

## 2.7 Recommendations

This report contains a series of recommendations. Many of the recommendations are in areas where bishops, religious leaders and parish priests, together with lay leaders in the Church, can implement changes directly and in a spirit of co-responsibility.

Additionally, during the Review, matters have arisen where:

- a. a reasoned case can be articulated that changes might need to be made to the laws and norms of the global Church;<sup>19</sup> or
- b. an opportunity arises for the ACBC and (or) individual diocesan bishops to make particular law applying to the Catholic Church in Australia (subject to the compliance of those laws with the universal laws of the Church and the assent, where necessary, of the Apostolic See).

In those instances, recommendations have been made to that effect.

For ease of reference the recommendations are reproduced below with a reference to the section in which they appear.

### Section 2.7 Recommendations

1. That this report be made available following the ACBC and CRA consideration of the discussion and recommendations to:
  - 1.1 the members of the Executive Committee, the members of Discernment and Writing Groups, delegates and others involved in the Plenary Council 2020 as soon as practicable and then be formally tabled as part of the deliberations of the Council.
  - 1.2 Catholic Professional Standards Limited and the Safeguarding Steering Committee.
  - 1.3 relevant dicasteries in the Roman Curia that will have to consider the recommendations for changes to universal laws, norms or practices of the Church.
  - 1.4 other international bodies including but not limited to:
    - a. the Pontifical Commission for the Protection of Minors;
    - a. the Vatican Taskforce announced in March 2020 to assist local episcopates in their development and implementation of processes in response to concerns and allegations of abuse; and
    - b. Leadership Roundtable.
2. That the report be released to the public as soon as practicable after its initial consideration by ACBC and CRA in the spirit of good governance.

<sup>19</sup> See, for example, Sections 6.4, 6.10 and 6.11.7

## Section 5.4.4. Induction and Formation

3. That the ecclesial governance principles of collegiality, synodality, subsidiarity, stewardship, dialogue, discernment, participation and good leadership be reflected in the governance structures and decision-making processes of dioceses, parishes and church agencies.
4. That integrity, accountability and transparency be reflected in the administrative and governance practices of all church bodies.
5. That those in leadership roles in the Church be expected to adopt an inclusive ethical culture, strong risk management practices, and effective engagement and communication.
6. That church agencies be models of fiduciary oversight and effective administrative practice.

## Section 6.2.2. Ad limina visits and quinquennial reports

7. That in relation to ad limina visits and *quinquennial* reports, there be increased communication of information to the lay faithful, including:
  - 7.1 publication of the questions to which the *quinquennial* reports respond;
  - 7.2 prior consultation within the diocese, including with the diocesan pastoral council, about the content of the *quinquennial* report;
  - 7.3 publication of non-confidential elements of the *quinquennial* reports to the local community;
  - 7.4 bishops routinely maintain communication with their respective dioceses in Australia while on ad limina visits to share appropriate insights into their meetings and to enable members of the local church to better understand their significance; and
  - 7.5 communication of non-confidential accounts of the conduct and outcomes of the ad limina visit by bishops upon their return.

## Section 6.3.1. The selection and appointment of diocesan bishops

8. That to increase trust in church governance and support for episcopal leadership among the People of God, the processes and procedures leading to the appointment of bishops by the Pope be explained to the public, for example by an entry on the ACBC website.
9. That the consultative processes within a local Church leading to a recommendation by the apostolic nuncio to the Apostolic See concerning the appointment of bishops be structured so as to accommodate the following principles:
  - 9.1 analysis of the needs of the diocese, and consequently a suitable episcopal appointment, must form part of the consultative process for episcopal appointments;
  - 9.2 in the interests of transparency, efficiency and effectiveness, the consultation process leading to the creation of a terna should embrace genuine discernment that includes clergy and a larger number of lay people than is currently the case and that takes into consideration the potential bishop's experience in dealing with abuse; and
  - 9.3 genuine discernment leading to the creation of a terna that includes clergy and a larger number of lay people than is currently the case and which takes into consideration the potential bishop's experience in dealing with abuse, be embraced in the interests of transparency, efficiency and effectiveness.

