25738:2, 25738:12, 25738:17, 25738:42, 25745:34, 25751:38, 25752:10, 25753:27, 25761:44, 25764:22, 25770:25, 25772:24, 25774:8, 25774:10, 25778:33, 25779:39, 25790:13, 25795:8, 25795:30, 25806:25, 25808:47, 25809:26, 25810:19, 25814:14, 25814:21, 25815:32, 25816:47, 25819:28, 25820:26 <b>abolition</b> [1] - 25780:30 <b>Aboriginal</b> [1] - 25772:6 <b>absence</b> [1] - 25785:12 <b>absolute</b> [5] - 25730:46, 25759:10, 25768:23, 25770:12, 25810:45 <b>absolutely</b> [4] - 25775:40, 25775:41, 25799:25, 25804:44 <b>abuse</b> [59] - 25726:2, 25730:11, 25730:33, 25732:3, 25733:47, 25734:23, 25734:38, 25735:16, 25736:11, 25738:26, 25742:40, 25742:42, 25742:46, 25743:6, 25743:7, 25743:11, 25743:20, 25743:36, 25743:41, 25744:7, 25744:9, 25744:25, 25745:21, 25745:23, 25745:24, 25746:5, 25746:6, 25747:14, 25747:33, 25747:45, 25748:18, 25748:26, 25751:34, 25755:45, 25756:1, 25757:9, 25757:12, 25757:27, 25763:38, 25770:9, 25779:21, 25784:21, 25785:30, 25791:2, 25791:8,</p>	<p>25791:14, 25791:34, 25798:36, 25811:13, 25811:44, 25812:30, 25814:19, 25817:15, 25817:17, 25820:20, 25820:28, 25821:30, 25821:38 <b>ABUSE</b> [1] - 25719:14 <b>abused</b> [5] - 25723:39, 25731:9, 25748:7, 25769:18, 25798:45 <b>abusing</b> [1] - 25745:23 <b>abusive</b> [1] - 25753:17 <b>academic</b> [2] - 25763:47, 25764:3 <b>accept</b> [10] - 25729:2, 25748:28, 25748:32, 25757:5, 25757:7, 25757:16, 25774:37, 25780:2, 25781:16, 25781:27 <b>acceptance</b> [4] - 25764:36, 25765:31, 25765:32, 25810:34 <b>accepted</b> [6] - 25742:2, 25767:8, 25778:3, 25795:20, 25820:3, 25820:7 <b>accepting</b> [3] - 25774:33, 25778:7 <b>accepts</b> [1] - 25729:4 <b>access</b> [13] - 25726:44, 25727:4, 25727:11, 25730:3, 25738:25, 25766:7, 25766:9, 25766:27, 25766:33, 25766:34, 25772:29, 25772:30 <b>accessing</b> [1] - 25821:14 <b>accident</b> [1] - 25774:1 <b>accidents</b> [1] - 25762:34 <b>accommodate</b> [1] - 25778:32 <b>accompanied</b> [1] - 25821:13 <b>accountability</b> [10] - 25724:31, 25732:26, 25733:40, 25734:21, 25784:25, 25784:29, 25784:32, 25784:43, 25784:45, 25785:10 <b>accountable</b> [2] - 25757:11, 25784:26 <b>accoutrements</b> [1] - 25783:1 <b>accreditation</b> [5] - 25763:10, 25763:12, 25763:30, 25763:31, 25763:35 <b>accredited</b> [1] - 25763:6 <b>accrue</b> [1] - 25751:10 <b>acculturation</b> [1] - 25772:1 <b>accurate</b> [2] - 25732:23, 25764:12 <b>accused</b> [1] - 25789:4 <b>acknowledged</b> [1] -</p>	<p>25755:17 <b>ACT</b> [7] - 25725:43, 25726:1, 25726:4, 25726:15, 25726:23, 25728:19, 25739:6 <b>act</b> [1] - 25780:14 <b>acted</b> [2] - 25751:35, 25753:34 <b>acting</b> [1] - 25809:27 <b>action</b> [4] - 25744:33, 25759:2, 25789:17, 25803:10 <b>active</b> [1] - 25817:38 <b>activities</b> [6] - 25721:34, 25762:16, 25766:23, 25788:19, 25801:47, 25802:3 <b>activity</b> [1] - 25749:43 <b>acts</b> [3] - 25742:47, 25743:2, 25744:45 <b>actual</b> [1] - 25818:15 <b>acutely</b> [3] - 25744:9, 25744:11, 25744:12 <b>adapted</b> [1] - 25788:41 <b>addition</b> [3] - 25778:35, 25788:13, 25794:29 <b>address</b> [16] - 25731:3, 25745:30, 25747:13, 25748:38, 25749:13, 25751:20, 25752:36, 25753:30, 25780:22, 25780:24, 25780:26, 25780:27, 25780:34, 25785:32, 25785:33, 25809:10 <b>addressed</b> [8] - 25749:44, 25750:24, 25756:20, 25785:30, 25809:45, 25811:7, 25811:8, 25814:44 <b>addressing</b> [4] - 25745:11, 25746:20, 25785:24, 25807:19 <b>adequately</b> [2] - 25747:18, 25810:19 <b>adjourn</b> [2] - 25822:24, 25822:44 <b>ADJOURNED</b> [1] - 25822:46 <b>adjournment</b> [1] - 25757:36 <b>ADJOURNMENT</b> [2] - 25757:38, 25785:38 <b>administrator</b> [3] - 25787:28, 25815:3, 25815:15 <b>Administrator</b> [1] - 25720:34 <b>admit</b> [1] - 25797:10 <b>adopt</b> [4] - 25750:47, 25779:6, 25803:45, 25804:44 <b>adopted</b> [2] - 25785:2, 25785:3 <b>adult</b> [2] - 25820:40, 25821:39 <b>adults</b> [7] - 25738:33,</p>
.21/02/2017 (252)		1		

25739:15, 25753:5,  
25780:8, 25799:18,  
25809:24, 25809:27  
**advance** [1] - 25751:13  
**advancement** [1] -  
25812:16  
**advancing** [1] - 25811:31  
**advantage** [1] - 25751:44  
**advantages** [3] -  
25751:43, 25752:9,  
25792:27  
**advise** [1] - 25813:21  
**advising** [2] - 25813:6,  
25813:15  
**advisory** [1] - 25807:38  
**affair** [1] - 25784:42  
**affect** [1] - 25772:41  
**affected** [3] - 25759:45,  
25760:1, 25760:30  
**affecting** [1] - 25784:8  
**affects** [1] - 25761:1  
**afflicting** [1] - 25733:16  
**affliction** [1] - 25733:16  
**affords** [1] - 25795:40  
**afraid** [1] - 25792:13  
**afternoon** [1] - 25815:24  
**afterwards** [1] - 25756:43  
**age** [1] - 25727:43  
**agencies** [19] - 25724:13,  
25724:23, 25725:2,  
25725:11, 25725:12,  
25725:31, 25725:40,  
25725:41, 25727:2,  
25729:33, 25738:39,  
25741:1, 25788:16,  
25805:31, 25807:25,  
25807:30, 25808:12,  
25808:23, 25818:1  
**agency** [7] - 25722:5,  
25726:21, 25740:45,  
25760:22, 25801:44,  
25818:2, 25818:7  
**ago** [4] - 25725:44,  
25768:39, 25796:24,  
25798:2  
**agree** [10] - 25735:38,  
25748:35, 25755:46,  
25782:27, 25782:34,  
25791:11, 25791:32,  
25791:33, 25796:4,  
25805:35  
**agreed** [1] - 25735:22  
**ahead** [7] - 25724:24,  
25727:35, 25731:42,  
25806:9, 25806:47,  
25810:39, 25815:32  
**aim** [1] - 25730:34  
**aims** [1] - 25730:34  
**Alan** [1] - 25787:16  
**ALAN** [1] - 25720:13  
**alarm** [1] - 25752:29  
**alerted** [1] - 25743:46  
**Alice** [1] - 25773:47  
**alike** [1] - 25784:8  
**allegation** [1] - 25728:11  
**allegations** [3] - 25724:21,  
25791:14, 25802:13

**alleged** [1] - 25798:44  
**allow** [1] - 25747:26  
**alluded** [1] - 25811:6  
**almost** [6] - 25723:35,  
25765:17, 25767:33,  
25768:18, 25779:31,  
25801:2  
**alone** [1] - 25803:46  
**alongside** [3] - 25727:36,  
25727:42, 25792:44  
**alpine** [1] - 25721:15  
**altar** [1] - 25766:27  
**altered** [1] - 25746:29  
**altogether** [1] - 25792:19  
**AM** [2] - 25719:32,  
25719:35  
**amalgamating** [1] -  
25725:30  
**amalgamation** [1] -  
25725:36  
**ambit** [1] - 25776:5  
**amendments** [1] -  
25726:18  
**amount** [3] - 25770:32,  
25788:29, 25788:30  
**analogy** [1] - 25792:31  
**ancestry** [1] - 25818:33  
**ancient** [1] - 25800:22  
**Andrew** [1] - 25719:37  
**angst** [1] - 25809:27  
**Ann** [1] - 25719:33  
**announced** [1] - 25775:32  
**annual** [1] - 25774:3  
**answer** [14] - 25730:8,  
25732:27, 25736:33,  
25745:34, 25746:2,  
25746:40, 25749:21,  
25755:2, 25772:16,  
25792:37, 25795:5,  
25795:8, 25795:12,  
25816:47  
**answered** [2] - 25744:26,  
25768:4  
**answering** [4] - 25744:31,  
25744:35, 25802:23,  
25802:34  
**ANTOINE** [1] - 25720:11  
**Antoine** [1] - 25799:31  
**ANTOINE-CHARBEL** [1] -  
25720:11  
**Antoine-Charbel** [1] -  
25799:31  
**anyway** [3] - 25768:27,  
25770:16, 25798:36  
**AO** [1] - 25719:34  
**apart** [5] - 25734:43,  
25741:1, 25780:14,  
25788:30, 25807:45  
**APM** [1] - 25719:34  
**apologised** [1] - 25816:2  
**apologising** [1] -  
25797:45  
**apology** [4] - 25735:23,  
25735:39, 25737:6,  
25786:4  
**apostolic** [1] - 25815:15  
**Apostolic** [1] - 25720:34

**apparent** [2] - 25797:21,  
25822:13  
**applications** [1] -  
25777:43  
**applied** [6] - 25769:27,  
25778:2, 25791:25,  
25795:20, 25795:23,  
25796:8  
**apply** [8] - 25759:34,  
25778:13, 25788:34,  
25795:16, 25795:31,  
25796:9, 25796:11,  
25796:37  
**applying** [1] - 25797:6  
**appoint** [1] - 25815:13  
**appointed** [3] - 25720:47,  
25773:45, 25815:10  
**appointment** [8] -  
25733:36, 25733:44,  
25776:33, 25776:37,  
25783:34, 25784:38,  
25784:40, 25815:9  
**appointments** [1] -  
25777:11  
**appreciate** [1] - 25782:19  
**appreciates** [1] - 25811:26  
**appreciation** [2] -  
25732:1, 25821:21  
**approach** [15] - 25723:18,  
25731:39, 25733:11,  
25735:35, 25747:18,  
25750:42, 25754:42,  
25755:36, 25775:45,  
25779:7, 25779:23,  
25786:12, 25795:18,  
25811:1, 25811:18  
**approaches** [3] -  
25725:33, 25777:44,  
25782:17  
**appropriate** [10] -  
25722:28, 25734:41,  
25735:18, 25737:1,  
25742:7, 25744:32,  
25747:35, 25757:27,  
25809:26, 25809:37  
**appropriately** [6] -  
25743:7, 25744:34,  
25744:35, 25745:1,  
25756:35, 25791:13  
**Arabic** [1] - 25819:26  
**Aramaic** [1] - 25800:21  
**Archbishop** [16] -  
25720:8, 25720:25,  
25720:28, 25720:31,  
25720:33, 25740:8,  
25740:33, 25756:43,  
25765:22, 25781:10,  
25781:30, 25805:1,  
25808:7, 25813:3,  
25813:6, 25816:10  
**archbishop** [38] - 25721:6,  
25722:26, 25723:12,  
25723:21, 25727:1,  
25727:46, 25728:15,  
25728:33, 25731:47,  
25733:36, 25734:45,  
25735:3, 25735:28,

25739:30, 25739:38,  
25740:22, 25741:5,  
25744:15, 25745:11,  
25746:3, 25746:20,  
25748:41, 25749:39,  
25751:40, 25753:32,  
25754:3, 25757:2,  
25782:13, 25787:5,  
25805:23, 25807:17,  
25808:30, 25813:4,  
25813:16, 25813:33,  
25814:23, 25817:6,  
25818:22  
**ARCHBISHOP** [171] -  
25720:28, 25720:33,  
25720:40, 25720:45,  
25721:3, 25721:8,  
25721:12, 25721:21,  
25721:28, 25721:44,  
25722:5, 25722:13,  
25722:23, 25722:37,  
25722:42, 25722:46,  
25723:6, 25723:10,  
25724:10, 25724:47,  
25725:9, 25725:14,  
25725:35, 25726:17,  
25726:37, 25726:43,  
25727:4, 25727:9,  
25727:25, 25728:2,  
25728:7, 25728:18,  
25729:11, 25729:47,  
25730:10, 25731:6,  
25732:7, 25732:15,  
25732:30, 25733:14,  
25733:43, 25734:2,  
25734:8, 25734:14,  
25734:36, 25735:7,  
25735:13, 25735:30,  
25735:38, 25735:44,  
25736:2, 25736:13,  
25736:21, 25736:41,  
25737:20, 25737:30,  
25737:34, 25737:40,  
25738:9, 25738:28,  
25738:41, 25739:3,  
25739:12, 25739:21,  
25739:32, 25739:42,  
25740:1, 25740:5,  
25740:12, 25740:16,  
25740:20, 25740:26,  
25740:31, 25740:36,  
25740:42, 25741:8,  
25741:15, 25741:23,  
25741:35, 25742:9,  
25743:2, 25743:10,  
25743:23, 25743:44,  
25744:5, 25744:19,  
25744:29, 25744:42,  
25745:14, 25745:19,  
25745:33, 25746:8,  
25746:33, 25746:43,  
25747:10, 25747:17,  
25747:31, 25748:35,  
25749:8, 25749:25,  
25749:34, 25750:3,  
25750:9, 25750:21,  
25750:32, 25751:24,  
25751:42, 25752:26,

25752:41, 25753:19,  
25753:44, 25754:5,  
25754:16, 25754:28,  
25754:37, 25755:2,  
25755:21, 25756:3,  
25756:14, 25757:7,  
25757:19, 25757:24,  
25757:32, 25781:14,  
25781:33, 25782:5,  
25782:11, 25782:27,  
25786:31, 25787:1,  
25787:8, 25805:5,  
25805:41, 25806:18,  
25806:32, 25806:41,  
25807:9, 25807:27,  
25807:34, 25807:43,  
25808:1, 25808:11,  
25808:25, 25808:33,  
25808:39, 25809:13,  
25810:3, 25810:12,  
25813:9, 25813:13,  
25813:19, 25813:28,  
25813:45, 25814:13,  
25814:28, 25814:36,  
25814:42, 25814:46,  
25815:6, 25815:12,  
25815:19, 25815:24,  
25815:30, 25815:40,  
25815:45, 25816:8,  
25816:14, 25816:20,  
25816:36, 25816:42,  
25817:4  
**archbishop's** [1] -  
25813:19  
**archbishops** [3] -  
25806:15, 25806:39,  
25807:5  
**Archdiocese** [5] -  
25720:38, 25722:6,  
25740:23, 25817:12,  
25817:45  
**archdiocese** [18] -  
25720:43, 25721:10,  
25721:26, 25722:21,  
25723:11, 25723:18,  
25725:6, 25725:42,  
25726:22, 25727:27,  
25735:16, 25736:8,  
25737:6, 25737:14,  
25738:25, 25782:12,  
25805:32, 25810:15  
**archdiocese's** [1] -  
25740:39  
**archdioceses** [1] -  
25807:7  
**area** [27] - 25721:19,  
25722:9, 25729:22,  
25731:30, 25738:17,  
25738:20, 25738:44,  
25740:44, 25751:16,  
25751:29, 25751:32,  
25754:9, 25754:21,  
25759:38, 25763:35,  
25780:43, 25787:32,  
25787:37, 25792:15,  
25795:24, 25807:1,  
25807:2, 25808:2,  
25808:3, 25810:19,

<p>25813:28, 25815:47  <b>areas</b> [21] - 25720:2,  25721:14, 25721:15,  25721:16, 25723:26,  25725:6, 25727:28,  25738:10, 25738:14,  25740:46, 25751:26,  25784:22, 25788:13,  25791:20, 25810:22,  25813:22, 25813:25,  25813:35, 25813:39,  25817:41  <b>argue</b> [3] - 25748:44,  25760:33, 25776:16  <b>argument</b> [2] - 25748:47,  25792:31  <b>arise</b> [1] - 25726:12  <b>arises</b> [1] - 25773:26  <b>arm</b> [3] - 25763:1,  25788:6, 25801:42  <b>arrangement</b> [2] -  25785:12, 25808:41  <b>arrangements</b> [2] -  25783:46, 25784:15  <b>arrived</b> [2] - 25724:3,  25729:31  <b>articles</b> [1] - 25773:12  <b>aspect</b> [7] - 25730:31,  25736:5, 25736:34,  25746:47, 25776:1,  25805:34, 25807:17  <b>aspects</b> [3] - 25734:28,  25786:33, 25805:24  <b>aspirations</b> [1] - 25792:39  <b>assemblies</b> [1] - 25736:15  <b>assess</b> [2] - 25752:12,  25752:21  <b>assessed</b> [1] - 25820:6  <b>assessment</b> [2] -  25762:28, 25820:15  <b>assessments</b> [2] -  25752:39, 25762:16  <b>assigned</b> [1] - 25753:22  <b>assist</b> [1] - 25750:38  <b>assistance</b> [2] - 25810:18,  25818:46  <b>assistant</b> [1] - 25777:11  <b>assisted</b> [2] - 25785:7,  25821:13  <b>Assisting</b> [1] - 25719:41  <b>associated</b> [1] - 25741:19  <b>associates</b> [2] - 25790:18,  25792:26  <b>assume</b> [1] - 25728:44  <b>assumption</b> [1] -  25747:44  <b>assurance</b> [1] - 25756:31  <b>assure</b> [3] - 25723:38,  25723:43, 25729:30  <b>AT</b> [2] - 25822:46,  25822:47  <b>ATKINSON</b> [22] -  25753:32, 25754:2,  25754:12, 25754:23,  25754:35, 25754:44,  25755:9, 25755:41,  25756:8, 25756:42,</p>	<p>25805:23, 25806:14,  25806:29, 25806:37,  25807:5, 25807:17,  25807:29, 25807:40,  25807:45, 25808:6,  25808:20, 25808:27  <b>Atkinson</b> [2] - 25719:34,  25805:21  <b>attached</b> [2] - 25733:7,  25797:41  <b>attack</b> [1] - 25768:28  <b>attain</b> [1] - 25821:42  <b>attend</b> [5] - 25735:44,  25759:6, 25813:11,  25813:42  <b>attendance</b> [1] - 25815:37  <b>attendant</b> [1] - 25811:14  <b>attended</b> [3] - 25735:47,  25769:47, 25816:11  <b>attends</b> [1] - 25769:37  <b>attention</b> [3] - 25751:29,  25759:15, 25792:37  <b>attitude</b> [12] - 25751:3,  25751:3, 25753:19,  25755:35, 25765:26,  25767:45, 25779:44,  25781:43, 25781:47,  25783:31, 25797:14  <b>attitudes</b> [3] - 25782:28,  25794:23, 25794:24  <b>attracted</b> [1] - 25730:21  <b>attractive</b> [1] - 25767:5  <b>audit</b> [5] - 25725:1,  25756:23, 25806:10,  25806:23, 25810:6  <b>audited</b> [2] - 25756:24,  25763:6  <b>auditing</b> [3] - 25756:16,  25756:29, 25756:37  <b>auditors</b> [1] - 25756:38  <b>audits</b> [1] - 25756:33  <b>August</b> [1] - 25720:38  <b>auspices</b> [1] - 25788:24  <b>Australia</b> [40] - 25721:15,  25729:17, 25729:36,  25732:2, 25733:15,  25734:16, 25739:10,  25739:15, 25753:38,  25754:30, 25755:13,  25764:6, 25771:25,  25772:14, 25777:22,  25777:28, 25777:30,  25779:3, 25779:11,  25787:20, 25790:20,  25791:14, 25797:2,  25798:34, 25799:35,  25799:40, 25805:37,  25806:6, 25806:12,  25806:15, 25807:32,  25810:23, 25811:29,  25814:8, 25817:40,  25818:45, 25818:47,  25819:4, 25821:39,  25822:12  <b>Australian</b> [9] - 25721:22,  25738:47, 25763:14,  25772:3, 25773:30,</p>	<p>25793:44, 25797:43,  25806:33, 25819:20  <b>authorities</b> [4] - 25739:16,  25739:19, 25764:33,  25807:24  <b>authority</b> [13] - 25748:22,  25751:9, 25761:26,  25771:36, 25771:37,  25771:42, 25791:34,  25809:6, 25811:45,  25812:15, 25812:24,  25815:31  <b>autonomy</b> [2] - 25744:39,  25800:5  <b>Auxiliary</b> [1] - 25820:31  <b>auxiliary</b> [4] - 25720:42,  25740:28, 25776:36,  25776:42  <b>availability</b> [2] - 25767:23,  25768:22  <b>available</b> [2] - 25727:7,  25793:4  <b>average</b> [2] - 25727:43,  25737:32  <b>avoid</b> [1] - 25738:32  <b>avoiding</b> [1] - 25746:15  <b>awakening</b> [1] - 25798:9  <b>aware</b> [32] - 25731:15,  25731:19, 25741:6,  25741:13, 25741:25,  25744:9, 25744:12,  25744:45, 25744:47,  25745:2, 25747:3,  25748:37, 25753:2,  25755:6, 25760:1,  25760:3, 25760:31,  25774:21, 25800:30,  25803:38, 25808:7,  25808:11, 25810:24,  25816:17, 25816:32,  25816:36, 25816:39,  25817:22, 25819:31,  25819:37, 25819:43  <b>awareness</b> [2] - 25738:31,  25757:26  <b>awe</b> [1] - 25730:23  <b>awful</b> [2] - 25764:28,  25797:23  <b>awkward</b> [1] - 25764:44</p> <p style="text-align: center;"><b>B</b></p> <p><b>background</b> [2] -  25777:19, 25817:24  <b>backgrounds</b> [1] -  25817:22  <b>backing</b> [2] - 25784:27,  25784:28  <b>bad</b> [1] - 25769:8  <b>bank</b> [2] - 25765:36,  25766:32  <b>banking</b> [1] - 25819:22  <b>baptised</b> [1] - 25781:45  <b>bar</b> [3] - 25726:4, 25739:5  <b>Bar</b> [1] - 25785:42  <b>barrage</b> [1] - 25727:17</p>	<p><b>barriers</b> [2] - 25808:46,  25809:45  <b>base</b> [1] - 25731:2  <b>based</b> [8] - 25731:24,  25757:8, 25788:23,  25788:32, 25789:41,  25801:47, 25809:8  <b>basic</b> [2] - 25729:16,  25741:43  <b>basis</b> [2] - 25751:19,  25766:34  <b>bearing</b> [1] - 25747:27  <b>beast</b> [1] - 25732:44  <b>beautiful</b> [1] - 25772:7  <b>became</b> [5] - 25740:28,  25789:10, 25802:15,  25818:39, 25821:1  <b>become</b> [11] - 25724:27,  25738:12, 25744:9,  25748:37, 25753:17,  25759:21, 25761:26,  25793:43, 25800:46,  25801:5, 25801:18  <b>becomes</b> [5] - 25728:20,  25731:20, 25748:19,  25775:20, 25807:1  <b>becoming</b> [3] - 25729:30,  25731:18, 25758:3  <b>begin</b> [2] - 25735:16,  25736:47  <b>beginning</b> [11] - 25730:20,  25733:27, 25734:20,  25747:40, 25753:9,  25753:15, 25800:26,  25800:44, 25801:1,  25801:30, 25819:26  <b>behalf</b> [1] - 25791:12  <b>behaviour</b> [3] - 25743:14,  25747:7, 25809:24  <b>behaviours</b> [2] -  25753:16, 25753:17  <b>behind</b> [3] - 25727:17,  25727:33, 25733:28  <b>best</b> [18] - 25726:11,  25727:19, 25751:36,  25752:34, 25762:28,  25764:36, 25768:31,  25769:24, 25769:25,  25770:30, 25772:46,  25772:47, 25773:8,  25774:8, 25774:10,  25775:22, 25810:26  <b>betrayal</b> [4] - 25743:15,  25755:33, 25764:11,  25764:28  <b>betrays</b> [1] - 25742:33  <b>better</b> [7] - 25722:15,  25738:43, 25750:18,  25751:14, 25775:14,  25797:32, 25800:8  <b>between</b> [20] - 25741:23,  25742:13, 25745:28,  25764:32, 25766:4,  25769:32, 25773:29,  25779:22, 25779:43,  25780:12, 25780:15,  25780:40, 25784:7,</p>	<p>25785:24, 25798:16,  25798:39, 25808:41,  25809:16, 25812:11,  25812:29  <b>beyond</b> [1] - 25754:13  <b>biblical</b> [1] - 25779:38  <b>big</b> [8] - 25721:13,  25721:16, 25726:27,  25728:31, 25734:37,  25736:28, 25738:11,  25800:10  <b>bigger</b> [3] - 25737:22,  25738:14, 25738:18  <b>biggest</b> [1] - 25725:14  <b>Bill</b> [1] - 25726:14  <b>birthday</b> [1] - 25777:32  <b>BISHOP</b> [212] - 25757:44,  25758:1, 25758:6,  25758:12, 25758:16,  25758:20, 25758:27,  25758:32, 25758:39,  25758:44, 25759:5,  25759:17, 25759:23,  25759:30, 25759:36,  25759:42, 25760:1,  25760:9, 25760:13,  25760:19, 25760:24,  25760:29, 25760:36,  25760:45, 25761:4,  25761:9, 25761:19,  25761:31, 25761:36,  25761:42, 25761:47,  25762:5, 25762:13,  25762:19, 25762:23,  25762:33, 25762:40,  25762:45, 25763:4,  25763:9, 25763:17,  25763:22, 25763:26,  25763:30, 25763:42,  25765:6, 25765:12,  25765:16, 25766:9,  25766:16, 25766:21,  25766:25, 25766:30,  25766:37, 25766:45,  25767:40, 25767:44,  25768:7, 25768:14,  25768:36, 25768:41,  25769:3, 25769:29,  25769:35, 25769:40,  25769:45, 25770:2,  25770:6, 25770:11,  25770:38, 25770:45,  25772:22, 25772:28,  25772:39, 25772:44,  25773:23, 25773:42,  25774:24, 25774:35,  25774:40, 25774:44,  25775:28, 25775:35,  25775:40, 25776:26,  25776:31, 25776:36,  25776:42, 25776:47,  25777:6, 25777:22,  25777:26, 25777:32,  25777:38, 25777:47,  25778:12, 25778:21,  25778:29, 25778:43,  25779:10, 25779:26,  25780:46, 25782:34,</p>
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<p>25783:23, 25784:18, 25785:18, 25786:3, 25786:18, 25786:22, 25787:16, 25787:20, 25787:24, 25787:28, 25787:34, 25787:39, 25787:45, 25788:4, 25788:9, 25788:15, 25788:21, 25788:39, 25788:44, 25789:2, 25789:9, 25789:19, 25789:28, 25789:32, 25789:37, 25789:41, 25790:3, 25790:7, 25790:26, 25790:30, 25790:36, 25790:40, 25790:45, 25791:5, 25791:11, 25792:18, 25793:2, 25793:8, 25793:13, 25793:18, 25793:22, 25793:32, 25794:8, 25794:13, 25794:17, 25794:32, 25794:40, 25794:44, 25795:1, 25795:5, 25795:11, 25795:26, 25795:38, 25795:46, 25796:7, 25796:21, 25796:42, 25797:1, 25797:19, 25797:40, 25798:16, 25798:24, 25798:28, 25798:47, 25799:6, 25799:18, 25799:25, 25799:31, 25799:35, 25799:40, 25799:44, 25800:2, 25800:17, 25800:44, 25801:11, 25801:30, 25801:39, 25801:44, 25802:3, 25802:10, 25802:15, 25802:21, 25802:28, 25802:32, 25802:39, 25803:3, 25803:8, 25803:12, 25803:23, 25803:27, 25803:32, 25803:42, 25804:17, 25804:23, 25804:35, 25804:43, 25805:11, 25810:42, 25811:36, 25812:18, 25818:26, 25818:31, 25819:2, 25819:35, 25819:41, 25819:46, 25820:24, 25820:30, 25821:32</p> <p><b>bishop</b> [58] - 25720:43, 25727:18, 25733:36, 25733:44, 25735:15, 25737:26, 25738:7, 25740:28, 25742:27, 25744:8, 25744:39, 25750:33, 25754:3, 25754:19, 25756:31, 25758:22, 25759:32, 25761:21, 25771:9, 25771:10, 25771:12, 25775:6, 25775:16, 25775:21, 25776:36,</p>	<p>25776:42, 25777:19, 25781:2, 25781:8, 25781:39, 25783:19, 25784:27, 25784:28, 25784:41, 25785:36, 25786:28, 25786:44, 25787:20, 25790:31, 25791:1, 25795:39, 25795:40, 25796:3, 25796:12, 25796:23, 25796:30, 25798:4, 25798:11, 25799:28, 25802:16, 25803:30, 25805:18, 25815:10, 25815:12, 25815:14, 25818:39, 25819:13</p> <p><b>Bishop</b> [36] - 25721:1, 25757:41, 25757:46, 25758:4, 25758:6, 25770:4, 25776:23, 25776:28, 25778:6, 25778:18, 25781:15, 25781:36, 25782:21, 25782:31, 25782:32, 25783:12, 25784:12, 25785:44, 25785:46, 25786:10, 25786:32, 25786:42, 25787:13, 25787:18, 25799:2, 25799:35, 25799:40, 25804:27, 25805:9, 25810:21, 25811:23, 25818:22, 25820:2, 25820:19, 25820:32, 25821:44</p> <p><b>bishop's</b> [3] - 25781:11, 25781:30, 25782:47</p> <p><b>bishops</b> [27] - 25720:2, 25720:3, 25725:44, 25732:21, 25733:24, 25744:47, 25748:37, 25775:3, 25779:34, 25781:35, 25783:38, 25792:47, 25793:5, 25793:23, 25793:24, 25793:26, 25793:27, 25793:35, 25794:18, 25795:35, 25796:13, 25796:18, 25797:6, 25797:29, 25797:43, 25806:27, 25812:44</p> <p><b>Bishops</b> [6] - 25754:46, 25755:3, 25789:46, 25796:29, 25797:43, 25806:33</p> <p><b>bit</b> [11] - 25730:29, 25731:21, 25736:46, 25737:10, 25742:2, 25745:36, 25756:22, 25780:24, 25799:9, 25812:10, 25815:32</p> <p><b>bitterly</b> [1] - 25820:42</p> <p><b>blessed</b> [1] - 25778:22</p> <p><b>blow</b> [1] - 25728:46</p> <p><b>board</b> [4] - 25721:36, 25786:41, 25807:2, 25813:21</p> <p><b>boards</b> [1] - 25742:35</p>	<p><b>boat</b> [1] - 25777:26</p> <p><b>Bob</b> [1] - 25719:34</p> <p><b>bodies</b> [2] - 25747:5, 25773:35</p> <p><b>body</b> [4] - 25723:8, 25724:47, 25761:2, 25762:43</p> <p><b>born</b> [7] - 25777:24, 25777:26, 25778:4, 25778:13, 25778:34, 25778:36, 25818:44</p> <p><b>borne</b> [1] - 25762:29</p> <p><b>Boston</b> [7] - 25751:28, 25753:33, 25753:38, 25754:14, 25754:35, 25754:46, 25768:44</p> <p><b>bottom</b> [1] - 25779:35</p> <p><b>boundaries</b> [1] - 25753:4</p> <p><b>boundary</b> [1] - 25753:17</p> <p><b>bounds</b> [1] - 25789:13</p> <p><b>brains</b> [1] - 25769:25</p> <p><b>branch</b> [2] - 25800:9, 25800:10</p> <p><b>breached</b> [1] - 25731:1</p> <p><b>break</b> [2] - 25742:31, 25750:46</p> <p><b>breaks</b> [1] - 25767:29</p> <p><b>breed</b> [1] - 25780:32</p> <p><b>breeding</b> [1] - 25738:16</p> <p><b>bring</b> [9] - 25725:5, 25730:33, 25736:15, 25751:13, 25756:33, 25768:20, 25792:37, 25818:19, 25820:45</p> <p><b>bringing</b> [4] - 25732:30, 25736:23, 25739:22, 25808:2</p> <p><b>broader</b> [2] - 25774:19, 25817:16</p> <p><b>broadly</b> [2] - 25746:17, 25747:11</p> <p><b>Broome</b> [10] - 25787:18, 25787:20, 25787:29, 25787:31, 25788:1, 25788:29, 25788:30, 25788:34, 25790:10, 25792:16</p> <p><b>brother</b> [1] - 25725:44</p> <p><b>brothers</b> [3] - 25781:41, 25792:44, 25809:15</p> <p><b>Brothers</b> [1] - 25735:11</p> <p><b>brought</b> [2] - 25727:2, 25759:14</p> <p><b>brutal</b> [1] - 25764:10</p> <p><b>bubble</b> [1] - 25729:35</p> <p><b>buck</b> [1] - 25778:47</p> <p><b>Buddhism</b> [1] - 25747:4</p> <p><b>build</b> [5] - 25756:12, 25778:33, 25781:40, 25797:33, 25812:3</p> <p><b>bulk</b> [1] - 25751:47</p> <p><b>bundle</b> [2] - 25822:25, 25822:26</p> <p><b>bureaucrat</b> [1] - 25727:33</p> <p><b>bushfire</b> [1] - 25727:30</p> <p><b>business</b> [4] - 25767:25, 25776:15, 25776:20</p>	<p><b>busy</b> [1] - 25792:20</p> <p><b>BY</b> [3] - 25720:23, 25759:23, 25813:1</p> <p><b>by-product</b> [2] - 25779:12, 25779:27</p> <p><b>by-products</b> [1] - 25779:16</p>	<p>25747:15, 25747:28, 25747:45, 25748:2, 25748:11, 25748:12, 25748:18, 25748:30, 25748:31, 25749:41, 25750:26, 25762:43, 25762:45, 25763:2, 25763:39, 25764:42, 25787:43, 25788:24, 25795:38, 25797:43, 25800:2, 25800:3, 25800:10, 25800:21, 25801:22, 25803:15, 25805:38, 25805:44, 25806:12, 25806:33, 25808:37, 25818:2, 25822:12</p> <p><b>CatholicCare</b> [10] - 25721:45, 25724:45, 25725:15, 25740:44, 25741:2, 25763:4, 25763:6, 25763:32, 25788:7, 25801:41</p> <p><b>Catholics</b> [2] - 25780:35, 25787:36</p> <p><b>caused</b> [2] - 25748:45, 25752:29</p> <p><b>causes</b> [1] - 25770:14</p> <p><b>causing</b> [1] - 25813:30</p> <p><b>celebrate</b> [2] - 25790:14, 25804:14</p> <p><b>celebrated</b> [2] - 25786:38, 25804:31</p> <p><b>celebrating</b> [1] - 25814:1</p> <p><b>celibacy</b> [28] - 25746:23, 25746:36, 25746:44, 25746:45, 25746:47, 25747:3, 25747:11, 25747:25, 25747:32, 25748:13, 25749:16, 25749:17, 25750:28, 25767:1, 25767:5, 25767:8, 25767:12, 25767:15, 25767:22, 25767:23, 25767:27, 25767:33, 25767:42, 25768:5, 25768:9, 25780:13</p> <p><b>celibate</b> [12] - 25746:46, 25747:5, 25747:20, 25747:29, 25747:36, 25765:21, 25801:4, 25801:13, 25801:20, 25801:23, 25819:44, 25819:47</p> <p><b>cent</b> [5] - 25737:27, 25749:42, 25749:46, 25801:2</p> <p><b>Centcare</b> [1] - 25788:9</p> <p><b>central</b> [2] - 25724:47, 25807:23</p> <p><b>century</b> [3] - 25800:26, 25801:1</p> <p><b>ceremony</b> [3] - 25735:10, 25735:45, 25786:4</p> <p><b>certain</b> [20] - 25731:14, 25742:17, 25742:42,</p>
<p>.21/02/2017 (252)</p>		<p>4</p>		
<p>Transcript produced by DTI</p>				

