DISCLAIMER

The information provided in this submission has been prepared within a very short time frame and is based on limited information, some of which is sample data.

While efforts have been made to collate as much data as possible to assist the Commission, its accuracy cannot be guaranteed. The figures and data presented may not be fully reliable and should <u>not</u> be construed as definitive or comprehensive.

We note that beneficial interest of the properties referred to in this submission has not been examined.

Accordingly, readers are advised to exercise caution and to consider the potential inaccuracy of the information if seeking to rely upon it for any purpose.



Submission to the Yoorrook Justice Commission

2024

9 April 2024

ACKNOWLEDGEMENT

The Catholic Archdiocese of Melbourne is based in a region inhabited by Indigenous communities whose history extends for tens of thousands of years. We acknowledge the traditional custodians of the land of the Kulin Nation whose countless generations have walked upon and cared for this country. We pay our respect to them and their cultures and to Elders past, present and emerging.

The Catholic Archdiocese of Melbourne acknowledges the *Uluru Statement of the Heart* and its importance in recognising Australia's First Peoples' rightful place in our country. The Archdiocese strives for meaningful reconciliation, and acknowledges the injustices experienced by First Peoples, as highlighted by the *Uluru Statement of the Heart*.

Our works promote reconciliation and mutual understanding, taking responsibility for the pastoral care of Catholic First Peoples and supporting them in the living of their Faith. Aboriginal Catholic Ministry Victoria has been supporting First Peoples, individually and collectively, since the 1980s, ensuring that pastoral and spiritual care are offered consistently and without prejudice.

In this vein, the Archdiocese also recognises the importance of the Yoorrook Justice Commission in investigating and reporting on historical and ongoing systemic injustices perpetrated against First Peoples within the State of Victoria.

It particularly notes the importance of the Commission's investigation into the systemic injustice First Peoples experienced in relation to their land, waters, sky, and resources.

The findings of the Commission will be important in furthering Victorians' understanding of the negative impact of colonisation on First People's land, culture, lives and future.

For any enquiries regarding this Submission please contact the Archdiocesan Chancellor, through the Office of the Archbishop: E: archbishop@cam.org.au | T: 03 9926 5614

SUMMARY

This Submission is provided by the Catholic Archdiocese of Melbourne in response to the request for information provided by the Yoorrook Justice Commission around Land Injustice Inquiries on 27 March 2024. With the Easter period falling within the proposed preparation time, the Submission has been brought together in 7 working days.

The State of Victoria is covered by four Catholic Dioceses – the Catholic Archdiocese of Melbourne, the Catholic Diocese of Ballarat, the Catholic Diocese of Sandhurst and the Catholic Diocese of Sale. There are other Catholic entities such as Religious Congregations and healthcare and education institutions operating in Victoria.

This Submission is on behalf of the Catholic Archdiocese of Melbourne only, as the Archdiocese only has the ability to speak for itself and not other dioceses (which are similar to the States of Australia as sovereign organisations in their jurisdictions) or Religious Congregations. A more fulsome outline of the scope of this Submission covered by the Archdiocese is provided at **Appendix I**.

The Submission has been prepared based on the information and documentation located during investigations and searches of Archdiocesan records. However, due to the passage of time, the materials available to the Archdiocese have, in some instances, been limited. Accordingly, some parts of the Submission rely on incomplete records or secondary sources.

While the Archdiocese cannot guarantee the accuracy of the information in its entirety, best endeavours have been made to verify all information provided in this Submission.

Where available, this Submission includes hyperlinks to relevant source material.

OVERVIEW

- I. Please provide a brief summary of the establishment of the Catholic Church in Victoria, to include:
 - a. first establishment;
 - b. the development of the Catholic church in Victoria and its current organisational structure; and
 - c. the establishment and operations of the Aboriginal Catholic Ministry Victoria (including related initiatives, such as the Opening the Doors Foundation and 'FIRE' (Friends Igniting Reconciliation Through Education) program.

Question Ia. FIRST ESTABLISHMENT

The area identified as the Port Phillip settlement, subsequently to be known as Victoria, was settled during the 1830s. In terms of Catholic representation, up until 1834, all Catholic Australia came under the jurisdiction of the Bishop of Mauritius. In that year a new Bishop was appointed to oversee the developing settlement - Bishop Bede Polding, who was based in Sydney.

In September 1836, the first population census in Port Phillip was taken revealing fourteen Catholics in the small village on the Yarra, and it was in a very small cottage on the south side of Collins Street West that this small Catholic community gathered to recite the Rosary.

By 1839, Melbourne's population had grown to around 2000 and the first Catholic Priest arrived from Sydney – Fr Patrick Geoghegan, offering the first Mass in a little store on the corner of Elizabeth and Little Collins Streets owned by a non-Catholic. In the Spring of this same year, Bishop Polding formed Port Phillip into a Parish under Fr Geoghegan's charge.

Fr Geoghegan, a Franciscan under a vow of poverty, had no church or presbytery and celebrated the faith in people's homes and along bush tracks. The growing Catholic congregation naturally sought a more permanent place for worship, and in 1841, St Francis, the first Catholic church of Melbourne and Victoria was erected on the very fringe of the settlement beside a 'winding bush creek' which bisected the settlement east and west.

¹ Much of the information in this section is sourced from Some Fruits of the First Fifty Years – Annals of the Catholic Church in Victoria 1897 A.H. Massina & Co

By 1844, the Port Phillip district was growing, and Bishop Polding travelled from Sydney to visit the regions of Geelong and Melbourne and other parts of Victoria, identifying the need for a 'bishopric' (a jurisdiction) to be overseen by a bishop in those areas. And so, in 1847 Port Phillip was erected into an ecclesiastical See (diocese) and its first Catholic Bishop, James Goold, was installed on 4 October 1848. The Census at the time identified around 7,000 Catholics in Victoria. Four priests ministered to the population with chapels located at Melbourne, Geelong and outlying areas in Victoria. There were also six Catholic schools, including four in Melbourne, one at Geelong.

A continued sectarian sentiment against Roman Catholics, established with Australia's early Protestant settlement, marked the 1840s (and continued well into the twentieth century), reflecting genuine prejudice principally against the immigrant Irish community which formed the main body of the Catholic faithful. Indeed, the oldest Act listed on the Victorian Parliament's List of Acts in chronological order² (for Acts which are still in force) is the Roman Catholic Relief Act 1830, which provides that:

...all His Majesty's Subjects professing the Roman Catholic Religion, are relieved from all civil and military disabilities, with certain specified exceptions; and it is expedient to remove any doubt which may exist, as to the application of the said Act to this Colony³

This Act sought to address the issue of systemic discrimination against Catholics in Australia, which was prevalent at the time.

In 1850, Dr Goold laid the foundation of St Patrick's Cathedral Melbourne. In the following year, the people of the Port Phillip District of NSW formally separated to form the colony of Victoria with the establishment of the Victorian Legislative Council. The discovery of gold that same year, and the rapid growth of communities over the next few years, saw the Catholic population swell to nearly 88,000 by 1857. As a result, Dr Goold brought the first Religious Congregations, nuns and brothers, to the Diocese to meet the burgeoning needs of the faithful.

https://www.legislation.vic.gov.au/sites/default/files/2020-07/List%20of%20Acts%20in%20chronological%20order_2.pdf

³ https://www.legislation.vic.gov.au/in-force/acts/roman-catholic-relief-act-1830/001

Catholic Archdiocese of Melboune

A crisis came during the 1870s when education was taken over by the State and secularised. (documented in the 1872 Education Act – a decision which would be reversed over 100 years later). Government aid was withdrawn from Church schools. In some instances, schools were required to remove the word 'Catholic' or any association with it.