## Section 6.3.2. Selection and appointment of diocesan administrators

10. That the terms and conditions of administrators be published within dioceses at the time of appointment.
11. That in dioceses without a pastoral council, an interim body be established to support the administrator for the duration of their term.

## Section 6.4. Episcopal leadership and accountability

12. That the Australian Catholic Bishops Conference request the Congregation for Bishops to provide an updated and revised Directory on the Pastoral Ministry of Bishops as soon as possible for improved governance in the Church.

### Section 6.5.2. Synodality as a framework for exercising co-responsibility

13. That the bishops of Australia commit to understanding the interpretation of c. 129 in line with other canonical provisions that have been made after the promulgation of the 1983 Code of Canon Law.
14. That for ecclesiastical offices for which ordination is not required (and without limiting the right of clerics to take up those positions), the bishops of Australia commit to appointing suitability qualified lay persons where practicable.

### Section 6.5.3. Inclusivity and co-responsibility: an element of leadership and governance

15. That the principle of inclusion of all the People of God underpin practice in diocesan appointments and to that end:
  - 15.1 the appointment of lay women and men to senior decision-making bodies and agencies be accelerated;
  - 15.2 the principle of inclusivity be built into the terms of reference of each diocesan body and agency, and dioceses conduct audits of their advisory bodies to ensure inclusiveness in ecclesial bodies; and
  - 15.3 leadership teams be inclusive of the laity (women and men), exercising co-responsibility with bishops, priests and religious.
16. That the governance structure of each diocese, including the powers, responsibilities and composition of its constituent elements, be broadly communicated.
17. That suitably qualified lay people, especially women, be encouraged to exercise functions as judges in ecclesiastical marriage and penal cases and education opportunities be provided to expand the range of persons able to do so.
18. That women take a critical role in relation to the selection and formation of seminarians and participate in the evaluation team deciding suitability for ordination.
19. That lay persons with appropriate expertise be involved in decisions regarding the placement of priests in parishes.
20. That all volunteers, lay, clergy and religious undergo cross cultural awareness training.
21. That Aboriginal and Torres Strait Islander people be included in decision-making processes.

### Section 6.6.2. Identification and management of risk to children and persons vulnerable to harm

22. That the safety of children and other vulnerable persons assumes primacy in the responses to allegations of abuse or malpractice in diocese and parishes.

### Section 6.6.3. Standards and audit for transparency and accountability

23. That dioceses, religious institutes and ministerial PJPs in Australia commit to implement the National Catholic Safeguarding Standards.
24. That dioceses and religious institutes examine the status of their safeguarding programmes and either:
  - 24.1 negotiate arrangements with CPSL for the provision of audit facilities for those programmes, or
  - 24.2 announce publicly why they have not done so.

## Section 6.6.5. National Response Protocol

25. That each diocesan bishop adopt the National Response Protocol once finalised, including procedures for dealing with complaints against bishops and other religious leaders, making it particular law for their diocese.
26. That independent bodies comprised of civil, canonical and relevant professional expertise be established to deal with allegations against Catholic Church personnel (including bishops, religious, priests, deacons, employees and volunteers).

## Section 6.6.6. Record keeping and information sharing

27. That the ACBC:
  - 27.1 commit to the full implementation of the ACMR Card project; and
  - 27.2 investigate the canonical and civil law requirements for a national register of the type contemplated in Royal Commission Recommendation 16.58.

## Section 6.7.1. Selection and formation of candidates for the priesthood

28. That a National Protocol on seminary selection, training and ongoing formation as envisaged by the Truth Justice and Healing Council be developed.
29. That the National Protocol include a provision that each bishop (or dioceses in combination if appropriate) establish a panel for the selection process for entry of candidates into the seminary and review of ongoing formation, including prior to ordination and that these panels:
  - 29.1 involve men and particularly women in the accompanying discernment that is required before a candidate is put forward for ordination;
  - 29.2 facilitate lay people taking a critical role in relation to the selection and formation of seminarians and evaluations of suitability for ordination; and
  - 29.3 include at least one nominee from each of the council of priests and the diocesan pastoral council.
30. That the bishop consult the panel before making a decision about whether to accept a candidate for admission to a seminary, whether to accept a candidate for ordination or whether to permit entry to an international priest.
31. That each diocese develop and make public clear policies in relation to the criteria for entry into the seminary, the criteria for ordination and the policy on international priests and requirement for entry.