25749:10, 25749:11,  
25752:6, 25755:35,  
25765:31, 25779:11,  
25779:13, 25779:27,  
25779:28, 25780:26,  
25780:38, 25781:1,  
25781:25, 25782:17,  
25782:37, 25811:9,  
25813:39  
**certainly** [39] - 25724:21,  
25731:16, 25734:14,  
25734:15, 25734:29,  
25741:29, 25742:26,  
25742:27, 25743:23,  
25743:44, 25744:31,  
25751:44, 25753:19,  
25754:38, 25755:4,  
25756:3, 25761:24,  
25764:46, 25766:33,  
25768:14, 25769:9,  
25779:2, 25780:46,  
25781:33, 25781:39,  
25786:3, 25786:25,  
25786:31, 25786:41,  
25793:22, 25793:26,  
25793:40, 25798:36,  
25805:15, 25809:41,  
25812:31, 25817:8,  
25817:24  
**certificate** [1] - 25790:33  
**cetera** [1] - 25779:7  
**CHAIR** [44] - 25720:5,  
25722:31, 25728:33,  
25729:43, 25730:2,  
25730:42, 25744:15,  
25745:11, 25745:16,  
25745:21, 25746:20,  
25746:36, 25747:7,  
25747:13, 25747:25,  
25751:40, 25752:21,  
25752:38, 25757:36,  
25759:21, 25781:8,  
25781:30, 25782:3,  
25782:8, 25782:21,  
25782:31, 25783:19,  
25783:38, 25785:36,  
25786:7, 25802:42,  
25805:21, 25812:41,  
25812:46, 25814:23,  
25814:32, 25814:38,  
25814:44, 25822:2,  
25822:6, 25822:29,  
25822:34, 25822:38,  
25822:43  
**Chair** [1] - 25719:32  
**chair's** [1] - 25731:45  
**challenge** [2] - 25726:32,  
25729:37  
**chance** [2] - 25751:20,  
25752:1  
**change** [39] - 25724:30,  
25727:18, 25728:30,  
25731:47, 25732:25,  
25733:12, 25733:40,  
25747:33, 25751:13,  
25767:37, 25767:45,  
25780:43, 25781:12,  
25782:23, 25784:39,

25792:10, 25793:37,  
25793:38, 25794:22,  
25794:24, 25795:35,  
25796:2, 25796:4,  
25796:5, 25796:28,  
25796:32, 25796:46,  
25797:13, 25797:14,  
25797:17, 25805:38,  
25809:14, 25809:42,  
25811:26, 25812:12,  
25812:35, 25818:40  
**changed** [6] - 25750:14,  
25750:26, 25766:41,  
25768:9, 25768:11  
**changes** [9] - 25729:5,  
25750:29, 25794:15,  
25794:17, 25796:34,  
25797:1, 25797:10,  
25809:31, 25815:28  
**changing** [3] - 25747:31,  
25794:4, 25794:23  
**chapter** [4] - 25731:28,  
25736:46, 25738:36  
**character** [2] - 25765:47,  
25769:9  
**Charbel** [1] - 25799:31  
**CHARBEL** [1] - 25720:11  
**charge** [2] - 25804:8,  
25804:9  
**CHARLES** [2] - 25720:19,  
25720:21  
**Charles** [1] - 25720:28  
**Check** [1] - 25738:29  
**check** [1] - 25761:24  
**Checks** [1] - 25725:21  
**chemistry** [1] - 25731:18  
**CHILD** [1] - 25719:14  
**child** [27] - 25726:21,  
25730:45, 25732:3,  
25733:47, 25736:11,  
25738:37, 25739:16,  
25739:19, 25742:46,  
25743:20, 25743:41,  
25744:25, 25747:45,  
25755:45, 25755:47,  
25757:27, 25770:9,  
25773:33, 25774:28,  
25791:2, 25798:36,  
25798:45, 25810:27,  
25812:5, 25820:20,  
25820:28, 25821:29  
**Child** [2] - 25760:17,  
25810:26  
**Childhood** [1] - 25763:14  
**Children** [2] - 25725:21,  
25738:29  
**children** [69] - 25721:26,  
25721:29, 25721:34,  
25721:37, 25721:46,  
25722:7, 25722:16,  
25722:20, 25723:46,  
25723:47, 25725:7,  
25725:20, 25727:42,  
25729:19, 25730:4,  
25739:18, 25740:39,  
25740:43, 25740:47,  
25744:7, 25745:24,

25746:29, 25747:14,  
25749:43, 25749:47,  
25750:7, 25750:18,  
25751:21, 25753:4,  
25759:8, 25759:11,  
25762:17, 25764:19,  
25764:22, 25764:26,  
25764:32, 25766:7,  
25766:10, 25766:18,  
25766:27, 25773:6,  
25773:34, 25774:16,  
25774:18, 25779:21,  
25780:8, 25788:1,  
25788:2, 25788:19,  
25799:16, 25802:1,  
25802:4, 25802:5,  
25804:21, 25804:37,  
25808:47, 25809:26,  
25810:14, 25810:39,  
25810:44, 25811:28,  
25811:32, 25811:43,  
25812:12, 25812:27,  
25812:30, 25819:29  
**children's** [2] - 25730:37,  
25812:16  
**chilled** [1] - 25724:35  
**chilling** [1] - 25724:33  
**choose** [1] - 25721:32  
**Christi** [1] - 25816:12  
**Christians** [3] - 25730:11,  
25781:45, 25781:46  
**CHRISTOPHER** [2] -  
25720:13, 25720:21  
**Christopher** [2] -  
25720:28, 25787:16  
**Church** [175] - 25722:1,  
25723:27, 25723:40,  
25723:44, 25724:33,  
25726:21, 25727:14,  
25727:31, 25727:46,  
25728:20, 25728:35,  
25728:38, 25728:43,  
25728:47, 25729:4,  
25729:22, 25729:23,  
25730:43, 25730:47,  
25731:46, 25732:2,  
25732:4, 25732:26,  
25733:11, 25733:19,  
25733:23, 25733:29,  
25733:34, 25734:6,  
25734:25, 25736:14,  
25736:31, 25736:34,  
25738:31, 25742:7,  
25742:46, 25743:19,  
25743:34, 25743:35,  
25743:40, 25744:24,  
25744:33, 25744:40,  
25745:22, 25745:25,  
25745:27, 25745:29,  
25745:30, 25746:15,  
25746:25, 25746:28,  
25746:40, 25747:4,  
25747:15, 25748:2,  
25748:12, 25748:16,  
25748:30, 25748:31,  
25749:17, 25749:42,  
25750:1, 25750:7,  
25750:11, 25750:26,

25753:14, 25753:37,  
25754:24, 25755:4,  
25755:5, 25755:19,  
25758:36, 25763:40,  
25764:42, 25768:38,  
25768:46, 25769:33,  
25773:33, 25779:14,  
25779:17, 25779:27,  
25779:37, 25779:41,  
25781:3, 25781:9,  
25781:11, 25781:31,  
25782:29, 25784:3,  
25784:6, 25784:25,  
25784:45, 25785:2,  
25785:6, 25785:16,  
25785:19, 25785:27,  
25787:26, 25791:12,  
25791:35, 25791:37,  
25791:40, 25791:43,  
25792:10, 25793:6,  
25794:5, 25794:35,  
25795:8, 25795:11,  
25795:12, 25795:14,  
25795:38, 25796:23,  
25796:34, 25797:20,  
25797:23, 25797:36,  
25798:33, 25800:2,  
25800:3, 25800:9,  
25800:11, 25800:18,  
25800:21, 25800:25,  
25800:27, 25800:30,  
25800:37, 25800:38,  
25800:45, 25801:1,  
25801:12, 25801:22,  
25801:30, 25801:42,  
25803:15, 25805:36,  
25805:38, 25809:7,  
25810:23, 25810:37,  
25810:38, 25810:40,  
25810:42, 25811:3,  
25811:8, 25811:9,  
25811:10, 25811:11,  
25811:15, 25811:19,  
25811:25, 25811:27,  
25811:40, 25812:3,  
25812:35, 25812:36,  
25818:2, 25818:23,  
25819:5, 25819:33,  
25822:13, 25822:16  
**church** [4] - 25798:6,  
25804:31, 25807:24  
**Church's** [5] - 25733:21,  
25733:35, 25746:23,  
25747:32, 25810:35  
**Churches** [9] - 25800:3,  
25800:4, 25800:11,  
25800:12, 25800:15,  
25800:17, 25800:29,  
25800:31, 25801:33  
**churches** [2] - 25797:2,  
25801:23  
**CIRCULATED** [1] -  
25759:23  
**circumstance** [1] -  
25796:8  
**circumstances** [4] -  
25743:11, 25762:11,  
25793:37, 25796:15

**citizen** [1] - 25810:43  
**citizens** [1] - 25780:3  
**city** [3] - 25738:11,  
25738:14, 25738:18  
**civil** [1] - 25807:24  
**claim** [2] - 25776:6,  
25804:43  
**claims** [7] - 25737:28,  
25749:41, 25751:9,  
25785:8, 25798:14,  
25798:22, 25798:44  
**clarification** [1] -  
25744:20  
**clarify** [1] - 25747:38  
**clarity** [1] - 25749:13  
**clash** [1] - 25776:3  
**classroom** [1] - 25809:16  
**clean** [1] - 25785:30  
**clear** [2] - 25761:10,  
25800:37  
**clearances** [2] - 25790:13,  
25790:24  
**clearly** [9] - 25721:30,  
25741:26, 25743:10,  
25744:5, 25745:40,  
25746:12, 25746:13,  
25788:1, 25798:7  
**clergy** [32] - 25743:20,  
25743:42, 25744:25,  
25745:28, 25746:26,  
25747:45, 25748:18,  
25761:40, 25765:32,  
25768:17, 25768:19,  
25770:9, 25782:24,  
25786:24, 25790:1,  
25790:11, 25790:22,  
25791:1, 25791:19,  
25792:19, 25792:38,  
25793:34, 25794:26,  
25794:32, 25798:44,  
25801:2, 25803:35,  
25803:43, 25805:31,  
25811:38, 25811:41,  
25821:38  
**cleric** [2] - 25765:18,  
25809:7  
**clerical** [5] - 25731:39,  
25748:6, 25748:22,  
25780:32, 25813:5  
**clericalism** [41] -  
25729:45, 25730:7,  
25730:10, 25730:32,  
25730:42, 25731:3,  
25742:11, 25742:40,  
25746:25, 25748:42,  
25750:30, 25765:4,  
25765:8, 25765:22,  
25767:1, 25767:29,  
25767:35, 25768:3,  
25768:28, 25768:31,  
25769:8, 25779:19,  
25779:23, 25779:26,  
25779:45, 25780:13,  
25780:29, 25783:21,  
25784:20, 25791:31,  
25791:33, 25792:3,  
25793:18, 25793:41,

<p>25811:7, 25811:14, 25811:45, 25812:13, 25812:20, 25812:23, 25814:11</p> <p><b>clerics</b> [1] - 25813:38</p> <p><b>climate</b> [1] - 25748:17</p> <p><b>clinical</b> [1] - 25783:33</p> <p><b>close</b> [4] - 25752:11, 25769:6, 25781:35, 25818:15</p> <p><b>closed</b> [2] - 25728:29, 25764:37</p> <p><b>closely</b> [4] - 25792:20, 25792:21, 25792:23, 25806:44</p> <p><b>closer</b> [1] - 25791:19</p> <p><b>coalface</b> [1] - 25792:44</p> <p><b>coastal</b> [1] - 25721:15</p> <p><b>Coate</b> [1] - 25719:33</p> <p><b>COATE</b> [5] - 25808:30, 25808:35, 25808:41, 25809:44, 25810:9</p> <p><b>Code</b> [7] - 25800:5, 25800:6, 25800:33, 25800:34, 25800:35, 25800:39</p> <p><b>Coles</b> [2] - 25792:32, 25792:46</p> <p><b>collar</b> [2] - 25741:39</p> <p><b>collated</b> [1] - 25798:19</p> <p><b>collation</b> [2] - 25798:40, 25798:43</p> <p><b>colleague</b> [1] - 25740:40</p> <p><b>colleagues</b> [3] - 25733:9, 25763:38, 25822:19</p> <p><b>collective</b> [2] - 25749:28, 25749:44</p> <p><b>collectively</b> [3] - 25737:22, 25749:22, 25750:12</p> <p><b>College</b> [1] - 25815:37</p> <p><b>college</b> [1] - 25735:11</p> <p><b>colonial</b> [1] - 25721:14</p> <p><b>combination</b> [2] - 25724:44, 25749:2</p> <p><b>comfort</b> [1] - 25768:11</p> <p><b>comfortable</b> [6] - 25775:5, 25780:37, 25781:17, 25782:38, 25783:4, 25783:8</p> <p><b>coming</b> [34] - 25723:12, 25724:15, 25724:34, 25729:36, 25731:37, 25733:20, 25736:42, 25736:44, 25743:31, 25744:34, 25751:31, 25751:36, 25754:29, 25756:8, 25760:38, 25768:43, 25770:34, 25775:29, 25778:26, 25778:39, 25778:44, 25790:8, 25797:28, 25798:14, 25802:5, 25804:37, 25806:20, 25818:34, 25818:37, 25819:3, 25819:4, 25819:11, 25819:13,</p>	<p>25819:27</p> <p><b>comment</b> [4] - 25746:30, 25749:34, 25751:24, 25751:43</p> <p><b>comments</b> [4] - 25736:10, 25756:9, 25782:31, 25791:7</p> <p><b>COMMISSION</b> [2] - 25719:13, 25822:46</p> <p><b>Commission</b> [41] - 25723:21, 25723:22, 25723:26, 25723:28, 25728:25, 25728:38, 25729:13, 25729:29, 25730:5, 25732:8, 25733:2, 25735:14, 25735:33, 25736:43, 25736:45, 25737:16, 25740:10, 25743:27, 25756:15, 25756:18, 25756:36, 25757:41, 25763:45, 25776:24, 25778:38, 25786:33, 25787:14, 25789:46, 25793:43, 25793:47, 25794:1, 25796:22, 25796:40, 25797:5, 25799:28, 25805:47, 25808:44, 25814:47, 25817:7, 25818:14, 25820:26</p> <p><b>Commission's</b> [2] - 25739:40, 25775:32</p> <p><b>COMMISSIONER</b> [49] - 25731:44, 25732:12, 25732:19, 25733:7, 25733:33, 25733:46, 25734:4, 25734:10, 25734:33, 25747:38, 25748:40, 25749:15, 25749:27, 25749:39, 25750:5, 25750:17, 25750:23, 25751:18, 25753:1, 25753:32, 25754:2, 25754:12, 25754:23, 25754:35, 25754:44, 25755:9, 25755:41, 25756:8, 25756:42, 25773:25, 25774:18, 25783:41, 25784:47, 25805:23, 25806:14, 25806:29, 25806:37, 25807:5, 25807:17, 25807:29, 25807:40, 25807:45, 25808:6, 25808:20, 25808:27, 25810:21, 25811:23, 25812:9, 25812:39</p> <p><b>Commissioner</b> [10] - 25732:7, 25732:31, 25733:43, 25773:42, 25784:18, 25785:18, 25805:21, 25806:5, 25806:34, 25810:42</p> <p><b>Commissioners</b> [2] - 25719:33, 25816:47</p> <p><b>commissions</b> [1] -</p>	<p>25755:22</p> <p><b>commitment</b> [7] - 25721:38, 25747:21, 25767:16, 25767:19, 25767:25, 25784:5, 25811:27</p> <p><b>committed</b> [1] - 25767:9</p> <p><b>committee</b> [2] - 25723:16, 25813:20</p> <p><b>committees</b> [2] - 25807:14, 25807:38</p> <p><b>common</b> [8] - 25773:30, 25781:44, 25781:46, 25791:25, 25793:5, 25804:9, 25806:26</p> <p><b>commonality</b> [2] - 25723:35, 25725:33</p> <p><b>Commonwealth</b> [6] - 25739:39, 25775:31, 25786:45, 25799:21, 25804:41, 25818:18</p> <p><b>communal</b> [1] - 25758:36</p> <p><b>communicate</b> [1] - 25773:39</p> <p><b>communio</b> [4] - 25781:4, 25791:43, 25792:11, 25811:10</p> <p><b>communist</b> [1] - 25777:39</p> <p><b>communities</b> [11] - 25762:26, 25772:6, 25773:3, 25773:6, 25773:8, 25773:16, 25773:39, 25788:28, 25792:22, 25810:18, 25818:36</p> <p><b>Communities</b> [2] - 25808:14, 25816:46</p> <p><b>community</b> [28] - 25722:8, 25729:9, 25730:47, 25731:45, 25746:17, 25749:45, 25749:47, 25766:6, 25772:11, 25772:12, 25772:37, 25773:36, 25774:19, 25791:44, 25798:11, 25798:29, 25801:15, 25804:6, 25811:46, 25818:3, 25818:24, 25818:32, 25818:41, 25819:5, 25819:8, 25819:15</p> <p><b>Community</b> [3] - 25760:7, 25760:9, 25760:16</p> <p><b>company</b> [2] - 25803:37, 25806:20</p> <p><b>comparison</b> [1] - 25779:1</p> <p><b>comparisons</b> [1] - 25764:9</p> <p><b>compensation</b> [1] - 25723:42</p> <p><b>competence</b> [1] - 25810:5</p> <p><b>competent</b> [1] - 25724:29</p> <p><b>competing</b> [1] - 25810:39</p> <p><b>competition</b> [1] - 25792:47</p> <p><b>complacent</b> [1] - 25821:22</p> <p><b>complainant</b> [3] -</p>	<p>25761:45, 25802:43, 25802:44</p> <p><b>complaint</b> [10] - 25727:5, 25760:47, 25761:16, 25762:3, 25789:2, 25789:7, 25802:15, 25802:17, 25802:19, 25803:12</p> <p><b>complaints</b> [8] - 25725:22, 25744:34, 25760:40, 25760:42, 25761:39, 25768:43, 25788:47, 25802:12</p> <p><b>complete</b> [3] - 25767:16, 25791:47, 25798:4</p> <p><b>completely</b> [3] - 25724:38, 25744:12, 25819:15</p> <p><b>complicated</b> [1] - 25769:16</p> <p><b>component</b> [2] - 25730:24, 25749:20</p> <p><b>comprehensive</b> [3] - 25811:1, 25811:17, 25818:6</p> <p><b>compulsory</b> [2] - 25780:12, 25780:13</p> <p><b>concede</b> [1] - 25734:37</p> <p><b>concept</b> [6] - 25767:5, 25767:33, 25767:35, 25786:3, 25800:46, 25811:32</p> <p><b>concern</b> [6] - 25753:36, 25754:45, 25754:46, 25779:10, 25793:34, 25813:32</p> <p><b>concerned</b> [3] - 25752:35, 25822:11</p> <p><b>concerns</b> [2] - 25792:40</p> <p><b>conclude</b> [1] - 25751:18</p> <p><b>concludes</b> [1] - 25735:15</p> <p><b>conclusion</b> [3] - 25748:8, 25767:14, 25769:23</p> <p><b>concrete</b> [1] - 25768:47</p> <p><b>conduct</b> [2] - 25725:46, 25726:5</p> <p><b>conducted</b> [1] - 25762:16</p> <p><b>Conference</b> [5] - 25754:47, 25755:3, 25789:47, 25796:29, 25806:33</p> <p><b>conference</b> [1] - 25768:19</p> <p><b>confessing</b> [2] - 25736:22, 25736:23</p> <p><b>confessional</b> [1] - 25739:22</p> <p><b>confessions</b> [1] - 25799:11</p> <p><b>confidence</b> [3] - 25816:23, 25816:29, 25821:7</p> <p><b>confident</b> [3] - 25809:44, 25809:47, 25810:4</p> <p><b>confidentiality</b> [1] - 25783:32</p> <p><b>confront</b> [3] - 25728:35, 25728:39, 25728:44</p> <p><b>confronted</b> [1] - 25729:1</p> <p><b>congregation</b> [2] -</p>	<p>25761:2, 25761:17</p> <p><b>congregational</b> [1] - 25725:16</p> <p><b>congregations</b> [1] - 25760:43</p> <p><b>conjecture</b> [1] - 25812:19</p> <p><b>connectedness</b> [2] - 25812:10, 25812:29</p> <p><b>connection</b> [2] - 25767:2, 25779:22</p> <p><b>conscience</b> [1] - 25799:10</p> <p><b>conscientious</b> [5] - 25728:45, 25751:30, 25751:34, 25755:30, 25817:21</p> <p><b>consecrated</b> [1] - 25779:34</p> <p><b>consequence</b> [2] - 25727:26, 25730:44</p> <p><b>consideration</b> [2] - 25743:29, 25804:40</p> <p><b>considered</b> [1] - 25801:26</p> <p><b>consistency</b> [5] - 25726:10, 25726:20, 25806:5, 25806:7, 25807:2</p> <p><b>consistent</b> [6] - 25726:28, 25739:4, 25739:6, 25759:27, 25810:28, 25811:21</p> <p><b>constantly</b> [3] - 25773:15, 25774:12, 25774:13</p> <p><b>constituencies</b> [2] - 25725:43, 25726:9</p> <p><b>constitution</b> [1] - 25806:35</p> <p><b>construct</b> [1] - 25796:28</p> <p><b>consult</b> [2] - 25752:36, 25818:5</p> <p><b>consultation</b> [1] - 25818:16</p> <p><b>consulted</b> [1] - 25818:7</p> <p><b>consulting</b> [1] - 25726:3</p> <p><b>consultors</b> [1] - 25768:19</p> <p><b>contact</b> [6] - 25722:20, 25727:11, 25761:25, 25789:11, 25807:23, 25807:46</p> <p><b>contain</b> [2] - 25779:40, 25786:25</p> <p><b>contents</b> [4] - 25722:44, 25740:18, 25758:14, 25803:29</p> <p><b>context</b> [6] - 25748:10, 25749:17, 25771:6, 25772:3, 25776:5, 25783:24</p> <p><b>continually</b> [1] - 25726:45</p> <p><b>continue</b> [1] - 25818:41</p> <p><b>continues</b> [1] - 25800:47</p> <p><b>continuing</b> [1] - 25756:32</p> <p><b>contra</b> [1] - 25771:44</p> <p><b>contract</b> [2] - 25775:12</p> <p><b>contrary</b> [1] - 25793:33</p> <p><b>contribute</b> [3] - 25748:17, 25749:10, 25811:13</p> <p><b>contributed</b> [5] - 25746:38, 25747:14,</p>
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<p>25748:31, 25748:45, 25749:3  <b>contributes</b> [1] - 25784:20  <b>contributing</b> [1] - 25744:40  <b>contribution</b> [2] - 25746:22, 25746:37  <b>contrite</b> [1] - 25729:21  <b>Convention</b> [1] - 25810:25  <b>conversation</b> [1] - 25793:41  <b>conversations</b> [3] - 25792:39, 25793:23, 25793:33  <b>conveyed</b> [1] - 25821:20  <b>convicted</b> [2] - 25802:30, 25802:32  <b>convinced</b> [2] - 25746:45, 25747:34  <b>convoluted</b> [1] - 25769:16  <b>cooperate</b> [1] - 25794:34  <b>cooperation</b> [2] - 25795:41, 25811:38  <b>cope</b> [1] - 25734:40  <b>copy</b> [4] - 25722:35, 25803:20, 25804:27, 25804:28  <b>core</b> [2] - 25724:35, 25729:24  <b>corner</b> [1] - 25792:33  <b>corners</b> [1] - 25764:5  <b>corporate</b> [1] - 25731:26  <b>Corpus</b> [1] - 25816:11  <b>correct</b> [43] - 25720:40, 25720:45, 25721:3, 25721:8, 25722:23, 25722:42, 25722:44, 25722:46, 25723:6, 25740:12, 25740:16, 25740:18, 25740:26, 25740:31, 25740:36, 25744:30, 25745:8, 25746:8, 25753:11, 25756:26, 25758:14, 25762:13, 25776:31, 25787:24, 25787:45, 25790:3, 25790:36, 25790:45, 25798:24, 25801:39, 25803:27, 25803:30, 25803:32, 25808:33, 25808:39, 25813:7, 25813:9, 25816:8, 25816:12, 25816:14, 25817:4, 25818:24, 25820:22  <b>corrected</b> [2] - 25735:19, 25793:24  <b>correcting</b> [1] - 25727:37  <b>correctly</b> [1] - 25761:23  <b>correspondence</b> [2] - 25776:8, 25815:34  <b>corrosive</b> [1] - 25755:37  <b>corruption</b> [2] - 25755:12, 25755:26  <b>council</b> [4] - 25768:19, 25785:20, 25792:7, 25813:6</p>	<p><b>Council</b> [3] - 25757:3, 25785:4, 25809:41  <b>Council's</b> [1] - 25783:44  <b>councils</b> [2] - 25785:4  <b>counsel</b> [1] - 25744:15  <b>Counsel</b> [1] - 25719:41  <b>counselled</b> [1] - 25762:7  <b>counselling</b> [2] - 25723:43, 25740:47  <b>count</b> [1] - 25778:46  <b>countries</b> [2] - 25777:47, 25780:10  <b>country</b> [6] - 25738:19, 25765:35, 25768:21, 25789:4, 25789:9, 25789:22  <b>couple</b> [6] - 25752:42, 25761:39, 25784:4, 25785:41, 25817:47, 25818:20  <b>couples</b> [1] - 25809:20  <b>courage</b> [2] - 25733:37, 25734:11  <b>course</b> [17] - 25721:34, 25725:19, 25729:6, 25729:44, 25731:1, 25733:24, 25739:22, 25740:44, 25771:27, 25772:19, 25783:27, 25794:5, 25795:41, 25804:7, 25806:33, 25809:21, 25822:11  <b>courses</b> [1] - 25772:31  <b>court</b> [3] - 25802:26, 25803:5, 25812:1  <b>cover</b> [5] - 25732:20, 25733:9, 25733:35, 25733:39, 25734:5  <b>cover-up</b> [5] - 25732:20, 25733:9, 25733:35, 25733:39, 25734:5  <b>covers</b> [2] - 25787:31, 25802:42  <b>create</b> [4] - 25745:27, 25750:35, 25750:37, 25751:14  <b>created</b> [2] - 25768:38, 25788:41  <b>creates</b> [2] - 25750:6, 25809:27  <b>creating</b> [4] - 25749:10, 25749:36, 25780:14, 25784:44  <b>creation</b> [2] - 25726:34, 25780:39  <b>credibility</b> [1] - 25728:45  <b>creditable</b> [1] - 25732:9  <b>creeping</b> [1] - 25814:11  <b>crime</b> [1] - 25755:46  <b>criminal</b> [1] - 25802:25  <b>cringe</b> [1] - 25780:35  <b>crisis</b> [2] - 25784:21, 25785:30  <b>critical</b> [1] - 25784:30  <b>critics</b> [1] - 25792:6  <b>crop</b> [1] - 25752:30  <b>cross</b> [1] - 25786:7</p>	<p><b>cross-purposes</b> [1] - 25786:7  <b>cultural</b> [10] - 25743:40, 25745:26, 25751:13, 25751:15, 25773:1, 25813:16, 25817:22, 25817:24, 25817:40, 25818:47  <b>culture</b> [59] - 25724:30, 25727:19, 25727:41, 25730:42, 25731:2, 25732:20, 25742:3, 25742:6, 25742:9, 25742:14, 25742:15, 25742:17, 25742:24, 25742:28, 25742:31, 25742:33, 25742:38, 25742:40, 25742:43, 25743:19, 25744:43, 25746:10, 25746:27, 25748:23, 25749:11, 25749:36, 25750:14, 25751:13, 25755:10, 25755:15, 25755:23, 25755:26, 25755:32, 25755:34, 25755:36, 25755:42, 25755:47, 25756:3, 25756:4, 25756:11, 25771:25, 25779:47, 25780:1, 25780:21, 25782:23, 25782:36, 25782:40, 25784:20, 25784:45, 25809:1, 25809:32, 25814:25, 25814:28, 25814:38  <b>cultures</b> [4] - 25746:9, 25755:24, 25772:47, 25808:46  <b>current</b> [4] - 25721:6, 25738:24, 25743:38, 25758:35  <b>cut</b> [3] - 25730:35, 25776:6</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>Dale</b> [1] - 25763:46  <b>damage</b> [4] - 25733:10, 25743:36, 25744:10, 25744:13  <b>damaged</b> [1] - 25734:5  <b>damaging</b> [2] - 25733:11, 25755:38  <b>DANIEL</b> [1] - 25720:17  <b>Daniel</b> [1] - 25757:44  <b>Dar</b> [1] - 25771:2  <b>Darwin</b> [6] - 25757:46, 25758:4, 25758:24, 25761:45, 25771:2, 25772:37  <b>data</b> [5] - 25732:7, 25732:9, 25732:34, 25737:25, 25798:22  <b>date</b> [2] - 25725:21, 25808:44</p>	<p><b>dated</b> [6] - 25722:40, 25740:14, 25758:9, 25758:18, 25803:25, 25816:5  <b>daughter</b> [1] - 25780:28  <b>dawn</b> [1] - 25734:38  <b>days</b> [7] - 25721:26, 25734:41, 25734:43, 25771:3, 25791:24, 25793:46, 25809:35  <b>deacon</b> [1] - 25753:20  <b>deal</b> [8] - 25727:47, 25755:36, 25767:34, 25776:20, 25778:38, 25794:10, 25816:25, 25816:29  <b>dealing</b> [3] - 25722:39, 25757:28, 25818:47  <b>dealings</b> [1] - 25756:27  <b>dealt</b> [1] - 25770:36  <b>deanery</b> [2] - 25736:15, 25768:18  <b>debate</b> [1] - 25812:19  <b>December</b> [2] - 25776:47, 25777:33  <b>decided</b> [2] - 25790:17, 25820:1  <b>decisions</b> [3] - 25724:28, 25726:40, 25734:46  <b>decrease</b> [1] - 25736:44  <b>deep</b> [1] - 25723:36  <b>deeply</b> [2] - 25729:12, 25798:37  <b>defer</b> [1] - 25731:25  <b>deference</b> [6] - 25765:39, 25765:44, 25766:39, 25766:41, 25768:4, 25779:22  <b>deferred</b> [1] - 25807:36  <b>deficiencies</b> [3] - 25751:33, 25757:13, 25806:24  <b>define</b> [1] - 25730:28  <b>defined</b> [1] - 25792:13  <b>definition</b> [1] - 25791:33  <b>definitions</b> [1] - 25791:32  <b>degree</b> [2] - 25812:18, 25821:7  <b>delegate</b> [1] - 25725:37  <b>delegated</b> [1] - 25724:13  <b>deliberately</b> [2] - 25742:33, 25783:5  <b>delight</b> [1] - 25810:4  <b>delighted</b> [1] - 25806:3  <b>deliver</b> [1] - 25721:41  <b>delivered</b> [4] - 25725:7, 25809:10, 25809:47, 25810:9  <b>delivering</b> [1] - 25804:7  <b>demand</b> [4] - 25723:36, 25732:25, 25781:26, 25782:14  <b>demanding</b> [1] - 25742:42  <b>demographic</b> [1] - 25774:20  <b>demolish</b> [1] - 25756:11  <b>Department</b> [4] - 25760:7,</p>	<p>25760:9, 25760:17  <b>departments</b> [1] - 25755:12  <b>depressive</b> [1] - 25767:30  <b>describe</b> [5] - 25730:42, 25758:42, 25779:30, 25796:45, 25803:35  <b>described</b> [10] - 25724:8, 25742:46, 25757:4, 25764:10, 25765:9, 25768:3, 25779:20, 25795:36, 25799:8, 25822:26  <b>describes</b> [1] - 25734:23  <b>description</b> [3] - 25722:19, 25781:8, 25792:12  <b>desire</b> [1] - 25741:27  <b>despite</b> [1] - 25789:32  <b>detail</b> [2] - 25817:31, 25822:16  <b>details</b> [1] - 25763:31  <b>detect</b> [2] - 25811:40, 25814:21  <b>determinant</b> [1] - 25747:22  <b>determination</b> [2] - 25724:29, 25729:40  <b>determine</b> [1] - 25822:19  <b>determined</b> [1] - 25821:1  <b>detriment</b> [1] - 25746:29  <b>devastation</b> [1] - 25770:13  <b>develop</b> [4] - 25741:42, 25765:20, 25765:21, 25768:30  <b>developed</b> [6] - 25747:18, 25751:31, 25757:10, 25796:36, 25801:33, 25814:39  <b>developing</b> [6] - 25755:5, 25756:29, 25796:35, 25801:44, 25806:44, 25817:28  <b>development</b> [2] - 25752:13, 25809:9  <b>develops</b> [1] - 25765:23  <b>diaconate</b> [1] - 25753:6  <b>diagnosis</b> [1] - 25731:24  <b>dialogue</b> [2] - 25739:27, 25739:29  <b>dictate</b> [1] - 25782:36  <b>dictated</b> [2] - 25732:21, 25784:35  <b>died</b> [1] - 25771:4  <b>dies</b> [1] - 25775:21  <b>difference</b> [8] - 25734:37, 25759:38, 25770:16, 25773:21, 25783:34, 25798:16, 25798:39, 25800:24  <b>differences</b> [3] - 25766:4, 25800:19, 25817:40  <b>different</b> [35] - 25723:34, 25723:45, 25724:13, 25724:38, 25725:47, 25726:9, 25727:1, 25729:30, 25730:20,</p>
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<p>25731:33, 25731:34, 25734:31, 25749:21, 25749:29, 25749:36, 25763:44, 25765:18, 25765:41, 25770:23, 25771:30, 25772:7, 25772:8, 25773:29, 25775:3, 25778:31, 25800:14, 25800:20, 25800:28, 25801:9, 25802:5, 25813:29, 25813:35, 25817:22, 25817:23, 25820:38</p> <p><b>differentiation</b> [1] - 25764:32</p> <p><b>difficult</b> [11] - 25745:34, 25745:47, 25753:27, 25764:45, 25768:47, 25771:45, 25772:45, 25793:37, 25794:21, 25812:34</p> <p><b>difficulty</b> [2] - 25750:24, 25784:10</p> <p><b>diffuse</b> [1] - 25724:12</p> <p><b>dignity</b> [8] - 25781:44, 25820:45, 25821:4, 25821:10, 25821:15, 25821:24, 25821:36, 25821:42</p> <p><b>digress</b> [1] - 25770:46</p> <p><b>dim</b> [1] - 25732:44</p> <p><b>dimension</b> [4] - 25724:20, 25736:28, 25736:36, 25781:25</p> <p><b>diminishing</b> [1] - 25778:39</p> <p><b>diocesan</b> [13] - 25735:24, 25760:40, 25761:1, 25761:21, 25762:16, 25773:11, 25777:40, 25783:47, 25784:6, 25801:5, 25801:22, 25811:3, 25811:7</p> <p><b>diocese</b> [60] - 25721:13, 25723:15, 25724:4, 25737:38, 25738:6, 25750:33, 25751:2, 25753:27, 25758:7, 25759:34, 25759:38, 25762:38, 25763:46, 25768:14, 25769:27, 25769:38, 25772:5, 25772:6, 25772:9, 25774:32, 25775:20, 25775:21, 25775:23, 25775:38, 25777:43, 25777:45, 25778:2, 25778:4, 25778:16, 25778:23, 25778:31, 25778:41, 25786:39, 25788:11, 25788:42, 25790:8, 25792:28, 25795:41, 25795:44, 25795:47, 25797:8, 25799:4, 25799:7, 25799:22, 25803:43, 25803:45, 25806:23, 25810:3, 25811:33,</p>	<p>25815:47, 25817:29, 25818:7, 25818:9, 25818:42, 25819:17, 25820:21, 25821:2, 25821:23</p> <p><b>Diocese</b> [12] - 25720:35, 25721:1, 25737:26, 25738:10, 25758:6, 25776:28, 25787:31, 25787:47, 25788:34, 25792:15, 25810:24, 25815:4</p> <p><b>diocese's</b> [1] - 25820:20</p> <p><b>dioceses</b> [23] - 25723:34, 25727:28, 25732:22, 25739:45, 25756:16, 25766:13, 25779:2, 25784:15, 25785:2, 25792:32, 25792:47, 25806:25, 25806:41, 25807:10, 25807:12, 25808:12, 25808:15, 25814:29, 25819:3, 25819:7, 25820:15</p> <p><b>direct</b> [1] - 25784:37</p> <p><b>directing</b> [1] - 25727:37</p> <p><b>direction</b> [4] - 25725:28, 25734:17, 25734:21, 25780:47</p> <p><b>directly</b> [4] - 25733:37, 25760:30, 25807:9, 25810:15</p> <p><b>director</b> [4] - 25761:11, 25761:22, 25762:27, 25773:12</p> <p><b>dirty</b> [1] - 25809:34</p> <p><b>dis</b> [2] - 25730:32</p> <p><b>dis-ease</b> [2] - 25730:32</p> <p><b>disability</b> [1] - 25762:6</p> <p><b>disagree</b> [3] - 25761:33, 25771:36, 25771:37</p> <p><b>discipleship</b> [4] - 25781:4, 25783:43, 25784:14, 25784:31</p> <p><b>disciplinary</b> [1] - 25742:35</p> <p><b>disciplined</b> [1] - 25742:36</p> <p><b>disconnected</b> [1] - 25738:17</p> <p><b>discovery</b> [1] - 25743:27</p> <p><b>discuss</b> [6] - 25739:33, 25754:2, 25754:5, 25793:5, 25795:30, 25814:14</p> <p><b>discussed</b> [5] - 25729:6, 25754:5, 25754:33, 25806:30, 25806:32</p> <p><b>discussing</b> [1] - 25733:33</p> <p><b>discussion</b> [8] - 25742:10, 25763:37, 25765:3, 25790:47, 25793:43, 25806:47, 25809:1, 25810:33</p> <p><b>discussions</b> [8] - 25756:9, 25760:6, 25760:21, 25760:26, 25772:25, 25793:29, 25796:22,</p>	<p>25818:4</p> <p><b>disease</b> [3] - 25731:20, 25732:33, 25732:42</p> <p><b>dishonour</b> [1] - 25782:35</p> <p><b>dismantle</b> [2] - 25779:37, 25780:29</p> <p><b>dismiss</b> [1] - 25785:20</p> <p><b>dispositions</b> [1] - 25751:4</p> <p><b>dispute</b> [1] - 25749:8</p> <p><b>disputed</b> [1] - 25812:1</p> <p><b>dissatisfied</b> [1] - 25820:34</p> <p><b>distance</b> [4] - 25779:47, 25780:15, 25780:40, 25822:8</p> <p><b>distanced</b> [1] - 25799:12</p> <p><b>distances</b> [1] - 25788:21</p> <p><b>distant</b> [2] - 25766:13, 25781:36</p> <p><b>distinction</b> [3] - 25741:23, 25742:13, 25781:42</p> <p><b>distorted</b> [1] - 25746:27</p> <p><b>distributed</b> [1] - 25780:3</p> <p><b>diverse</b> [1] - 25772:36</p> <p><b>diversity</b> [1] - 25819:6</p> <p><b>divinely</b> [1] - 25779:32</p> <p><b>docility</b> [1] - 25806:24</p> <p><b>doctor</b> [6] - 25765:36, 25765:39, 25766:33, 25783:25, 25783:35</p> <p><b>doctors</b> [2] - 25742:15, 25742:20</p> <p><b>document</b> [6] - 25758:25, 25758:29, 25758:34, 25759:19, 25759:27, 25818:15</p> <p><b>DOCUMENT</b> [1] - 25759:23</p> <p><b>documentation</b> [1] - 25761:13</p> <p><b>documents</b> [5] - 25727:5, 25764:47, 25786:26, 25819:25, 25822:25</p> <p><b>dominated</b> [1] - 25755:14</p> <p><b>Don</b> [1] - 25763:46</p> <p><b>done</b> [30] - 25723:29, 25729:20, 25736:35, 25743:36, 25744:10, 25744:13, 25756:10, 25756:11, 25758:41, 25762:29, 25768:3, 25769:41, 25771:16, 25772:20, 25786:20, 25786:31, 25786:32, 25796:18, 25796:19, 25797:37, 25797:40, 25797:42, 25798:35, 25799:4, 25806:39, 25809:28, 25817:12, 25822:10</p> <p><b>door</b> [5] - 25731:13, 25739:26, 25739:29, 25765:40, 25798:6</p> <p><b>doors</b> [2] - 25728:25, 25728:28</p> <p><b>double</b> [3] - 25733:16, 25737:32</p> <p><b>doubt</b> [3] - 25728:33,</p>	<p>25758:47, 25763:37</p> <p><b>doubts</b> [1] - 25748:32</p> <p><b>down</b> [10] - 25721:15, 25732:44, 25742:31, 25750:46, 25770:17, 25781:1, 25782:43, 25789:20, 25792:8, 25805:42</p> <p><b>downwards</b> [2] - 25732:21, 25784:30</p> <p><b>dozen</b> [1] - 25787:43</p> <p><b>Dr</b> [4] - 25747:40, 25783:27, 25816:33, 25819:32</p> <p><b>draft</b> [1] - 25726:46</p> <p><b>dramatically</b> [1] - 25755:7</p> <p><b>drastic</b> [1] - 25780:25</p> <p><b>draw</b> [1] - 25764:40</p> <p><b>drawn</b> [1] - 25742:2</p> <p><b>dreadful</b> [1] - 25797:24</p> <p><b>dress</b> [3] - 25741:18, 25741:38, 25741:43</p> <p><b>drinking</b> [1] - 25755:44</p> <p><b>driving</b> [1] - 25756:5</p> <p><b>due</b> [2] - 25815:13, 25821:4</p> <p><b>during</b> [10] - 25729:6, 25737:16, 25764:2, 25767:14, 25791:26, 25802:4, 25803:17, 25803:18, 25809:41, 25819:12</p> <p><b>dynamic</b> [1] - 25728:29</p> <p><b>dynamically</b> [1] - 25723:24</p> <p><b>dynamics</b> [1] - 25780:31</p> <p><b>dysfunction</b> [1] - 25769:9</p>	<p>25765:44</p> <p><b>education</b> [6] - 25721:42, 25730:39, 25740:40, 25740:42, 25773:34, 25810:5</p> <p><b>Education</b> [6] - 25725:15, 25741:2, 25762:43, 25762:45, 25788:24, 25808:37</p> <p><b>educative</b> [1] - 25724:20</p> <p><b>effect</b> [7] - 25725:30, 25727:31, 25760:3, 25786:23, 25795:34, 25795:35, 25819:37</p> <p><b>effective</b> [6] - 25747:19, 25751:37, 25751:38, 25756:16, 25773:17, 25792:8</p> <p><b>effectively</b> [7] - 25745:46, 25748:44, 25756:35, 25757:30, 25796:9, 25796:11, 25808:36</p> <p><b>effects</b> [2] - 25744:6, 25807:19</p> <p><b>effort</b> [1] - 25819:24</p> <p><b>efforts</b> [2] - 25753:14, 25781:39</p> <p><b>Egypt</b> [1] - 25818:35</p> <p><b>eight</b> [1] - 25741:29</p> <p><b>either</b> [4] - 25762:34, 25775:6, 25802:45, 25809:9</p> <p><b>electronically</b> [1] - 25727:11</p> <p><b>element</b> [6] - 25748:41, 25749:4, 25749:9, 25764:37, 25768:5, 25774:15</p> <p><b>elements</b> [14] - 25746:12, 25748:33, 25748:36, 25749:10, 25749:35, 25751:15, 25764:43, 25765:1, 25765:25, 25768:30, 25769:4, 25769:12, 25774:27, 25786:25</p> <p><b>eliminate</b> [2] - 25750:15, 25764:47</p> <p><b>elitism</b> [1] - 25780:32</p> <p><b>elsewhere</b> [2] - 25778:8, 25811:40</p> <p><b>embrace</b> [2] - 25742:22, 25784:7</p> <p><b>embroiled</b> [1] - 25811:9</p> <p><b>emerge</b> [2] - 25743:26, 25756:15</p> <p><b>emerged</b> [1] - 25808:43</p> <p><b>emerging</b> [1] - 25753:29</p> <p><b>emphasises</b> [1] - 25781:4</p> <p><b>emphasising</b> [2] - 25750:36, 25817:25</p> <p><b>employ</b> [1] - 25723:39</p> <p><b>employed</b> [1] - 25810:15</p> <p><b>employees</b> [1] - 25738:31</p> <p><b>employs</b> [1] - 25724:47</p> <p><b>empowering</b> [1] - 25785:23</p>
---	---	--	--	--