As a result, a tradition of building 'church-schools' began where classes were held during the week and Masses celebrated on Sundays. Religious Congregations began increasingly to take over the running and staffing of the schools.

In early 1874, the status of Melbourne was elevated to an Archdiocese, and in the December of that same year the suffragan dioceses of Ballarat and Sandhurst were established, with the Diocese of Sale created in 1887. From this point the Archdiocese's records relate only to the Archdiocese of Melbourne and its jurisdiction – noting that administrative record-keeping, aside from property deeds, only came into existence from the 1930s.

Question 1b. THE DEVELOPMENT OF THE CATHOLIC CHURCH IN VICTORIA AND ITS CURRENT ORGANISATIONAL STRUCTURE

Structure

It is important to state that the Catholic Church in Australia is not a single institution under its own auspices. Rather, it is part of the Universal Roman Catholic Church and under the leadership of the Bishop of Rome (The Pope). Whilst the Pope is the supreme head of the Catholic Church, like all who have responsible roles in leadership and service, he cannot exercise his responsibility personally. The governance of the many and varied activities of the Catholic Church is complex, with most activities being governed at the local level in structures designed to serve the unity and mission of the Church overall.

The Catholic Church in Australia carries out its Australian religious mission under authority conferred by Church Canon Law on local people as principals in their own right, not as agents of a foreign principal. The Church's Australian mission is determined by Australian residents of the Church including local bishops, priests, deacons, religious women and men, lay persons and Church entities.

A 'diocese' is one of the most common forms of local level structures in the Catholic Church. A diocese has, as a rule, a defined territory and is led by a bishop. An archdiocese is usually a

very large diocese in terms of Catholic population and usually based in a metropolitan area. An archbishop, like other bishops, only has immediate jurisdiction over his own archdiocese. In context, the Catholic Church in Australia today is administratively and geographically divided into seven Archdioceses, and twenty-one Dioceses.

In addition to these jurisdictions, there are also Catholic 'agencies' that do not correspond to geographic areas, such as the military diocese and dioceses for the Chaldean, Maronite, Melkite and Ukrainian rites. There are a further 175 Catholic Religious Congregations, such as the Christian Brothers or the Sisters of Mercy, operating in Australia - also under their own jurisdictions and under the leadership of their own ordinaries (leaders).

As noted above, the Catholic Diocese of Melbourne was erected in 1847 out of Sydney territory, and elevated to that of an Archdiocese in 1874. In that same year the dioceses of Ballarat and Sandhurst were established with their own regional jurisdiction, and the Diocese of Sale was further established in 1887.

In the 2021 ABS Census data, 5,075,907 Australians identified as being Roman Catholic, representing about 18.9% of the overall population of Australia. In Melbourne 1,038,276 nominated as Catholics – making up 20.9% of the population.

The Melbourne Archdiocese comprises 27,194 square kms incorporating just over 200 parish communities with outlying borders running along Bass Strait and extending to the regions of Yea, Geelong, and Western Port Bay. There are over 300 diocesan-run Catholic schools in the Archdiocese, educating over 152,000 students. Within the Archdiocese, there are 16 Catholic hospitals, 17 homes for children, 27 for the elderly and 10 for other purposes.

The Catholic Church nationally is the largest non-government provider of welfare and education services in Australia.

Please note that all of these entities are included in the scope of this Submission: see **Appendix I** for greater detail.

Current Governance

The Catholic Church operates in two spheres: the Church sphere and the civil sphere. Each sphere has its particular legislation. In the Church sphere, it is the canons of the *Code of Canon Law*. In the civil sphere, it is the legal code of the Commonwealth and State

governments. At times, the requirements of these laws can be the same; however, on other occasions, there are significant differences between the two.

The diocese holds and administers Church property to serve the mission that the Lord has entrusted to the Church. The first point to be kept in mind, therefore, is that Church property never belongs to an individual person as if it were his or her own personal property. Church property always belongs to some juridic person (being a Church entity such as a parish) and is the concern of the Church community.

The canonical law, therefore, structures the Church's administration of property to facilitate the Church's mission and to protect the rights of various Church communities to the proper use of property entrusted to them. It also promotes the welfare of those persons and groups who should benefit from the wise use of the property that is made available to the Church. In this light, the properties related to the Catholic Church are used in their extensive service and outreach in the education, welfare, health and aged care arenas, as well as ministry and service.

The Archbishop is responsible for administering the property belonging to the Archdiocese, while the Parish Priest is responsible for the property belonging to the parish. Of all the property held in the Archdiocese, the very large majority is held for the benefit of the parishes.

In exercising responsibilities in relation to the parish property, the Parish Priest is advised by the Parish Pastoral Council, which is made up of parishioners. This dynamic is central to understanding what records the Archdiocese holds and why. This will be referred to as the Decentralised Model for Parish Property Control.

In civil law, all Catholic Church assets owned by the Archdiocese, or parishes, are owned in the name of the Roman Catholic Trusts Corporation for the Diocese of Melbourne (**RCTC**), established as a body corporate under the *Roman Catholic Trusts Act 1907* (Vic.).

Decisions to deal with property are primarily made by the Church entity (juridic person) who is responsible for the use and maintenance of that property. So, for parish property, the Parish Priest will make decisions. If the decision is significant – particularly the alienation or sale of real property – then other councils of the Church may need to approve that decision.

Physical land titles are held at the offices of the Archdiocese. Any formal legal transactions (such as property transfers or long-term lease agreements) of the Archdiocese, or of its parishes, must take place under the seal of the Trustees of the RCTC.

Question 1c. THE ESTABLISHMENT OF OPERATIONS

The Yoorrook Justice Commission has asked about the establishment of such Indigenous Catholic organisations with the Catholic Archdiocese of Melbourne as **Aboriginal Catholic Ministry Victoria** (ACM/ACMM/ACMV), **Opening the Doors Foundation** (the Foundation), and **Friends Igniting Reconciliation Through Education** (FIRE).

Acknowledgement and recognition of First Peoples by the Catholic Church has been in place since the first Catholics gathered for worship in this country. Engagement and welcome into Catholic life has been more formally recognised through such organisations as Aboriginal Catholic Ministry Victoria (ACMV), the National Aboriginal and Torres Strait Islander Catholic Council (NATSICC)

These organisations seek to work with the broader Church to offer a fuller participation in every aspect of Church life and are committed to promoting the dignity of all as brothers and sisters in Christ, and to addressing the many challenges that are to be faced. They recognise too, that many Indigenous may not wish to identify or participate in Church life – as such, they also seek to assist First Peoples to achieve their rightful and proper place in the mainstream of Australian society while preserving precious elements of their own culture, and encouraging and advocating for such positions through the wider Church networks.

Victoria is home to 8,500 Aboriginal and Torres Strait Islander Catholics. According to the 2016 Census, 18% of all Indigenous people in Victoria identify as Catholic.

Aboriginal Catholic Ministry Victoria (ACMV – also referred to as ACM and ACMM) "Led by the Creator Spirit, We are a community of Memory and Hope Committed to Truth and Reconciliation" - Statement ACMV

In the early 1980s, aside from parish involvement, particular groups of Aboriginal Catholics met in their Melbourne homes to share scripture. 1986 would mark a decisive year for Melbourne Aboriginal Catholics when Joyce Smith and others from Victoria travelled to Alice Springs to meet Pope John Paul II. There, his words became an inspiration for what would become the newly formed Aboriginal Catholic Ministry (ACM) in Melbourne.