## Section 6.7.2. Formation of candidates for the priesthood

32. That the formation and training of candidates for the priesthood and during their ministry have as a primary objective the development in individuals of an internal disposition that values a collaborative lay ecclesial ministry.
33. That in designing formation programmes and curricula, opportunities be provided for:
  - 33.1 increased levels of studies in tertiary institutions outside the seminary;
  - 33.2 extended placements in parishes and ministries; and
  - 33.3 spending time in communal living outside the seminary.
34. That all Church leaders take steps, wherever the opportunity presents itself, to educate about the dangers of clericalism and to make changes to practices that foster an unhealthy culture. These opportunities include, but are not limited to, seminary curricula and ongoing professional development for clergy and lay people.

## Section 6.8.1. Leadership training

35. That leadership formation for all church leaders and prospective leaders be widely available at diocesan and province level in order to support best practice in governance.

36. That in developing and implementing governance and management systems, guidelines and processes, diocese and parishes have regard to relevant civil and ecclesial governance principles.
37. That professional development opportunities be provided in seminaries and theological schools, with the widespread involvement of the laity, for all in leadership, governance and management positions to ensure they understand basic fiduciary and governance principles relevant to their positions.
38. That programmes and opportunities be provided in spirituality and theological formation for clergy and all those in leadership, management and governance roles in the Church.
39. That a national centre for Catholic leadership and governance be established that will:
  - 39.1 identify the range of formation programmes that have already been developed and are fit for purpose in relation to ecclesial leadership;
  - 39.2 identify particular needs that are not currently being serviced and investigate possibilities for coordination; and
  - 39.3 examine how best to establish and resource the research and professional development opportunities necessary to achieve optimal training, development and formation for leadership.

### Section 6.8.3. Opportunities for ongoing leadership development

40. That the ACBC explore opportunities for Australian initiatives to improve the induction and formation of bishops.
41. That opportunities be provided for the ongoing leadership development of every Catholic leader – cleric, religious and lay.

### Section 6.9. The ACBC

42. That the operations of the ACBC be made more accountable, inclusive and transparent through an expansion of its advisory membership, staffing and public communication of non-confidential agendas, internal reports and major decisions.
43. That the ACBC prepare a template for reports for dioceses so that there is comparable and consistent reporting both for ACBC purposes but also for members of the public.
44. That the ACBC regularly convene with a broad range of subject matter experts before considering and voting on a particular subject.

### Section 6.10. Roles and responsibilities of governance within dioceses

45. That the ACBC ask the Apostolic See to consider amending Canon 391 to include ‘the diocesan bishop will consult with the diocesan pastoral council and the council of priests before he makes particular law’. Accordingly, Canon 391 would then provide as follows:
 

Canon 391 §1. The diocesan Bishop governs the particular Church entrusted to him with legislative, executive and judicial power, in accordance with the law. The diocesan bishop will consult with the diocesan pastoral council and the council of priests before he makes particular law.

§2. The Bishop exercises legislative power himself. He exercises executive power either personally or through vicars general or episcopal vicars, in accordance with the law. He exercises judicial power either personally or through a judicial vicar and judges, in accordance with the law.
46. That lay advisors, female and male attend council of priests’ and college of consultors’ meeting with the right to participate fully in all discussions and not as mere auditors.

## Section 6.11.6. Bishops and parishes

47. That pastoral planning and provision of ministry are to involve as much effective consultation as is possible between the bishop and the relevant parish communities on major issues affecting the pastoral life of the parish.
48. That the ACBC investigate the canonical and civil requirements for an administrative tribunal to provide an effective means by which administrative decisions by priests, church agencies and bishops can be decided in Australia.
49. That appeal processes from the parish to the diocesan level be accountable and transparent.