**E**



**enabled** [2] - 25764:8, 25785:13  
**enables** [1] - 25738:38  
**encounter** [1] - 25819:6  
**encounters** [1] - 25820:38  
**encourage** [11] - 25739:5, 25739:12, 25742:26, 25742:28, 25751:2, 25780:38, 25781:18, 25782:3, 25782:5, 25801:16, 25801:25  
**encouraged** [3] - 25751:11, 25779:13, 25817:9  
**encouragement** [1] - 25789:46  
**encouraging** [1] - 25818:40  
**enculturate** [1] - 25770:41  
**enculturation** [2] - 25772:1, 25817:28  
**end** [7] - 25748:26, 25752:16, 25752:19, 25758:22, 25784:2, 25800:25, 25803:34  
**endeavour** [1] - 25821:42  
**ends** [1] - 25736:46  
**energy** [1] - 25796:37  
**enforce** [1] - 25755:17  
**engage** [3] - 25737:7, 25808:22, 25815:46  
**engaged** [4] - 25749:43, 25754:25, 25755:4, 25791:2  
**engagement** [5] - 25721:25, 25721:28, 25721:32, 25740:39, 25787:47  
**English** [1] - 25819:28  
**enormous** [6] - 25728:46, 25764:32, 25770:32, 25771:2, 25791:42, 25809:42  
**enormously** [1] - 25792:10  
**enshrine** [1] - 25755:24  
**ensure** [17] - 25725:20, 25738:25, 25750:13, 25751:30, 25751:35, 25753:20, 25753:28, 25754:13, 25756:10, 25756:38, 25778:15, 25804:30, 25806:10, 25806:21, 25821:3, 25821:12, 25821:22  
**ensuring** [1] - 25817:38  
**entire** [2] - 25735:16, 25797:23  
**entirely** [2] - 25792:1, 25795:39  
**entity** [3] - 25756:45, 25761:20, 25808:7  
**entrust** [1] - 25759:7  
**enunciated** [1] - 25811:11  
**environment** [5] - 25729:35, 25750:35, 25750:38, 25751:14,

25780:9  
**environments** [1] - 25784:3  
**eparchy** [2] - 25799:42, 25820:17  
**episcopal** [1] - 25784:40  
**equality** [1] - 25793:36  
**equally** [1] - 25783:46  
**equals** [4] - 25781:4, 25783:43, 25784:14, 25784:31  
**equated** [1] - 25726:5  
**equivalent** [2] - 25760:16, 25762:42  
**eradicate** [2] - 25731:20, 25755:37  
**eradicated** [1] - 25744:13  
**es** [1] - 25771:2  
**especially** [10] - 25731:35, 25778:1, 25780:34, 25781:2, 25800:35, 25802:4, 25818:33, 25819:18, 25819:29, 25821:2  
**essence** [1] - 25758:44  
**essential** [1] - 25799:25  
**establish** [1] - 25756:39  
**established** [3] - 25723:2, 25727:23, 25788:35  
**establishes** [1] - 25818:8  
**establishing** [1] - 25725:5  
**establishment** [6] - 25723:8, 25724:7, 25805:26, 25805:30, 25806:38, 25817:44  
**et** [1] - 25779:7  
**Eugene** [3] - 25757:44, 25783:11, 25783:12  
**EUGENE** [1] - 25720:17  
**evaluate** [2] - 25773:16, 25821:35  
**evaluation** [3] - 25772:31, 25772:33  
**evening** [1] - 25815:25  
**event** [2] - 25759:14, 25762:25  
**events** [2] - 25741:47, 25763:45  
**eventually** [1] - 25790:41  
**evidence** [31] - 25728:4, 25735:3, 25735:32, 25741:4, 25741:10, 25741:13, 25741:17, 25746:22, 25746:36, 25747:40, 25747:41, 25748:29, 25748:47, 25750:25, 25753:2, 25753:7, 25753:11, 25761:27, 25778:6, 25778:39, 25779:5, 25779:19, 25786:10, 25799:2, 25808:30, 25808:44, 25816:11, 25816:16, 25816:33, 25819:31, 25819:37  
**evident** [1] - 25753:17  
**evolving** [6] - 25763:42,

25766:46, 25768:34, 25768:45, 25769:16, 25769:20  
**exactly** [4] - 25732:31, 25734:29, 25753:46, 25774:26  
**exalted** [1] - 25781:37  
**EXAMINATION** [2] - 25720:23, 25813:1  
**examination** [3] - 25780:30, 25791:20, 25799:10  
**examine** [2] - 25779:41, 25785:22  
**examined** [1] - 25784:44  
**example** [3] - 25770:42, 25784:42, 25817:13  
**examples** [3] - 25766:5, 25766:32, 25773:28  
**except** [2] - 25760:2, 25780:23  
**exception** [1] - 25822:31  
**excess** [1] - 25755:44  
**exchange** [2] - 25738:38, 25739:9  
**excluded** [1] - 25784:41  
**excluding** [1] - 25768:32  
**excommunicate** [1] - 25780:5  
**excused** [3] - 25822:2, 25822:6, 25822:20  
**exempt** [1] - 25760:34  
**exercise** [5] - 25763:47, 25764:3, 25771:3, 25771:34, 25812:14  
**exercises** [2] - 25749:39, 25771:15  
**exhibit** [3] - 25722:31, 25759:21, 25822:29  
**EXHIBIT** [2] - 25722:33, 25759:23  
**exist** [2] - 25792:41, 25793:36  
**existence** [1] - 25800:30  
**expect** [11] - 25760:2, 25766:1, 25771:8, 25771:9, 25771:10, 25771:41, 25771:42, 25774:4, 25774:5, 25774:26, 25780:2  
**expectations** [4] - 25731:26, 25773:40, 25806:8, 25817:41  
**expected** [2] - 25762:24, 25796:45  
**expecting** [2] - 25756:33, 25766:1  
**experience** [18] - 25723:32, 25727:13, 25743:23, 25743:31, 25770:8, 25770:12, 25770:19, 25770:20, 25770:30, 25778:41, 25779:8, 25780:10, 25783:4, 25805:46, 25816:28, 25820:41, 25821:24, 25821:27

**experiences** [2] - 25805:45, 25821:33  
**expert** [1] - 25813:39  
**expertise** [2] - 25724:26, 25727:20  
**explain** [6] - 25743:3, 25768:20, 25768:47, 25799:46, 25803:42, 25818:31  
**exposed** [1] - 25780:9  
**express** [1] - 25771:45  
**expressed** [2] - 25746:25, 25793:32  
**expression** [2] - 25751:33, 25809:37  
**expressions** [1] - 25741:28  
**extend** [1] - 25784:47  
**extended** [1] - 25815:24  
**extending** [1] - 25739:27  
**extent** [8] - 25743:20, 25743:41, 25744:25, 25749:10, 25768:45, 25791:2, 25798:30  
**external** [2] - 25732:26, 25733:40  
**extraordinary** [3] - 25738:11, 25744:9, 25744:13  
**eyeball** [2] - 25770:18  
**eyes** [1] - 25820:43

## F

**face** [1] - 25733:19  
**facile** [2] - 25769:13, 25769:22  
**facilitates** [2] - 25779:42, 25779:44  
**facilities** [1] - 25778:18  
**facility** [1] - 25778:32  
**fact** [24] - 25731:7, 25732:43, 25733:10, 25747:32, 25748:29, 25749:4, 25753:16, 25765:24, 25767:42, 25778:12, 25778:21, 25778:29, 25781:45, 25785:5, 25785:13, 25786:33, 25789:12, 25789:32, 25807:36, 25807:37, 25809:14, 25810:22, 25811:30, 25812:34  
**factor** [6] - 25723:11, 25723:20, 25741:30, 25745:41, 25766:40, 25779:20  
**factors** [10] - 25723:10, 25724:2, 25743:14, 25746:13, 25748:36, 25748:37, 25749:2, 25749:18, 25751:16, 25765:9  
**facts** [1] - 25774:11  
**faculties** [1] - 25789:17

**fail** [2] - 25745:2, 25745:30  
**failed** [2] - 25743:6, 25747:20  
**failing** [1] - 25751:16  
**failings** [2] - 25756:27, 25791:16  
**fails** [1] - 25742:32  
**failure** [12] - 25729:17, 25745:27, 25747:20, 25748:27, 25757:4, 25757:7, 25757:12, 25757:17, 25757:25, 25764:21, 25791:12  
**failures** [1] - 25746:18  
**fairly** [2] - 25753:24, 25817:38  
**fairness** [1] - 25805:14  
**faith** [2] - 25727:31, 25781:46  
**faithful** [6] - 25780:22, 25780:34, 25784:42, 25784:43, 25785:10, 25785:26  
**false** [1] - 25755:36  
**familiar** [4] - 25758:29, 25773:8, 25816:42, 25817:32  
**familiarity** [1] - 25783:25  
**families** [14] - 25722:8, 25722:14, 25722:16, 25723:33, 25727:29, 25731:36, 25735:17, 25736:2, 25736:4, 25737:21, 25774:15, 25803:45, 25818:34, 25818:35  
**family** [7] - 25721:36, 25721:37, 25721:38, 25738:13, 25740:47, 25767:17, 25771:7  
**far** [7] - 25732:47, 25733:10, 25739:44, 25772:32, 25784:30, 25791:15, 25809:16  
**farming** [1] - 25721:14  
**Farrer** [1] - 25719:23  
**fast** [1] - 25796:36  
**fastest** [1] - 25810:22  
**father** [5] - 25780:22, 25781:22, 25783:12, 25783:14, 25820:40  
**Father** [3] - 25792:2, 25792:9, 25800:27  
**father/son** [1] - 25781:42  
**fault** [2] - 25746:4, 25791:17  
**faults** [1] - 25756:26  
**favour** [4] - 25739:8, 25787:2, 25792:4, 25811:31  
**favoured** [1] - 25748:1  
**fear** [4] - 25751:20, 25809:6, 25809:32  
**feature** [2] - 25747:5, 25773:30  
**features** [3] - 25748:16,

<p>25748:30  <b>FEBRUARY</b> [1] - 25822:47  <b>February</b> [1] - 25719:26  <b>feedback</b> [1] - 25773:19  <b>feet</b> [2] - 25764:1, 25764:2  <b>fellow</b> [2] - 25753:25, 25793:5  <b>felt</b> [6] - 25723:11, 25724:14, 25727:14, 25751:36, 25787:8, 25814:7  <b>fertile</b> [2] - 25793:45, 25794:1  <b>few</b> [10] - 25724:34, 25728:36, 25757:30, 25760:42, 25763:11, 25772:2, 25796:45, 25802:16, 25809:16, 25815:6  <b>field</b> [1] - 25740:40  <b>figure</b> [2] - 25724:28, 25771:36  <b>figures</b> [6] - 25787:40, 25798:3, 25798:13, 25798:17, 25798:40, 25798:43  <b>file</b> [1] - 25761:12  <b>filled</b> [1] - 25809:5  <b>filtered</b> [1] - 25781:1  <b>final</b> [2] - 25751:24, 25812:1  <b>finalising</b> [1] - 25808:13  <b>finally</b> [2] - 25739:38, 25771:11  <b>finance</b> [1] - 25806:21  <b>financial</b> [3] - 25756:23, 25756:27, 25805:12  <b>financially</b> [1] - 25756:24  <b>findings</b> [1] - 25793:47  <b>fine</b> [2] - 25770:45, 25812:46  <b>finesse</b> [1] - 25806:47  <b>finetuning</b> [1] - 25726:19  <b>finish</b> [1] - 25765:47  <b>finished</b> [2] - 25818:16, 25820:7  <b>finishes</b> [1] - 25736:45  <b>firmly</b> [1] - 25809:10  <b>first</b> [31] - 25723:10, 25724:2, 25724:11, 25725:14, 25725:35, 25728:9, 25729:19, 25732:9, 25732:12, 25732:42, 25738:28, 25745:17, 25746:33, 25748:26, 25756:33, 25768:38, 25770:12, 25773:43, 25777:19, 25781:46, 25794:6, 25798:2, 25798:31, 25803:42, 25805:34, 25809:13, 25818:31, 25819:8, 25819:19, 25821:39  <b>firstly</b> [10] - 25722:39, 25741:25, 25742:31, 25743:35, 25751:42,</p>	<p>25800:19, 25801:11, 25802:21, 25818:1, 25819:2  <b>fit</b> [1] - 25778:16  <b>fitted</b> [1] - 25765:43  <b>FITZGERALD</b> [11] - 25747:38, 25748:40, 25749:15, 25749:27, 25753:1, 25783:41, 25784:47, 25810:21, 25811:23, 25812:9, 25812:39  <b>Fitzgerald</b> [1] - 25719:35  <b>five</b> [3] - 25754:30, 25776:37, 25777:9  <b>five-day</b> [1] - 25754:30  <b>flag</b> [1] - 25752:31  <b>flags</b> [1] - 25753:29  <b>fobbed</b> [1] - 25725:24  <b>focus</b> [6] - 25731:36, 25742:41, 25752:15, 25754:18, 25754:20  <b>focused</b> [5] - 25730:40, 25737:5, 25751:29, 25756:38, 25763:44  <b>follow</b> [5] - 25731:44, 25761:9, 25774:22, 25778:9, 25802:8  <b>followed</b> [2] - 25772:30, 25785:45  <b>following</b> [6] - 25724:10, 25749:40, 25775:32, 25778:8, 25801:32, 25808:42  <b>force</b> [1] - 25796:44  <b>forced</b> [1] - 25733:3  <b>forcing</b> [1] - 25733:18  <b>foremost</b> [1] - 25750:34  <b>forever</b> [2] - 25738:44, 25775:21  <b>forgive</b> [1] - 25814:32  <b>forgiveness</b> [2] - 25735:23, 25816:2  <b>form</b> [6] - 25725:23, 25736:13, 25780:23, 25780:27, 25806:4, 25821:35  <b>formal</b> [2] - 25761:15, 25794:6  <b>format</b> [1] - 25792:2  <b>formation</b> [21] - 25741:5, 25744:32, 25746:46, 25747:36, 25748:23, 25750:28, 25750:29, 25752:2, 25754:6, 25754:9, 25754:17, 25754:21, 25769:9, 25791:26, 25791:28, 25794:25, 25794:26, 25794:29, 25805:43, 25809:21, 25816:27  <b>formational</b> [1] - 25752:10  <b>formators</b> [1] - 25752:17  <b>formed</b> [3] - 25775:37, 25799:22, 25808:46  <b>former</b> [1] - 25815:12  <b>forth</b> [3] - 25755:5,</p>	<p>25783:32, 25818:13  <b>fortunate</b> [1] - 25792:18  <b>forum</b> [4] - 25724:32, 25736:18, 25736:29, 25736:34  <b>forums</b> [3] - 25736:27, 25793:4, 25793:10  <b>forward</b> [19] - 25724:38, 25728:24, 25728:26, 25732:42, 25736:35, 25736:38, 25736:44, 25743:45, 25744:35, 25748:40, 25749:45, 25761:2, 25778:26, 25778:40, 25778:44, 25787:3, 25806:35, 25811:18, 25822:20  <b>foster</b> [4] - 25722:7, 25722:14, 25722:15, 25781:43  <b>Foundation</b> [1] - 25763:15  <b>founded</b> [1] - 25794:25  <b>four</b> [11] - 25735:34, 25754:29, 25764:5, 25775:12, 25785:41, 25796:39, 25798:2, 25800:18, 25815:17, 25817:5, 25822:10  <b>four-year</b> [1] - 25775:12  <b>fourthly</b> [1] - 25723:43  <b>frame</b> [1] - 25810:38  <b>Francis</b> [4] - 25734:18, 25779:13, 25780:46, 25810:29  <b>Franciscan</b> [1] - 25777:7  <b>fraternal</b> [1] - 25781:40  <b>fraternity</b> [1] - 25750:36  <b>Free</b> [1] - 25719:42  <b>freedom</b> [1] - 25752:43  <b>frequency</b> [1] - 25766:35  <b>frequently</b> [1] - 25813:31  <b>fresh</b> [1] - 25733:27  <b>friendship</b> [1] - 25783:25  <b>fro</b> [1] - 25762:35  <b>front</b> [3] - 25723:28, 25729:14, 25732:35  <b>fruit</b> [1] - 25762:29  <b>fruits</b> [2] - 25756:18, 25756:36  <b>frustrating</b> [1] - 25775:47  <b>full</b> [11] - 25720:26, 25723:14, 25757:42, 25758:37, 25776:24, 25785:26, 25786:14, 25787:14, 25799:15, 25799:28, 25804:32  <b>fully</b> [8] - 25737:44, 25750:9, 25787:3, 25792:8, 25805:6, 25805:15, 25815:1, 25817:32  <b>function</b> [1] - 25764:1  <b>functions</b> [1] - 25813:43  <b>fundamental</b> [2] - 25750:42, 25783:44  <b>fundamentally</b> [3] - 25748:25, 25748:27,</p>	<p>25781:47  <b>funded</b> [2] - 25721:41, 25721:47  <b>funding</b> [1] - 25722:1  <b>fundraising</b> [1] - 25722:1  <b>Furness</b> [12] - 25719:41, 25747:39, 25748:28, 25758:45, 25763:43, 25772:5, 25773:25, 25774:44, 25777:22, 25802:21, 25803:42, 25812:44  <b>FURNESS</b> [289] - 25720:1, 25720:7, 25720:23, 25720:25, 25720:31, 25720:37, 25720:42, 25720:47, 25721:5, 25721:10, 25721:19, 25721:25, 25721:41, 25722:3, 25722:11, 25722:19, 25722:25, 25722:35, 25722:39, 25722:44, 25723:1, 25723:8, 25724:7, 25724:44, 25725:4, 25725:11, 25725:30, 25726:14, 25726:34, 25726:39, 25727:1, 25727:7, 25727:22, 25727:46, 25728:4, 25728:15, 25735:3, 25735:9, 25735:27, 25735:32, 25735:42, 25735:47, 25736:8, 25736:18, 25736:38, 25737:13, 25737:25, 25737:32, 25737:37, 25738:5, 25738:24, 25738:36, 25738:47, 25739:8, 25739:14, 25739:29, 25739:38, 25739:44, 25740:3, 25740:8, 25740:14, 25740:18, 25740:22, 25740:28, 25740:33, 25740:38, 25741:4, 25741:10, 25741:17, 25741:33, 25742:6, 25742:45, 25743:5, 25743:18, 25743:38, 25744:2, 25744:23, 25744:38, 25746:2, 25757:1, 25757:16, 25757:21, 25757:30, 25757:34, 25757:40, 25757:46, 25758:3, 25758:9, 25758:14, 25758:18, 25758:22, 25758:29, 25758:34, 25758:41, 25759:2, 25759:14, 25759:19, 25759:26, 25759:32, 25759:38, 25759:45, 25760:6, 25760:11, 25760:15, 25760:21, 25760:26, 25760:33, 25760:38, 25760:47, 25761:7, 25761:15,</p>	<p>25761:29, 25761:33, 25761:39, 25761:44, 25762:2, 25762:10, 25762:15, 25762:21, 25762:31, 25762:38, 25762:42, 25763:1, 25763:6, 25763:14, 25763:19, 25763:24, 25763:28, 25763:37, 25765:3, 25765:8, 25765:14, 25766:4, 25766:12, 25766:18, 25766:23, 25766:27, 25766:32, 25766:39, 25767:37, 25767:42, 25768:2, 25768:9, 25768:34, 25768:38, 25768:43, 25769:27, 25769:31, 25769:37, 25769:43, 25769:47, 25770:4, 25770:8, 25770:34, 25770:40, 25772:19, 25772:24, 25772:36, 25772:41, 25773:19, 25774:31, 25774:37, 25774:42, 25775:26, 25775:31, 25775:37, 25776:23, 25776:28, 25776:33, 25776:40, 25776:45, 25777:3, 25777:18, 25777:24, 25777:30, 25777:35, 25777:43, 25778:6, 25778:18, 25778:25, 25778:38, 25779:5, 25779:19, 25780:43, 25785:40, 25786:9, 25786:20, 25786:28, 25786:44, 25787:5, 25787:12, 25787:18, 25787:22, 25787:26, 25787:31, 25787:36, 25787:43, 25787:47, 25788:6, 25788:13, 25788:18, 25788:34, 25788:41, 25788:47, 25789:6, 25789:15, 25789:26, 25789:30, 25789:35, 25789:39, 25789:44, 25790:5, 25790:22, 25790:28, 25790:33, 25790:38, 25790:43, 25790:47, 25791:7, 25792:15, 25792:46, 25793:4, 25793:10, 25793:15, 25793:20, 25793:29, 25794:4, 25794:10, 25794:15, 25794:28, 25794:37, 25794:42, 25794:46, 25795:3, 25795:8, 25795:23, 25795:34, 25795:44, 25796:2, 25796:18, 25796:39, 25796:44, 25797:16, 25797:36, 25798:11, 25798:21, 25798:26,</p>
--	---	--	---	--