2023 Visit to Aboriginal Catholic Ministry Victoria by the Secretary of State to the Vatican — His Excellency Archbishop Paul Gallagher (far left) pictured from LtoR with: Ms Sherry Balcombe (Director ACMV); Archbishop Charles Balvo (Apostolic Nuncio to Australia); and Archbishop Peter A Comensoli (Archbishop of Melbourne).

The first Aboriginal Catholic State Conference was held in Victoria on 25 July 1987, where the dream for Aboriginal Catholic Ministry Melbourne became articulated. At this Conference, two significant events took place - the first ACM Baptism, and Mass celebrated using an Aboriginal Ministry.

A house was purchased in Thornbury in 1988 by the Catholic Archdiocese of Melbourne and made available to be used as a centre for the ACM, which in time became Aboriginal Catholic Ministry Melbourne (**ACMM**), then Aboriginal Catholic Ministry Victoria (**ACMV**).

In 1999 the Vision and Mission Statements of Aboriginal Catholic Ministry Victoria were developed and have been the guiding principles ever since.

ACMV provides:

- Educational and cultural resources for social justice groups and liturgical teams.
- Retreats, immersions and workshops designed for individual groups that look at justice issues, history, culture and spirituality.
- Speakers for parishes, conferences, community groups,
- Cultural artefacts and vestments available for parishes for special celebrations.
- Reconciliation pathways by becoming a parish partner.
- Monthly Masses and assistance in liturgical reflection during Lent, Advent, Easter and Christmas.

ACMV also helps adults, children and families prepare for Baptism, Eucharist, and the Rite of Christian Initiation for Adults. It also works closely with the Victorian Aboriginal Funeral Service to comfort and help community families at times of loss and bereavement and prepares funeral ceremonies, including booklets.

Opening the Doors Foundation

Launched on 4 August 2001 – the National Aboriginal and Torres Strait Islander Children's Day, the Opening the Doors Foundation (**Foundation**) is an Aboriginal-led community organisation supporting educational opportunities for Aboriginal children. The Foundation has grown out of the community and the Aboriginal Catholic Ministry Melbourne (ACM) after the ACM identified gaps that existed in the services available to Aboriginal and Torres Strait Islander families in regard to educational opportunities in Melbourne and across Victoria.

In 2003 the Foundation expanded to support all non-government schooling for Aboriginal students. The Foundation enables Aboriginal students to participate fully and equally in education and supports their families to make their own choices about their children's future. With the belief that consistent support to self-determination is key to raising dreams and aspirations of the next generation, educational opportunities are facilitated by meeting the costs of uniforms, schoolbooks, IT equipment, stationery and more. By providing support and being led by the wishes of families and on the ground Aboriginal support networks, students are able to attend the school of their choice, with correct uniform and equipment.

In the first year, the Foundation supported 32 students across Victoria and has steadily grown ever since. By 2020 the Foundation was supporting over 856 students. Over the past 20 years, the Foundation has provided over 10,000 grants to 3,000 Aboriginal students.⁴

'FIRE' (Friends Igniting Reconciliation Through Education)

The FIRE Carrier Project, which is an initiative of the Aboriginal Catholic Ministry and the Foundation, promotes reconciliation in Victorian Schools, using the power of fire as a symbol of new beginnings, of trust and understanding. The aim of the FIRE Carrier Project is to promote respect, fairness and inclusion for Indigenous people - promoting enculturation and reconciliation in schools and forming a Reconciliation Action Plan for the school community. FIRE carriers are students and teachers that share a passion for learning about Aboriginal culture and history and are committed to sharing this knowledge and promoting reconciliation within and beyond the school community.

BINNAP Partners

In 1992, Binnap Partners was a non-Indigenous group formed to support the aim and objectives of the Aboriginal Catholic Ministry Melbourne, and to assist in both developing a strong awareness of Aboriginal issues into the wider community and to increase fundraising to broaden the pastoral care opportunities undertaken by ACM.

 $^{^{\}rm 4}$ Information sourced from the website: $\underline{\rm https://www.openingthedoors.org.au}$

MISSIONS, RESERVES & INSTITUTIONS

- 2. Please provide a summary of the involvement of the Church in Victorian missions, reserves and institutions interfacing with First Peoples.
- 3. Please provide a summary of any previous acknowledgement(s) by the Catholic Church of the harms inflicted on Victorian First Peoples through the institutions in (2) above.

Question 2. A SUMMARY OF INVOLVEMENT

The Catholic Archdiocese of Melbourne has not been able to identify any involvement in the establishment or operation of missions or reserves in its current geographical area and even in Victoria more broadly, which would include any missions or reserves interfacing with First Peoples operated prior to the establishment of the separate dioceses in the mid-1800s.

Investigations included a deep interrogation of our archives and enquiries with the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) which corroborates this finding.

In terms of institutions interfacing directly with First Peoples, the Catholic Church under its faith mandate, provides outreach and services to all people through varying institutions such as schools, hospitals, aged care facilities, and orphanages. Through these service areas, interaction with First Peoples in some manner would have taken place.

In particular, it is likely that various Religious Congregations operated and managed orphanages for the general population and into which First Peoples' children were placed for care. The Catholic Archdiocese of Melbourne does not have jurisdiction over these institutions, nor can it access their records.

If there are aspects of these institutions' operations which the Commission seeks to raise, we can assist by providing contacts.

Question 3. A SUMMARY OF ANY PREVIOUS ACKNOWLEDGEMENT(S)

"All Australians have much to learn from the cultures, spirituality, and knowledge of country of Aboriginal and Torres Strait Islander people. However, our society is yet to recognise fully Aboriginal and Torres Strait Islander Peoples as the traditional owners and custodians of the lands and waters now known as Australia, or to achieve right relationships with Aboriginal and Torres Strait Islander people and communities." (Fifth Plenary Council of Australia 2022)

The Catholic Church in Australia has recorded its acknowledgement and, in particular circumstances, its profound apology, to Indigenous victims of unjust policies and actions of the past on many occasions. The following acknowledgements are of note:

♦ Through the Australian Catholic Bishops Conference⁵, the Catholic Church in Australia offered a formal statement of sorry and request for forgiveness following the *Bringing Them Home Report* of **1997**:

"In a spirit of sorrow and forgiveness, we, the Catholic Bishops of Australia wish to record our commitment to continue the healing process for the benefit of victims of the unjust policies of the past, to support the just needs of Indigenous people today and to contribute to the quest for national reconciliation. It is our prayerful hope that this commitment will help our nation grow in unity and live as one people with dignity and in peace."

♦ On 11 June 1997, the Religious Congregations of Australia offered an unreserved and heartfelt apology to Aboriginal and Torres Strait Islander people for the pain suffered over many decades:

"We commit ourselves to be part of the national process of reconciliation in dialogue with you. We know an apology cannot undo past sufferings. We want to be part of healing the deep wound which affected Australia because of past practices. We pray that, walking together, we can find a new way forward in this land we call home."

⁵ The Australian Catholic Bishops Conference or ACBC is a national, permanent unincorporated entity that meets at least annually. It is an assembly of the bishops of Australia exercising together certain pastoral offices where they would be better administered nationally – such as establishing and promoting policies relating to Indigenous issues. The Archbishop of Melbourne is a member of the Conference along with the other three Victorian bishops and those from around Australia.

