

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

COMMONWEALTH OF AUSTRALIA
Royal Commissions Act 1902

**PUBLIC HEARING INTO
CATHOLIC CHURCH AUTHORITIES
CASE STUDY 50**

INTRODUCTION

STRUCTURE, GOVERNANCE AND CULTURE

1. The evidence over the following days will consider the factors which may have contributed to the sexual abuse of children by clergy and religious and the response of the hierarchy to that abuse.
2. To understand the coming discussion, it is necessary to briefly refer to some aspects of the structure of the Church.
3. The Catholic Church comprises members of the clergy, religious brothers, religious sisters and the laity.
4. 'Clergy' means men who have been ordained. Ordained men receive the Sacrament of Holy Orders. There are three grades of holy orders: bishop, priest and deacon.

5. 'Laity' means all other Catholics who have not received the Sacrament of Holy Orders.
6. The term 'religious' refers to members of Catholic religious institutes or societies of apostolic life. Religious are not ordained so they are lay persons. Religious institutes are sometimes called 'orders' or 'congregations'. The membership of Catholic religious institutes may be exclusively ordained, that is clergy, exclusively lay, that is religious brothers or sisters, or a mixture of lay and ordained.
7. In 1906, Pope Pius X said:

The Church is essentially an unequal society, that is, a society comprising two categories of persons, the Pastors and the flock, those who occupy a rank in the different degrees of the hierarchy and the multitude of the faithful. So distinct are these categories that with the pastoral body only, rests the necessary right and authority for promoting the end of the society and directing all its members towards that end; the one duty of the multitude is to allow themselves to be led, and, like a docile flock, to follow the Pastors.'

8. In the 1960s, the Second Vatican Council was held. Dr O'Hanlon, a witness giving evidence this week, has written that Vatican II sketched out an alternative understanding of the Church as 'the People of God', which afforded equality to lay persons. However, he said:

for a multitude of reasons, this dream of Vatican II of a more collegial church, with active participation and a balancing of the power of the papacy with the influence of local churches has for the most part not been realised.

9. The Truth Justice and Healing Council explains in its submission to the Royal Commission that 'due to its historical development and theological underpinnings, the Catholic Church is organised in a hierarchical structure.'
10. The Council states that although ultimate authority rests with God, ultimate authority within the Church's organisational structure rests with the Pope. Each bishop in his diocese is subject only to the Pope.
11. Clericalism is a term which will be used often over the next few weeks. One frequently cited definition, which is used by the Council in its submission, is from a 1983 report on clericalism by the US Conference of Major Superiors of Men:

Clericalism is the conscious or unconscious concern to promote the particular interests of the clergy and to protect the privilege and power that traditionally has been conceded to those in the clerical state....Among its chief manifestations are an authoritarian style of ministerial leadership, a rigidly hierarchical worldview, and a virtual identification of the holiness and grace of the church with the clerical state and thereby with the cleric himself.

12. The evidence is likely to be that there is no simple answer as to why some priests and religious have sexually abused children. Many witnesses, each of whom has significant experience in this area, will say that there is a complex intersection of elements within the Catholic Church which have contributed to offending.
13. The approach of the church to matters of sexuality will be raised as one factor. Dr Ranson, the Vicar General of the Diocese of Broken Bay will speak about the Church's ambivalent tradition of sexuality. Archbishop Coleridge

is the Metropolitan Archbishop of Brisbane. He is of the view that there has been a poor understanding and communication of the Church's teaching on sexuality. Dr Whelan SM is the Director of the Aquinas Academy and parish priest of St Patrick's, Church Hill, in Sydney and a member of the Marist Fathers order. He will speak of a fear of and an obsession with sex.

14. Many witnesses do not view mandatory celibacy as a factor in itself, rather, they are likely to say it is the teachings, or theology of the Church in matters of sexuality that are relevant. Dr Whelan will say that that it is reasonable to assume that some religious were either ill prepared or simply unsuited for celibate life. Thus it would also be reasonable to think that this contributed to the incidence of sexual abuse.
15. Archbishop Coleridge has said that celibacy was not in itself a factor, however its discipline may have been attractive to men in whom there were paedophile tendencies which may have not been recognised by themselves when they entered the seminary.
16. Dr Keenan, who conducted a study of Roman Catholic clergy who have sexually abused minors has expressed a contrary view.
17. Dr Michelle Mulvihill is an organisational and counselling psychologist. She is expected to say that any hierarchical organisation which:

demands total obedience by its members, which denies members any capacity to answer to their individual conscience and which focuses heavily on controlling the personal sexuality of its members and limiting human sexuality as a means of loving (rather than procreation), will produce paedophiles whose activity is hidden in the organisation.