<p>25798:43, 25799:2, 25799:15, 25799:20, 25799:27, 25799:33, 25799:37, 25799:42, 25799:46, 25800:14, 25800:41, 25801:8, 25801:25, 25801:36, 25801:41, 25801:47, 25802:8, 25802:12, 25802:19, 25802:25, 25802:30, 25802:36, 25802:47, 25803:5, 25803:10, 25803:20, 25803:25, 25803:29, 25803:34, 25804:13, 25804:19, 25804:26, 25804:40, 25804:47, 25805:9, 25805:18, 25821:47, 25822:4, 25822:24, 25822:31, 25822:36, 25822:40</p> <p><b>future</b> [6] - 25723:44, 25724:5, 25729:37, 25731:38, 25749:37, 25750:15</p>	<p><b>gift</b> [2] - 25809:36</p> <p><b>given</b> [30] - 25722:16, 25728:12, 25730:2, 25731:9, 25732:8, 25735:3, 25736:10, 25740:3, 25741:17, 25743:28, 25747:40, 25749:18, 25749:19, 25752:15, 25764:18, 25764:27, 25764:42, 25765:38, 25765:44, 25766:5, 25766:32, 25773:36, 25785:14, 25804:40, 25811:26, 25814:46, 25819:32</p> <p><b>glad</b> [1] - 25776:14</p> <p><b>glaring</b> [1] - 25785:21</p> <p><b>global</b> [1] - 25810:43</p> <p><b>globally</b> [1] - 25730:10</p> <p><b>goal</b> [1] - 25752:16</p> <p><b>God</b> [3] - 25781:24, 25809:36, 25812:33</p> <p><b>golf</b> [2] - 25783:27, 25783:33</p> <p><b>golfing</b> [1] - 25783:36</p> <p><b>gospel</b> [1] - 25811:21</p> <p><b>Goulburn</b> [4] - 25720:31, 25720:34, 25721:17, 25722:6</p> <p><b>governance</b> [9] - 25724:4, 25743:18, 25743:39, 25783:46, 25784:7, 25784:15, 25785:12, 25785:27, 25811:2</p> <p><b>governed</b> [1] - 25744:24</p> <p><b>Government</b> [2] - 25725:45, 25726:4</p> <p><b>government</b> [4] - 25724:22, 25725:41, 25729:32, 25734:43</p> <p><b>governmental</b> [2] - 25725:42, 25733:30</p> <p><b>governmentalities</b> [1] - 25728:22</p> <p><b>governments</b> [2] - 25721:47, 25726:28</p> <p><b>Governor</b> [1] - 25719:22</p> <p><b>Grace</b> [1] - 25782:13</p> <p><b>gradual</b> [1] - 25809:37</p> <p><b>gradually</b> [1] - 25818:6</p> <p><b>grammar</b> [1] - 25731:17</p> <p><b>grapple</b> [1] - 25796:26</p> <p><b>grasp</b> [1] - 25745:47</p> <p><b>grassroots</b> [1] - 25797:31</p> <p><b>grateful</b> [3] - 25723:25, 25770:22, 25820:2</p> <p><b>gratitude</b> [1] - 25821:21</p> <p><b>gravity</b> [1] - 25734:38</p> <p><b>great</b> [15] - 25724:26, 25727:19, 25742:1, 25756:36, 25757:24, 25778:13, 25793:34, 25796:37, 25798:9, 25809:36, 25810:5, 25816:23, 25816:29, 25822:8, 25822:11</p> <p><b>greater</b> [11] - 25724:11,</p>	<p>25724:15, 25724:30, 25732:47, 25734:21, 25734:26, 25738:31, 25738:42, 25749:13, 25756:30, 25797:17</p> <p><b>greet</b> [3] - 25781:16, 25781:17, 25782:37</p> <p><b>grievously</b> [1] - 25798:34</p> <p><b>ground</b> [3] - 25738:16, 25793:45, 25794:1</p> <p><b>grounded</b> [1] - 25757:13</p> <p><b>grounds</b> [2] - 25774:9, 25776:5</p> <p><b>groundswell</b> [1] - 25753:36</p> <p><b>group</b> [3] - 25793:24, 25797:23, 25813:37</p> <p><b>groups</b> [15] - 25721:35, 25721:36, 25721:37, 25731:36, 25737:8, 25737:21, 25737:22, 25755:28, 25773:1, 25774:20, 25788:31, 25793:26, 25802:5, 25807:35, 25807:46</p> <p><b>grovel</b> [1] - 25782:39</p> <p><b>growing</b> [1] - 25810:22</p> <p><b>grown</b> [2] - 25778:35, 25820:41</p> <p><b>growth</b> [5] - 25750:39, 25752:12, 25752:26, 25809:22, 25816:25</p> <p><b>guess</b> [2] - 25764:26, 25764:40</p> <p><b>guidance</b> [1] - 25785:14</p> <p><b>guide</b> [3] - 25802:23, 25802:39, 25819:17</p> <p><b>guided</b> [1] - 25803:15</p> <p><b>guilt</b> [1] - 25809:5</p>	<p><b>healers</b> [2] - 25727:35, 25727:36</p> <p><b>healing</b> [3] - 25735:10, 25820:46, 25821:24</p> <p><b>Healing</b> [12] - 25728:9, 25755:5, 25757:3, 25769:27, 25769:31, 25786:26, 25788:36, 25794:6, 25802:8, 25817:32, 25820:21, 25821:12</p> <p><b>health</b> [2] - 25771:4, 25815:13</p> <p><b>healthier</b> [1] - 25812:36</p> <p><b>healthiest</b> [1] - 25750:37</p> <p><b>healthy</b> [6] - 25723:14, 25751:14, 25751:31, 25811:46, 25812:36, 25813:40</p> <p><b>hear</b> [3] - 25732:27, 25737:16, 25798:12</p> <p><b>heard</b> [16] - 25735:5, 25741:4, 25748:29, 25763:37, 25763:39, 25765:3, 25778:6, 25778:38, 25779:5, 25779:19, 25784:4, 25790:47, 25798:3, 25799:2, 25810:31, 25821:27</p> <p><b>Hearing</b> [1] - 25719:18</p> <p><b>hearing</b> [4] - 25729:6, 25729:44, 25734:18, 25798:16</p> <p><b>heart</b> [7] - 25723:37, 25727:27, 25733:41, 25769:15, 25781:34, 25798:37, 25806:26</p> <p><b>heartbreak</b> [1] - 25770:13</p> <p><b>heartbreaking</b> [2] - 25724:36, 25776:3</p> <p><b>heartfelt</b> [1] - 25729:40</p> <p><b>hearts</b> [1] - 25728:31</p> <p><b>heavily</b> [1] - 25779:33</p> <p><b>Hedland</b> [1] - 25773:28</p> <p><b>held</b> [5] - 25721:5, 25730:23, 25787:22, 25793:30, 25813:45</p> <p><b>Helen</b> [1] - 25719:36</p> <p><b>help</b> [14] - 25723:40, 25729:41, 25731:37, 25737:37, 25738:5, 25745:8, 25745:31, 25754:47, 25769:20, 25770:26, 25802:33, 25804:5, 25806:10, 25809:25</p> <p><b>helped</b> [5] - 25733:2, 25764:17, 25766:18, 25769:18, 25770:32</p> <p><b>helpful</b> [14] - 25731:28, 25732:41, 25733:5, 25734:45, 25738:34, 25738:37, 25738:41, 25752:46, 25763:44, 25771:28, 25771:46, 25782:38, 25807:13</p>	<p><b>helping</b> [2] - 25742:17, 25769:25</p> <p><b>helps</b> [4] - 25728:13, 25733:4, 25734:45, 25773:7</p> <p><b>Heralds</b> [1] - 25789:37</p> <p><b>hide</b> [1] - 25733:28</p> <p><b>hierarchical</b> [2] - 25748:22, 25755:15</p> <p><b>hierarchy</b> [1] - 25753:37</p> <p><b>high</b> [8] - 25724:28, 25724:39, 25726:8, 25726:29, 25773:6, 25779:47, 25806:11, 25816:27</p> <p><b>higher</b> [1] - 25739:5</p> <p><b>highest</b> [5] - 25742:18, 25755:25, 25755:33, 25763:9, 25763:34</p> <p><b>highlight</b> [1] - 25755:22</p> <p><b>highlighted</b> [2] - 25743:28, 25786:33</p> <p><b>hindsight</b> [1] - 25816:1</p> <p><b>historically</b> [2] - 25743:44, 25745:35</p> <p><b>history</b> [5] - 25749:41, 25800:24, 25800:25, 25800:29, 25800:47</p> <p><b>hits</b> [1] - 25783:45</p> <p><b>Hobart</b> [3] - 25720:8, 25740:34, 25817:45</p> <p><b>hold</b> [4] - 25724:39, 25746:39, 25746:40, 25748:25</p> <p><b>holidays</b> [3] - 25790:9, 25790:12, 25790:23</p> <p><b>holistic</b> [2] - 25811:1, 25811:17</p> <p><b>Holy</b> [5] - 25764:2, 25778:23, 25792:2, 25792:9, 25820:4</p> <p><b>home</b> [15] - 25755:6, 25762:6, 25766:14, 25771:7, 25771:8, 25771:10, 25771:18, 25771:22, 25772:9, 25778:35, 25780:21, 25803:45, 25814:29, 25820:37</p> <p><b>home-grown</b> [1] - 25778:35</p> <p><b>homework</b> [1] - 25766:18</p> <p><b>honest</b> [1] - 25733:27</p> <p><b>honestly</b> [1] - 25750:10</p> <p><b>honorific</b> [2] - 25780:31, 25781:22</p> <p><b>honorifics</b> [2] - 25781:18, 25781:27</p> <p><b>Honour</b> [22] - 25720:1, 25720:9, 25722:28, 25729:11, 25729:39, 25731:7, 25745:19, 25746:33, 25749:16, 25757:1, 25757:34, 25757:40, 25759:19, 25785:40, 25805:19, 25809:13, 25810:4,</p>
<b>G</b>		<b>H</b>		
<p><b>Gail</b> [1] - 25719:41</p> <p><b>gaol</b> [1] - 25803:8</p> <p><b>gap</b> [1] - 25785:21</p> <p><b>garb</b> [2] - 25741:28, 25779:7</p> <p><b>gather</b> [2] - 25727:29, 25813:30</p> <p><b>gathering</b> [2] - 25736:9, 25737:5</p> <p><b>gatherings</b> [3] - 25736:14, 25793:10, 25807:14</p> <p><b>geared</b> [1] - 25742:16</p> <p><b>gelled</b> [1] - 25771:24</p> <p><b>general</b> [7] - 25775:7, 25775:8, 25786:39, 25799:6, 25808:43, 25813:21, 25813:37</p> <p><b>generally</b> [14] - 25720:2, 25720:5, 25725:6, 25741:35, 25742:3, 25772:31, 25782:11, 25782:34, 25786:38, 25793:30, 25811:28, 25811:29, 25811:34, 25813:39</p> <p><b>generational</b> [3] - 25796:28, 25796:32, 25796:33</p> <p><b>genius</b> [1] - 25729:13</p> <p><b>gentleman</b> [1] - 25774:1</p> <p><b>gentlemen</b> [1] - 25785:42</p> <p><b>genuine</b> [1] - 25731:46</p> <p><b>genuinely</b> [3] - 25729:28, 25810:39, 25821:24</p> <p><b>geographical</b> [1] - 25795:28</p> <p><b>geographically</b> [1] - 25721:13</p> <p><b>Gerardine</b> [1] - 25753:3</p>	<p><b>half</b> [2] - 25721:21, 25721:22</p> <p><b>hand</b> [3] - 25731:32, 25783:1, 25798:18</p> <p><b>handled</b> [1] - 25725:22</p> <p><b>happy</b> [6] - 25727:15, 25733:21, 25737:3, 25737:47, 25804:44, 25805:6</p> <p><b>harassment</b> [1] - 25817:16</p> <p><b>hard</b> [4] - 25727:9, 25752:5, 25753:46, 25765:16</p> <p><b>harder</b> [1] - 25785:32</p> <p><b>harm</b> [4] - 25739:18, 25744:9, 25807:19</p> <p><b>head</b> [4] - 25724:39, 25726:26, 25800:37, 25808:37</p> <p><b>headed</b> [1] - 25781:6</p> <p><b>heads</b> [1] - 25822:40</p> <p><b>heal</b> [1] - 25723:41</p> <p><b>healer</b> [1] - 25733:20</p>			

<p>25812:43, 25814:29, 25821:47, 25822:24, 25822:36</p> <p><b>Honour's</b> [1] - 25756:9</p> <p><b>honouring</b> [1] - 25783:3</p> <p><b>hoops</b> [1] - 25726:22</p> <p><b>hope</b> [11] - 25728:27, 25767:18, 25768:32, 25769:17, 25775:28, 25775:29, 25783:16, 25797:33, 25806:46, 25809:35, 25811:18</p> <p><b>hopefully</b> [2] - 25775:23, 25818:19</p> <p><b>hoping</b> [4] - 25751:12, 25756:17, 25756:32, 25756:35</p> <p><b>horror</b> [1] - 25728:36</p> <p><b>hour</b> [1] - 25782:47</p> <p><b>House</b> [1] - 25736:29</p> <p><b>house</b> [5] - 25728:8, 25729:34, 25734:34, 25734:42, 25816:17</p> <p><b>housed</b> [1] - 25778:31</p> <p><b>households</b> [1] - 25722:16</p> <p><b>huge</b> [4] - 25727:38, 25732:16, 25737:35, 25737:43</p> <p><b>human</b> [3] - 25809:22, 25809:35, 25810:16</p> <p><b>humility</b> [1] - 25751:8</p> <p><b>HURLEY</b> [87] - 25720:17, 25757:44, 25758:1, 25758:6, 25758:12, 25758:16, 25758:20, 25758:27, 25758:32, 25758:39, 25758:44, 25759:5, 25759:17, 25759:23, 25759:30, 25759:36, 25759:42, 25760:1, 25760:9, 25760:13, 25760:19, 25760:24, 25760:29, 25760:36, 25760:45, 25761:4, 25761:9, 25761:19, 25761:31, 25761:36, 25761:42, 25761:47, 25762:5, 25762:13, 25762:19, 25762:23, 25762:33, 25762:40, 25762:45, 25763:4, 25763:9, 25763:17, 25763:22, 25763:26, 25763:30, 25763:42, 25765:6, 25765:12, 25765:16, 25766:9, 25766:16, 25766:21, 25766:25, 25766:30, 25766:37, 25766:45, 25767:40, 25767:44, 25768:7, 25768:14, 25768:36, 25768:41, 25769:3, 25769:29, 25769:35, 25769:40, 25769:45, 25770:2, 25770:6,</p>	<p>25770:11, 25770:38, 25770:45, 25772:22, 25772:28, 25772:39, 25772:44, 25773:23, 25773:42, 25774:24, 25774:35, 25774:40, 25774:44, 25775:28, 25775:35, 25775:40, 25782:34, 25783:23</p> <p><b>Hurley</b> [8] - 25757:41, 25757:44, 25778:18, 25782:31, 25785:46, 25786:10, 25786:32, 25804:27</p> <p><b>Hurley's</b> [3] - 25778:6, 25786:42, 25799:2</p> <p><b>hurt</b> [2] - 25798:29, 25798:34</p>	<p><b>implement</b> [5] - 25756:17, 25794:22, 25807:7, 25821:7</p> <p><b>implemented</b> [1] - 25795:18</p> <p><b>implication</b> [1] - 25747:44</p> <p><b>importance</b> [5] - 25751:8, 25751:27, 25773:14, 25807:19, 25811:28</p> <p><b>important</b> [19] - 25723:12, 25723:29, 25724:20, 25736:5, 25742:9, 25742:25, 25746:47, 25753:15, 25771:17, 25773:37, 25775:43, 25781:34, 25782:28, 25787:3, 25807:3, 25810:19, 25814:19, 25815:47, 25822:17</p> <p><b>impossible</b> [1] - 25749:4</p> <p><b>impressed</b> [1] - 25820:16</p> <p><b>impropriety</b> [1] - 25762:36</p> <p><b>improve</b> [3] - 25754:9, 25754:21, 25807:34</p> <p><b>improved</b> [2] - 25813:23, 25813:26</p> <p><b>IN</b> [1] - 25759:23</p> <p><b>in-house</b> [5] - 25728:8, 25729:34, 25734:34, 25734:42, 25816:17</p> <p><b>in-services</b> [1] - 25820:13</p> <p><b>in-servicing</b> [3] - 25738:30, 25754:31, 25790:19</p> <p><b>inadequately</b> [1] - 25746:6</p> <p><b>inadvertently</b> [1] - 25744:44</p> <p><b>inappropriately</b> [1] - 25744:45</p> <p><b>incapable</b> [1] - 25762:8</p> <p><b>incapax</b> [1] - 25762:8</p> <p><b>incidences</b> [1] - 25752:28</p> <p><b>incident</b> [2] - 25762:33, 25820:39</p> <p><b>inclined</b> [1] - 25741:18</p> <p><b>include</b> [5] - 25725:46, 25739:34, 25739:35, 25748:19, 25807:30</p> <p><b>included</b> [1] - 25809:1</p> <p><b>includes</b> [1] - 25817:15</p> <p><b>including</b> [6] - 25749:1, 25759:39, 25761:12, 25777:11, 25777:44, 25785:12</p> <p><b>incorporates</b> [1] - 25721:13</p> <p><b>incredible</b> [2] - 25730:15, 25731:9</p> <p><b>incredibly</b> [2] - 25755:47, 25775:47</p> <p><b>incremental</b> [2] - 25796:46, 25797:13</p> <p><b>inculcate</b> [1] - 25773:9</p> <p><b>indeed</b> [11] - 25727:41, 25728:34, 25728:43, 25733:22, 25735:4, 25743:19, 25753:7,</p>	<p>25763:9, 25773:27, 25793:41, 25805:11</p> <p><b>independent</b> [2] - 25775:41, 25776:11</p> <p><b>index</b> [1] - 25779:47</p> <p><b>India</b> [2] - 25771:19, 25778:1</p> <p><b>indicate</b> [4] - 25723:1, 25753:11, 25761:44, 25771:36</p> <p><b>indicated</b> [5] - 25753:3, 25762:15, 25798:21, 25799:21, 25811:24</p> <p><b>indicates</b> [3] - 25749:23, 25749:42, 25781:23</p> <p><b>indicator</b> [1] - 25763:33</p> <p><b>indifferent</b> [1] - 25771:39</p> <p><b>indigenous</b> [1] - 25773:3</p> <p><b>indiscretion</b> [2] - 25731:16, 25732:46</p> <p><b>individual</b> [13] - 25723:35, 25739:45, 25742:32, 25747:46, 25748:27, 25749:31, 25755:34, 25791:15, 25793:23, 25795:35, 25799:11, 25809:7, 25818:10</p> <p><b>individuality</b> [1] - 25821:36</p> <p><b>individually</b> [5] - 25749:35, 25750:13, 25793:27, 25797:43, 25817:25</p> <p><b>individuals</b> [11] - 25742:47, 25743:2, 25743:5, 25743:6, 25746:4, 25746:5, 25747:23, 25773:38, 25780:2, 25780:8, 25807:45</p> <p><b>induct</b> [1] - 25771:25</p> <p><b>induction</b> [3] - 25819:10, 25819:18, 25819:22</p> <p><b>industry</b> [2] - 25790:9, 25790:10</p> <p><b>infancy</b> [1] - 25791:24</p> <p><b>infantilisation</b> [2] - 25780:39, 25781:19</p> <p><b>infect</b> [1] - 25765:46</p> <p><b>infected</b> [1] - 25765:46</p> <p><b>influence</b> [3] - 25750:47, 25756:6, 25813:5</p> <p><b>influenced</b> [2] - 25796:19, 25801:21</p> <p><b>influencing</b> [1] - 25743:14</p> <p><b>inform</b> [1] - 25746:17</p> <p><b>information</b> [4] - 25726:39, 25738:38, 25739:9, 25770:19</p> <p><b>informed</b> [8] - 25725:18, 25769:17, 25779:27, 25785:5, 25803:13, 25803:15, 25821:29</p> <p><b>inhabiting</b> [1] - 25783:6</p> <p><b>initial</b> [1] - 25777:7</p> <p><b>initiative</b> [2] - 25753:34, 25762:21</p>	<p><b>injustices</b> [1] - 25798:35</p> <p><b>inner</b> [1] - 25729:24</p> <p><b>innocent</b> [2] - 25733:17, 25810:44</p> <p><b>inquiries</b> [1] - 25755:12</p> <p><b>inside</b> [1] - 25808:46</p> <p><b>insights</b> [1] - 25814:46</p> <p><b>insignificantly</b> [1] - 25784:20</p> <p><b>insist</b> [1] - 25782:14</p> <p><b>insofar</b> [3] - 25761:19, 25762:7, 25780:16</p> <p><b>inspire</b> [1] - 25742:22</p> <p><b>inspired</b> [1] - 25779:32</p> <p><b>installed</b> [1] - 25740:33</p> <p><b>instance</b> [15] - 25725:42, 25728:11, 25731:10, 25731:33, 25734:46, 25740:45, 25747:4, 25755:21, 25774:25, 25781:22, 25796:29, 25809:40, 25811:6, 25814:4, 25818:3</p> <p><b>instances</b> [1] - 25737:42</p> <p><b>instead</b> [1] - 25820:11</p> <p><b>Institute</b> [4] - 25723:3, 25756:45, 25805:24, 25808:8</p> <p><b>institute</b> [12] - 25724:7, 25724:17, 25724:41, 25724:44, 25725:5, 25725:31, 25726:35, 25727:2, 25727:23, 25733:26, 25777:41, 25806:38</p> <p><b>institutes</b> [2] - 25822:41, 25822:43</p> <p><b>instituting</b> [1] - 25733:12</p> <p><b>institution</b> [1] - 25814:39</p> <p><b>INSTITUTIONAL</b> [1] - 25719:13</p> <p><b>institutional</b> [4] - 25733:10, 25733:23, 25748:16, 25780:31</p> <p><b>institutional/structural</b> [1] - 25750:27</p> <p><b>institutions</b> [2] - 25808:46, 25822:12</p> <p><b>instructing</b> [1] - 25773:43</p> <p><b>instrument</b> [1] - 25780:16</p> <p><b>instrumentalities</b> [1] - 25734:47</p> <p><b>integral</b> [1] - 25811:15</p> <p><b>integrity</b> [2] - 25773:13, 25773:46</p> <p><b>Integrity</b> [3] - 25788:36, 25817:31, 25819:19</p> <p><b>intelligent</b> [1] - 25731:37</p> <p><b>intensity</b> [1] - 25797:11</p> <p><b>intention</b> [2] - 25730:37, 25764:46</p> <p><b>interact</b> [1] - 25814:33</p> <p><b>interaction</b> [1] - 25814:5</p> <p><b>interactive</b> [1] - 25814:29</p> <p><b>interdisciplinary</b> [1] - 25733:29</p> <p><b>interest</b> [5] - 25749:47,</p>
<p><b>I</b></p> <p><b>idea</b> [6] - 25739:32, 25756:5, 25801:20, 25804:3, 25804:4, 25809:20</p> <p><b>ideal</b> [1] - 25796:8</p> <p><b>ideals</b> [6] - 25742:18, 25742:21, 25742:32, 25742:37, 25747:21, 25755:25</p> <p><b>identified</b> [4] - 25731:2, 25737:27, 25749:35, 25809:46</p> <p><b>identifies</b> [1] - 25780:27</p> <p><b>identify</b> [3] - 25746:13, 25752:17, 25809:23</p> <p><b>identifying</b> [1] - 25783:20</p> <p><b>identity</b> [1] - 25745:41</p> <p><b>ignorance</b> [1] - 25757:30</p> <p><b>II</b> [3] - 25791:42, 25809:41, 25811:10</p> <p><b>ill</b> [1] - 25815:13</p> <p><b>illness</b> [1] - 25732:37</p> <p><b>image</b> [4] - 25732:33, 25756:22, 25779:38, 25792:42</p> <p><b>images</b> [1] - 25817:23</p> <p><b>imagine</b> [7] - 25730:5, 25754:25, 25769:6, 25770:12, 25793:47, 25794:40, 25795:1</p> <p><b>imbalance</b> [2] - 25779:43, 25785:24</p> <p><b>immature</b> [2] - 25738:16, 25791:35</p> <p><b>immediately</b> [3] - 25728:10, 25728:12, 25803:13</p> <p><b>immersed</b> [1] - 25792:22</p> <p><b>immersion</b> [1] - 25762:25</p> <p><b>impact</b> [4] - 25753:47, 25807:19, 25820:42, 25821:40</p> <p><b>imperative</b> [3] - 25775:41, 25776:20, 25776:21</p> <p><b>impetus</b> [1] - 25797:16</p>	<p><b>I</b></p>	<p><b>impossible</b> [1] - 25749:4</p> <p><b>impressed</b> [1] - 25820:16</p> <p><b>impropriety</b> [1] - 25762:36</p> <p><b>improve</b> [3] - 25754:9, 25754:21, 25807:34</p> <p><b>improved</b> [2] - 25813:23, 25813:26</p> <p><b>IN</b> [1] - 25759:23</p> <p><b>in-house</b> [5] - 25728:8, 25729:34, 25734:34, 25734:42, 25816:17</p> <p><b>in-services</b> [1] - 25820:13</p> <p><b>in-servicing</b> [3] - 25738:30, 25754:31, 25790:19</p> <p><b>inadequately</b> [1] - 25746:6</p> <p><b>inadvertently</b> [1] - 25744:44</p> <p><b>inappropriately</b> [1] - 25744:45</p> <p><b>incapable</b> [1] - 25762:8</p> <p><b>incapax</b> [1] - 25762:8</p> <p><b>incidences</b> [1] - 25752:28</p> <p><b>incident</b> [2] - 25762:33, 25820:39</p> <p><b>inclined</b> [1] - 25741:18</p> <p><b>include</b> [5] - 25725:46, 25739:34, 25739:35, 25748:19, 25807:30</p> <p><b>included</b> [1] - 25809:1</p> <p><b>includes</b> [1] - 25817:15</p> <p><b>including</b> [6] - 25749:1, 25759:39, 25761:12, 25777:11, 25777:44, 25785:12</p> <p><b>incorporates</b> [1] - 25721:13</p> <p><b>incredible</b> [2] - 25730:15, 25731:9</p> <p><b>incredibly</b> [2] - 25755:47, 25775:47</p> <p><b>incremental</b> [2] - 25796:46, 25797:13</p> <p><b>inculcate</b> [1] - 25773:9</p> <p><b>indeed</b> [11] - 25727:41, 25728:34, 25728:43, 25733:22, 25735:4, 25743:19, 25753:7,</p>	<p>25763:9, 25773:27, 25793:41, 25805:11</p> <p><b>independent</b> [2] - 25775:41, 25776:11</p> <p><b>index</b> [1] - 25779:47</p> <p><b>India</b> [2] - 25771:19, 25778:1</p> <p><b>indicate</b> [4] - 25723:1, 25753:11, 25761:44, 25771:36</p> <p><b>indicated</b> [5] - 25753:3, 25762:15, 25798:21, 25799:21, 25811:24</p> <p><b>indicates</b> [3] - 25749:23, 25749:42, 25781:23</p> <p><b>indicator</b> [1] - 25763:33</p> <p><b>indifferent</b> [1] - 25771:39</p> <p><b>indigenous</b> [1] - 25773:3</p> <p><b>indiscretion</b> [2] - 25731:16, 25732:46</p> <p><b>individual</b> [13] - 25723:35, 25739:45, 25742:32, 25747:46, 25748:27, 25749:31, 25755:34, 25791:15, 25793:23, 25795:35, 25799:11, 25809:7, 25818:10</p> <p><b>individuality</b> [1] - 25821:36</p> <p><b>individually</b> [5] - 25749:35, 25750:13, 25793:27, 25797:43, 25817:25</p> <p><b>individuals</b> [11] - 25742:47, 25743:2, 25743:5, 25743:6, 25746:4, 25746:5, 25747:23, 25773:38, 25780:2, 25780:8, 25807:45</p> <p><b>induct</b> [1] - 25771:25</p> <p><b>induction</b> [3] - 25819:10, 25819:18, 25819:22</p> <p><b>industry</b> [2] - 25790:9, 25790:10</p> <p><b>infancy</b> [1] - 25791:24</p> <p><b>infantilisation</b> [2] - 25780:39, 25781:19</p> <p><b>infect</b> [1] - 25765:46</p> <p><b>infected</b> [1] - 25765:46</p> <p><b>influence</b> [3] - 25750:47, 25756:6, 25813:5</p> <p><b>influenced</b> [2] - 25796:19, 25801:21</p> <p><b>influencing</b> [1] - 25743:14</p> <p><b>inform</b> [1] - 25746:17</p> <p><b>information</b> [4] - 25726:39, 25738:38, 25739:9, 25770:19</p> <p><b>informed</b> [8] - 25725:18, 25769:17, 25779:27, 25785:5, 25803:13, 25803:15, 25821:29</p> <p><b>inhabiting</b> [1] - 25783:6</p> <p><b>initial</b> [1] - 25777:7</p> <p><b>initiative</b> [2] - 25753:34, 25762:21</p>	<p><b>injustices</b> [1] - 25798:35</p> <p><b>inner</b> [1] - 25729:24</p> <p><b>innocent</b> [2] - 25733:17, 25810:44</p> <p><b>inquiries</b> [1] - 25755:12</p> <p><b>inside</b> [1] - 25808:46</p> <p><b>insights</b> [1] - 25814:46</p> <p><b>insignificantly</b> [1] - 25784:20</p> <p><b>insist</b> [1] - 25782:14</p> <p><b>insofar</b> [3] - 25761:19, 25762:7, 25780:16</p> <p><b>inspire</b> [1] - 25742:22</p> <p><b>inspired</b> [1] - 25779:32</p> <p><b>installed</b> [1] - 25740:33</p> <p><b>instance</b> [15] - 25725:42, 25728:11, 25731:10, 25731:33, 25734:46, 25740:45, 25747:4, 25755:21, 25774:25, 25781:22, 25796:29, 25809:40, 25811:6, 25814:4, 25818:3</p> <p><b>instances</b> [1] - 25737:42</p> <p><b>instead</b> [1] - 25820:11</p> <p><b>Institute</b> [4] - 25723:3, 25756:45, 25805:24, 25808:8</p> <p><b>institute</b> [12] - 25724:7, 25724:17, 25724:41, 25724:44, 25725:5, 25725:31, 25726:35, 25727:2, 25727:23, 25733:26, 25777:41, 25806:38</p> <p><b>institutes</b> [2] - 25822:41, 25822:43</p> <p><b>instituting</b> [1] - 25733:12</p> <p><b>institution</b> [1] - 25814:39</p> <p><b>INSTITUTIONAL</b> [1] - 25719:13</p> <p><b>institutional</b> [4] - 25733:10, 25733:23, 25748:16, 25780:31</p> <p><b>institutional/structural</b> [1] - 25750:27</p> <p><b>institutions</b> [2] - 25808:46, 25822:12</p> <p><b>instructing</b> [1] - 25773:43</p> <p><b>instrument</b> [1] - 25780:16</p> <p><b>instrumentalities</b> [1] - 25734:47</p> <p><b>integral</b> [1] - 25811:15</p> <p><b>integrity</b> [2] - 25773:13, 25773:46</p> <p><b>Integrity</b> [3] - 25788:36, 25817:31, 25819:19</p> <p><b>intelligent</b> [1] - 25731:37</p> <p><b>intensity</b> [1] - 25797:11</p> <p><b>intention</b> [2] - 25730:37, 25764:46</p> <p><b>interact</b> [1] - 25814:33</p> <p><b>interaction</b> [1] - 25814:5</p> <p><b>interactive</b> [1] - 25814:29</p> <p><b>interdisciplinary</b> [1] - 25733:29</p> <p><b>interest</b> [5] - 25749:47,</p>