⁶ https://s3.ap-southeast-2.amazonaws.com/acbcwebsite/Articles/Documents/ACBC/Bishops-seek-forgiveness-from-the-Stolen-Generation pdf

⁷ https://www.catholicreligious.org.au/apology-to-indigenous-people-from-religious-orders-of-australia#:~:text=Apology%20to%20Indigenous%20People%20from%20Religious%20Orders%20of%20Australia%20%E2%80%94%20Catholic%20Religious%20Australia&text=%E2%80%9Cl%20wish%20to%20offer%20a,brothers%20and%20priests%20of%20Australia.

♦ In 2001, Pope John Paul II issued a formal apology to the Indigenous peoples of Australia, New Zealand and the Pacific islands for injustices perpetrated by Catholic missionaries in his Apostolic Exhortation *Ecclesia Oceania*:

"Whenever the truth has been suppressed by governments and their agencies or even by Christian communities, the wrongs done to the indigenous peoples need to be honestly acknowledged....The past cannot be undone, but honest recognition of past injustices can lead to measures and attitudes which will help to rectify the damaging effects for both the indigenous community and the wider society. The Church expresses deep regret and asks forgiveness where her children have been or still are party to these wrongs. Aware of the shameful injustices done to indigenous peoples in Oceania, the Synod Fathers apologized unreservedly for the part played in these by members of the Church, especially where children were forcibly separated from their families." (Ecclesia in Oceania, 28).8

This was further acknowledged and confirmed by Pope Benedict in **2008**; and with the papal encyclical, *Fratelli Tutti*, of Pope Francis in **2020**.

Following the National Apology given by Prime Minister Kevin Rudd in **2008**, Australia's Bishops (through the Australian Catholic Bishops Conference – ACBC) called the National Apology to Aboriginal and Torres Strait Islander peoples an "historic and prophetic moment in the life of the Australian nation."

The President of the ACBC stated "Australia is a stronger nation today for having had the humility to say we are sorry that past policies were unjust and wrong, even when they were carried out with good intentions according to the prevailing attitudes of the era." The President recalled the ACBC's own 1998 statement asking victims' forgiveness for the Church's participation in the government policies and promising support for Indigenous peoples. Referring to the National Statement, he said, "Having arrived at this point of healing, we must not fall into the trap of thinking that reconciliation is complete and our obligations as a nation are fulfilled." He further called for an increase in efforts to improve the "..practical circumstances of our Indigenous brothers and sisters," in "..full consultation and collaboration with Indigenous communities." He pledged the Church's continued assistance to helping Indigenous peoples so that all Australians can live "..in peace and unity, with dignity and mutual respect." 9

⁸ https://www.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_ip-ii_exh_20011122_ecclesia-in-oceania.html

 $^{{}^{9} \}quad \underline{\text{https://www.catholicnewsagency.com/news/11792/australian-bishops-applaud-national-apology-to-indigenous-peoples} \\$

CHURCH/ PARISHES (and ASSOCIATED LAND HOLDINGS) WITHIN VICTORIA HISTORICALLY & CURRENTLY)

- 4. Please provide a summary of the number of churches / parishes (and associated land holdings) within Victoria:
 - a. at present;
 - b. throughout the course of the 20th century (noting a high-level summary will suffice, e.g. providing an estimate at the start of each decade etc). and
 - c. (to the extent available) through the 19th century.
- 5. Please provide the total size (hectares) and financial value (from rate statements) of those land holdings (and if not available, a best estimate):
 - a. at present;
- b. as at the start of each decade (i.e. 2010, 2000, 1990, 1980, 1970 etc), through bac k to the start of the 20th century.
- 6. Please provide a summary of all land sales over the past 10 years of Catholic Church / parish land in Victoria
- 7. Please clarify whether it is a Church policy to notify and/or consult with Traditional Owners in respect of sales of Church/parish land.
- 8. Please provide an overview of any programs to:
- a. return surplus church/parish land to Traditional Owners; or
- b. use monies collected through land sales to support Victorian First Peoples.

Question 4a. NUMBER OF CHURCHES / PARISHES (AND ASSOCIATED) LAND HOLDINGS WITHIN VICTORIA.

Scope

As noted in the Overview, and outlined in greater detail in **Appendix I**, the Archdiocese of Melbourne can only respond to this question in relation to Church property held within the Archdiocese.

The Archdiocese has relied on two sources to confirm the number of parishes and their properties:

- 1. A summary from the Australian Catholic Directory (also known as the Official Directory of the Catholic Church in Australia and The Directory ACD) (the **ACD List**); and
- 2. A spreadsheet based on the list of properties provided to the Archdiocese's insurance broker in 2023 (the **Insurance List**).

Using the information from each List, the Archdiocese provides the following approximate figures:

Number of parishes	205
Number of church sites	350
Number of church buildings on those sites	730

These figures are based on the limited information that the Archdiocese has been able to access in a short period of time. They should therefore be used with caution.

Further detail can be found in Annexure A.

Question 4b. NUMBER OF CHURCHES / PARISHES (AND ASSOCIATED LAND HOLDINGS) THROUGHOUT THE COURSE OF THE TWENTIETH CENTURY

Based on the ACD List, the Archdiocese provides the following figures:

Year	Number Parishes	Number of sites including schools
1900	46	176
1910	60	227
1920	82	286
1930	103	348
1940	104	360
1950	121	392
1960	163	438
1970	197	416
1980	223	603
1990	235	545
2000	232	577
2010	218	600
2020	208	637
2024	205	653

Further detail can be found in Annexure A.

Question 4c. NUMBER OF CHURCHES / PARISHES (AND ASSOCIATED LAND HOLDINGS) WITHIN VICTORIA IN THE NINETEENTH CENTURY

Please see the answer below to Question 9 relating to nineteenth century land holdings.

Question 5.

PLEASE PROVIDE THE TOTAL SIZE (HECTARES) AND FINANCIAL VALUE (FROM RATE STATEMENTS) OF THOSE LAND HOLDINGS AT PRESENT AND AT THE START OF EACH DECADE

The Archdiocese relies on information from the Insurance List when citing the figures below. Further information about these figures is included in Annexure B.

Current

Land Size	Financial Value	
112.875 hectares	\$3.278 billion	

Due to the significant amount of time it takes to source the required inputs for the above figures, the land size is based on the average size of a small sample of church sites. It assumes that the Archdiocese holds 350 church sites (see response to question 4a above).

The financial value is the total insured value of the buildings on the church sites. It assumes that there are a total of 730 buildings on the church sites (see response to question 4a above). Further detail can be found in Annexure B.

Historical

The Archdiocese does not hold this data. If the Commission wishes for the Archdiocese to investigate this matter further, please advise.

Question 6.

PROVIDE A SUMMARY OF ALL LAND SALES OVER THE PAST 10 YEARS OF CATHOLIC CHURCH / PARISH LAND IN VICTORIA

This information is set out in Annexure C.

Question 7. CLARIFY WHETHER IT IS A CHURCH POLICY TO NOTIFY AND/OR CONSULT WITH TRADITIONAL OWNERS IN RESPECT OF SALES OF

It is not Archdiocesan policy to notify or consult with Traditional Owners in respect of church or parish land.

If this has been done in the past, it will have been an *ad hoc* initiative of the Archdiocese or parish likely linked to characteristics of the land.

Question 8.

CHURCH/PARISH LAND.

PROVIDE AN OVERVIEW OF ANY PROGRAMS TO RETURN SURPLUS PARISH LAND TO TRADITIONAL OWNERS OR USE MONIES COLLECTED THROUGH LAND SALES TO SUPPORT VICTORIAN FIRST PEOPLES

The Archdiocese and parishes have no programs to return surplus parish land to traditional owners or use settlement monies from land sales to support Victorian first peoples.