## Section 6.11.7. Diocesan pastoral governance

50. That either the Plenary Council 2020-21 or the ACBC legislate to make particular law requiring each diocese have a diocesan pastoral council or close equivalent, established and facilitated with reference to their local context and circumstances.
51. That either the Plenary Council 2020-21 or the ACBC legislate to make particular law that:
  - 51.1 if there is no diocesan pastoral council in existence, the diocesan administrator or apostolic administrator elects a representative group of lay advisors to advise him;
  - 51.2 where a see is vacant the diocesan pastoral council members continue to meet to advise the diocesan administrator on the ongoing pastoral needs of the diocese;
  - 51.3 the members of the diocesan pastoral council participate in the diocesan synod;
  - 51.4 the diocesan pastoral council must be consulted when parishes are erected, suppressed or notably altered;
  - 51.5 the diocesan pastoral council must receive the diocesan annual financial report and be consulted before approval of the diocesan budget and before the diocesan tax on parishes is altered;
  - 51.6 the diocesan pastoral council must be consulted when a new church is being built or a church is being reduced to profane use or to be sold or demolished;
  - 51.7 the diocesan pastoral council must be consulted on matters of importance in the diocese;
  - 51.8 the diocesan pastoral council develop and review (on a regular basis) a profile that identifies the needs of the diocese to support good governance including the development of a strategic plan; and
  - 51.9 the diocesan pastoral council's profile should be used to inform the process of reflection with respect to the appointment of a bishop.
52. That the composition of a diocesan pastoral council be representative of the diversity of lay faithful within the diocese and include a broad range of skill sets and experiences to enable it to fulfil its mandated role.
53. That the ACBC ask the Apostolic See to consider amending Canon 513 for the territory of Australia as follows:

Canon 513 §1 The pastoral council is appointed for a determinate period, in accordance with the provisions of the statutes drawn up by the bishop.

§2 When the see is vacant, the existing pastoral council continues to function.
54. That dioceses address through a discernment process the model of diocesan pastoral councils best suited to their needs.
55. That the operations of existing diocesan pastoral councils be reviewed with a view to ensuring best practice.

## Section 6.11.8. Diocesan synods

56. That within five years following the closing session of the Plenary Council 2020-21 each diocese conduct a diocesan synod and every ten years thereafter.
57. That the membership of each diocesan synod reflect the profile of the relevant diocese.

### **Section 6.11.9. Diocesan financial governance**

58. That the bishop participates ex-officio in the diocesan finance council and the chair of the diocesan finance council be an independent lay person.
59. That a programme of induction and ongoing formation on the roles, responsibilities and purposes of diocesan and parish councils and boards be provided for new and ongoing members.
60. That each diocese provide publicly full annual financial reporting including an income statement, a summary statement of financial activities including investment strategy and a summary of financial position.

### **Section 6.11.10. Public accountability and transparency**

61. That as a statement of general principle, diocesan agencies and advisory bodies should maintain the highest standards of accountability through open procedures and regular and transparent public reporting.
62. That fiduciary concepts and governance principles be included in professional development programmes for diocesan agencies and advisory bodies.

### **Section 6.11.11. Church media and communications**

63. That Catholic media be maintained to enable clear communication in multi-media modes which encourage the exchange of diverse views conducive to dialogue and discernment amongst all the People of God.
64. That the ACBC produce a consolidated list of dioceses and their legal structure in Australia as a foundation for consistent approaches to professional standards and as an accurate reference for those liaising with agencies such as the National Redress Scheme.

### **Section 6.11.12. Limitations and costs**

65. That governance reform be accompanied by suitable education programmes within dioceses. Advisory bodies, such as pastoral councils, be fully costed and financially supported.