<p>25751:21, 25761:29, 25793:6, 25810:45 <b>interested</b> [5] - 25754:38, 25754:41, 25811:42, 25812:6, 25812:26 <b>interests</b> [4] - 25810:26, 25810:38, 25810:39, 25811:32 <b>internal</b> [2] - 25732:25, 25733:39 <b>international</b> [4] - 25732:34, 25734:20, 25777:15, 25814:6 <b>internet</b> [1] - 25809:28 <b>interregnum</b> [1] - 25815:14 <b>intervenes</b> [1] - 25776:2 <b>interview</b> [2] - 25775:8, 25778:9 <b>INTO</b> [1] - 25719:13 <b>introduce</b> [2] - 25799:21, 25820:13 <b>introduced</b> [3] - 25773:11, 25817:13, 25817:17 <b>investigated</b> [1] - 25812:21 <b>investigation</b> [2] - 25789:21, 25803:18 <b>investing</b> [1] - 25783:16 <b>invite</b> [1] - 25775:5 <b>invited</b> [3] - 25735:10, 25766:13, 25786:46 <b>involve</b> [2] - 25740:47, 25802:1 <b>involved</b> [16] - 25721:44, 25729:23, 25730:37, 25763:1, 25764:19, 25770:28, 25777:36, 25788:1, 25788:21, 25788:25, 25789:4, 25792:21, 25795:30, 25797:30, 25808:17, 25818:4 <b>involving</b> [2] - 25762:17, 25809:22 <b>IPSS</b> [5] - 25805:30, 25807:6, 25807:23, 25807:38, 25807:46 <b>isolated</b> [4] - 25732:22, 25749:20, 25764:33, 25764:34 <b>isolation</b> [2] - 25749:30, 25769:8 <b>issue</b> [31] - 25726:27, 25728:31, 25728:44, 25729:45, 25733:47, 25734:34, 25739:22, 25742:1, 25742:10, 25745:47, 25746:16, 25746:20, 25746:45, 25747:11, 25747:14, 25749:20, 25750:1, 25752:17, 25752:18, 25752:36, 25752:45, 25754:35, 25768:44, 25773:12, 25780:30, 25793:11, 25793:13,</p>	<p>25809:17, 25811:14, 25814:32, 25814:44 <b>issues</b> [35] - 25726:11, 25729:43, 25731:39, 25734:42, 25743:25, 25743:46, 25744:2, 25744:16, 25745:1, 25745:5, 25745:40, 25746:30, 25747:18, 25749:28, 25749:30, 25749:44, 25750:12, 25750:30, 25753:25, 25753:29, 25753:33, 25754:33, 25756:20, 25783:39, 25785:29, 25791:13, 25794:26, 25795:31, 25806:37, 25809:10, 25812:13, 25813:17, 25817:15, 25818:47 <b>item</b> [1] - 25749:29 <b>itself</b> [11] - 25747:32, 25748:42, 25749:9, 25765:24, 25792:8, 25795:11, 25795:16, 25809:17, 25810:38, 25816:26</p>	<p>25765:10</p> <p style="text-align: center;"><b>K</b></p> <p><b>Katanning</b> [1] - 25773:28 <b>keen</b> [4] - 25815:46, 25817:47, 25819:10, 25819:17 <b>Keenan</b> [1] - 25747:40 <b>keep</b> [1] - 25753:25 <b>kept</b> [3] - 25734:34, 25750:44, 25785:5 <b>key</b> [8] - 25751:3, 25752:10, 25752:27, 25756:40, 25766:4, 25767:34, 25768:23 <b>keys</b> [1] - 25767:34 <b>kilometres</b> [1] - 25787:34 <b>Kimberley</b> [3] - 25795:12, 25796:12, 25811:37 <b>kind</b> [10] - 25765:17, 25765:27, 25767:1, 25771:24, 25779:16, 25779:41, 25780:9, 25781:37, 25781:42, 25804:5 <b>kinds</b> [2] - 25804:23, 25813:16 <b>kiss</b> [2] - 25780:37, 25783:1 <b>knee</b> [1] - 25728:20 <b>knee-jerk</b> [1] - 25728:20 <b>knees</b> [1] - 25729:12 <b>knocking</b> [1] - 25731:13 <b>knowing</b> [1] - 25731:19 <b>knowledge</b> [7] - 25732:23, 25744:26, 25752:27, 25760:13, 25760:29, 25762:28, 25819:27 <b>known</b> [4] - 25728:40, 25764:38, 25768:44, 25783:13 <b>knows</b> [4] - 25738:20, 25739:44, 25784:34, 25795:15</p>	<p><b>large</b> [9] - 25754:39, 25778:34, 25787:31, 25788:29, 25788:30, 25818:32, 25818:36, 25821:18 <b>largely</b> [7] - 25742:47, 25743:2, 25755:14, 25795:39, 25796:15, 25809:19 <b>last</b> [19] - 25724:34, 25728:36, 25735:9, 25741:4, 25758:23, 25759:2, 25776:38, 25778:22, 25784:4, 25796:45, 25800:33, 25813:9, 25814:4, 25815:6, 25815:17, 25817:5, 25817:6, 25818:13, 25819:32 <b>late</b> [2] - 25755:11, 25768:24 <b>latest</b> [2] - 25778:45, 25798:3 <b>Latin</b> [1] - 25741:20 <b>launched</b> [1] - 25817:2 <b>law</b> [7] - 25728:16, 25728:18, 25759:28, 25761:19, 25784:9, 25818:18 <b>Law</b> [7] - 25800:5, 25800:6, 25800:33, 25800:34, 25800:35, 25800:36, 25800:39 <b>laws</b> [2] - 25747:32, 25755:17 <b>lawyers</b> [1] - 25727:17 <b>lay</b> [3] - 25743:7, 25745:28, 25810:14 <b>laypeople</b> [9] - 25724:26, 25724:30, 25727:20, 25730:44, 25731:35, 25731:37, 25797:30, 25809:19, 25814:33 <b>layperson</b> [1] - 25746:27 <b>laywomen</b> [1] - 25813:38 <b>lazy</b> [1] - 25755:44 <b>lead</b> [2] - 25781:3, 25814:4 <b>leader</b> [1] - 25761:21 <b>leaders</b> [5] - 25736:30, 25784:5, 25785:6, 25785:13, 25810:14 <b>leadership</b> [18] - 25728:40, 25729:23, 25748:1, 25754:24, 25755:27, 25757:4, 25757:8, 25757:17, 25757:19, 25757:25, 25777:15, 25795:40, 25797:32, 25797:34, 25805:35, 25805:37, 25806:16, 25807:11 <b>leading</b> [1] - 25780:46 <b>learn</b> [1] - 25754:42 <b>learned</b> [1] - 25771:30 <b>learning</b> [5] - 25724:40, 25743:27, 25743:31,</p>	<p>25806:3, 25806:45 <b>learnt</b> [2] - 25735:33, 25807:11 <b>least</b> [7] - 25728:35, 25728:39, 25754:25, 25779:29, 25791:27, 25792:42, 25812:20 <b>leave</b> [4] - 25771:18, 25782:16, 25803:13, 25803:16 <b>Lebanese</b> [2] - 25818:23, 25818:33 <b>Lebanon</b> [1] - 25818:37 <b>lecturers</b> [1] - 25754:32 <b>lectures</b> [1] - 25741:44 <b>led</b> [2] - 25728:44, 25789:47 <b>left</b> [4] - 25761:45, 25771:4, 25776:12, 25783:38 <b>legal</b> [4] - 25742:15, 25776:8, 25818:17, 25821:14 <b>legislation</b> [4] - 25726:1, 25734:44, 25738:38, 25739:34 <b>legislative</b> [1] - 25725:32 <b>length</b> [1] - 25806:32 <b>less</b> [1] - 25764:36 <b>lessened</b> [1] - 25738:25 <b>lessons</b> [2] - 25753:38, 25755:13 <b>letter</b> [6] - 25776:7, 25786:22, 25786:42, 25787:9, 25790:30, 25804:29 <b>level</b> [13] - 25731:2, 25732:46, 25736:30, 25736:36, 25754:45, 25754:46, 25755:7, 25755:27, 25783:42, 25783:47, 25784:6, 25784:40, 25811:7 <b>Level</b> [1] - 25719:22 <b>levels</b> [3] - 25734:31, 25755:33, 25811:2 <b>lies</b> [2] - 25785:32, 25785:33 <b>life</b> [25] - 25721:38, 25729:22, 25741:28, 25743:12, 25745:4, 25746:46, 25747:20, 25747:36, 25764:42, 25767:15, 25767:27, 25770:16, 25772:2, 25781:24, 25790:14, 25801:4, 25801:13, 25804:6, 25804:11, 25810:16, 25811:20, 25814:40, 25819:20, 25820:12, 25821:33 <b>light</b> [2] - 25786:41, 25796:25 <b>likelihood</b> [1] - 25766:42 <b>likely</b> [2] - 25753:5, 25801:16 <b>Limited</b> [1] - 25805:44</p>
<p style="text-align: center;"><b>J</b></p> <p><b>January</b> [1] - 25758:23 <b>jeans</b> [1] - 25741:41 <b>Jennifer</b> [1] - 25719:33 <b>jerk</b> [1] - 25728:20 <b>job</b> [2] - 25724:14, 25773:33 <b>John</b> [2] - 25783:27, 25783:28 <b>join</b> [1] - 25811:43 <b>joining</b> [1] - 25822:7 <b>journey</b> [2] - 25731:42, 25781:46 <b>joyful</b> [1] - 25767:27 <b>JULIAN</b> [1] - 25720:19 <b>Julian</b> [1] - 25782:3 <b>Julian"</b> [1] - 25782:14 <b>July</b> [1] - 25726:17 <b>June</b> [4] - 25720:47, 25776:37, 25776:38, 25776:43 <b>junior</b> [1] - 25796:30 <b>juris</b> [1] - 25800:4 <b>jurisdiction</b> [1] - 25777:41 <b>jurisdictions</b> [1] - 25779:2 <b>JUSTICE</b> [5] - 25808:30, 25808:35, 25808:41, 25809:44, 25810:9 <b>justice</b> [9] - 25742:19, 25765:10, 25805:14, 25820:45, 25821:3, 25821:10, 25821:15, 25821:24, 25821:42 <b>Justice</b> [4] - 25719:32, 25719:33, 25732:27, 25757:2 <b>juvenile</b> [2] - 25763:46,</p>	<p style="text-align: center;"><b>J</b></p>	<p style="text-align: center;"><b>L</b></p> <p><b>L'Arche</b> [1] - 25818:3 <b>lack</b> [9] - 25744:32, 25744:33, 25757:8, 25757:9, 25757:26, 25757:27, 25761:27, 25764:34, 25811:37 <b>laity</b> [7] - 25779:35, 25780:17, 25780:39, 25782:24, 25784:19, 25784:37, 25785:13 <b>lament</b> [3] - 25735:19, 25736:5, 25815:38 <b>lamentation</b> [1] - 25786:4 <b>lamented</b> [1] - 25735:20 <b>language</b> [4] - 25734:33, 25800:22, 25809:4, 25810:31 <b>languages</b> [1] - 25772:7</p>	<p><b>leader</b> [1] - 25761:21 <b>leaders</b> [5] - 25736:30, 25784:5, 25785:6, 25785:13, 25810:14 <b>leadership</b> [18] - 25728:40, 25729:23, 25748:1, 25754:24, 25755:27, 25757:4, 25757:8, 25757:17, 25757:19, 25757:25, 25777:15, 25795:40, 25797:32, 25797:34, 25805:35, 25805:37, 25806:16, 25807:11 <b>leading</b> [1] - 25780:46 <b>learn</b> [1] - 25754:42 <b>learned</b> [1] - 25771:30 <b>learning</b> [5] - 25724:40, 25743:27, 25743:31,</p>	<p><b>leader</b> [1] - 25761:21 <b>leaders</b> [5] - 25736:30, 25784:5, 25785:6, 25785:13, 25810:14 <b>leadership</b> [18] - 25728:40, 25729:23, 25748:1, 25754:24, 25755:27, 25757:4, 25757:8, 25757:17, 25757:19, 25757:25, 25777:15, 25795:40, 25797:32, 25797:34, 25805:35, 25805:37, 25806:16, 25807:11 <b>leading</b> [1] - 25780:46 <b>learn</b> [1] - 25754:42 <b>learned</b> [1] - 25771:30 <b>learning</b> [5] - 25724:40, 25743:27, 25743:31,</p>

**line** [1] - 25758:45  
**lines** [1] - 25792:10  
**link** [1] - 25780:12  
**linked** [1] - 25806:41  
**linking** [2] - 25722:15, 25818:17  
**links** [1] - 25785:11  
**listen** [5] - 25723:37, 25727:16, 25730:29, 25775:9, 25798:37  
**listened** [3] - 25793:46, 25797:4, 25821:19  
**listening** [4] - 25723:23, 25727:28, 25735:17, 25817:8  
**litigation** [1] - 25776:2  
**liturgical** [4] - 25736:25, 25741:47, 25764:1, 25799:11  
**liturgy** [8] - 25735:18, 25735:19, 25737:9, 25741:20, 25800:20, 25800:21, 25815:38, 25820:14  
**live** [9] - 25742:32, 25746:46, 25747:1, 25747:19, 25782:1, 25801:14, 25803:35, 25803:37, 25803:44  
**lives** [2] - 25744:10, 25748:10  
**living** [5] - 25747:36, 25803:39, 25803:46, 25804:1, 25819:21  
**loaned** [1] - 25765:26  
**local** [11] - 25721:47, 25728:12, 25732:34, 25732:46, 25735:25, 25738:12, 25774:19, 25789:10, 25805:46, 25806:2, 25811:3  
**locally** [6] - 25795:19, 25795:20, 25795:23, 25796:3, 25796:8, 25805:42  
**location** [1] - 25795:29  
**locations** [3] - 25778:31, 25796:14, 25802:45  
**LONG** [29] - 25720:15, 25776:26, 25776:31, 25776:36, 25776:42, 25776:47, 25777:6, 25777:22, 25777:26, 25777:32, 25777:38, 25777:47, 25778:12, 25778:21, 25778:29, 25778:43, 25779:10, 25779:26, 25780:46, 25784:18, 25785:18, 25786:3, 25786:18, 25786:22, 25805:11, 25810:42, 25820:24, 25820:30, 25821:32  
**long's** [1] - 25781:15  
**long-term** [1] - 25731:28  
**look** [29] - 25730:18, 25737:44, 25748:41,

25749:17, 25749:20, 25749:27, 25750:12, 25752:17, 25752:31, 25753:13, 25753:15, 25753:39, 25756:25, 25771:31, 25772:13, 25773:14, 25774:2, 25774:6, 25775:10, 25775:11, 25780:29, 25780:41, 25784:14, 25784:22, 25808:15, 25808:17, 25814:47, 25817:9, 25820:43  
**looked** [8] - 25734:29, 25741:37, 25749:30, 25754:8, 25780:18, 25789:3, 25817:20, 25822:15  
**looking** [14] - 25728:24, 25728:26, 25732:41, 25734:42, 25735:15, 25736:34, 25736:38, 25749:3, 25749:22, 25754:20, 25798:40, 25810:12, 25813:32, 25818:40  
**lording** [1] - 25731:39  
**Lordship** [1] - 25780:35  
**love** [4] - 25767:9, 25767:16, 25767:19, 25767:26  
**lovely** [2] - 25770:24, 25771:19  
**lower** [2] - 25780:1, 25780:28  
**lower-ranked** [1] - 25780:1  
**lower-ranking** [1] - 25780:28  
**lunch** [1] - 25785:36  
**LUNCHEON** [1] - 25785:38

**M**

**Macquarie** [1] - 25719:22  
**magazine** [2] - 25773:11, 25774:26  
**magnificent** [1] - 25797:29  
**main** [4] - 25741:1, 25753:16, 25773:42, 25791:20  
**maintain** [2] - 25756:32, 25756:39  
**Maitland** [1] - 25807:12  
**Maitland-Newcastle** [1] - 25807:12  
**major** [4] - 25723:17, 25741:47, 25813:32, 25817:43  
**majority** [3] - 25722:20, 25818:32, 25818:36  
**Malaysia** [1] - 25777:27  
**Malaysian** [1] - 25821:28  
**male** [3] - 25755:14, 25789:39, 25789:41

**male-dominated** [1] - 25755:14  
**man** [5] - 25767:5, 25771:21, 25771:22, 25771:26, 25801:31  
**manage** [3] - 25767:46, 25772:2, 25775:14  
**management** [1] - 25817:13  
**manager** [2] - 25765:36, 25766:33  
**mandate** [1] - 25813:19  
**mandatory** [5] - 25739:14, 25759:40, 25759:43, 25760:15, 25780:12  
**manner** [4] - 25724:11, 25730:40, 25809:26, 25809:33  
**March** [1] - 25805:27  
**marginalisation** [1] - 25784:19  
**Marie** [1] - 25747:40  
**Marist** [2] - 25735:10, 25815:37  
**Maronite** [15] - 25799:35, 25799:40, 25799:42, 25800:18, 25800:25, 25800:27, 25800:36, 25800:44, 25800:47, 25801:11, 25818:31, 25818:34, 25819:33, 25819:5, 25819:33  
**MaroniteCare** [1] - 25801:45  
**Maronites** [7] - 25800:42, 25801:37, 25802:13, 25804:13, 25804:33, 25818:35, 25819:38  
**Maroun** [1] - 25800:28  
**marriage** [1] - 25721:38  
**married** [17] - 25765:18, 25800:39, 25800:41, 25800:45, 25801:3, 25801:17, 25801:26, 25801:27, 25801:31, 25801:34, 25803:44, 25809:19, 25809:20, 25819:44, 25820:11, 25820:16  
**marry** [1] - 25747:26  
**marrying** [1] - 25767:17  
**martinet** [1] - 25812:29  
**marvellous** [1] - 25772:6  
**Marymead** [4] - 25721:46, 25722:3, 25722:5, 25725:16  
**mass** [5] - 25721:36, 25741:47, 25774:2, 25790:14, 25814:1  
**masses** [1] - 25782:44  
**massive** [6] - 25729:17, 25757:4, 25757:16, 25757:21, 25757:25, 25791:12  
**material** [1] - 25818:13  
**matter** [19] - 25724:26, 25753:1, 25759:5,

25763:19, 25763:40, 25764:31, 25765:41, 25768:20, 25769:4, 25769:5, 25782:18, 25791:30, 25793:41, 25794:2, 25797:7, 25811:44, 25812:5, 25812:19, 25812:20  
**matters** [14] - 25724:8, 25734:47, 25743:40, 25748:43, 25785:41, 25791:13, 25793:5, 25793:42, 25807:3, 25809:2, 25810:34, 25814:34, 25814:38, 25819:21  
**mature** [3] - 25747:18, 25752:23, 25795:31  
**maturity** [11] - 25743:13, 25747:19, 25747:23, 25750:39, 25751:31, 25751:37, 25752:22, 25809:22, 25816:25  
**McClellan** [1] - 25719:32  
**McClellan's** [1] - 25732:27  
**meal** [1] - 25814:2  
**mean** [31] - 25727:30, 25730:11, 25732:32, 25739:34, 25754:38, 25766:10, 25767:46, 25772:29, 25773:38, 25779:28, 25780:1, 25781:15, 25790:28, 25790:30, 25790:43, 25791:36, 25794:18, 25794:28, 25794:32, 25796:11, 25797:3, 25797:41, 25798:19, 25798:21, 25798:43, 25798:47, 25802:25, 25809:34, 25812:26, 25814:15, 25820:39  
**meaningful** [2] - 25767:27, 25784:37  
**means** [9] - 25732:23, 25734:28, 25734:30, 25734:33, 25773:34, 25794:23, 25794:24, 25799:47, 25800:4  
**meant** [4] - 25732:21, 25763:33, 25765:37, 25774:29  
**measure** [1] - 25772:24  
**measuring** [1] - 25742:37  
**mechanisms** [1] - 25732:24  
**media** [3] - 25764:10, 25805:27, 25816:5  
**mediation** [1] - 25776:1  
**medicine** [3] - 25731:20, 25731:23, 25732:37  
**meet** [3] - 25776:5, 25780:36, 25792:38  
**meeting** [7] - 25768:18, 25768:19, 25768:20, 25769:32, 25769:37, 25770:8, 25790:18

**meetings** [2] - 25813:45, 25820:12  
**Melbourne** [19] - 25720:38, 25754:39, 25754:40, 25754:41, 25776:36, 25777:1, 25777:3, 25777:9, 25777:12, 25816:12, 25816:22, 25816:24, 25816:28, 25816:40, 25817:35, 25820:31, 25820:32, 25820:34  
**member** [4] - 25757:3, 25761:1, 25761:16, 25768:46  
**members** [2] - 25745:28, 25804:15  
**men** [11] - 25748:1, 25748:6, 25754:17, 25754:21, 25778:39, 25779:34, 25784:7, 25800:45, 25801:3, 25801:17, 25820:41  
**mental** [1] - 25762:6  
**mentality** [1] - 25743:12  
**mention** [2] - 25746:9, 25808:20  
**mentioned** [8] - 25732:40, 25736:41, 25749:12, 25751:15, 25755:10, 25804:36, 25807:40, 25816:46  
**message** [1] - 25811:21  
**messed** [1] - 25729:20  
**met** [6] - 25727:34, 25744:8, 25754:31, 25798:39, 25820:33, 25820:37  
**metropolitan** [1] - 25720:3  
**middle** [2] - 25768:23, 25768:24  
**midst** [1] - 25734:27  
**might** [29] - 25722:28, 25725:35, 25726:31, 25728:8, 25731:32, 25737:37, 25738:6, 25739:34, 25744:19, 25749:21, 25751:10, 25751:33, 25753:29, 25755:43, 25757:1, 25761:13, 25764:16, 25768:21, 25771:37, 25775:11, 25779:14, 25781:11, 25783:19, 25783:27, 25785:7, 25792:12, 25802:22, 25813:47, 25819:6  
**mightn't** [1] - 25780:5  
**Milroy** [1] - 25719:36  
**mind** [16] - 25728:45, 25737:4, 25737:11, 25747:27, 25750:34, 25751:4, 25754:6, 25763:43, 25764:40, 25767:11, 25769:15, 25792:41, 25794:26, 25806:26, 25812:43,

25812:44  
**mindful** [1] - 25785:1  
**minds** [5] - 25728:31,  
 25749:40, 25769:7,  
 25794:32, 25794:38  
**mindset** [1] - 25730:21  
**mine** [1] - 25733:7  
**minister** [2] - 25778:2,  
 25787:36  
**ministers** [1] - 25748:11  
**ministries** [2] - 25730:37,  
 25748:11  
**Ministry** [3] - 25788:36,  
 25817:32, 25819:19  
**ministry** [7] - 25730:22,  
 25762:10, 25762:25,  
 25762:27, 25803:17,  
 25804:5, 25817:26  
**minor** [2] - 25777:38,  
 25777:40  
**minors** [2] - 25748:7,  
 25751:34  
**mirror** [2] - 25723:27,  
 25729:14  
**missing** [3] - 25753:12,  
 25767:31, 25785:11  
**mission** [4] - 25729:15,  
 25729:17, 25731:46,  
 25795:27  
**missionary** [1] - 25730:34  
**mistake** [5] - 25735:13,  
 25735:24, 25735:27,  
 25735:39, 25816:1  
**misunderstanding** [1] -  
 25761:27  
**misused** [1] - 25744:44  
**misusing** [1] - 25765:47  
**mitigate** [1] - 25753:40  
**mitigated** [1] - 25738:26  
**mix** [2] - 25731:35,  
 25750:14  
**mixing** [1] - 25814:1  
**model** [13] - 25765:44,  
 25779:14, 25779:27,  
 25779:31, 25779:37,  
 25779:41, 25784:7,  
 25784:25, 25784:33,  
 25811:9, 25811:15,  
 25811:19, 25812:35  
**modern** [2] - 25765:32,  
 25785:15  
**modes** [1] - 25741:37  
**moment** [14] - 25724:33,  
 25734:25, 25738:34,  
 25770:46, 25774:32,  
 25784:9, 25796:39,  
 25799:11, 25803:43,  
 25804:43, 25806:6,  
 25815:31, 25819:46  
**moments** [2] - 25796:36,  
 25797:4  
**monastery** [2] - 25801:14  
**monastic** [1] - 25801:12  
**monitor** [5] - 25724:17,  
 25725:1, 25725:18,  
 25731:38, 25753:27  
**monitored** [1] - 25731:40

**monitoring** [4] - 25730:25,  
 25731:27, 25753:25,  
 25778:14  
**monks** [3] - 25747:5,  
 25747:8, 25801:15  
**month** [1] - 25759:3  
**months** [6] - 25771:18,  
 25777:28, 25802:16,  
 25815:6, 25815:17,  
 25818:20  
**moral** [2] - 25727:15,  
 25731:16  
**morning** [8] - 25757:36,  
 25763:38, 25779:5,  
 25783:27, 25790:47,  
 25797:4, 25822:27,  
 25822:34  
**Morogoro** [1] - 25771:2  
**Morris** [1] - 25784:42  
**most** [9] - 25730:14,  
 25734:15, 25760:42,  
 25775:43, 25783:24,  
 25792:25, 25801:16,  
 25803:35, 25821:10  
**mostly** [1] - 25778:1  
**mother** [2] - 25730:45,  
 25771:3  
**motivate** [1] - 25742:21  
**motivating** [1] - 25796:44  
**motives** [1] - 25732:24  
**move** [13] - 25729:40,  
 25731:12, 25731:15,  
 25734:17, 25734:20,  
 25736:24, 25738:17,  
 25748:40, 25757:40,  
 25776:23, 25782:46,  
 25797:24, 25811:18  
**moved** [2] - 25731:17,  
 25820:39  
**movement** [1] - 25731:35  
**moves** [2] - 25805:42  
**moving** [10] - 25725:28,  
 25726:45, 25731:29,  
 25732:42, 25733:5,  
 25734:25, 25743:45,  
 25792:11, 25820:32  
**MS** [320] - 25720:1,  
 25720:7, 25720:23,  
 25720:25, 25720:31,  
 25720:37, 25720:42,  
 25720:47, 25721:5,  
 25721:10, 25721:19,  
 25721:25, 25721:41,  
 25722:3, 25722:11,  
 25722:19, 25722:25,  
 25722:35, 25722:39,  
 25722:44, 25723:1,  
 25723:8, 25724:7,  
 25724:44, 25725:4,  
 25725:11, 25725:30,  
 25726:14, 25726:34,  
 25726:39, 25727:1,  
 25727:7, 25727:22,  
 25727:46, 25728:4,  
 25728:15, 25735:3,  
 25735:9, 25735:27,  
 25735:32, 25735:42,

25735:47, 25736:8,  
 25736:18, 25736:38,  
 25737:13, 25737:25,  
 25737:32, 25737:37,  
 25738:5, 25738:24,  
 25738:36, 25738:47,  
 25739:8, 25739:14,  
 25739:29, 25739:38,  
 25739:44, 25740:3,  
 25740:8, 25740:14,  
 25740:18, 25740:22,  
 25740:28, 25740:33,  
 25740:38, 25741:4,  
 25741:10, 25741:17,  
 25741:33, 25742:6,  
 25742:45, 25743:5,  
 25743:18, 25743:38,  
 25744:2, 25744:23,  
 25744:38, 25746:2,  
 25757:1, 25757:16,  
 25757:21, 25757:30,  
 25757:34, 25757:40,  
 25757:46, 25758:3,  
 25758:9, 25758:14,  
 25758:18, 25758:22,  
 25758:29, 25758:34,  
 25758:41, 25759:2,  
 25759:14, 25759:19,  
 25759:26, 25759:32,  
 25759:38, 25759:45,  
 25760:6, 25760:11,  
 25760:15, 25760:21,  
 25760:26, 25760:33,  
 25760:38, 25760:47,  
 25761:7, 25761:15,  
 25761:29, 25761:33,  
 25761:39, 25761:44,  
 25762:2, 25762:10,  
 25762:15, 25762:21,  
 25762:31, 25762:38,  
 25762:42, 25763:1,  
 25763:6, 25763:14,  
 25763:19, 25763:24,  
 25763:28, 25763:37,  
 25765:3, 25765:8,  
 25765:14, 25766:4,  
 25766:12, 25766:18,  
 25766:23, 25766:27,  
 25766:32, 25766:39,  
 25767:37, 25767:42,  
 25768:2, 25768:9,  
 25768:34, 25768:38,  
 25768:43, 25769:27,  
 25769:31, 25769:37,  
 25769:43, 25769:47,  
 25770:4, 25770:8,  
 25770:34, 25770:40,  
 25772:19, 25772:24,  
 25772:36, 25772:41,  
 25773:19, 25774:31,  
 25774:37, 25774:42,  
 25775:26, 25775:31,  
 25775:37, 25776:23,  
 25776:28, 25776:33,  
 25776:40, 25776:45,  
 25777:3, 25777:18,  
 25777:24, 25777:30,  
 25777:35, 25777:43,

25778:6, 25778:18,  
 25778:25, 25778:38,  
 25779:5, 25779:19,  
 25780:43, 25785:40,  
 25786:9, 25786:20,  
 25786:28, 25786:44,  
 25787:5, 25787:12,  
 25787:18, 25787:22,  
 25787:26, 25787:31,  
 25787:36, 25787:43,  
 25787:47, 25788:6,  
 25788:13, 25788:18,  
 25788:34, 25788:41,  
 25788:47, 25789:6,  
 25789:15, 25789:26,  
 25789:30, 25789:35,  
 25789:39, 25789:44,  
 25790:5, 25790:22,  
 25790:28, 25790:33,  
 25790:38, 25790:43,  
 25790:47, 25791:7,  
 25792:15, 25792:46,  
 25793:4, 25793:10,  
 25793:15, 25793:20,  
 25793:29, 25794:4,  
 25794:10, 25794:15,  
 25794:28, 25794:37,  
 25794:42, 25794:46,  
 25795:3, 25795:8,  
 25795:23, 25795:34,  
 25795:44, 25796:2,  
 25796:18, 25796:39,  
 25796:44, 25797:16,  
 25797:36, 25798:11,  
 25798:21, 25798:26,  
 25798:43, 25799:2,  
 25799:15, 25799:20,  
 25799:27, 25799:33,  
 25799:37, 25799:42,  
 25799:46, 25800:14,  
 25800:41, 25801:8,  
 25801:25, 25801:36,  
 25801:41, 25801:47,  
 25802:8, 25802:12,  
 25802:19, 25802:25,  
 25802:30, 25802:36,  
 25802:47, 25803:5,  
 25803:10, 25803:20,  
 25803:25, 25803:29,  
 25803:34, 25804:13,  
 25804:19, 25804:26,  
 25804:40, 25804:47,  
 25805:9, 25805:18,  
 25812:43, 25813:1,  
 25813:3, 25813:11,  
 25813:15, 25813:25,  
 25813:42, 25814:10,  
 25815:3, 25815:9,  
 25815:17, 25815:21,  
 25815:27, 25815:36,  
 25815:42, 25816:5,  
 25816:10, 25816:16,  
 25816:32, 25816:39,  
 25816:45, 25818:22,  
 25818:28, 25818:44,  
 25819:31, 25819:37,  
 25819:43, 25820:19,  
 25820:26, 25821:26,

25821:44, 25821:47,  
 25822:4, 25822:24,  
 25822:31, 25822:36,  
 25822:40  
**multicultural** [2] -  
 25773:27, 25814:8  
**multiple** [2] - 25737:42,  
 25748:30  
**Murray** [1] - 25719:37  
**MURRAY** [16] - 25731:44,  
 25732:12, 25732:19,  
 25733:7, 25733:33,  
 25733:46, 25734:4,  
 25734:10, 25734:33,  
 25749:39, 25750:5,  
 25750:17, 25750:23,  
 25751:18, 25773:25,  
 25774:18  
**must** [24] - 25728:40,  
 25729:32, 25732:25,  
 25732:42, 25733:24,  
 25743:40, 25744:12,  
 25748:9, 25755:31,  
 25755:46, 25761:22,  
 25762:27, 25770:22,  
 25771:7, 25774:28,  
 25806:18, 25806:19,  
 25806:21, 25810:27,  
 25810:44, 25814:15,  
 25821:1, 25821:17  
**mystery** [1] - 25766:46  
**mythical** [1] - 25766:2

## N

**naivety** [1] - 25731:29  
**name** [9] - 25720:26,  
 25738:20, 25757:42,  
 25776:24, 25776:26,  
 25787:14, 25799:29,  
 25802:36, 25802:44  
**names** [1] - 25802:44  
**nation** [1] - 25763:12  
**national** [21] - 25723:15,  
 25725:17, 25726:28,  
 25732:15, 25732:34,  
 25739:40, 25775:41,  
 25776:12, 25790:40,  
 25795:18, 25795:19,  
 25796:7, 25797:23,  
 25805:16, 25805:35,  
 25805:37, 25806:3,  
 25806:4, 25806:20,  
 25806:47, 25814:7  
**nationalities** [2] - 25772:8,  
 25773:30  
**nationally** [10] - 25724:37,  
 25726:27, 25726:32,  
 25732:9, 25788:36,  
 25797:41, 25798:5,  
 25798:7, 25805:43,  
 25806:25  
**Nations** [1] - 25810:25  
**native** [1] - 25778:34  
**native-born** [1] - 25778:34  
**nature** [4] - 25732:1,  
 25764:34, 25814:8,

25817:26  
**nearby** [1] - 25820:2  
**nearly** [2] - 25776:37, 25777:14  
**neat** [1] - 25779:31  
**necessarily** [3] - 25782:18, 25811:46, 25812:26  
**necessary** [7] - 25750:13, 25767:24, 25795:32, 25797:16, 25797:25, 25815:28, 25822:17  
**necessity** [1] - 25812:34  
**neck** [2] - 25741:39, 25782:45  
**need** [46] - 25723:42, 25730:17, 25732:32, 25732:34, 25734:17, 25734:28, 25734:30, 25739:33, 25744:19, 25752:18, 25753:13, 25753:29, 25753:39, 25753:40, 25755:23, 25755:31, 25755:36, 25756:16, 25756:19, 25756:20, 25761:23, 25762:10, 25763:10, 25770:41, 25771:22, 25773:34, 25779:37, 25779:40, 25780:29, 25781:3, 25781:11, 25784:14, 25784:22, 25785:22, 25785:29, 25786:40, 25787:8, 25790:23, 25791:19, 25795:3, 25797:19, 25797:36, 25807:34, 25811:17, 25814:25  
**needed** [5] - 25723:27, 25724:17, 25754:7, 25806:5, 25822:15  
**Needham** [1] - 25812:41  
**NEEDHAM** [31] - 25812:43, 25813:1, 25813:3, 25813:11, 25813:15, 25813:25, 25813:42, 25814:10, 25815:3, 25815:9, 25815:17, 25815:21, 25815:27, 25815:36, 25815:42, 25816:5, 25816:10, 25816:16, 25816:32, 25816:39, 25816:45, 25818:22, 25818:28, 25818:44, 25819:31, 25819:37, 25819:43, 25820:19, 25820:26, 25821:26, 25821:44  
**needs** [8] - 25756:9, 25756:10, 25784:39, 25784:44, 25795:12, 25795:16, 25811:1, 25812:21  
**negative** [2] - 25767:28, 25767:30  
**neighbour** [1] - 25765:40

**never** [11] - 25758:46, 25762:33, 25764:18, 25764:25, 25770:47, 25771:1, 25782:14, 25782:39, 25783:6, 25797:25  
**nevertheless** [1] - 25746:40  
**New** [11] - 25721:23, 25725:43, 25725:44, 25725:45, 25726:5, 25726:8, 25726:23, 25738:37, 25739:4, 25739:6, 25739:9  
**new** [21] - 25723:11, 25723:12, 25729:29, 25756:12, 25768:21, 25769:19, 25778:22, 25778:27, 25779:40, 25784:44, 25792:1, 25794:35, 25796:34, 25806:20, 25806:42, 25809:24, 25815:14, 25817:36, 25819:11, 25819:15  
**Newcastle** [1] - 25807:12  
**newly** [1] - 25753:20  
**News** [1] - 25789:37  
**next** [5] - 25736:21, 25765:40, 25790:18, 25798:6, 25818:20  
**Nguyen** [1] - 25776:26  
**NGUYEN** [1] - 25720:15  
**night** [2] - 25768:23, 25813:46  
**nine** [4] - 25819:46, 25820:15, 25821:19, 25821:20  
**nobody** [2] - 25744:6, 25793:32  
**non** [10] - 25779:44, 25780:15, 25780:24, 25780:25, 25780:40, 25785:25, 25802:22, 25802:33, 25802:40, 25815:37  
**non-attendance** [1] - 25815:37  
**non-ordained** [6] - 25779:44, 25780:15, 25780:24, 25780:25, 25785:25  
**non-publication** [3] - 25802:22, 25802:33, 25802:40  
**none** [1] - 25748:44  
**normal** [1] - 25753:21  
**normally** [3] - 25754:31, 25761:25, 25775:7  
**Northern** [6] - 25739:15, 25760:11, 25763:4, 25763:32, 25764:6, 25769:5  
**note** [2] - 25754:7, 25760:40  
**nothing** [7] - 25750:25, 25761:7, 25774:47,

25783:5, 25805:18, 25821:47, 25822:14  
**notice** [3] - 25739:23, 25757:34, 25814:20  
**notwithstanding** [2] - 25797:10, 25812:34  
**November** [5] - 25722:40, 25735:9, 25758:18, 25803:25, 25816:6  
**nuance** [1] - 25781:26  
**number** [18] - 25720:1, 25741:10, 25744:8, 25748:19, 25749:9, 25755:11, 25777:6, 25777:11, 25778:1, 25778:13, 25778:26, 25778:30, 25778:34, 25778:44, 25796:31, 25798:44, 25807:31, 25817:12  
**numbers** [7] - 25732:4, 25732:16, 25778:39, 25795:30, 25798:21, 25798:31, 25822:14  
**numerically** [1] - 25738:18  
**numerous** [3] - 25788:27, 25797:42, 25798:1  
**Nuncio** [1] - 25734:16  
**nurses** [1] - 25742:20  
**nursing** [1] - 25762:6  
**nurtured** [1] - 25730:43