This is because, as mentioned above, the Archdiocese and parishes rarely sell property with churches and presbyteries built on them. If land is sold, the proceeds will be returned to the Archdiocese, or parish, with a portion (around 15%) paid to the Parish Mission Development Fund which is used for the establishment of new churches in areas of need.

Further, a notable portion of the land the Archdiocese, or parishes, holds has been donated to the Church either as a living gift or a bequest and sometimes the terms of that gift or bequest have created a special trust that specifies the ways in which that property is to be used. For example, if a parishioner donated their home to be used for housing refugees in the parish, then the property (and if the trust allows a sale) the proceeds of a sale of the property must be used in this manner unless formally agreed to by either the Attorney General as the protector of charitable trusts or the Supreme Court (depending on the value of the property).

In the Archdiocese's opinion there is little 'surplus' land within the diocese. If land is not used directly for church purposes then often an entity associated with the church may use it e.g. a church hall may be shared or given entirely to a community group to become a community

centre or it will be leased and the rent used for church activities. The Commission will see from the land sales data that properties have been sold over the years and characteristics of those sales are:

- The land parcels often small: this is truly 'extra' land that can be subdivided off from main church land.
- The land is often in more regional parishes rather than metropolitan.
- The more expensive of the properties sold are Archdiocesan owned and these have been sold recently to fund historical abuse claim payments.

Finally, as the Archdiocese funds payments arising from historical redress claims, some Archdiocesan property has been sold to meet that liability, but again that land was not surplus: it was either used by the Archdiocese directly, was bought for a prospective use which did not occur – eg, a school site, or the funds generated by the property were used to fund church activities.

ACKNOWLEDGEMENT OF THE CHURCH'S ROLE AS A BENEFICIARY OF FREE / UNDERVALUED LAND GRANTS

- 9. Please list the land grants provided to the Catholic Church in Victoria for little to no financial consideration under:
- a. the Church Act 1836 (NSW) or similar laws (which practice ceased with the State Aid to Religion Abolition Act 1871) (Vic); or
 - b. any other grants from the State of Victoria
- 10. Please list the applications made by the Catholic Church under the State Aid to Religious Abolition Act 1871 (Vic) for leave to dispose of public land reserved for religious purposes and to use the proceeds for the purposes of that Church.
- II. Please summarise any acknowledgements or statements previously made (and provide reference to the supporting documents) by the Catholic Church acknowledging its role as a beneficiary of that land.

Question 9. LAND GRANTS PROVIDED PURSUANT TO THE CHURCH ACT 1936

The Archdiocese's understanding of the chronology of land grants from the NSW and then Victorian governments is as follows:

YEAR	OCCURRENCE
1836	The Church Act 1936 (NSW) is passed to encourage the establishment of churches and the immigration of clergy to assist in governance and education of the growing population. Although the church of State is the Church of England, the NSW government recognises that other religions ought to be recognised and funded pursuant to this Act due to the heterogenous population in Australia i.e. a significant portion of the population was not Anglican.
1841	The first Catholic church in Victoria was founded being St Francis, Melbourne
1844	In 1844 the Diocese of Port Phillip was erected
1851	In 1851 the State of Victoria is founded
1853	The Church Act 1853 (Vic) is passed. It provides for funding that is more generous than the NSW Act. There is dissent in government administrators as to whether only the Church of England ought to be recognised and so the majority of funds do go to that Church although the Catholic church receives significant funding for both priest stipends and church building – see below
1871	After much debate about whether it was appropriate for the State to fund churches at all as well as debate over whether churches other than the Church of England ought to funded, the State Aid to Religion Abolition Act 1871 is passed.
1874	In 1874 the Archdiocese of Melbourne is erected and the dioceses of Ballarat and Sandhurst are likewise created.
1887	The Diocese of Sale was erected

The following two tables and graph extracted from a thesis on the NSW and Victorian Church $Acts^{10}$ may be of interest to the Commission:

Table 4.3: Government grants for the building of churches and payment of stipends for the years 1836 to 1877.

Denomination	Amount Granted for	Amounts Granted	Amount Granted
	Churches	for Stipends	for Dwellings
Church of England	245,315.13.10	212,746.16.09	14,360.03.09
Catholic	126,682.14.05	119,296.14.08	14,131.12.02
Presbyterian	62,168.09.08	63,676.13.07	13,290.15.06
United Presbyterian	933.16.09	526.00.00	23.18.06
Free Presbyterian	10,897.02.07	10,834.16.02	651.16.02
Wesleyan	48,101.05.06	47,467.03.06	2,949.15.06
United Methodist Free Church	120.15.04		0
Calvinistic Methodist	343.13.00	202.06.08	0
Primitive Methodist	2,642.02.11	3,007.11.10	747.16.04
Lutheran	7,914.09.07	9,652.03.05	2,532.10.00
Lutheran Section B	Grant is included in Lutheran grant.	418.17.11	0
Free Church of England	353.15.06	76.07.05	0
Unitarian	2,302.09.07	1,806.03.07	528.01.06
Bible Christians	415.18.03	821.10.00	0
New Connection Methodist	25.14.05	30.00.00	0
Reformed Presbyterian	22.16.09		45.13.05
Catholic Apostolic	52.00.10	18.19.10	10.08.02
Total	508,292.18.11	470,674.15.00	49,272.11.00

Table 4.3.23

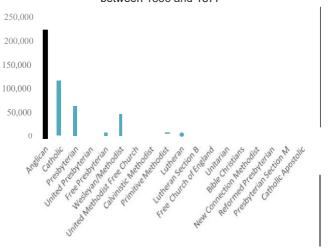
22

¹⁰ Give them Churches: an analysis of the importance of the 1836 Church Act by Diana McKinley November 2022. A doctoral thesis submitted to the Catholic Theological College of the University of Divinity.

Table 4.4: Churches built with government grants between 1836 and 1877.

Denomination	Churches Built	
Church of England	196	
Presbyterian	165	
Catholic	111	
United Presbyterian	7	
Free Presbyterian	7	
Wesleyan	34	
United Free Methodist	1	
Calvinistic Methodist	2	
Primitive Methodist	6	
German Lutheran	6	
Lutheran Section B	5	
Free Church of England	2	
Unitarian	1	
Bible Christians	2	
TOTAL	545	

Graph **4.5:** Total amounts granted by the government for the building of churches between 1836 and 1877



From the nine Australian Catholic Directories the Archdiocese holds from the period 1841 to 1876 (noting that some of these are not national directories but for the Archdiocese of Sydney only) it is evident that in 1858 there were the following parishes within, the then, Diocese of Port Phillip.

- Bacchus Marsh
- Williamstown
- Heidelberg
- Pentridge
- Richmond
- Brighton and St Kilda
- Emerald Hill
- Broadmeadows
- Kilmore
- Wangaratta
- Gipps' Land
- Bendigo
- Kyneton
- Castlemaine
- Geelong
- Colac
- Warnambool
- Port Fairly
- Portland
- Hamilton
- Keilor
- Sandhurst

Accordingly, it is likely that of the approximately III Catholic churches built between 1836 and 1877, many, if not most of the churches in these parishes will have been funded by government.

It is important to note that when government funding was granted, it was on a matching basis. A parish had to raise a minimum of 300 pounds to secure government funding, and then the government would match funds raised by that parish.

To discern which churches were established using government funds, the Archdiocese used the Insurance List and looked at three sources:

- The duplicate certificate of title
- The internet mostly the parish's history and sites on the architecture of churches or church organs
- Relevant archival records such as books on local Catholic history and the thesis on the Church Acts already mentioned.