18. She gives the Catholic Church as one example.
19. Emotional isolation, the lack of intimacy and friendship, and the role of sin and forgiveness will be canvassed by the witnesses.
20. Dr Whelan will say that there is a theology of sin which is legalistic and fundamentalist with the effect that an offence could be dealt with in the privacy of the confessional because it was largely about the relationship with God.
21. Some will give evidence about the patriarchal image of God and the absence of women in decision making in the Church.
22. Most witnesses will give evidence that the structure of the Church, including the autonomy of the bishops and the lack of accountability of that office is a contributing factor. The highly centralised top-down power structure will be discussed.
23. Dr Ranson will say the theology of priesthood and its relationship to clericalism, the sense of entitlement, resistance to accountability and potential for abuse of power are all relevant factors.
24. Dr Gerry O’Hanlon SJ is a member of the Society of Jesus – the Jesuit order. He was the Provincial of the Irish Jesuit Province. He is expected to give evidence that aspects of Church governance including a centralised vertical model, the prevalence of clericalism which privileged the role of the priest in such a way that made accountability difficult, a lack of freedom of speech and a strong presumption of priestly innocence were contributing factors.
25. Mr Peter Johnstone is President of Catholics for Renewal. Mr Johnstone believes dysfunctional governance which he describes as autocratic, male-

dominated and clericalist is a key causal factor in relation to child sexual abuse in the Catholic Church.

26. This culture that asserts the superiority of the clergy and religious, and the consequent culture of deference to the power and privilege of the priesthood has been described by Dr Keenan as 'unregulated public power'.
27. Dr Ranson is also expected to reject the proposition that sexual abuse in the Catholic Church resulted from a climate of moral dissent against the Church's sexual teachings in the 1970s and 1980s.
28. Father Doyle, a Dominican priest, has qualifications in canon law, theology, church administration and political sciences. He is expected to say that sexual abuse by clerics has been 'a known reality in the Catholic Church since the first century'. It cannot therefore be described as the effect of the culture of the 1960s or, put another way, the effect of the music of Janis Joplin and others of that time.
29. The inadequacies of formation, the need for ongoing supervision and support for priests and proper training for leaders will be canvassed.
30. Professor Ormerod is a Professor of Theology at the Australian Catholic University. He will suggest that regular pastoral supervision for all those in ministry, ongoing professional and theological education, and seminary training in the professional ethics of ministry may lessen the culture of clericalism.
31. Professor Moloney was the Provincial of the Salesians of Don Bosco in Australia. Professor Moloney is expected to say that the Royal Commission

could help by positively affirming the need for more careful scrutiny and training of those placed in leadership positions.

32. Professor Patrick Parkinson, Professor of Law at the University of Sydney and Dr Maureen Cleary, a change management specialist will also give evidence about these factors.
33. The current leadership of the Church will give evidence. Archbishop Coleridge, the current Metropolitan Archbishop of Brisbane was, in 2010, Archbishop of Canberra and Goulburn. In that capacity he published a letter on sexual abuse of the young in the Catholic Church.
34. Archbishop Coleridge expressed the view that what needs to be abandoned are 'rigorist notions of the body and sexuality', gaps in seminary training and the kind of clericalism they can produce, triumphalism, and the underestimation of evil. Living with celibacy in the priestly life, he believes needs to be purified rather than abandoned. He says that some matters like the culture of forgiveness and discretion need to be retained.
35. The Archbishop is also a member of the Truth Justice and Healing Council. The Council submits that no direct causal relationship has been established between the obligation to live a celibate life and the inclination to sexually abuse a child. The submission refers to research by others about the link between clericalism and sexual abuse and concludes it may have been a factor. It emphasises inadequate training and formation, ignorance by Church leaders and a naivety on their part which led them to misperceive the abuse as a moral failure on the part of the offender and not a crime.
36. The evidence will explore the differences in the views expressed by the current leaders of the Church and other panel members.

37. I will now read excerpts of the precis Dr Marie Keenan provided of the evidence she could have given. I have omitted references, which will be found on the full precis on the website.