**O**

**oath** [1] - 25755:16  
**object** [1] - 25782:6  
**objected** [1] - 25757:21  
**observations** [1] - 25789:45  
**observe** [3] - 25752:34, 25797:2, 25814:15  
**observed** [5] - 25741:21, 25774:28, 25780:43, 25814:10  
**obvious** [2] - 25731:21, 25764:29  
**obviously** [8] - 25723:34, 25740:46, 25752:26, 25752:28, 25752:43, 25799:12, 25808:15, 25818:17  
**occasion** [1] - 25736:9  
**occasional** [1] - 25807:1  
**occasions** [5] - 25752:42, 25770:25, 25770:31, 25793:23, 25797:42  
**occupation** [1] - 25755:42  
**occur** [2] - 25738:26, 25786:14  
**occurred** [6] - 25728:37, 25730:4, 25755:4, 25763:39, 25769:14, 25791:8  
**occurring** [1] - 25817:7  
**October** [3] - 25740:14, 25758:10, 25802:17

**odds** [1] - 25735:32  
**OF** [2] - 25722:33, 25759:24  
**offence** [2] - 25728:11, 25730:30  
**offences** [1] - 25749:19  
**offend** [1] - 25720:7  
**offending** [2] - 25748:9, 25748:31  
**offer** [1] - 25781:28  
**offered** [1] - 25731:23  
**offering** [1] - 25734:24  
**office** [11] - 25727:33, 25760:41, 25761:1, 25782:19, 25782:41, 25783:3, 25783:6, 25783:20, 25808:42, 25810:5, 25819:25  
**Office** [7] - 25760:42, 25762:46, 25790:20, 25803:14, 25805:12, 25808:37, 25821:9  
**officer** [3] - 25773:13, 25773:46, 25817:30  
**officers** [3] - 25768:16, 25773:45, 25774:4  
**official** [1] - 25818:1  
**often** [16] - 25731:2, 25733:20, 25736:16, 25746:15, 25746:43, 25751:7, 25751:11, 25766:13, 25766:18, 25766:23, 25769:31, 25781:41, 25791:30, 25809:5, 25812:23, 25815:33  
**old** [3] - 25741:12, 25777:30, 25779:38  
**ombudsman** [4] - 25725:25, 25728:10, 25728:13, 25733:30  
**omitted** [1] - 25804:47  
**omitting** [1] - 25757:22  
**once** [7] - 25731:19, 25736:45, 25745:22, 25754:29, 25792:12, 25815:24, 25815:25  
**one** [110] - 25722:29, 25722:39, 25725:14, 25725:36, 25726:1, 25728:29, 25729:43, 25732:20, 25732:24, 25733:17, 25735:25, 25736:31, 25736:46, 25737:20, 25738:22, 25739:6, 25739:44, 25741:36, 25742:7, 25743:31, 25744:5, 25746:16, 25746:18, 25748:7, 25748:44, 25749:9, 25749:23, 25749:42, 25749:46, 25750:34, 25750:43, 25751:10, 25751:20, 25751:24, 25751:26, 25751:42, 25751:44, 25752:9, 25752:29,

25753:22, 25756:12, 25756:14, 25756:17, 25756:35, 25757:1, 25757:21, 25758:9, 25758:18, 25759:38, 25761:44, 25762:15, 25762:26, 25763:11, 25764:46, 25765:9, 25766:4, 25766:34, 25766:47, 25767:34, 25767:40, 25768:16, 25769:8, 25769:9, 25769:10, 25770:24, 25771:15, 25774:24, 25775:47, 25777:32, 25782:15, 25782:43, 25782:44, 25784:3, 25784:22, 25784:47, 25785:11, 25791:33, 25792:24, 25792:27, 25792:40, 25793:15, 25793:40, 25794:18, 25795:3, 25798:13, 25798:45, 25800:33, 25802:15, 25802:16, 25803:37, 25804:8, 25806:19, 25807:37, 25809:31, 25810:21, 25811:24, 25811:25, 25812:2, 25812:9, 25813:31, 25817:37, 25817:43, 25820:24, 25821:12, 25822:31  
**one-to-one** [1] - 25766:34  
**one-week** [1] - 25817:37  
**onerous** [2] - 25760:27  
**ones** [1] - 25733:30  
**ongoing** [2] - 25794:25, 25809:21  
**online** [1] - 25817:13  
**open** [16] - 25723:41, 25728:28, 25730:36, 25739:26, 25741:39, 25769:23, 25773:2, 25782:45, 25785:47, 25786:3, 25786:14, 25786:39, 25799:12, 25804:31, 25809:1  
**open-neck** [2] - 25741:39, 25782:45  
**opened** [2] - 25728:26, 25778:22  
**opening** [4] - 25723:26, 25729:29, 25739:29, 25778:25  
**openly** [1] - 25747:29  
**openness** [2] - 25734:26, 25796:34  
**operate** [4] - 25784:16, 25792:33, 25795:29, 25801:37  
**operated** [1] - 25744:39  
**operates** [1] - 25788:10  
**operating** [3] - 25779:29, 25788:10, 25814:26  
**operation** [2] - 25777:39, 25784:32



**opinion** [5] - 25737:4, 25759:10, 25761:37, 25771:42, 25771:44  
**opportunities** [1] - 25750:19  
**opportunity** [3] - 25734:15, 25775:9, 25797:29  
**opt** [7] - 25739:46, 25740:5, 25775:38, 25786:45, 25786:46, 25801:4, 25801:13  
**opting** [1] - 25819:47  
**orbit** [2] - 25729:35, 25729:36  
**ordained** [24] - 25720:37, 25730:20, 25740:23, 25753:20, 25774:38, 25776:40, 25776:42, 25776:47, 25777:10, 25778:8, 25779:33, 25779:42, 25779:43, 25779:44, 25780:14, 25780:15, 25780:24, 25780:25, 25780:40, 25785:25, 25818:45  
**ordainees** [1] - 25753:13  
**order** [22] - 25738:26, 25748:6, 25752:22, 25761:2, 25761:16, 25768:11, 25777:15, 25778:14, 25779:32, 25780:29, 25784:34, 25789:35, 25789:39, 25789:41, 25802:22, 25802:33, 25802:40, 25802:42, 25810:47, 25811:18, 25812:35  
**ordinary** [2] - 25820:33, 25821:2  
**ordination** [4] - 25753:6, 25753:7, 25784:35, 25796:30  
**organisation** [6] - 25724:45, 25746:11, 25756:44, 25763:34, 25764:16, 25818:9  
**organisations** [5] - 25746:9, 25755:15, 25807:30, 25808:23, 25810:27  
**organised** [3] - 25788:18, 25788:31, 25808:2  
**oriented** [1] - 25735:35  
**originally** [1] - 25740:23  
**originates** [1] - 25788:11  
**origins** [2] - 25814:6, 25814:7  
**orphanages** [3] - 25722:7, 25722:11, 25722:13  
**otherwise** [2] - 25747:29, 25786:1  
**ought** [5] - 25738:32, 25771:16, 25796:14, 25797:11, 25797:12  
**ourselves** [1] - 25796:37  
**out-of-school** [1] -

25740:46  
**outcome** [2] - 25761:29, 25761:34  
**outlier** [1] - 25793:30  
**outline** [1] - 25820:27  
**outlined** [1] - 25748:44  
**outreach** [1] - 25722:8  
**outside** [2] - 25723:15, 25795:44  
**outwards** [1] - 25784:29  
**overall** [1] - 25750:26  
**overcome** [2] - 25745:8, 25745:46  
**overhead** [1] - 25774:25  
**overnight** [3] - 25766:23, 25793:37, 25794:4  
**overseas** [21] - 25770:35, 25770:42, 25772:3, 25774:31, 25774:33, 25775:6, 25775:19, 25777:44, 25778:4, 25778:13, 25778:16, 25778:35, 25789:16, 25817:21, 25817:36, 25817:39, 25818:28, 25818:45, 25819:11, 25819:27  
**overseas-born** [2] - 25778:4, 25778:13  
**oversee** [1] - 25724:25  
**oversight** [1] - 25816:27  
**overtrust** [1] - 25773:37  
**own** [55] - 25723:32, 25725:17, 25728:21, 25728:39, 25729:1, 25729:4, 25734:40, 25734:42, 25738:45, 25743:12, 25743:23, 25743:31, 25750:34, 25750:39, 25750:42, 25751:2, 25751:29, 25752:26, 25753:19, 25753:34, 25753:41, 25764:16, 25764:40, 25766:46, 25767:11, 25768:14, 25769:15, 25770:16, 25773:34, 25778:21, 25778:23, 25778:29, 25778:33, 25781:34, 25781:39, 25782:12, 25782:16, 25782:36, 25783:25, 25792:41, 25795:15, 25795:16, 25795:47, 25796:14, 25797:7, 25798:6, 25800:25, 25808:13, 25811:33, 25813:47, 25817:9, 25818:10, 25821:26  
**ownership** [1] - 25724:16

**P**

**pace** [2] - 25797:11, 25797:17  
**Pacific** [1] - 25754:30  
**package** [2] - 25749:44,

25750:6  
**paedophilia** [2] - 25731:15, 25731:18  
**page** [1] - 25760:39  
**paid** [1] - 25783:20  
**pain** [2] - 25770:13, 25820:44  
**painful** [1] - 25733:3  
**paint** [1] - 25796:7  
**painted** [1] - 25798:7  
**panel** [3] - 25720:1, 25804:15, 25810:32  
**panels** [1] - 25810:32  
**panoramicallly** [1] - 25810:12  
**parachuting** [1] - 25737:9  
**paragraph** [5] - 25723:2, 25760:39, 25770:40, 25789:44, 25803:34  
**parallels** [2] - 25755:18, 25764:40  
**paramount** [3] - 25751:27, 25810:27, 25810:45  
**parcel** [2] - 25790:14, 25794:34  
**parents** [4] - 25759:10, 25773:35, 25774:18, 25810:13  
**parish** [30] - 25731:36, 25753:21, 25753:22, 25758:23, 25768:15, 25773:45, 25780:4, 25783:46, 25784:6, 25784:39, 25785:4, 25785:19, 25785:20, 25786:11, 25788:32, 25790:15, 25794:19, 25801:47, 25804:8, 25804:11, 25804:29, 25804:35, 25804:37, 25808:31, 25810:1, 25811:47, 25812:6, 25814:40  
**parish-based** [1] - 25801:47  
**parishes** [23] - 25721:12, 25721:35, 25725:19, 25741:1, 25777:12, 25784:15, 25785:2, 25788:15, 25788:18, 25788:27, 25800:46, 25801:3, 25801:6, 25801:16, 25801:28, 25801:34, 25802:3, 25802:5, 25803:47, 25804:7, 25812:25, 25819:7, 25820:14  
**parishioners** [2] - 25780:5, 25780:22  
**Parliament** [1] - 25736:29  
**Parramatta** [9] - 25776:29, 25776:34, 25776:38, 25777:4, 25810:24, 25820:4, 25820:27, 25820:32, 25821:6  
**part** [31] - 25726:31, 25727:41, 25728:40,

25729:28, 25735:13, 25735:24, 25738:12, 25758:34, 25762:24, 25768:7, 25768:9, 25769:31, 25771:25, 25775:20, 25779:22, 25780:24, 25781:2, 25784:19, 25790:14, 25791:16, 25793:22, 25794:29, 25794:34, 25795:27, 25799:22, 25807:21, 25808:14, 25817:14, 25817:29, 25820:24  
**participants** [3] - 25758:37, 25786:15, 25804:32  
**participate** [1] - 25805:3  
**participation** [2] - 25784:37, 25785:26  
**particular** [29] - 25722:9, 25729:18, 25742:21, 25746:11, 25746:26, 25752:35, 25752:45, 25754:9, 25756:19, 25756:20, 25758:42, 25759:14, 25760:2, 25760:3, 25762:5, 25770:46, 25785:27, 25793:13, 25796:31, 25800:36, 25806:23, 25806:34, 25806:45, 25808:44, 25809:33, 25809:45, 25810:10, 25814:11, 25821:34  
**particularly** [36] - 25721:29, 25721:46, 25722:6, 25723:20, 25723:45, 25724:25, 25724:34, 25725:19, 25725:24, 25729:18, 25730:44, 25737:16, 25741:19, 25742:16, 25745:3, 25745:35, 25750:36, 25751:26, 25751:27, 25754:38, 25754:41, 25755:27, 25755:34, 25757:11, 25759:6, 25762:24, 25766:12, 25768:21, 25772:5, 25773:3, 25781:15, 25781:18, 25786:41, 25805:43, 25809:23, 25817:5  
**partner** [1] - 25783:36  
**parts** [1] - 25749:32  
**party** [1] - 25793:33  
**passed** [2] - 25726:14, 25794:11  
**passing** [1] - 25732:45  
**past** [11] - 25723:45, 25727:14, 25731:41, 25744:2, 25744:46, 25749:41, 25750:5, 25782:45, 25785:11, 25792:23, 25792:25  
**pastoral** [10] - 25775:45, 25776:1, 25776:4,

25785:4, 25786:22, 25790:18, 25792:26, 25804:6, 25814:30, 25816:27  
**pathological** [1] - 25767:10  
**pathologies** [2] - 25765:20  
**pathology** [5] - 25731:14, 25731:17, 25747:46, 25765:17, 25765:23  
**pathway** [1] - 25739:35  
**patriarch** [1] - 25800:38  
**patron** [1] - 25800:27  
**pause** [1] - 25752:21  
**payment** [1] - 25805:12  
**pecking** [3] - 25779:32, 25784:34  
**pedestal** [4] - 25730:43, 25746:27, 25765:28, 25765:29  
**peers** [1] - 25742:37  
**people** [108] - 25721:32, 25723:15, 25724:29, 25725:1, 25727:11, 25727:12, 25728:37, 25728:40, 25729:3, 25729:18, 25729:27, 25729:30, 25730:5, 25730:24, 25730:36, 25733:30, 25736:15, 25738:32, 25742:35, 25742:36, 25746:24, 25746:39, 25746:44, 25746:46, 25747:1, 25747:27, 25747:36, 25748:29, 25749:1, 25751:5, 25751:32, 25752:38, 25753:8, 25754:25, 25759:6, 25759:39, 25762:35, 25763:33, 25764:1, 25764:5, 25764:25, 25765:21, 25765:37, 25765:38, 25767:20, 25767:30, 25768:12, 25768:21, 25768:22, 25768:25, 25769:18, 25770:14, 25770:28, 25771:18, 25771:41, 25772:6, 25772:7, 25772:11, 25772:47, 25774:11, 25775:1, 25775:8, 25775:29, 25780:34, 25781:16, 25781:27, 25781:35, 25781:41, 25782:3, 25782:13, 25782:14, 25782:16, 25782:29, 25782:45, 25783:1, 25783:7, 25783:11, 25783:12, 25783:19, 25783:24, 25785:23, 25790:9, 25792:21, 25793:35, 25795:14, 25795:15, 25795:16, 25796:10, 25796:15, 25797:31, 25798:34,

<p>25799:12, 25801:27, 25805:31, 25806:43, 25807:14, 25808:47, 25809:20, 25809:23, 25810:16, 25810:23, 25811:24, 25813:37, 25817:14, 25821:35</p> <p><b>people's</b> [8] - 25726:44, 25727:32, 25744:10, 25765:47, 25782:16, 25782:35, 25794:23, 25794:24</p> <p><b>per</b> [6] - 25737:27, 25746:45, 25749:42, 25749:46, 25801:2</p> <p><b>perceived</b> [1] - 25814:40</p> <p><b>perceiving</b> [1] - 25731:47</p> <p><b>percentage</b> [1] - 25721:30</p> <p><b>perception</b> [1] - 25781:31</p> <p><b>perfect</b> [5] - 25779:31, 25784:25, 25784:33, 25791:41, 25811:11</p> <p><b>perhaps</b> [39] - 25725:4, 25728:8, 25731:29, 25735:18, 25737:6, 25738:10, 25738:13, 25738:18, 25746:4, 25746:14, 25746:39, 25750:29, 25752:17, 25754:12, 25755:18, 25755:27, 25755:43, 25756:46, 25759:39, 25764:9, 25765:32, 25766:34, 25768:27, 25774:46, 25783:30, 25783:34, 25787:13, 25791:36, 25794:20, 25799:27, 25799:37, 25799:46, 25804:26, 25804:28, 25806:23, 25806:44, 25807:15, 25822:18, 25822:24</p> <p><b>period</b> [3] - 25730:25, 25743:24, 25779:15</p> <p><b>periphery</b> [1] - 25727:42</p> <p><b>permitted</b> [1] - 25766:19</p> <p><b>perpetrated</b> [2] - 25743:5, 25746:5</p> <p><b>perpetrator</b> [3] - 25733:16, 25743:11, 25745:5</p> <p><b>perpetrators</b> [2] - 25732:4, 25745:43</p> <p><b>person</b> [23] - 25723:39, 25733:18, 25745:7, 25752:7, 25752:23, 25752:27, 25761:20, 25761:25, 25767:26, 25770:45, 25771:37, 25776:7, 25777:26, 25780:25, 25780:28, 25784:26, 25789:4, 25798:38, 25802:30, 25802:32, 25809:28, 25811:47, 25812:29</p> <p><b>personal</b> [8] - 25723:32, 25752:17, 25755:7,</p>	<p>25761:9, 25774:44, 25780:26, 25821:26, 25821:36</p> <p><b>personally</b> [9] - 25724:36, 25732:1, 25732:10, 25733:8, 25744:11, 25746:45, 25754:8, 25783:13, 25808:17</p> <p><b>perspective</b> [2] - 25735:14, 25735:25</p> <p><b>Peter</b> [3] - 25719:32, 25801:31, 25801:32</p> <p><b>petitioning</b> [2] - 25726:3, 25726:4</p> <p><b>phase</b> [1] - 25732:45</p> <p><b>phenomenon</b> [3] - 25728:5, 25778:45, 25785:33</p> <p><b>physical</b> [1] - 25762:34</p> <p><b>pick</b> [1] - 25753:8</p> <p><b>picture</b> [4] - 25796:7, 25798:5, 25798:7, 25800:8</p> <p><b>piecemeal</b> [4] - 25798:17, 25806:46, 25807:15, 25808:1</p> <p><b>Pirie</b> [4] - 25758:6, 25769:43, 25769:47, 25770:4</p> <p><b>place</b> [28] - 25723:13, 25727:47, 25730:2, 25745:3, 25745:17, 25749:11, 25752:28, 25753:35, 25755:27, 25758:36, 25769:19, 25769:41, 25770:26, 25770:27, 25775:9, 25784:34, 25789:21, 25791:46, 25798:17, 25799:12, 25804:20, 25812:33, 25813:31, 25816:23, 25816:30, 25818:5, 25822:18</p> <p><b>Place</b> [1] - 25719:23</p> <p><b>placed</b> [2] - 25723:28, 25753:20</p> <p><b>places</b> [7] - 25722:16, 25765:35, 25772:10, 25777:6, 25791:27, 25792:29, 25820:38</p> <p><b>plane</b> [2] - 25771:1, 25771:12</p> <p><b>planned</b> [1] - 25793:44</p> <p><b>play</b> [3] - 25743:20, 25748:36, 25766:40</p> <p><b>played</b> [6] - 25744:3, 25744:25, 25744:40, 25765:14, 25765:17, 25790:5</p> <p><b>playing</b> [2] - 25779:20, 25783:33</p> <p><b>plenary</b> [2] - 25793:26, 25797:44</p> <p><b>plus</b> [1] - 25731:38</p> <p><b>point</b> [25] - 25729:19, 25732:19, 25732:36, 25746:34, 25749:15,</p>	<p>25754:19, 25754:40, 25767:7, 25768:10, 25775:15, 25775:42, 25783:14, 25784:12, 25796:24, 25805:25, 25805:29, 25807:18, 25807:20, 25807:21, 25807:23, 25811:36, 25812:32, 25812:37, 25821:34</p> <p><b>pointed</b> [3] - 25764:46, 25765:23, 25811:11</p> <p><b>points</b> [2] - 25725:35, 25818:14</p> <p><b>police</b> [10] - 25725:25, 25733:31, 25742:15, 25755:10, 25755:12, 25755:16, 25789:3, 25789:11, 25789:21, 25803:16</p> <p><b>policies</b> [8] - 25725:46, 25726:5, 25726:29, 25726:45, 25759:33, 25762:15, 25788:35, 25822:25</p> <p><b>policy</b> [7] - 25726:46, 25728:30, 25761:9, 25774:33, 25788:41, 25803:45, 25818:40</p> <p><b>pontificates</b> [2] - 25779:12, 25779:30</p> <p><b>poor</b> [3] - 25733:10, 25734:5, 25749:19</p> <p><b>pope</b> [1] - 25779:33</p> <p><b>Pope</b> [11] - 25733:37, 25733:38, 25734:10, 25734:11, 25734:18, 25779:13, 25780:46, 25784:27, 25810:29, 25815:13</p> <p><b>Pope's</b> [1] - 25734:15</p> <p><b>Port</b> [5] - 25758:6, 25769:43, 25769:47, 25770:4, 25773:28</p> <p><b>Porteous</b> [8] - 25720:8, 25740:9, 25765:22, 25781:30, 25786:28, 25805:1, 25808:7, 25816:10</p> <p><b>PORTEOUS</b> [70] - 25720:19, 25740:12, 25740:16, 25740:20, 25740:26, 25740:31, 25740:36, 25740:42, 25741:8, 25741:15, 25741:23, 25741:35, 25742:9, 25743:2, 25743:10, 25743:23, 25743:44, 25744:5, 25744:19, 25744:29, 25744:42, 25745:14, 25745:19, 25745:33, 25746:8, 25746:33, 25746:43, 25747:10, 25747:17, 25747:31, 25748:35, 25749:8, 25749:25, 25749:34, 25750:3, 25750:9,</p>	<p>25750:21, 25750:32, 25751:24, 25751:42, 25752:26, 25752:41, 25753:19, 25753:44, 25754:5, 25754:16, 25754:28, 25754:37, 25755:2, 25755:21, 25756:3, 25756:14, 25757:7, 25757:19, 25757:24, 25757:32, 25781:33, 25782:5, 25782:11, 25782:27, 25786:31, 25787:1, 25805:5, 25808:11, 25808:25, 25816:14, 25816:20, 25816:36, 25816:42, 25817:4</p> <p><b>portrait</b> [1] - 25732:15</p> <p><b>position</b> [14] - 25721:5, 25721:6, 25736:9, 25765:33, 25781:37, 25787:22, 25792:12, 25792:18, 25792:43, 25794:19, 25799:33, 25805:2, 25815:27, 25817:6</p> <p><b>positions</b> [1] - 25728:41</p> <p><b>positive</b> [9] - 25731:41, 25739:36, 25742:28, 25750:35, 25750:37, 25768:5, 25809:36, 25809:42, 25816:29</p> <p><b>positively</b> [1] - 25740:6</p> <p><b>possibilities</b> [2] - 25747:33, 25750:15</p> <p><b>possibility</b> [2] - 25738:22, 25762:8</p> <p><b>possible</b> [9] - 25731:38, 25745:9, 25748:19, 25756:11, 25763:10, 25763:34, 25769:24, 25769:25, 25773:35</p> <p><b>postgraduate</b> [1] - 25777:13</p> <p><b>power</b> [28] - 25730:3, 25730:11, 25730:12, 25730:22, 25744:39, 25744:43, 25746:28, 25748:21, 25750:47, 25764:31, 25764:32, 25765:47, 25766:39, 25766:41, 25768:4, 25779:22, 25779:43, 25779:47, 25780:2, 25780:6, 25780:15, 25780:39, 25781:5, 25785:24, 25791:34, 25814:20, 25820:45</p> <p><b>powerful</b> [3] - 25755:15, 25755:47, 25821:40</p> <p><b>PowerPoint</b> [1] - 25774:3</p> <p><b>practical</b> [3] - 25723:40, 25723:42, 25813:30</p> <p><b>practice</b> [14] - 25753:21, 25754:29, 25758:35, 25764:36, 25780:6, 25786:39, 25787:6, 25787:10, 25791:25,</p>	<p>25799:7, 25801:21, 25804:9, 25804:33, 25812:13</p> <p><b>practices</b> [1] - 25780:38</p> <p><b>practise</b> [2] - 25800:15, 25803:17</p> <p><b>prayer</b> [1] - 25737:5</p> <p><b>prayer-focused</b> [1] - 25737:5</p> <p><b>pre</b> [1] - 25791:39</p> <p><b>pre-Vatican</b> [1] - 25791:39</p> <p><b>precious</b> [1] - 25730:33</p> <p><b>precisely</b> [3] - 25731:8, 25739:33, 25811:13</p> <p><b>predecessor</b> [1] - 25723:14</p> <p><b>predicated</b> [1] - 25732:43</p> <p><b>predisposition</b> [1] - 25747:47</p> <p><b>preface</b> [2] - 25805:34, 25820:30</p> <p><b>preferable</b> [1] - 25801:27</p> <p><b>preparation</b> [1] - 25775:29</p> <p><b>prepare</b> [1] - 25801:18</p> <p><b>prepared</b> [4] - 25729:4, 25749:27, 25783:45, 25817:39</p> <p><b>preparing</b> [1] - 25786:33</p> <p><b>prerogatives</b> [1] - 25750:46</p> <p><b>presbytery</b> [1] - 25803:36</p> <p><b>preschool</b> [1] - 25740:45</p> <p><b>present</b> [5] - 25729:37, 25738:34, 25752:6, 25775:1, 25813:36</p> <p><b>presentation</b> [1] - 25774:3</p> <p><b>presented</b> [1] - 25809:36</p> <p><b>presumably</b> [1] - 25767:44</p> <p><b>pretty</b> [4] - 25752:5, 25755:9, 25765:33, 25773:11</p> <p><b>prevailed</b> [1] - 25734:4</p> <p><b>prevents</b> [1] - 25821:14</p> <p><b>previous</b> [1] - 25779:30</p> <p><b>previously</b> [2] - 25769:41, 25804:36</p> <p><b>priest</b> [62] - 25720:37, 25730:3, 25730:19, 25730:43, 25730:46, 25730:47, 25731:10, 25738:12, 25738:19, 25738:20, 25740:23, 25745:23, 25745:43, 25751:10, 25753:20, 25753:21, 25753:23, 25758:7, 25762:2, 25762:5, 25766:5, 25766:6, 25766:13, 25766:35, 25767:6, 25768:28, 25770:43, 25770:46, 25771:19, 25772:3, 25775:23, 25776:45, 25776:47, 25777:11, 25778:40, 25780:4, 25780:22, 25780:26, 25781:21, 25781:39, 25784:8,</p>
---	---	---	---	--

<p>25784:28, 25784:39, 25785:19, 25788:25, 25789:10, 25789:15, 25789:26, 25790:8, 25792:41, 25802:47, 25803:1, 25803:5, 25803:36, 25803:46, 25804:8, 25804:9, 25804:10, 25811:47, 25812:6, 25819:11, 25819:27</p> <p><b>priest's</b> [1] - 25789:17</p> <p><b>priesthood</b> [13] - 25743:15, 25747:21, 25754:17, 25755:32, 25765:26, 25765:43, 25779:3, 25801:4, 25817:23, 25819:47, 25820:9, 25820:17</p> <p><b>priestly</b> [8] - 25741:28, 25742:14, 25742:40, 25742:43, 25750:36, 25817:26</p> <p><b>priests</b> [113] - 25725:19, 25731:38, 25736:14, 25737:27, 25737:42, 25738:17, 25738:29, 25738:31, 25739:14, 25739:17, 25741:17, 25741:19, 25742:29, 25743:16, 25745:21, 25745:23, 25745:24, 25745:41, 25746:24, 25747:17, 25747:26, 25747:29, 25749:42, 25749:46, 25750:35, 25750:38, 25750:45, 25751:12, 25751:14, 25751:16, 25751:38, 25753:7, 25753:28, 25758:23, 25759:27, 25759:39, 25759:46, 25760:7, 25760:27, 25764:25, 25768:20, 25770:35, 25770:42, 25771:29, 25771:33, 25771:47, 25772:9, 25773:40, 25773:43, 25774:21, 25774:31, 25774:38, 25775:1, 25775:5, 25777:44, 25778:2, 25778:4, 25778:26, 25781:35, 25782:28, 25786:11, 25786:36, 25788:28, 25789:41, 25790:18, 25792:24, 25794:19, 25794:38, 25795:46, 25796:4, 25796:10, 25797:30, 25798:44, 25800:39, 25800:41, 25800:46, 25801:5, 25801:17, 25801:18, 25801:20, 25801:23, 25801:26, 25801:27, 25801:34, 25803:36, 25803:47, 25804:1, 25804:29, 25809:14,</p>	<p>25810:33, 25811:25, 25811:29, 25811:33, 25812:14, 25812:23, 25815:46, 25817:20, 25817:21, 25817:35, 25817:36, 25817:37, 25817:38, 25818:28, 25818:37, 25818:44, 25819:3, 25819:6, 25819:13, 25819:44</p> <p><b>primary</b> [1] - 25758:24</p> <p><b>principals</b> [3] - 25758:24, 25790:19, 25804:29</p> <p><b>principles</b> [1] - 25818:8</p> <p><b>printed</b> [1] - 25798:32</p> <p><b>priority</b> [4] - 25724:3, 25773:7, 25810:45, 25821:2</p> <p><b>prison</b> [1] - 25763:46</p> <p><b>privately</b> [1] - 25811:41</p> <p><b>privilege</b> [1] - 25792:4</p> <p><b>privileged</b> [2] - 25792:12, 25792:43</p> <p><b>privileges</b> [1] - 25780:31</p> <p><b>problem</b> [12] - 25730:40, 25731:3, 25746:22, 25746:38, 25749:5, 25752:24, 25783:21, 25784:30, 25785:15, 25785:19, 25791:31, 25811:6</p> <p><b>problems</b> [3] - 25775:24, 25782:22, 25813:30</p> <p><b>procedure</b> [5] - 25761:4, 25761:23, 25785:46, 25803:16, 25804:38</p> <p><b>procedures</b> [4] - 25727:47, 25768:39, 25788:35, 25822:26</p> <p><b>proceedings</b> [2] - 25793:46, 25816:34</p> <p><b>process</b> [10] - 25734:5, 25743:26, 25753:9, 25778:8, 25778:10, 25808:13, 25808:14, 25816:18, 25817:4, 25817:9</p> <p><b>processes</b> [7] - 25750:18, 25756:30, 25804:20, 25804:23, 25816:23, 25816:26, 25817:10</p> <p><b>produce</b> [1] - 25813:33</p> <p><b>produced</b> [1] - 25798:22</p> <p><b>product</b> [3] - 25742:47, 25779:12, 25779:27</p> <p><b>products</b> [2] - 25779:16, 25821:33</p> <p><b>profession</b> [7] - 25742:14, 25742:15, 25742:16, 25742:21, 25742:22, 25755:38, 25755:42</p> <p><b>professional</b> [16] - 25738:30, 25746:11, 25752:38, 25752:41, 25761:11, 25761:22, 25773:12, 25783:29, 25783:31, 25786:23,</p>	<p>25790:13, 25790:24, 25806:43, 25809:21, 25817:30, 25817:31</p> <p><b>Professional</b> [10] - 25723:3, 25756:45, 25760:41, 25790:20, 25803:14, 25805:13, 25805:24, 25805:44, 25808:8, 25821:9</p> <p><b>professionally</b> [2] - 25724:22, 25725:22</p> <p><b>professions</b> [3] - 25742:17, 25742:34, 25755:24</p> <p><b>Professor</b> [1] - 25719:36</p> <p><b>profound</b> [1] - 25764:6</p> <p><b>profoundly</b> [2] - 25729:12, 25820:34</p> <p><b>program</b> [10] - 25811:43, 25813:29, 25816:46, 25817:1, 25817:28, 25817:36, 25817:37, 25817:44, 25818:6, 25818:11</p> <p><b>programs</b> [17] - 25724:24, 25740:46, 25742:35, 25756:17, 25756:25, 25763:33, 25808:22, 25809:9, 25809:25, 25809:29, 25809:45, 25809:47, 25810:9, 25816:30, 25817:33, 25818:5, 25818:46</p> <p><b>progressed</b> [1] - 25761:45</p> <p><b>project</b> [1] - 25808:20</p> <p><b>prominent</b> [1] - 25807:37</p> <p><b>promote</b> [3] - 25728:19, 25782:1, 25782:15</p> <p><b>promotes</b> [1] - 25779:42</p> <p><b>promoting</b> [1] - 25781:3</p> <p><b>prompted</b> [2] - 25723:8, 25759:2</p> <p><b>promptly</b> [1] - 25724:21</p> <p><b>proper</b> [5] - 25730:38, 25730:39, 25731:24, 25745:27, 25810:6</p> <p><b>properly</b> [2] - 25734:40, 25821:13</p> <p><b>prophetic</b> [1] - 25729:14</p> <p><b>proposal</b> [2] - 25806:20, 25806:35</p> <p><b>proposed</b> [1] - 25804:41</p> <p><b>proposition</b> [3] - 25748:32, 25749:6, 25749:40</p> <p><b>protect</b> [4] - 25755:16, 25755:43, 25755:44, 25802:44</p> <p><b>protected</b> [1] - 25755:47</p> <p><b>protecting</b> [2] - 25811:31, 25811:42</p> <p><b>protection</b> [10] - 25726:21, 25738:37, 25739:16, 25739:19, 25773:6, 25773:33, 25810:44, 25811:27, 25812:5, 25812:15</p>	<p><b>protocols</b> [8] - 25724:24, 25726:43, 25732:41, 25806:8, 25806:45, 25807:13, 25812:32, 25818:10</p> <p><b>prove</b> [1] - 25726:30</p> <p><b>provide</b> [4] - 25723:40, 25770:42, 25781:8, 25786:24</p> <p><b>provided</b> [11] - 25722:25, 25730:3, 25740:9, 25749:41, 25750:25, 25758:9, 25759:32, 25783:3, 25786:10, 25808:36, 25816:33</p> <p><b>provides</b> [1] - 25821:34</p> <p><b>providing</b> [2] - 25810:7, 25810:18</p> <p><b>provision</b> [1] - 25739:45</p> <p><b>PROWSE</b> [103] - 25720:21, 25720:28, 25720:33, 25720:40, 25720:45, 25721:3, 25721:8, 25721:12, 25721:21, 25721:28, 25721:44, 25722:5, 25722:13, 25722:23, 25722:37, 25722:42, 25722:46, 25723:6, 25723:10, 25724:10, 25724:47, 25725:9, 25725:14, 25725:35, 25726:17, 25726:37, 25726:43, 25727:4, 25727:9, 25727:25, 25728:2, 25728:7, 25728:18, 25729:11, 25729:47, 25730:10, 25731:6, 25732:7, 25732:15, 25732:30, 25733:14, 25733:43, 25734:2, 25734:8, 25734:14, 25734:36, 25735:7, 25735:13, 25735:30, 25735:38, 25735:44, 25736:2, 25736:13, 25736:21, 25736:41, 25737:20, 25737:30, 25737:34, 25737:40, 25738:9, 25738:28, 25738:41, 25739:3, 25739:12, 25739:21, 25739:32, 25739:42, 25740:1, 25740:5, 25781:14, 25787:8, 25805:41, 25806:18, 25806:32, 25806:41, 25807:9, 25807:27, 25807:34, 25807:43, 25808:1, 25808:33, 25808:39, 25809:13, 25810:3, 25810:12, 25813:9, 25813:13, 25813:19, 25813:28, 25813:45, 25814:13, 25814:28, 25814:36, 25814:42, 25814:46, 25815:6, 25815:12,</p>	<p>25815:19, 25815:24, 25815:30, 25815:40, 25815:45, 25816:8</p> <p><b>Prowse</b> [8] - 25720:25, 25720:29, 25756:43, 25781:10, 25787:5, 25805:23, 25808:30, 25813:3</p> <p><b>prudent</b> [1] - 25731:37</p> <p><b>psychological</b> [3] - 25730:23, 25745:8, 25791:23</p> <p><b>psychologies</b> [1] - 25731:26</p> <p><b>psychologist</b> [4] - 25752:41, 25752:45, 25816:16, 25816:21</p> <p><b>Public</b> [1] - 25719:18</p> <p><b>public</b> [17] - 25724:32, 25726:40, 25728:45, 25735:23, 25735:39, 25736:3, 25736:9, 25736:18, 25736:27, 25736:28, 25736:34, 25736:36, 25755:17, 25789:10, 25799:9, 25804:20</p> <p><b>publication</b> [3] - 25802:22, 25802:33, 25802:40</p> <p><b>publicly</b> [1] - 25816:2</p> <p><b>publish</b> [2] - 25727:22, 25727:23</p> <p><b>published</b> [1] - 25816:6</p> <p><b>purpose</b> [2] - 25736:19, 25801:45</p> <p><b>purposes</b> [1] - 25786:7</p> <p><b>pursue</b> [1] - 25763:11</p> <p><b>pursuit</b> [2] - 25742:18, 25742:19</p> <p><b>push</b> [1] - 25812:9</p> <p><b>pushing</b> [2] - 25782:45, 25791:42</p> <p><b>put</b> [18] - 25720:8, 25728:35, 25729:14, 25730:20, 25730:43, 25746:21, 25746:26, 25748:28, 25748:47, 25749:1, 25752:23, 25754:20, 25758:23, 25765:27, 25783:24, 25788:6, 25803:13, 25806:35</p> <p><b>puts</b> [1] - 25810:38</p> <p><b>putting</b> [3] - 25728:27, 25753:35, 25818:6</p> <p><b>pyramid</b> [1] - 25779:35</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>qualities</b> [2] - 25751:12, 25752:7</p> <p><b>quality</b> [3] - 25751:7, 25806:11, 25816:27</p> <p><b>questions</b> [13] - 25745:29, 25746:3, 25756:19, 25756:42, 25769:7,</p>
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25770:35, 25774:12,  
25785:42, 25813:3,  
25813:4, 25815:37,  
25816:45, 25821:45  
**quickly** [1] - 25731:40  
**quite** [24] - 25721:38,  
25728:28, 25731:33,  
25731:34, 25737:47,  
25742:33, 25744:20,  
25746:13, 25747:39,  
25763:30, 25766:9,  
25772:46, 25773:16,  
25776:5, 25781:1,  
25781:14, 25791:30,  
25796:24, 25805:14,  
25806:14, 25807:31,  
25810:4, 25813:39,  
25817:23  
**quote** [1] - 25819:38