This process takes some approximately 30 – 60 minutes per property and so, as with the land measurements, we have completed parishes starting with "A" and "B" only. The table is included in **Annexure B**. The sample revealed that most property has been purchased, and then a small amount was the result of a donation or bequest, and three the subject of a grant.

Question 10.

APPLICATIONS MADE BY THE CATHOLIC CHURCH UNDER THE STATE AID TO RELIGIOUS ABOLITION ACT 1871 (Vic) FOR LEAVE TO DISPOSE OF PUBLIC LAND RESERVED FOR RELIGIOUS PURPOSES AND TO USE THE PROCEEDS FOR THE PURPOSE OF THAT CHURCH.

The Archdiocese has no record of such applications being made.

The Archdiocese did search Government Gazettes looking for such listings in years in which property was most likely to have been sold but no results were found. This is likely because:

- 1. The grants made between 1841 (the first Catholic church) and 1877 went to establishing churches which became the core sites for Catholicism in Victoria. Unless these sites were sold so larger or more permanent church could be built elsewhere, it is unlikely these sites would have been sold.
 - Such core sites include St Patrick's Cathedral, East Melbourne, St Augustine's, Melbourne and Immaculate Conception, Hawthorn. These sites are subject to grants and are all particularly large churches that are key to the Archdiocese's operations.
- 2. Very few churches have been sold off overall. The Catholic Church has continued to grow since the establishment of churches in the Archdiocese. Accordingly, the property portfolio has expanded. Property, that parishes or the Archdiocese holds that does not have a church on it, is more likely to be sold, but this property is also unlikely to have been the subject of a grant.

3. In line with the Decentralised Model for Parish Property Control, when a property is sold, it is often the parish that appoints lawyers or conveyancers to organise the transaction. Those practitioners may be unaware of how the property came into the parish or Archdiocese's hands – and the Archdiocese (including its Trustee entity) do not keep a register of the origin of property because (omitting the requirement to make applications under the State Aid to Religion Abolition Act 1871 (Vic) of which the Archdiocese is now aware), this information is not needed.

Question II. SUMMARISE ANY ACKNOWLEDGEMENTS OR STATEMENTS PREVIOUSLY MADE BY THE CATHOLIC CHURCH ACKNOWLEDGING ITS ROLE AS A BENEFICIARY OF THAT LAND.

To the Archdiocese's knowledge, no such statements or acknowledgements have been made.

ACKNOWLEDGEMENT OF SYSTEMIC RACISM

12. Please summarise the Catholic Church's position on systemic racism towards First Peoples in Victoria; referencing any public positions or announcements previously made on this topic.

Question 12. STATEMENTS

A history of Advocacy

"The Catholic Church in Australia has been caught up in this history of dispossession, Stolen Generations, racism, and the undermining of language and culture. Dioceses, eparchies, and religious institutes have made sincere efforts to share faith, education, and pastoral services with Aboriginal and Torres Strait Islander people. However, much suffering has been inflicted by the historically misguided attempts of those who were ignorant of the cultural richness of these peoples." (Fifth Plenary Council of Australia 2022)

The Catholic Church in Australia has long been a strong advocate for social justice and equality. Catholic Social Teaching on Indigenous Peoples, in particular, says that the life and dignity of Indigenous peoples should always be protected in the same way that the life and dignity of every human being should be protected.

In 1845, Australia's first Archbishop, John Bede Polding (under whose jurisdiction the Catholic communities within Victoria and Melbourne came at the time), spoke powerfully to an inquiry by the NSW Legislative Council in 1845 describing settlement of the colony as 'occupation by force, accompanied by murders.' At one point in his evidence, he put himself in the place of Aboriginal and Torres Strait Islander peoples when he declared: "... putting myself in that position, and taking away all that I know except that this is my country, that my father lived by pursuing the emu, and the kangaroo, that I am driven away from my hunting grounds, that my children and tribe are subjected to the grossest barbarities." When he was asked if he was assuming too much in thinking that Aboriginal and Torres Strait Islander people could have such feelings, he responded with power and insight: "The Aborigine will demand, 'What right have you to come here? We have not asked you to come, and you take away our lands, you drive away our means of subsistence."

Writing further in a pastoral letter of 1849, Dr Polding stated "....the first occupants of the lands over which your flocks and herds now roam — have a very strong claim upon you. Nor will the Lord hold you innocent if you have not used your best endeavours to promote their temporal and eternal well-being."

The Plenary Council of the Australian Catholic Bishops held in Melbourne denounced the treatment of Aboriginals by colonists in 1869 and pleaded for justice for the Aborigines; '...the stain of blood is upon us – blood has been shed far otherwise than in self defence – blood in needless and wanton cruelty.'

Such advocacy was repeated and endorsed in the Catholic Bishops Social Justice Statement of 1978 Aborigines – A Statement of Concern and again in the 2023 Social Justice Statement Listen, Learn, Love. ¹¹ The Catholic Church in Australia – echoed in Victoria and Melbourne, has held strong position against systemic racism embodied in the call for respect of First peoples and in making meaningful reparation for the past.

While the Catholic population in Australia fell between the years 2011 and 2016 – the first such drop recorded in history – the number of Indigenous Australians identifying as Catholic increased. At the last census 120,000 Aboriginal and Torres Strait Islander people identified

¹¹ Links to these Statements can be found at Pages 28-32.

as Catholics. It is the youngest and fastest growing demographic in the Australian Catholic Church today.

The Church has issued many statements on Indigenous issues, including the 2006 Social Justice Statement *The Heart of Our Country: Dignity and justice for our Indigenous brothers and sisters.* Successive Popes have spoken strongly about the place of Indigenous peoples. Further, Pope John Paul II gave a famous address to Indigenous Australians in 1986.

The key messages shared by the Catholic Church particularly focus on the unacceptable challenges that Indigenous Australians face, and addressing those challenges is a national priority. The Church has expressed its regret and asked forgiveness for the part it played in past injustices. Alongside the Commonwealth and state and territory governments, the Catholic Church and others faith-based and charitable organisations are working hard to reverse the cycle of disadvantage.

The Catholic Church is committed to supporting Indigenous ministry across the country, including in remote communities, nourishing people's faith, offering education, health care and social services.

Public positions and Announcements made by the Catholic Church in Australia We outline below various public positions and announcements made by the Catholic Church:

"You are part of Australia and Australia is part of you. And the Church herself in Australia will not be fully the Church that Jesus wants her to be until you have made your contribution to her life and until that contribution has been joyfully received by others." (Pope John Paul II, Alice Springs 1986).