### **Section 6.12. Managing relationships**

66. That the ACBC, CRA and AMPJP jointly commission a study to investigate means by which:
  - 66.1 their activities and responsibilities can be coordinated in the interests of efficiency, economy and the pursuit of principles of good governance, especially in the area of risk management; and
  - 66.2 while recognising the separate identities and independence of each, seeks to build on the 'one voice' approach utilised during the Royal Commission through the coordinating role of the TJHC.
67. That each diocese conduct an audit to identify all associations of Christ's faithful, be they public or private associations, operating in the diocese and take reasonable steps to ascertain whether those associations have adopted or are in the process of adopting the National Catholic Safeguarding Standards developed by CPSL.

### **Section 7.2.5. The body formed by the eucharist**

68. That each parish articulate and enact clearly structured and transparent, prayerful, synodal processes in which the faithful of the parish have the opportunity to bring forth their ideas, and contributions towards the vision and activities of the parish. These may include, but are not be limited to, an annual parish meeting to which all parishioners are invited.

## **Section 7.4. Parishes: capable of renewal and adaptation**

69. That where this is yet to occur, the diocesan bishop in consultation with the diocesan pastoral council analyse the multiple structures and needs of parishes to evaluate current practices and identify new and emerging forms of ecclesial life in the Catholic Church in Australia which are mission focused and centred on the eucharist.
70. That in developing proposals to reconfigure parishes, the people in each parish or a group of parishes affected by a proposal be consulted and provided with opportunities to meet together to discuss options.
71. That the proposed National Centre for Catholic Leadership and Governance promote shared best practice and resources.

## **Section 7.5. Complementary and collaborative ministry**

72. That the diocesan bishop in consultation with the diocesan pastoral council and relevant adult education providers establish formation programmes, pathways and ministry opportunities specifically for those who work in parishes and local communities. This includes pastoral associates, youth ministers, catechists and other lay ecclesial ministers both professionals and volunteers.
73. That the proposed National Centre for Catholic Leadership and governance coordinate and contribute to the above programmes and pathways.

## **Section 7.6.1. The parish pastoral councils – skills, criteria, commitment, collaboration**

74. That each diocesan bishop mandate parish pastoral councils in the parishes of his diocese.
75. That where it may be difficult for a particular parish alone to establish a parish pastoral council (eg due to size or location) alternative means, appropriate for the circumstances of the parish, be adopted to ensure that the voice of the faithful sits alongside the voice of the ordained minister in pastoral planning and decision making.
76. That each parish pastoral council annually self-review and evaluate its effectiveness and operation of parish pastoral councils.
77. That the ACBC commission a study to collate information about experiences of parish councils in Australia with a view to developing models that can be adapted to local circumstances for matters normally found in constitutions or rules for like bodies, including (but not limited to), objects, purposes, powers, procedures, skills matrices and accountability systems.

## **Section 7.6.2. Parish finance council**

78. That the parish priest participates ex-officio in the parish financial committee and that the chair of the parish financial committee be an independent lay person.

79. That a programme of induction and ongoing formation about the roles and responsibilities of each member and especially new members of parish pastoral committee in the parishes be implemented.
80. That the parish finance committee must meet at least four times each year.
81. That each parish annually provides full financial reporting which includes an income statement, a summary statement of financial activities including investment strategy and a summary of financial position. These annual financial reports are to be completed within four months of the end of the financial year and:
  - 81.1 provided publicly on the parish website, and
  - 81.2 a copy delivered to the person responsible for diocesan financial administration.
82. That each parish that is as Basic Religious Charity have regard to the ACNC governance standards and annual financial reporting requirements as exemplars of good practice.

#### **Section 7.6.4. The appointment and re-appointment of clergy**

83. That bishops are to consult with the college of consultors or a clergy appointments panel when making changes with regard to clergy. These meetings are to include lay women and men.

#### **Section 7.6.6. Lay pastoral ministry and the ministry of pastoral associates**

84. That the diocesan bishop in consultation with the diocesan pastoral council and relevant adult education providers establish formation programmes, pathways and ministry opportunities specifically for pastoral associates.
85. That each diocese is to have a programme of ongoing formation and training for pastoral associates and lay leaders in parishes.

#### **Section 7.7. Safeguarding**

86. That all parish communities annually self-assess against the National Catholic Safeguarding Standards on their implementation of safeguarding practices.