## R

**raise** [3] - 25726:4,  
25739:5, 25785:41  
**raised** [5] - 25746:34,  
25747:39, 25791:20,  
25793:11, 25793:42  
**raising** [1] - 25749:16  
**ran** [1] - 25774:1  
**rang** [1] - 25789:19  
**range** [1] - 25749:18  
**ranked** [1] - 25780:1  
**ranking** [1] - 25780:28  
**ranks** [2] - 25781:1,  
25812:21  
**rate** [3] - 25737:11,  
25745:37, 25778:47  
**rather** [22] - 25724:12,  
25725:36, 25732:44,  
25733:19, 25735:25,  
25737:9, 25738:44,  
25741:39, 25741:40,  
25741:41, 25749:19,  
25749:28, 25749:31,  
25765:23, 25765:45,  
25781:5, 25781:42,  
25788:32, 25796:46,  
25806:46, 25807:15,  
25814:25  
**reaches** [1] - 25784:29  
**react** [1] - 25775:10  
**reaction** [3] - 25728:20,  
25745:22, 25751:22  
**read** [5] - 25727:43,  
25747:42, 25804:28,  
25807:21, 25809:26  
**reading** [3] - 25730:5,  
25770:16, 25770:17  
**readings** [1] - 25799:10  
**ready** [2] - 25818:20,  
25820:8  
**real** [1] - 25732:1  
**realise** [1] - 25745:9  
**reality** [4] - 25728:39,  
25729:1, 25729:4  
**really** [33] - 25724:12,  
25726:19, 25728:24,

25729:39, 25731:23,  
25733:2, 25733:5,  
25733:15, 25733:33,  
25734:27, 25734:38,  
25737:43, 25738:12,  
25743:32, 25751:29,  
25752:1, 25752:2,  
25762:8, 25771:28,  
25771:45, 25779:40,  
25784:9, 25785:22,  
25788:15, 25792:9,  
25794:23, 25809:31,  
25814:32, 25820:39,  
25820:42, 25821:41  
**reason** [2] - 25775:4,  
25802:6  
**reasonable** [1] - 25796:12  
**reasons** [5] - 25730:13,  
25745:25, 25745:26,  
25765:19, 25806:9  
**reassurance** [1] - 25759:6  
**reassure** [2] - 25749:45,  
25751:19  
**receive** [7] - 25763:28,  
25777:43, 25782:12,  
25821:3, 25821:4  
**received** [4] - 25760:42,  
25761:1, 25802:16,  
25803:12  
**receiving** [1] - 25817:20  
**recent** [11] - 25724:23,  
25728:5, 25728:7,  
25729:44, 25734:19,  
25734:34, 25735:9,  
25735:27, 25762:21,  
25798:13, 25806:34  
**recently** [5] - 25732:8,  
25736:29, 25758:22,  
25818:33  
**recognise** [2] - 25750:17,  
25797:22  
**recognised** [1] - 25798:29  
**recognising** [2] -  
25783:30, 25783:35  
**recognition** [1] - 25783:28  
**recommend** [1] -  
25815:27  
**recommendation** [2] -  
25739:40, 25775:33  
**recommendations** [2] -  
25728:24, 25806:22  
**Reconciliation** [8] -  
25758:25, 25758:35,  
25786:13, 25787:6,  
25799:3, 25804:14,  
25804:27, 25804:30  
**reconciliation** [3] -  
25785:47, 25799:7,  
25804:38  
**RECONCILIATION** [1] -  
25759:24  
**records** [1] - 25775:11  
**recounted** [1] - 25820:40  
**recourse** [1] - 25821:8  
**recruitment** [3] -  
25791:21, 25791:22,  
25791:27

**rector** [14] - 25741:24,  
25741:33, 25741:35,  
25741:36, 25742:26,  
25750:32, 25750:42,  
25751:25, 25751:27,  
25751:30, 25753:33,  
25754:19, 25813:36,  
25815:33  
**rectors** [1] - 25754:28  
**red** [2] - 25752:31,  
25753:29  
**redress** [12] - 25739:40,  
25775:32, 25775:42,  
25775:44, 25776:12,  
25786:46, 25799:20,  
25804:41, 25804:44,  
25805:1, 25805:7,  
25805:16  
**reduce** [1] - 25747:26  
**reduced** [2] - 25750:19,  
25766:42  
**reduction** [1] - 25778:43  
**redundant** [1] - 25791:36  
**refer** [3] - 25783:26,  
25791:30, 25794:4  
**reference** [2] - 25816:20,  
25820:19  
**referred** [7] - 25737:18,  
25737:25, 25758:34,  
25760:43, 25769:4,  
25778:19, 25805:26  
**referring** [2] - 25758:30,  
25811:44  
**refined** [1] - 25756:37  
**reflect** [1] - 25750:41  
**reflecting** [2] - 25786:34,  
25814:7  
**reflection** [2] - 25752:16,  
25812:12  
**reform** [1] - 25784:22  
**refugee** [4] - 25777:27,  
25821:27, 25821:28,  
25821:33  
**refuse** [1] - 25815:45  
**refused** [2] - 25735:11,  
25815:42  
**regard** [15] - 25729:18,  
25730:19, 25733:43,  
25733:46, 25734:36,  
25739:27, 25750:27,  
25783:32, 25789:47,  
25791:19, 25791:40,  
25806:7, 25806:39,  
25813:28, 25816:22  
**regarded** [1] - 25772:31  
**regarding** [2] - 25819:21  
**regenerating** [1] -  
25733:17  
**regime** [4] - 25739:9,  
25760:15, 25812:25,  
25812:30  
**region** [4] - 25721:15,  
25721:31, 25787:39,  
25787:40  
**regional** [3] - 25721:23,  
25727:28, 25738:14  
**register** [1] - 25790:43

**regret** [1] - 25735:39  
**regular** [1] - 25820:12  
**regularly** [2] - 25753:24,  
25782:43  
**regulation** [1] - 25800:39  
**relatable** [1] - 25764:44  
**relate** [3] - 25744:31,  
25764:44, 25772:46  
**related** [5] - 25745:40,  
25753:1, 25811:23,  
25818:2, 25819:44  
**relating** [1] - 25809:2  
**relation** [32] - 25721:42,  
25736:11, 25749:16,  
25754:24, 25755:12,  
25760:39, 25761:15,  
25763:38, 25765:9,  
25768:3, 25770:9,  
25785:46, 25786:12,  
25787:5, 25788:19,  
25789:6, 25789:17,  
25790:22, 25798:13,  
25799:3, 25799:16,  
25802:12, 25804:41,  
25805:1, 25805:2,  
25812:11, 25812:13,  
25813:6, 25813:15,  
25813:16, 25814:39,  
25816:21  
**RELATION** [1] - 25759:24  
**relations** [1] - 25748:21  
**relationship** [7] -  
25723:46, 25745:27,  
25767:9, 25767:26,  
25768:4, 25768:17,  
25782:29  
**relationships** [7] -  
25751:4, 25752:11,  
25765:20, 25770:15,  
25781:5, 25781:40,  
25821:35  
**relatively** [1] - 25753:26  
**relaxed** [1] - 25780:44  
**release** [3] - 25805:27,  
25811:30, 25816:5  
**relevant** [6] - 25760:43,  
25765:8, 25770:47,  
25779:39, 25811:12,  
25811:19  
**religious** [24] - 25725:47,  
25730:34, 25743:21,  
25743:42, 25744:26,  
25745:24, 25745:28,  
25746:23, 25747:5,  
25747:28, 25761:21,  
25777:7, 25777:41,  
25778:2, 25778:40,  
25779:34, 25784:8,  
25790:1, 25790:11,  
25791:1, 25809:15,  
25822:40  
**reluctance** [1] - 25811:30  
**reluctant** [1] - 25811:29  
**remain** [1] - 25750:24  
**remember** [3] - 25753:46,  
25754:37  
**remind** [1] - 25783:5

**reminding** [1] - 25783:30  
**reminds** [3] - 25783:2,  
25783:14, 25783:16  
**remote** [1] - 25788:28  
**removal** [3] - 25733:18,  
25784:38, 25784:41  
**remove** [1] - 25811:30  
**removed** [1] - 25782:23  
**removing** [1] - 25782:24  
**repeat** [1] - 25805:6  
**repeated** [1] - 25729:44  
**replacement** [1] -  
25778:47  
**reply** [1] - 25751:22  
**report** [8] - 25739:16,  
25739:17, 25770:17,  
25773:46, 25804:9,  
25808:47, 25809:5,  
25813:33  
**reportable** [3] - 25725:46,  
25726:5, 25728:11  
**reported** [1] - 25762:34  
**reporter** [1] - 25759:43  
**reporters** [1] - 25759:40  
**reporting** [4] - 25739:14,  
25760:7, 25760:15,  
25774:11  
**reports** [1] - 25760:16  
**represent** [2] - 25720:2,  
25810:21  
**representative** [3] -  
25734:16, 25776:8,  
25809:7  
**represented** [1] -  
25730:47  
**represents** [1] - 25724:42  
**require** [2] - 25778:26,  
25782:24  
**required** [4] - 25728:16,  
25739:16, 25739:17,  
25741:38  
**requirement** [3] -  
25746:23, 25804:19,  
25820:9  
**requirements** [3] -  
25725:32, 25729:16,  
25818:18  
**requires** [1] - 25761:19  
**research** [6] - 25748:28,  
25749:22, 25750:25,  
25769:17, 25808:16,  
25809:46  
**resigned** [1] - 25815:12  
**resistance** [1] - 25811:31  
**resolution** [1] - 25736:4  
**resolve** [1] - 25749:5  
**resolved** [1] - 25775:16  
**resonate** [1] - 25811:33  
**resonated** [1] - 25781:14  
**resonates** [1] - 25723:36  
**resource** [1] - 25810:16  
**resources** [2] - 25734:40,  
25810:18  
**respect** [13] - 25732:3,  
25744:26, 25752:43,  
25768:5, 25772:12,  
25782:19, 25782:41,

<p>25783:20, 25789:15, 25802:36, 25805:14, 25821:3, 25821:10</p> <p><b>respectful</b> [1] - 25771:40</p> <p><b>respond</b> [11] - 25723:24, 25726:11, 25733:31, 25734:26, 25738:2, 25743:6, 25745:1, 25785:15, 25791:12, 25806:25, 25810:19</p> <p><b>responded</b> [3] - 25739:39, 25746:5, 25785:7</p> <p><b>responding</b> [3] - 25724:21, 25744:34, 25757:12</p> <p><b>Response</b> [1] - 25820:34</p> <p><b>response</b> [16] - 25733:10, 25733:21, 25736:25, 25744:16, 25745:30, 25767:24, 25770:28, 25779:21, 25791:9, 25810:35, 25820:20, 25820:24, 25820:27, 25820:30, 25821:29</p> <p><b>responses</b> [2] - 25725:17, 25749:19</p> <p><b>RESPONSES</b> [1] - 25719:14</p> <p><b>responsibilities</b> [1] - 25774:6</p> <p><b>responsibility</b> [8] - 25724:11, 25724:16, 25727:15, 25733:24, 25743:8, 25743:41, 25746:4, 25754:18</p> <p><b>responsible</b> [2] - 25733:37, 25734:10</p> <p><b>responsibly</b> [1] - 25725:37</p> <p><b>rest</b> [3] - 25765:38, 25771:29, 25820:11</p> <p><b>restoration</b> [1] - 25779:13</p> <p><b>restrict</b> [1] - 25762:10</p> <p><b>result</b> [5] - 25747:46, 25761:11, 25784:32, 25797:5, 25797:6</p> <p><b>resulted</b> [2] - 25726:35, 25733:34</p> <p><b>results</b> [1] - 25760:16</p> <p><b>retreat</b> [2] - 25762:26, 25814:5</p> <p><b>return</b> [2] - 25731:44, 25772:26</p> <p><b>returned</b> [1] - 25789:20</p> <p><b>returning</b> [1] - 25774:31</p> <p><b>returns</b> [1] - 25812:1</p> <p><b>revealed</b> [3] - 25723:25, 25789:12, 25791:3</p> <p><b>revelations</b> [4] - 25751:28, 25753:47, 25769:17, 25770:9</p> <p><b>revert</b> [2] - 25741:11, 25741:20</p> <p><b>reverting</b> [1] - 25741:12</p> <p><b>review</b> [5] - 25723:13, 25723:14, 25723:16, 25813:20, 25813:36</p>	<p><b>reviewed</b> [1] - 25780:18</p> <p><b>reviewing</b> [2] - 25774:12, 25774:13</p> <p><b>revise</b> [1] - 25737:3</p> <p><b>rightly</b> [1] - 25796:24</p> <p><b>Rights</b> [1] - 25810:26</p> <p><b>rights</b> [3] - 25751:9, 25811:42, 25812:16</p> <p><b>ring</b> [2] - 25780:37, 25792:24</p> <p><b>rise</b> [3] - 25749:18, 25749:19</p> <p><b>risk</b> [8] - 25739:18, 25747:26, 25750:6, 25753:40, 25762:16, 25762:27, 25780:7</p> <p><b>risks</b> [1] - 25749:18</p> <p><b>rite</b> [3] - 25799:8, 25799:9, 25799:42</p> <p><b>road</b> [1] - 25733:4</p> <p><b>roads</b> [1] - 25783:45</p> <p><b>Robert</b> [1] - 25719:35</p> <p><b>Robinson</b> [3] - 25753:3, 25816:33, 25819:32</p> <p><b>robust</b> [2] - 25778:14, 25785:12</p> <p><b>role</b> [19] - 25743:20, 25744:3, 25744:25, 25744:40, 25750:45, 25761:15, 25765:14, 25765:17, 25765:45, 25766:2, 25766:5, 25768:28, 25774:4, 25779:20, 25783:15, 25803:39, 25806:15, 25813:15, 25816:39</p> <p><b>roles</b> [1] - 25752:10</p> <p><b>rolled</b> [1] - 25790:41</p> <p><b>Roman</b> [6] - 25748:11, 25748:12, 25800:3, 25800:10, 25800:20, 25801:22</p> <p><b>Rome</b> [2] - 25777:13, 25777:16</p> <p><b>rooms</b> [1] - 25766:19</p> <p><b>routinely</b> [1] - 25769:37</p> <p><b>ROYAL</b> [1] - 25719:13</p> <p><b>royal</b> [1] - 25755:22</p> <p><b>Royal</b> [39] - 25723:21, 25723:22, 25723:25, 25723:28, 25728:25, 25728:38, 25729:13, 25729:29, 25732:8, 25733:2, 25735:14, 25735:33, 25736:43, 25736:45, 25737:16, 25739:39, 25740:9, 25743:27, 25756:15, 25756:18, 25756:36, 25757:41, 25763:45, 25775:32, 25776:24, 25778:38, 25787:14, 25789:46, 25793:43, 25793:47, 25794:1, 25796:22, 25796:40, 25797:5, 25799:28, 25805:47, 25814:47,</p>	<p>25817:7, 25818:14</p> <p><b>rubber</b> [1] - 25783:45</p> <p><b>rude</b> [1] - 25771:39</p> <p><b>rule</b> [1] - 25800:36</p> <p><b>rules</b> [1] - 25774:20</p> <p><b>run</b> [7] - 25722:11, 25725:16, 25740:45, 25761:23, 25782:46, 25812:24, 25817:36</p> <p><b>runners</b> [1] - 25741:41</p> <p><b>running</b> [3] - 25726:20, 25754:26, 25817:17</p> <p><b>runs</b> [2] - 25812:2, 25812:30</p> <p><b>rural</b> [2] - 25766:12, 25773:29</p>	<p><b>SAUNDERS</b> [64] - 25720:13, 25787:16, 25787:20, 25787:24, 25787:28, 25787:34, 25787:39, 25787:45, 25788:4, 25788:9, 25788:15, 25788:21, 25788:39, 25788:44, 25789:2, 25789:9, 25789:19, 25789:28, 25789:32, 25789:37, 25789:41, 25790:3, 25790:7, 25790:26, 25790:30, 25790:36, 25790:40, 25790:45, 25791:5, 25791:11, 25792:18, 25793:2, 25793:8, 25793:13, 25793:18, 25793:22, 25793:32, 25794:8, 25794:13, 25794:17, 25794:32, 25794:40, 25794:44, 25795:1, 25795:5, 25795:11, 25795:26, 25795:38, 25795:46, 25796:7, 25796:21, 25796:42, 25797:1, 25797:19, 25797:40, 25798:16, 25798:24, 25798:28, 25798:47, 25799:6, 25799:18, 25799:25, 25811:36, 25812:18</p> <p><b>saw</b> [2] - 25732:12, 25764:5</p> <p><b>SC</b> [1] - 25719:41</p> <p><b>scale</b> [1] - 25732:1</p> <p><b>scandal</b> [2] - 25746:16, 25756:5</p> <p><b>scene</b> [1] - 25793:38</p> <p><b>scheme</b> [11] - 25739:40, 25775:32, 25776:12, 25786:46, 25799:20, 25799:23, 25804:41, 25804:45, 25805:2, 25805:7, 25805:16</p> <p><b>school</b> [8] - 25721:32, 25735:11, 25740:46, 25788:23, 25788:31, 25789:12, 25809:16, 25810:18</p> <p><b>schools</b> [23] - 25721:19, 25721:21, 25721:29, 25721:31, 25722:21, 25725:16, 25740:43, 25758:24, 25758:36, 25759:7, 25762:38, 25786:11, 25787:43, 25788:2, 25788:16, 25801:37, 25804:31, 25804:36, 25808:31, 25809:8, 25809:25, 25810:1, 25810:16</p> <p><b>schoolteachers</b> [1] - 25739:25</p> <p><b>schoolyard</b> [1] - 25759:12</p> <p><b>sciences</b> [1] - 25731:25</p> <p><b>scientific</b> [1] - 25772:33</p>	<p><b>scope</b> [1] - 25807:29</p> <p><b>scourge</b> [3] - 25732:33, 25732:37, 25734:26</p> <p><b>screen</b> [1] - 25730:6</p> <p><b>screening</b> [6] - 25730:24, 25730:39, 25778:14, 25816:17, 25819:32, 25819:43</p> <p><b>scripture</b> [1] - 25799:10</p> <p><b>scrutiny</b> [1] - 25738:29</p> <p><b>se</b> [1] - 25746:45</p> <p><b>sea</b> [1] - 25809:14</p> <p><b>seal</b> [1] - 25739:23</p> <p><b>sears</b> [1] - 25770:18</p> <p><b>Second</b> [1] - 25783:44</p> <p><b>second</b> [8] - 25723:20, 25729:26, 25729:28, 25751:7, 25799:8, 25799:9, 25800:24, 25807:17</p> <p><b>secondary</b> [1] - 25758:24</p> <p><b>secondly</b> [5] - 25723:38, 25725:40, 25733:17, 25791:8, 25819:10</p> <p><b>secrecy</b> [8] - 25732:20, 25733:9, 25733:34, 25733:38, 25734:5, 25734:28, 25734:30, 25756:4</p> <p><b>secret</b> [1] - 25779:29</p> <p><b>see</b> [45] - 25724:36, 25732:35, 25732:36, 25733:3, 25734:4, 25734:18, 25734:39, 25737:34, 25737:44, 25738:42, 25743:10, 25743:18, 25743:38, 25744:23, 25744:29, 25745:46, 25747:8, 25749:4, 25749:39, 25750:17, 25751:47, 25752:6, 25752:18, 25756:29, 25761:22, 25767:22, 25770:13, 25775:10, 25776:4, 25779:24, 25779:26, 25780:36, 25781:9, 25782:8, 25783:26, 25784:31, 25798:4, 25798:6, 25798:7, 25798:18, 25798:31, 25806:15, 25812:44</p> <p><b>seek</b> [2] - 25755:37, 25763:19</p> <p><b>seeking</b> [5] - 25748:38, 25749:13, 25750:35, 25756:17, 25760:33</p> <p><b>seem</b> [3] - 25744:16, 25806:8, 25813:22</p> <p><b>sees</b> [1] - 25782:22</p> <p><b>selection</b> [2] - 25750:28, 25750:29</p> <p><b>seminarian</b> [3] - 25741:27, 25775:19, 25777:40</p> <p><b>seminarians</b> [24] - 25741:11, 25741:18, 25741:30, 25741:31,</p>
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25741:38, 25742:2,  
25742:28, 25750:45,  
25751:11, 25751:30,  
25774:33, 25778:7,  
25778:13, 25778:45,  
25779:6, 25779:15,  
25779:24, 25786:24,  
25813:11, 25813:30,  
25813:47, 25814:1,  
25816:11, 25819:33  
**seminaries** [10] - 25741:5,  
25751:44, 25752:15,  
25754:26, 25754:40,  
25754:45, 25774:47,  
25779:6, 25779:11,  
25813:5  
**seminars** [1] - 25820:13  
**Seminary** [3] - 25753:45,  
25778:23, 25820:4  
**seminary** [53] - 25730:19,  
25731:13, 25731:33,  
25741:24, 25741:36,  
25741:43, 25742:4,  
25742:26, 25748:23,  
25750:33, 25750:41,  
25751:2, 25751:45,  
25752:9, 25753:12,  
25753:35, 25753:45,  
25754:20, 25754:28,  
25767:14, 25777:9,  
25777:35, 25777:38,  
25778:21, 25778:22,  
25778:27, 25778:30,  
25778:33, 25791:23,  
25813:7, 25813:11,  
25813:21, 25813:26,  
25813:31, 25813:36,  
25813:40, 25813:42,  
25813:45, 25814:6,  
25814:11, 25815:22,  
25815:28, 25816:12,  
25816:18, 25816:26,  
25816:30, 25816:40,  
25820:1, 25820:3,  
25820:8, 25820:12  
**send** [1] - 25789:33  
**senior** [1] - 25815:46  
**sense** [21] - 25724:16,  
25726:31, 25728:7,  
25732:41, 25737:10,  
25745:40, 25746:14,  
25750:46, 25751:9,  
25753:41, 25754:23,  
25754:44, 25756:24,  
25763:42, 25765:22,  
25767:31, 25781:43,  
25795:27, 25796:40,  
25798:1, 25805:45  
**senses** [1] - 25783:43  
**sent** [3] - 25775:26,  
25817:35, 25817:36  
**sentence** [1] - 25803:8  
**separate** [1] - 25749:29  
**separated** [2] - 25729:35,  
25755:35  
**September** [4] - 25723:2,  
25740:28, 25740:34,  
25805:26

**serious** [5] - 25755:26,  
25755:46, 25784:21,  
25784:44, 25785:29  
**seriously** [8] - 25734:29,  
25743:26, 25754:8,  
25760:3, 25779:41,  
25780:19, 25780:41,  
25785:22  
**seriousness** [4] - 25744:6,  
25745:4, 25757:9,  
25757:26  
**servant** [1] - 25751:1  
**serve** [9] - 25730:14,  
25750:46, 25767:20,  
25800:46, 25801:5,  
25801:15, 25801:34,  
25819:4  
**served** [2] - 25785:2,  
25819:14  
**servers** [1] - 25766:28  
**serves** [1] - 25818:23  
**service** [16] - 25730:12,  
25750:44, 25767:23,  
25768:22, 25768:25,  
25768:29, 25788:28,  
25791:44, 25792:4,  
25792:11, 25810:7,  
25816:32, 25816:39,  
25817:27, 25818:41,  
25820:14  
**Services** [3] - 25760:7,  
25760:9, 25760:17  
**services** [4] - 25721:41,  
25725:7, 25801:42,  
25820:13  
**servicing** [3] - 25738:30,  
25754:31, 25790:19  
**serving** [6] - 25793:35,  
25801:2, 25801:28,  
25803:8, 25818:37  
**session** [1] - 25754:30  
**sessions** [6] - 25727:26,  
25727:29, 25786:24,  
25798:3, 25816:24,  
25817:29  
**set** [9] - 25738:1,  
25750:27, 25755:32,  
25756:44, 25759:33,  
25774:21, 25794:5,  
25808:8, 25808:12  
**set-up** [1] - 25750:27  
**setting** [9] - 25722:17,  
25734:19, 25739:26,  
25752:16, 25758:36,  
25780:14, 25786:11,  
25786:14, 25804:31  
**settings** [1] - 25731:36  
**settlement** [1] - 25760:41  
**settlements** [1] - 25760:40  
**seven** [4] - 25750:33,  
25751:47, 25804:1,  
25820:11  
**several** [3] - 25770:25,  
25793:23, 25797:42  
**sex** [6] - 25726:2,  
25734:23, 25734:38,  
25735:16, 25809:2,

25809:32  
**SEXUAL** [1] - 25719:14  
**sexual** [40] - 25732:3,  
25733:47, 25736:11,  
25742:46, 25743:20,  
25743:36, 25743:41,  
25744:7, 25744:8,  
25744:25, 25747:14,  
25747:33, 25747:45,  
25748:9, 25748:18,  
25748:26, 25749:43,  
25749:47, 25751:21,  
25751:32, 25751:34,  
25751:37, 25752:22,  
25755:45, 25755:47,  
25757:9, 25757:12,  
25757:27, 25770:9,  
25784:21, 25791:2,  
25791:14, 25811:13,  
25816:25, 25817:15,  
25817:16, 25820:20,  
25820:28, 25821:30,  
25821:38  
**sexuality** [7] - 25743:13,  
25747:19, 25748:20,  
25809:22, 25809:35,  
25810:17, 25817:15  
**sexually** [3] - 25748:7,  
25752:23, 25798:45  
**shame** [1] - 25809:6  
**shames** [1] - 25734:23  
**shape** [1] - 25725:23  
**share** [12] - 25729:33,  
25781:10, 25781:30,  
25781:46, 25783:45,  
25795:27, 25797:19,  
25797:36, 25806:38,  
25812:24, 25820:44  
**shared** [1] - 25784:7  
**sharpening** [1] - 25756:18  
**sheer** [1] - 25798:21  
**Shepherd** [1] - 25753:45  
**shield** [1] - 25821:14  
**shift** [2] - 25791:42,  
25791:46  
**shirt** [3] - 25741:39,  
25741:40, 25782:45  
**shock** [3] - 25797:47,  
25798:8, 25798:12  
**shocked** [1] - 25732:10  
**shocking** [1] - 25798:26  
**shoes** [2] - 25741:41,  
25821:41  
**shop** [2] - 25728:29,  
25764:37  
**short** [2] - 25777:32,  
25820:27  
**SHORT** [1] - 25757:38  
**shorts** [1] - 25741:41  
**show** [4] - 25782:41,  
25796:32, 25804:26,  
25810:43  
**shows** [1] - 25750:25  
**shudder** [1] - 25780:7  
**sick** [1] - 25742:19  
**side** [1] - 25750:23  
**sight** [2] - 25758:45,

25799:15  
**sign** [1] - 25806:18  
**signed** [3] - 25806:19,  
25810:25, 25810:28  
**significance** [2] -  
25744:47, 25745:3  
**significant** [13] -  
25739:18, 25743:14,  
25747:39, 25753:47,  
25755:9, 25783:42,  
25790:9, 25791:31,  
25796:46, 25797:3,  
25797:14, 25800:19  
**significantly** [1] -  
25748:45  
**signs** [4] - 25729:2,  
25809:26, 25814:10,  
25814:19  
**similar** [11] - 25735:47,  
25740:39, 25743:34,  
25771:20, 25778:9,  
25779:2, 25786:20,  
25788:7, 25799:4,  
25801:41, 25804:14  
**similar-sized** [1] - 25779:2  
**simply** [4] - 25734:39,  
25769:3, 25798:19,  
25812:24  
**sin** [4] - 25729:28,  
25730:29, 25730:31,  
25734:23  
**sincerely** [1] - 25806:14  
**sisters** [3] - 25781:42,  
25792:44, 25809:15  
**sitting** [2] - 25735:34,  
25770:17  
**situation** [10] - 25738:43,  
25743:34, 25744:46,  
25751:28, 25755:25,  
25758:46, 25766:12,  
25781:9, 25795:14,  
25819:2  
**situations** [3] - 25738:32,  
25752:1, 25773:15  
**six** [2] - 25771:18,  
25803:47  
**size** [2] - 25721:10,  
25792:32  
**sized** [1] - 25779:2  
**skills** [1] - 25810:10  
**slightly** [1] - 25725:47  
**slow** [1] - 25810:33  
**slower** [1] - 25799:38  
**slowness** [1] - 25811:26  
**small** [9] - 25737:21,  
25741:37, 25753:26,  
25792:27, 25792:28,  
25795:29, 25800:11,  
25814:5, 25818:36  
**smaller** [1] - 25720:3  
**social** [6] - 25721:45,  
25730:31, 25731:25,  
25740:44, 25792:6,  
25801:42  
**society** [7] - 25773:27,  
25773:31, 25779:31,  
25784:33, 25791:41,

25811:12, 25811:20  
**solace** [1] - 25759:10  
**sole** [1] - 25747:22  
**solitary** [1] - 25724:28  
**someone** [4] - 25755:43,  
25755:44, 25767:4,  
25814:24  
**sometimes** [10] -  
25731:23, 25744:44,  
25772:10, 25782:13,  
25782:14, 25794:18,  
25794:21, 25805:41,  
25805:42  
**somewhat** [4] - 25723:27,  
25735:32, 25799:37,  
25805:45  
**somewhere** [3] -  
25787:39, 25787:40,  
25796:13  
**sons** [1] - 25820:40  
**soon** [2] - 25767:37,  
25777:35  
**sophisticate** [1] -  
25724:23  
**sorrow** [2] - 25729:40,  
25786:4  
**sorry** [12] - 25729:13,  
25729:26, 25729:27,  
25732:24, 25735:40,  
25735:42, 25744:20,  
25745:14, 25746:33,  
25749:25, 25776:13,  
25797:44  
**sort** [22] - 25724:27,  
25726:22, 25727:32,  
25729:34, 25730:22,  
25730:28, 25731:1,  
25735:18, 25737:10,  
25755:35, 25769:22,  
25780:35, 25781:23,  
25782:39, 25788:22,  
25789:13, 25794:22,  
25809:28, 25812:3,  
25814:17  
**sorts** [7] - 25730:13,  
25751:12, 25752:1,  
25769:6, 25780:38,  
25806:9, 25809:44  
**sought** [2] - 25763:24,  
25785:3  
**sounds** [1] - 25753:34  
**source** [1] - 25796:37  
**sourced** [1] - 25778:15  
**sources** [2] - 25741:10,  
25811:41  
**soutane** [2] - 25741:19,  
25741:46  
**South** [11] - 25721:23,  
25725:43, 25725:44,  
25725:45, 25726:5,  
25726:8, 25726:23,  
25738:37, 25739:4,  
25739:6, 25739:9  
**speaking** [6] - 25720:2,  
25720:5, 25742:3,  
25792:4, 25811:36,  
25817:25