- **1845:** Australia's First Archbishop, Dr Polding (when Victoria came under Sydney Jurisdiction) spoke powerfully to an inquiry by the NSW Legislative Council. https://hunterlivinghistories.com/wp-content/uploads/2018/01/1845-condition-of-aborigines-transcript-final.pdf
- 1849: Archbishop Polding Pastoral Letter
- **1869:** Plenary Council of the Bishops of Australia (held in Melbourne): public denouncement of treatment of Aboriginals. https://trove.nla.gov.au/newspaper/article/115432426

• 1938: Archbishop Daniel Mannix (Melbourne) supported Aboriginal Activist William Cooper, one of the founders of 'Australian Aboriginal League' and assisted him in the wording of the famous petition.

https://www.naa.gov.au/students-and-teachers/student-research-portal/learning-resource-themes/first-australians/politics-and-advocacy/william-cooper-petition-cabinet-paper-1938

- 1967: Catholic Church strongly supported referendum: https://digital.collections.slsa.sa.gov.au/nodes/view/2761
- 1973: First Aboriginal Mass celebrated at the 1973 Eucharistic Congress in Melbourne (30,000 in attendance):
 https://melbournecatholic.org/news/ancient-and-new-remembering-the-first-aboriginal-catholic-liturgy-50-years-on#:~:text=On%20the%20afternoon%20of%20Saturday,the%20Sidney%20Myer%20Music%20Bowl.
- 1978: Aborigines Statement of Concern published by the Catholic Commission for Justice and Peace Australian Catholic Bishops Conference.
- 1980 Joint Pastoral Letter Catholic Bishops of Australia: arguing that 'recognisable Aboriginal groups have rights to the ownership of communal land since the land would seem to be at the very core of their identity.'
- 1986 (Nov 29): Address of Pope John Paul II to the Aborigines and Torres Strait Islanders in 'Blatherskite Park' Alice Springs: https://s3.apsoutheast2.amazonaws.com/acbcwebsite/Articles/Documents/ACBC/Address%20John%20Pall%20II%20to%20the%20Aborigines%20and%20Torres%20Strait%20Is%2029%20Nov%20I986.pdf
- 1987: Ecumenical Statement released A Just and Proper Settlement (which anticipated the Bicentennial of 1988).
- 1992: National Aboriginal and Torres Strait Islander Catholic Commission (NATSICC) formed and recognised as an advocate on Aboriginal issues and concerns.

- 1993: Second National Aboriginal Mass held in Melbourne on the Yarra River. Over 300 Aboriginal and Islander people from all round Australia, and more than a thousand others attended.
- 1996: Invisible No More a History of Aboriginal Catholic Ministry Melbourne (ACMM) 1986-1996 published.
- 1997 (July 6): Australian Catholic Bishops Conference Statement of Sorry: https://www.natsicc.org.au/assets/bishops-apology.gif
- 1997: Message Stick: Archbishop of Melbourne accepts the National Message Stick that was used in the second National Aboriginal Mass of 1993, and requests that ACM design a large forecourt mosaic for St Patrick's Cathedral.
- 1998 (May 26): Bishops seek forgiveness from the Stolen Generation.
 Catholic Bishops Conference Statement on National Sorry Day:
 https://s3.ap-southeast-2.amazonaws.com/acbcwebsite/Articles/Documents/ACBC/Bishops-seek-forgiveness-from-the-Stolen-Generation.pdf
- 1998 (May 26): The Australian Catholic Social Justice Council of the Catholic Church in Australia, statement on National Sorry Day.
- 2003: Social Justice Statement. A generous heart in the love of Christ:
 Challenging racism in Australia today.
 https://s3.ap-southeast 2.amazonaws.com/acbcwebsite/Articles/Documents/OJEP/Social-Justice-Statement 2003.pdf
- 2005: National Message Stick Relay "Pass it On" commences in commemoration of 20 years since Pope John Paul II's visit to Alice Springs.
- 2006: Catholic Social Justice Statement 'The Heart of our Country. Dignity and justice for our Indigenous sisters and brothers'
 https://s3.ap-southeast-2.amazonaws.com/acbcwebsite/Articles/Documents/OJEP/Social-Justice-Statement-2006.pdf

 2008: Australian Bishops applaud National Apology to Indigenous Peoples:

https://www.catholicnewsagency.com/news/11792/australian-bishops-applaud-national-apology-to-indigenous-peoples

• **2016 (May):** A Vote for the Voiceless – Statement by the Catholic Bishops of Australia on the election.

https://s3.ap-southeast-

 $\underline{\text{2.amazonaws.com/acbcwebsite/Articles/Documents/ACBC/ACBC_election_statement_2016.pdf}$

 2017: The Strength & Blessing of Indigenous Family Life – Statement Aboriginal and Torres Strait Islander Sunday.

https://s3.ap-southeast-

2.amazonaws.com/acbcwebsite/Articles/Documents/ACBC/ATSI_Sunday_2017%20% 5BA4%5D%20WEB.pdf

• 2021: Australian Catholic Bishops endorse Uluru Statement from the Heart

https://melbournecatholic.org/news/bishops-endorse-uluru-statement-from-the-heart

2022 (July 5-9): Decree No. I. on First Nations Peoples from the Fifth Plenary Council of Australia: the national process of discernment for the Catholic Church in Australia.

https://plenarycouncil.catholic.org.au/wp-content/uploads/2022/07/FINAL-Decree-I-Reconciliation-Healing-Wounds-Receiving-Gifts.pdf

- 2023: Australian Catholic Bishops Back Call for Indigenous Voice: https://www.catholic.au/s/article/Bishops-Back-Call-for-Indigenous-Voice
- 2023 (Feb 22): Open Letter to Federal Parliamentarians on the Aboriginal and Torres Strait Islander Voice Referendum https://religionsforpeaceaustralia.org.au/wp-content/uploads/2023/02/Faith-leaders-loint-Letter-FINAL.pdf

- 2023 (May II): Media Release; Bishops issue statement on Indigenous Voice to Parliament:
 https://indigenousvoice.church/wp-content/uploads/2023/05/2023-05-II-Bishops-issue-statement-on-Indigenous-Voice-to-Parliament-I.pdf
- **2023: Archbishop Comensoli Statement re The Voice:** "My hope is simply that Catholics will be inspired by Jesus to join the hard work of finding constitutional recognition of the voice of First Peoples into our Parliament and that reconciliation will find new energy and witness at this moment in history."
- 2023: Catholic Social Services Victoria: 'Relentlessly Pursuing Reconciliation'. A Statement supporting a constitutionally enshrined Voice to Parliament.
- 2023 (Oct): Listen, Learn Love; A New engagement with Aboriginal and Torres
 Strait Islander Peoples. 2023 Social Justice Statement.

 https://drive.google.com/file/d/IMIZu36K9innosigfuoZS9ykMilXxc3ms/view

Further resources that embed acknowledgment and advocacy for First Peoples

The Catholic Archdiocese of Melbourne, the Archdiocesan *Proclaim: Team for Missionary Renewal*; ACMV, Melbourne Catholic Archdiocese Schools and numerous Catholic social justice and welfare providers make available various materials for parish priests, parishioners and others involved in the Church with which to educate on matters important to First Peoples. Such pathways and offerings can be seen in the following examples:

Cultural Competency in a Catholic Context – NATSICC (National Aboriginal and Torres Strait Islander Catholic Council) eLearning Course https://www.natsicc.org.au/cross-cultural-training.html

Aboriginal and Torres Strait Islander Sunday (yearly resources) https://www.natsicc.org.au/2023-atsi-Sunday.html

Catholic Archdiocese of Melbourne – Safeguarding Children and Young People Antidiscrimination and Racism Policy

Culturally safe environments for Aboriginal and Torres Strait Islander children and young people

The Catholic Archdiocese of Melbourne respects and values Aboriginal and Torres Strait

Islander children and young people and seeks to provide a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal and Torres Strait Islander children and young people are respected and valued.