**speaks** [1] - 25792:3  
**special** [2] - 25730:2, 25765:33  
**specific** [3] - 25786:32, 25786:40, 25788:42  
**specifically** [5] - 25760:13, 25775:4, 25786:36, 25808:11, 25817:27  
**spend** [2] - 25788:28, 25788:30  
**Spirit** [2] - 25778:23, 25820:4  
**spirit** [2] - 25742:43, 25817:27  
**spiritual** [2] - 25781:24, 25781:25  
**spoken** [8] - 25751:7, 25784:3, 25792:25, 25793:15, 25793:25, 25808:45, 25809:33, 25809:34  
**spread** [1] - 25721:39  
**Springs** [1] - 25773:47  
**square** [1] - 25787:34  
**St** [3] - 25800:28, 25801:31, 25801:32  
**staff** [5] - 25752:2, 25754:6, 25786:15, 25804:33, 25816:27  
**stage** [6] - 25722:28, 25753:44, 25754:16, 25787:8, 25789:23, 25818:39  
**stamp** [1] - 25811:45  
**stand** [4] - 25727:16, 25764:11, 25782:43, 25793:24  
**standard** [4] - 25726:8, 25726:29, 25741:43, 25795:19  
**standardisation** [1] - 25806:11  
**Standards** [10] - 25723:3, 25756:45, 25760:42, 25790:20, 25803:14, 25805:13, 25805:25, 25805:44, 25808:8, 25821:9  
**standards** [13] - 25738:30, 25756:32, 25756:39, 25761:12, 25761:22, 25773:13, 25786:23, 25790:13, 25790:24, 25806:7, 25806:43, 25817:30, 25817:31  
**standing** [4] - 25727:36, 25742:41, 25790:31, 25790:34  
**start** [7] - 25729:11, 25730:27, 25731:13, 25731:14, 25785:44, 25805:36, 25805:38  
**started** [6] - 25743:25, 25798:1, 25801:3, 25801:22, 25803:16, 25819:47

**starting** [5] - 25732:36, 25734:38, 25755:11, 25800:25, 25806:4  
**starts** [2] - 25805:41, 25805:42  
**state** [6] - 25726:28, 25762:6, 25773:28, 25781:31, 25797:47, 25813:40  
**statement** [20] - 25722:25, 25723:1, 25740:9, 25740:14, 25759:33, 25760:38, 25770:34, 25770:40, 25774:32, 25786:11, 25789:44, 25803:21, 25803:35, 25805:25, 25805:29, 25807:18, 25807:41, 25808:21, 25808:36, 25822:26  
**statements** [8] - 25722:29, 25722:37, 25734:19, 25758:9, 25781:15, 25797:44, 25797:45, 25810:28  
**STATEMENTS** [1] - 25722:33  
**statistic** [3] - 25737:35, 25737:44, 25738:3  
**statistics** [5] - 25724:34, 25724:37, 25727:22, 25727:43, 25737:41  
**status** [2] - 25742:41, 25777:18  
**stay** [1] - 25765:28  
**stayed** [1] - 25777:27  
**stems** [1] - 25791:35  
**step** [5] - 25736:21, 25737:18, 25784:47, 25787:3, 25796:19  
**Stephen** [1] - 25719:42  
**stepped** [1] - 25789:13  
**steps** [1] - 25750:13  
**stewardship** [1] - 25808:22  
**still** [18] - 25725:17, 25725:41, 25726:18, 25736:22, 25736:42, 25737:17, 25742:32, 25745:11, 25749:46, 25771:35, 25777:39, 25780:9, 25780:34, 25785:15, 25785:19, 25792:13, 25800:21, 25813:32  
**stints** [1] - 25777:12  
**stipulated** [1] - 25786:26  
**stood** [2] - 25771:34, 25789:20  
**stop** [1] - 25725:4  
**stopping** [1] - 25736:39  
**store** [1] - 25792:33  
**stories** [5] - 25723:35, 25736:41, 25737:17, 25821:20, 25821:36  
**story** [4] - 25723:38, 25727:12, 25798:38,

25822:15  
**straddle** [1] - 25726:9  
**straddles** [1] - 25725:42  
**strategies** [3] - 25753:35, 25794:25, 25795:31  
**strategy** [4] - 25794:28, 25794:29, 25794:30, 25797:41  
**strengths** [2] - 25792:34, 25809:31  
**strict** [3] - 25768:15, 25790:8, 25790:12  
**strictly** [1] - 25784:35  
**strikes** [1] - 25798:37  
**striking** [1] - 25781:8  
**strong** [4] - 25725:36, 25747:4, 25756:3, 25820:42  
**stronger** [1] - 25732:25  
**strongly** [1] - 25805:30  
**struck** [2] - 25729:24, 25738:21  
**structural** [7] - 25730:31, 25743:39, 25744:2, 25744:15, 25745:25, 25745:45, 25808:37  
**structure** [12] - 25728:27, 25743:18, 25744:24, 25744:27, 25744:29, 25746:28, 25748:21, 25751:44, 25782:22, 25794:6, 25806:4, 25811:3  
**structures** [7] - 25734:20, 25734:44, 25738:1, 25744:30, 25744:31, 25785:27, 25806:42  
**struggle** [1] - 25745:42  
**struggles** [1] - 25771:35  
**strutting** [2] - 25814:17, 25814:24  
**student** [3] - 25752:35, 25777:13  
**students** [4] - 25751:46, 25752:3, 25752:11, 25752:43  
**Study** [1] - 25719:18  
**study** [2] - 25777:9, 25813:29  
**subcontinent** [1] - 25789:42  
**subject** [5] - 25725:32, 25761:20, 25793:26, 25793:43, 25794:2  
**subjugation** [1] - 25780:16  
**subsequent** [1] - 25777:10  
**subservience** [2] - 25780:17, 25782:18  
**subservient** [1] - 25780:27  
**substantial** [2] - 25721:30, 25800:10  
**subtle** [1] - 25814:19  
**subverted** [1] - 25730:13  
**sudden** [1] - 25730:35

**suddenly** [1] - 25771:4  
**suffered** [1] - 25728:46  
**suffering** [2] - 25742:20, 25820:44  
**sufferings** [1] - 25797:20  
**sufficient** [2] - 25778:26, 25778:46  
**suggest** [3] - 25735:28, 25764:15, 25769:13  
**suggesting** [3] - 25728:4, 25733:26, 25796:2  
**suggestion** [2] - 25723:17, 25762:35  
**sui** [1] - 25800:4  
**suitability** [1] - 25752:12  
**Sunday** [5] - 25721:36, 25741:47, 25774:3, 25778:22, 25802:4  
**superficial** [1] - 25729:21  
**superior** [4] - 25771:45, 25789:19, 25789:22, 25789:33  
**superiority** [2] - 25779:42, 25780:32  
**supervise** [1] - 25810:6  
**supervised** [3] - 25786:15, 25803:37, 25804:32  
**supervising** [1] - 25764:35  
**supervision** [6] - 25764:35, 25784:38, 25784:40, 25799:15, 25804:3, 25804:21  
**supervisory** [1] - 25803:39  
**supply** [1] - 25761:27  
**support** [8] - 25728:19, 25753:36, 25787:3, 25804:4, 25805:15, 25807:31, 25807:46, 25808:23  
**Support** [2] - 25820:21, 25821:12  
**supported** [2] - 25755:17, 25805:30  
**supportive** [1] - 25805:7  
**suppose** [12] - 25721:14, 25722:15, 25755:6, 25763:42, 25763:43, 25770:47, 25771:6, 25772:16, 25773:42, 25774:14, 25774:45, 25809:14  
**surely** [1] - 25732:25  
**surface** [2] - 25785:31, 25785:34  
**surfaced** [1] - 25729:43  
**surprise** [2] - 25732:5, 25732:12  
**surprised** [3] - 25737:34, 25737:43, 25798:12  
**survivor** [2] - 25735:35, 25769:32  
**survivor-oriented** [1] - 25735:35  
**survivors** [5] - 25726:2, 25797:21, 25807:20,

25808:45, 25820:28  
**suspicious** [1] - 25809:24  
**sustained** [1] - 25779:28  
**sworn** [6] - 25720:11, 25720:13, 25720:15, 25720:17, 25720:19, 25720:21  
**Sydney** [16] - 25719:23, 25740:24, 25753:44, 25754:40, 25771:27, 25772:20, 25777:8, 25778:19, 25810:22, 25813:6, 25813:7, 25813:26, 25816:21, 25816:37, 25820:2  
**sympathetic** [1] - 25739:21  
**symptomatic** [1] - 25726:31  
**symptoms** [1] - 25785:31  
**synod** [5] - 25793:44, 25794:2, 25797:28  
**Syria** [1] - 25818:34  
**Syriac** [1] - 25800:22  
**system** [11] - 25733:35, 25752:9, 25763:46, 25775:42, 25778:14, 25790:40, 25791:16, 25805:14, 25821:8, 25821:18, 25821:23  
**systems** [2] - 25733:34, 25757:11

## T

**T-shirt** [1] - 25741:40  
**tab** [1] - 25822:32  
**table** [5] - 25746:21, 25746:30, 25785:42, 25809:11, 25814:2  
**tacking** [1] - 25728:12  
**takeover** [1] - 25777:39  
**talks** [1] - 25754:32  
**Tanzania** [4] - 25770:43, 25771:1, 25771:21, 25771:26  
**Tarabay** [2] - 25799:31, 25818:22  
**TARABAY** [36] - 25720:11, 25799:31, 25799:35, 25799:40, 25799:44, 25800:2, 25800:17, 25800:44, 25801:11, 25801:30, 25801:39, 25801:44, 25802:3, 25802:10, 25802:15, 25802:21, 25802:28, 25802:32, 25802:39, 25803:3, 25803:8, 25803:12, 25803:23, 25803:27, 25803:32, 25803:42, 25804:17, 25804:23, 25804:35, 25804:43, 25818:26, 25818:31, 25819:2, 25819:35, 25819:41, 25819:46

<p><b>Tasmania</b> [5] - 25740:43, 25753:37, 25786:38, 25808:13, 25808:21</p> <p><b>Tasmanian</b> [1] - 25818:18</p> <p><b>taxation</b> [1] - 25819:21</p> <p><b>teachers</b> [6] - 25721:33, 25809:21, 25810:7, 25810:10, 25810:13, 25810:17</p> <p><b>teaching</b> [1] - 25739:26</p> <p><b>teachings</b> [2] - 25783:44, 25791:41</p> <p><b>team</b> [3] - 25738:44, 25777:15, 25821:12</p> <p><b>technical</b> [1] - 25772:33</p> <p><b>template</b> [1] - 25818:15</p> <p><b>temporary</b> [1] - 25815:9</p> <p><b>tend</b> [2] - 25783:8, 25788:31</p> <p><b>tendency</b> [1] - 25741:26</p> <p><b>tender</b> [4] - 25722:29, 25759:19, 25822:25, 25822:26</p> <p><b>tendered</b> [2] - 25822:27, 25822:32</p> <p><b>tends</b> [1] - 25737:4</p> <p><b>term</b> [2] - 25731:28, 25814:11</p> <p><b>terming</b> [1] - 25768:31</p> <p><b>terms</b> [20] - 25720:8, 25736:18, 25740:38, 25743:38, 25750:11, 25753:34, 25768:2, 25768:47, 25778:46, 25785:23, 25785:24, 25787:47, 25788:18, 25793:15, 25806:16, 25806:37, 25807:29, 25808:43, 25810:23, 25811:40</p> <p><b>terrible</b> [2] - 25796:25, 25798:33</p> <p><b>terribly</b> [1] - 25773:8</p> <p><b>territory</b> [1] - 25759:42</p> <p><b>Territory</b> [8] - 25721:22, 25739:1, 25739:15, 25760:11, 25763:4, 25763:32, 25764:6, 25769:5</p> <p><b>test</b> [2] - 25772:24, 25818:10</p> <p><b>testing</b> [1] - 25791:23</p> <p><b>thankfully</b> [2] - 25778:34, 25779:1</p> <p><b>THE</b> [47] - 25720:5, 25722:31, 25728:33, 25729:43, 25730:2, 25730:42, 25744:15, 25745:11, 25745:16, 25745:21, 25746:20, 25746:36, 25747:7, 25747:13, 25747:25, 25751:40, 25752:21, 25752:38, 25757:36, 25759:21, 25759:24, 25781:8, 25781:30, 25782:3, 25782:8,</p>	<p>25782:21, 25782:31, 25783:19, 25783:38, 25785:36, 25786:7, 25802:42, 25805:21, 25812:41, 25812:46, 25814:23, 25814:32, 25814:38, 25814:44, 25822:2, 25822:6, 25822:22, 25822:29, 25822:34, 25822:38, 25822:43, 25822:46</p> <p><b>themes</b> [1] - 25808:43</p> <p><b>themselves</b> [12] - 25732:22, 25748:45, 25765:27, 25770:14, 25774:22, 25782:17, 25797:7, 25797:44, 25801:18, 25807:36, 25809:23, 25812:1</p> <p><b>theological</b> [2] - 25791:39, 25791:47</p> <p><b>theology</b> [3] - 25748:20, 25777:9, 25779:28</p> <p><b>theory</b> [1] - 25747:47</p> <p><b>therefore</b> [6] - 25731:19, 25737:17, 25739:26, 25749:3, 25749:47, 25779:15</p> <p><b>thesis</b> [2] - 25732:20, 25732:23</p> <p><b>they've</b> [2] - 25735:5, 25761:37</p> <p><b>thin</b> [1] - 25737:10</p> <p><b>thinking</b> [6] - 25726:43, 25726:44, 25728:33, 25764:9, 25769:16, 25805:43</p> <p><b>third</b> [2] - 25772:5, 25791:22</p> <p><b>thirdly</b> [2] - 25723:32, 25723:40</p> <p><b>thorough</b> [1] - 25816:24</p> <p><b>thorough-going</b> [1] - 25816:24</p> <p><b>thoroughly</b> [1] - 25733:11</p> <p><b>thoughts</b> [5] - 25736:10, 25738:5, 25768:34, 25768:45, 25810:37</p> <p><b>thousands</b> [1] - 25732:16</p> <p><b>three</b> [8] - 25723:10, 25774:2, 25777:14, 25791:20, 25803:47, 25817:6, 25817:7, 25819:12</p> <p><b>throughout</b> [9] - 25739:10, 25753:37, 25755:13, 25763:12, 25791:14, 25800:47, 25807:32, 25809:46, 25822:12</p> <p><b>Thursday</b> [1] - 25773:47</p> <p><b>thwart</b> [2] - 25730:14</p> <p><b>tick</b> [1] - 25728:12</p> <p><b>tick-tacking</b> [1] - 25728:12</p> <p><b>tide</b> [1] - 25734:28</p> <p><b>tilted</b> [1] - 25779:33</p> <p><b>title</b> [2] - 25782:13,</p>	<p>25783:13</p> <p><b>titles</b> [2] - 25780:31, 25782:15</p> <p><b>TO</b> [3] - 25719:14, 25759:24, 25822:46</p> <p><b>today</b> [9] - 25726:32, 25728:34, 25783:35, 25784:45, 25785:11, 25785:20, 25793:45, 25812:32, 25822:7</p> <p><b>today's</b> [2] - 25720:1, 25811:20</p> <p><b>together</b> [26] - 25724:2, 25724:15, 25725:6, 25725:25, 25727:2, 25727:37, 25728:27, 25729:36, 25737:5, 25738:43, 25754:29, 25754:31, 25781:44, 25781:47, 25791:44, 25792:20, 25792:23, 25797:33, 25798:19, 25803:39, 25804:1, 25806:21, 25806:45, 25813:31, 25818:6, 25818:19</p> <p><b>tomorrow</b> [4] - 25771:13, 25783:36, 25822:34, 25822:38</p> <p><b>took</b> [3] - 25721:5, 25728:38, 25752:28</p> <p><b>tool</b> [1] - 25817:13</p> <p><b>tools</b> [1] - 25756:37</p> <p><b>top</b> [5] - 25726:26, 25805:36, 25805:39, 25805:41</p> <p><b>topic</b> [1] - 25739:23</p> <p><b>total</b> [4] - 25767:16, 25767:18, 25767:23</p> <p><b>totalitarian</b> [2] - 25812:25, 25812:30</p> <p><b>totally</b> [1] - 25775:40</p> <p><b>touch</b> [3] - 25774:11, 25803:14, 25815:33</p> <p><b>tourist</b> [1] - 25790:10</p> <p><b>Towards</b> [9] - 25728:9, 25755:5, 25769:27, 25769:31, 25786:26, 25788:36, 25794:6, 25802:8, 25817:32</p> <p><b>towards</b> [11] - 25733:20, 25735:18, 25737:8, 25738:2, 25741:11, 25749:36, 25779:33, 25780:44, 25782:29, 25803:34, 25817:44</p> <p><b>Tower</b> [1] - 25719:22</p> <p><b>towns</b> [1] - 25773:29</p> <p><b>track</b> [1] - 25792:9</p> <p><b>tradition</b> [9] - 25747:4, 25782:12, 25800:45, 25801:12, 25801:16, 25801:25, 25801:31, 25801:32, 25801:33</p> <p><b>traditional</b> [4] - 25741:28, 25779:7, 25779:14, 25779:23</p>	<p><b>tragedies</b> [1] - 25730:4</p> <p><b>tragedy</b> [3] - 25730:15, 25738:3</p> <p><b>tragic</b> [4] - 25724:32, 25738:3, 25763:44, 25770:15</p> <p><b>trained</b> [2] - 25777:40, 25779:15</p> <p><b>training</b> [9] - 25730:19, 25731:33, 25753:12, 25767:14, 25777:8, 25786:23, 25806:8, 25810:6, 25810:10</p> <p><b>trains</b> [1] - 25775:19</p> <p><b>transited</b> [1] - 25777:27</p> <p><b>transiting</b> [1] - 25821:28</p> <p><b>translating</b> [1] - 25819:25</p> <p><b>transparency</b> [4] - 25724:31, 25726:35, 25732:26, 25733:39</p> <p><b>transparently</b> [1] - 25729:32</p> <p><b>travelled</b> [1] - 25822:8</p> <p><b>travelling</b> [2] - 25762:35, 25788:31</p> <p><b>treated</b> [3] - 25820:35, 25821:10, 25821:19</p> <p><b>tree</b> [1] - 25800:9</p> <p><b>tremor</b> [2] - 25798:4, 25798:8</p> <p><b>tremors</b> [1] - 25798:1</p> <p><b>trend</b> [3] - 25741:11, 25779:1, 25779:10</p> <p><b>tribute</b> [1] - 25775:28</p> <p><b>tried</b> [2] - 25724:23, 25771:38</p> <p><b>trousers</b> [1] - 25741:40</p> <p><b>true</b> [11] - 25722:44, 25731:6, 25732:23, 25740:18, 25752:7, 25753:14, 25758:14, 25760:19, 25766:37, 25768:28, 25803:29</p> <p><b>truly</b> [1] - 25809:46</p> <p><b>trust</b> [22] - 25723:43, 25727:32, 25730:46, 25731:1, 25731:9, 25731:46, 25738:11, 25759:7, 25763:33, 25764:11, 25764:17, 25764:20, 25764:21, 25764:22, 25764:26, 25772:12, 25773:1, 25774:9, 25774:15, 25774:46, 25783:17</p> <p><b>Truth</b> [1] - 25757:2</p> <p><b>truth</b> [1] - 25742:19</p> <p><b>try</b> [10] - 25729:27, 25750:46, 25772:47, 25781:15, 25781:40, 25781:43, 25781:47, 25782:1, 25803:46, 25813:46</p> <p><b>trying</b> [20] - 25723:24, 25726:11, 25727:19, 25728:19, 25750:36, 25750:43, 25751:1,</p>	<p>25754:37, 25754:42, 25767:34, 25768:27, 25772:17, 25792:2, 25792:9, 25796:25, 25798:41, 25802:39, 25812:3, 25817:38, 25818:19</p> <p><b>tsunami</b> [2] - 25727:31, 25742:45</p> <p><b>Tuesday</b> [1] - 25719:26</p> <p><b>turn</b> [7] - 25734:27, 25740:8, 25779:44, 25787:12, 25799:27, 25814:24, 25818:23</p> <p><b>turning</b> [1] - 25799:20</p> <p><b>two</b> [27] - 25725:35, 25725:42, 25726:9, 25741:1, 25747:42, 25748:4, 25750:42, 25753:6, 25754:39, 25758:9, 25771:3, 25773:27, 25776:3, 25777:12, 25777:14, 25779:12, 25779:30, 25783:38, 25788:13, 25790:7, 25803:47, 25805:24, 25812:11, 25819:13, 25819:46, 25820:6, 25820:40</p> <p><b>typical</b> [1] - 25784:42</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>ultimately</b> [5] - 25729:8, 25733:4, 25761:5, 25774:14, 25814:33</p> <p><b>umbrella</b> [1] - 25818:8</p> <p><b>unassailable</b> [1] - 25794:20</p> <p><b>unbelievable</b> [1] - 25764:33</p> <p><b>uncaring</b> [1] - 25733:23</p> <p><b>uncomfortable</b> [2] - 25774:45, 25775:15</p> <p><b>under</b> [7] - 25725:31, 25779:29, 25784:16, 25788:24, 25804:20, 25808:21, 25809:9</p> <p><b>underneath</b> [2] - 25785:32, 25785:33</p> <p><b>underpinned</b> [1] - 25779:28</p> <p><b>underpinning</b> [2] - 25791:40, 25792:1</p> <p><b>understandably</b> [1] - 25755:43</p> <p><b>understandings</b> [1] - 25757:13</p> <p><b>understood</b> [8] - 25733:12, 25733:14, 25743:32, 25744:6, 25748:9, 25792:1, 25798:32, 25808:35</p> <p><b>undertaking</b> [1] - 25741:12</p> <p><b>unequally</b> [1] - 25780:3</p> <p><b>unfair</b> [1] - 25774:16</p>
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<p><b>unfolding</b> [1] - 25809:37  <b>unfortunate</b> [1] - 25768:31  <b>unilateral</b> [1] - 25734:46  <b>unilaterally</b> [2] - 25780:4, 25785:20  <b>uninformed</b> [1] - 25746:39  <b>unique</b> [3] - 25747:3, 25748:10, 25748:30  <b>United</b> [1] - 25810:25  <b>universal</b> [5] - 25721:39, 25741:29, 25770:24, 25778:45, 25811:4  <b>university</b> [1] - 25820:7  <b>unless</b> [1] - 25788:29  <b>unlike</b> [2] - 25792:46, 25819:2  <b>unlikely</b> [1] - 25753:8  <b>unparalleled</b> [1] - 25766:6  <b>unrelated</b> [1] - 25812:15  <b>unsafe</b> [2] - 25750:1, 25750:7  <b>unscrutinised</b> [1] - 25764:17  <b>up</b> [48] - 25721:5, 25722:15, 25723:26, 25724:21, 25724:39, 25725:21, 25729:20, 25729:30, 25730:36, 25732:20, 25732:30, 25733:9, 25733:35, 25733:39, 25734:5, 25734:19, 25734:44, 25736:15, 25738:1, 25739:22, 25742:32, 25742:37, 25745:1, 25750:27, 25751:45, 25752:30, 25753:8, 25756:33, 25756:44, 25761:9, 25765:47, 25768:20, 25772:30, 25790:11, 25793:40, 25794:5, 25797:28, 25797:31, 25801:1, 25806:18, 25806:19, 25808:3, 25808:8, 25808:12, 25809:25, 25810:25, 25813:28, 25814:24  <b>updating</b> [1] - 25726:45  <b>upgrading</b> [1] - 25810:17  <b>upward</b> [1] - 25784:32  <b>upwards</b> [1] - 25784:26  <b>urgent</b> [1] - 25789:33  <b>urgent</b> [1] - 25797:7  <b>useful</b> [4] - 25760:27, 25761:13, 25767:12, 25771:34</p>	<p><b>vantage</b> [1] - 25821:34  <b>varies</b> [1] - 25739:14  <b>variety</b> [2] - 25743:45, 25748:38  <b>various</b> [18] - 25724:8, 25725:32, 25742:34, 25750:11, 25755:24, 25756:17, 25759:33, 25773:1, 25773:16, 25773:39, 25774:19, 25777:12, 25793:4, 25805:31, 25807:24, 25817:41, 25818:17, 25822:40  <b>variously</b> [1] - 25749:3  <b>vast</b> [1] - 25722:20  <b>Vatican</b> [9] - 25732:21, 25733:38, 25783:44, 25785:3, 25791:39, 25791:42, 25809:41, 25810:24, 25811:10  <b>venues</b> [1] - 25813:29  <b>verdict</b> [3] - 25802:22, 25802:25, 25803:6  <b>vicar</b> [2] - 25775:7, 25775:8  <b>victim</b> [6] - 25733:19, 25745:4, 25807:37, 25807:46, 25808:23, 25821:38  <b>victimised</b> [1] - 25733:22  <b>victims</b> [36] - 25723:33, 25723:36, 25725:23, 25727:29, 25727:34, 25731:8, 25735:4, 25735:17, 25735:20, 25736:43, 25737:8, 25737:20, 25744:8, 25775:45, 25797:22, 25798:36, 25805:12, 25805:15, 25807:31, 25807:35, 25808:45, 25809:4, 25820:27, 25820:33, 25820:37, 25820:39, 25820:43, 25821:3, 25821:8, 25821:13, 25821:17, 25821:19, 25821:23, 25821:29, 25821:41  <b>Vietnam</b> [5] - 25777:24, 25777:26, 25777:38, 25777:44, 25777:47  <b>Vietnamese</b> [1] - 25777:19  <b>view</b> [24] - 25739:17, 25739:30, 25742:45, 25745:7, 25746:3, 25746:39, 25746:40, 25747:17, 25747:35, 25748:26, 25749:30, 25758:37, 25775:37, 25775:42, 25783:14, 25786:14, 25793:30, 25793:32, 25799:22, 25801:9, 25804:32, 25811:36, 25813:25, 25821:26  <b>views</b> [2] - 25743:38,</p>	<p>25763:40  <b>vigilance</b> [1] - 25790:5  <b>vigilant</b> [1] - 25789:47  <b>vigorous</b> [1] - 25738:30  <b>Vincent</b> [3] - 25776:26, 25784:12, 25820:2  <b>VINCENT</b> [1] - 25720:15  <b>violate</b> [1] - 25753:4  <b>violations</b> [1] - 25753:17  <b>virtually</b> [2] - 25766:6, 25784:41  <b>virtue</b> [1] - 25751:10  <b>vision</b> [1] - 25796:34  <b>visit</b> [2] - 25813:47, 25815:32  <b>visited</b> [1] - 25815:21  <b>vitality</b> [1] - 25816:32  <b>vocation</b> [1] - 25818:40  <b>voice</b> [1] - 25806:19  <b>volume</b> [2] - 25722:29, 25732:3  <b>VOLUME</b> [1] - 25722:33  <b>voluntary</b> [1] - 25763:19  <b>vulnerable</b> [6] - 25727:12, 25727:42, 25729:18, 25730:14, 25780:8</p>	<p><b>wearing</b> [2] - 25779:7, 25814:18  <b>website</b> [2] - 25726:44, 25727:10  <b>WEDNESDAY</b> [1] - 25822:47  <b>weed</b> [1] - 25730:21  <b>Week</b> [1] - 25764:2  <b>week</b> [4] - 25741:5, 25792:25, 25817:37, 25819:32  <b>weekend</b> [1] - 25762:26  <b>weeks</b> [5] - 25724:35, 25728:36, 25732:8, 25739:24, 25784:4  <b>weep</b> [2] - 25820:41  <b>weight</b> [1] - 25796:31  <b>Welfare</b> [1] - 25760:17  <b>welfare</b> [5] - 25721:45, 25740:45, 25763:2, 25788:6, 25812:27  <b>well-founded</b> [1] - 25794:25  <b>wellbeing</b> [1] - 25812:16  <b>Western</b> [2] - 25787:20, 25790:20  <b>western</b> [1] - 25800:34  <b>whatnot</b> [1] - 25773:44  <b>wheat</b> [1] - 25721:16  <b>whereas</b> [1] - 25766:32  <b>whereby</b> [3] - 25738:1, 25738:12, 25811:46  <b>whilst</b> [2] - 25723:22, 25737:47  <b>whole</b> [22] - 25721:31, 25723:18, 25727:17, 25737:6, 25743:45, 25746:28, 25749:31, 25750:11, 25755:39, 25756:5, 25764:35, 25775:44, 25776:4, 25800:30, 25806:6, 25811:8, 25811:9, 25814:25, 25815:47, 25817:44, 25818:19, 25819:22  <b>whole-of-archdiocese</b> [1] - 25723:18  <b>widespread</b> [1] - 25745:42  <b>willing</b> [1] - 25749:17  <b>willingness</b> [1] - 25784:6  <b>win</b> [1] - 25795:3  <b>windows</b> [1] - 25728:28  <b>wine</b> [1] - 25779:40  <b>wineskins</b> [2] - 25779:38, 25779:39  <b>winning</b> [1] - 25794:32  <b>wisdom</b> [1] - 25727:38  <b>wish</b> [2] - 25797:22, 25805:3  <b>wished</b> [1] - 25786:12  <b>wishing</b> [2] - 25741:11, 25779:6  <b>WITHDREW</b> [1] - 25822:22  <b>WITNESSES</b> [1] - 25822:22</p>	<p><b>Wollongong</b> [1] - 25777:8  <b>woman</b> [1] - 25767:17  <b>women</b> [5] - 25767:8, 25779:35, 25784:8, 25784:19, 25785:26  <b>won</b> [3] - 25794:38, 25794:40, 25794:42  <b>wonder</b> [1] - 25728:37  <b>wonderful</b> [3] - 25776:19, 25795:19, 25807:6  <b>wondering</b> [1] - 25784:12  <b>wool</b> [1] - 25721:16  <b>Woolworths</b> [2] - 25792:32, 25792:46  <b>word</b> [12] - 25725:31, 25725:36, 25725:37, 25730:29, 25730:30, 25734:30, 25741:42, 25750:43, 25757:21, 25773:38, 25794:20, 25797:22  <b>words</b> [4] - 25749:31, 25750:42, 25781:41, 25811:2  <b>workings</b> [2] - 25792:21, 25796:21  <b>works</b> [3] - 25784:25, 25805:14, 25817:43  <b>world</b> [5] - 25729:29, 25731:26, 25754:16, 25767:29, 25780:23  <b>worries</b> [1] - 25792:40  <b>worse</b> [1] - 25742:32  <b>worship</b> [1] - 25800:20  <b>wound</b> [1] - 25723:41  <b>wounded</b> [3] - 25727:35, 25727:36, 25733:19  <b>wrestle</b> [1] - 25767:7  <b>wrestling</b> [1] - 25764:41  <b>write</b> [2] - 25776:7, 25787:9  <b>written</b> [4] - 25736:13, 25747:41, 25786:22, 25786:32  <b>wrongdoer</b> [1] - 25802:43  <b>wrongdoing</b> [3] - 25755:16, 25797:20, 25797:37  <b>wrote</b> [1] - 25725:45</p>	
<b>V</b>		<b>W</b>		<b>Y</b>	
<p><b>vacation</b> [1] - 25789:20  <b>validate</b> [1] - 25732:31  <b>valuable</b> [1] - 25786:35  <b>value</b> [1] - 25746:26  <b>Van</b> [1] - 25776:26  <b>VAN</b> [1] - 25720:15</p>	<p><b>view</b> [24] - 25739:17, 25739:30, 25742:45, 25745:7, 25746:3, 25746:39, 25746:40, 25747:17, 25747:35, 25748:26, 25749:30, 25758:37, 25775:37, 25775:42, 25783:14, 25786:14, 25793:30, 25793:32, 25799:22, 25801:9, 25804:32, 25811:36, 25813:25, 25821:26  <b>views</b> [2] - 25743:38,</p>	<p><b>Wagga</b> [6] - 25720:34, 25815:4, 25815:21, 25815:28, 25820:1  <b>wait</b> [1] - 25815:13  <b>waiting</b> [2] - 25735:14, 25737:17  <b>Wales</b> [11] - 25721:23, 25725:43, 25725:44, 25725:45, 25726:6, 25726:8, 25726:23, 25738:37, 25739:4, 25739:6, 25739:10  <b>walk</b> [3] - 25737:8, 25737:15, 25821:41  <b>walked</b> [1] - 25735:4  <b>walking</b> [2] - 25727:36, 25735:16  <b>wall</b> [1] - 25733:23  <b>walls</b> [1] - 25733:28  <b>wants</b> [1] - 25796:3  <b>WAS</b> [1] - 25822:46  <b>wash</b> [2] - 25764:1, 25764:2  <b>watching</b> [3] - 25730:6, 25817:8, 25820:41  <b>watertight</b> [1] - 25771:35  <b>ways</b> [9] - 25741:12, 25743:46, 25748:38, 25754:21, 25757:28, 25765:35, 25772:44, 25772:45, 25790:7  <b>weak</b> [1] - 25792:31  <b>weaknesses</b> [1] - 25792:35  <b>wear</b> [5] - 25741:18, 25741:39, 25741:40, 25741:41, 25741:46</p>	<p><b>Yass</b> [1] - 25721:16  <b>year</b> [15] - 25723:23, 25726:18, 25751:47, 25752:16, 25752:19, 25754:29, 25756:23, 25758:23, 25775:12, 25776:38, 25791:22, 25813:9, 25814:4, 25817:18, 25818:13  <b>years</b> [36] - 25723:33, 25727:34, 25727:47, 25728:41, 25729:22, 25731:8, 25734:34, 25735:34, 25737:15,</p>		

25737:16, 25743:24,  
25750:33, 25751:47,  
25753:6, 25768:39,  
25776:37, 25777:9,  
25777:14, 25778:30,  
25788:10, 25792:7,  
25792:8, 25794:5,  
25796:24, 25796:33,  
25796:39, 25796:46,  
25798:2, 25798:14,  
25814:30, 25817:5,  
25817:6, 25817:7,  
25819:13, 25822:10  
**young** <sup>[11]</sup> - 25729:19,  
25741:11, 25741:17,  
25753:25, 25753:28,  
25767:5, 25778:39,  
25808:47, 25809:23,  
25809:27, 25810:23  
**yourself** <sup>[7]</sup> - 25730:36,  
25739:45, 25741:21,  
25752:23, 25756:43,  
25782:9, 25808:42  
**youth** <sup>[4]</sup> - 25721:35,  
25762:24, 25762:27,  
25788:31