We do this by:

- ensuring that all Church personnel are aware of their obligations to provide a culturally safe environment for Aboriginal and Torres Strait Islander children and young people, including under the SWCYP Policy and Safeguarding Children and Young People Code of Conduct.
- consulting on a regular basis with Aboriginal and Torres Strait Islander children, young people, parents, carers, families and their communities to understand cultural safety and welcome feedback.
- providing a welcoming and inclusive environment for Aboriginal and Torres Strait Islander children, young people and their families.
- ensuring Church personnel encourage and support Aboriginal and Torres Strait Islander children and young people to express their culture and enjoy their cultural rights, and provide them with support to do so.
- providing child safety training that includes training on cultural safety and supports to Church personnel to understand, respect and value Aboriginal culture and understand the importance of this to the wellbeing and safety of Aboriginal and Torres Strait Islander children and young people.
- providing an online environment that is culturally safe and welcoming for Aboriginal and Torres Strait Islander children and young people.
- making a clear statement that racism will not be tolerated, and that strategies will be embedded to identify and respond to racism, so that Aboriginal and Torres Strait Islander children and young people feel safe and empowered to participate.
- honouring days of significance to Aboriginal and Torres Strait Islander children and young people, including celebrating Sunday Mass during National Aborigines and Islanders Day Observance Committee (NAIDOC) week.

https://melbournecatholic.org/uploads/documents/Antidiscrimination_and_racism_policy Oct23 2024-02-28-234745 fjjb.pdf\

SUPPORT FOR TRUTH TREATY and RECONCILIATION WITH FIRST NATIONS COMMUNITIES

- 13. Please provide an overview of the Catholic Province of Victoria's position on Truth, Treaty and reconciliation with First Peoples.
- 14. Please outline any current or planned redress or reconciliation initiatives for Victorian First Nations communities.

Question 13. TRUTH, TREATY and RECONCILIATION

The Catholic Church in Australia remains a strong voice for Truth, Treaty and reconciliation with First Peoples and in the seeking of improvements to the welfare for all Indigenous Australians. Reconciliation is a deeply Christian concept grounded in the Gospel imperatives of truth, justice, and love.

The documentation provided for Questions 3 and 12 outlines the voice of the Church into the public arena on these issues. The voice of the Church in Melbourne is not separate to the national voice through the Australian Catholic Bishop's Conference and wholeheartedly commits to the same positions.

In addition to the significant statements made by the Catholic Church in Australia, the Catholic community in Melbourne, under the current leadership of Archbishop Peter A Comensoli, and notably through the enormous efforts of Aboriginal Catholic Ministry Victoria, has led groundbreaking programs and pathways not only to raise awareness in the community for Indigenous peoples, but to provide support to First Peoples in their daily lives.

Archbishop Peter A Comensoli (appointed in 2018) speaks regularly on both his personal commitment to Indigenous reconciliation and to the furthering of such efforts through the works and actions of the Catholic Archdiocese of Melbourne. The following references pertain to public statements and to the recognition through the ministries of the Archdiocese.

CELEBRATING ABORIGINAL AND TORRES STRAIT ISLANDER SUNDAY 2021 Homily by Archbishop Peter A Comensoli

"For the Indigenous peoples of Australia, the history of our common homeland is marked throughout with a... trajectory of amnesia and mistrust. Our Aboriginal neighbours know better than anyone what it feels like to be forgotten, misunderstood and dismissed from their own homeland....There is a deep river of sacramental imagination running through the lives, traditions and customs of Aboriginal and Torres Strait Islander people. The visible land around is full of the invisible presences of life and spirit. Songlines of meaning and purpose are woven through every nook and cranny of this vast continent of ours. Recognition and reconciliation are more than just abstract concepts to be put into laws....On this Aboriginal and Torres Strait Islander Sunday, may we — First Peoples; colonising settlers; migrants and refugees; Australian people all — recognise the "sacramental" signs that might bring to us all a renewal of life together, a recognition of our varied identities and a reconciliation between one another."

https://css.org.au/celebrating-aboriginal-and-torres-strait-islander-Sunday/

FAITH LEADERS SUPPORT ULURU STATEMENT (May 2022) - Archbishop Peter A Comensoli

"My hope is simply that Catholics will be inspired by Jesus to join the hard work of finding constitutional recognition of the voice of first peoples into our Parliament and that reconciliation will find new energy and witness at this moment in history," said Melbourne Archbishop Peter Comensoli. "I am personally moved by the deep yearning expressed in the Statement from the Heart, and I am so encouraged that faith leaders have offered a response from the heart of their own spiritual traditions. My hope is simply that Catholics will be inspired by Jesus to join the hard work of finding constitutional recognition of the voice of first peoples into our Parliament and that reconciliation will find new energy and witness at this moment in history."

https://www.columban.org.au/media-and-publications/articles/features/2022/faith-leaders-endorse-uluru-statement-from-the-heart

ULURU STATEMENT OFFERS A GIFT OF GRACE TO OUR NATION 2 June 2022 The Australian - Archbishop Comensoli

"The time has come for political leaders and our nation to respond fully, respectfully, and practically. We urge bipartisan support for the Statement from the Heart and are grateful for the courageous parliamentarians of all political parties who have given thoughtful and heartfelt collaboration to work on reconciliation and finding a real policy response to what the statement asks and seeks." https://www.theaustralian.com.au/commentary/uluru-statement-offersgift-of-grace-to-our-nation/news-story/10bf7b9951affe5e1920cb4bfc5366d1

STATEMENTS FROM THE SOUL ed. Shireen Morris & Damien Freeman (2023 La Trobe Press)

A collection of religious reflections on the Uluru Statement from the Heart from a variety of faith traditions.

"Archbishop Comensoli reflects on the relational elements of "lifting up our hearts" to Aboriginal Australians. The Uluru Statement is not a "static utterance to fill a void" but is rather a dynamic invitation to relationship, "an invitation and not as a command."

Jubilee Reconciliation Project

In 2000 a Jubilee Reconciliation Project was launched in Melbourne for parishes focusing on 'Justice Based on Truth', incorporating workshops based on "Returning the Land". As part of this Project and Ecumenical Service of Reconciliation was held at St Patrick's Cathedral (on National Aboriginal Sunday) with a Reconciliation Walk held in the December.

Question 14. RECONCILIATION INITIATIVES

Reconciliation initiatives are embraced in the ongoing commitment of all agencies and ministries within the Catholic Archdiocese of Melbourne to acknowledge, educate, resource and support First Peoples.

The Fifth Plenary Council

The Fifth Plenary Council of Australia (July 2022) established the pathways for all dioceses in Australia to follow particularly in relation to Reconciliation. This forms our Reconciliation Action Plan for the Catholic Archdiocese of Melbourne.

1. The Fifth Plenary Council of the Catholic Church in Australia:

- (a). says sorry to Aboriginal and Torres Strait Islander people in and beyond the Church for the part played by the Church in the harms they have suffered;
- (b). commits to walk with Aboriginal and Torres Strait Islander people in continuing to work towards recognition, reconciliation and justice;
- (c). joyfully receives and accepts the recommendations contained in the NATSICC position paper "Embracing Aboriginal and Torres Strait Islanders in the Life of the Catholic Church"; and

(d). endorses the Uluru Statement from the Heart and encourages engagement with processes for implementing the statement, including local, regional, and national truth-telling efforts.

2. The Fifth Plenary council of Australia decrees: Article I

That each Catholic school, parish, diocese, eparchy or organisation will respond to the recommendations contained in the NATSICC position paper, "Embracing Aboriginal and Torres Strait Islanders in the Life of the Catholic Church" in the following ways:

- (a). acknowledges in a prominent and appropriate manner the Traditional Custodians of the land upon which their buildings stand;
- (b). includes the online Cultural Competency in a Catholic Context course developed by NATSICC and approved by the Bishops Commission for Relations with Aboriginal and Torres Strait Islander Peoples in the orientation and/or ongoing formation of staff and volunteers to enable more effective and appropriate ministry;
- (c). ensures that any retreats and other formation activities offered are culturally appropriate; d. works actively to include Aboriginal and Torres Strait Islander people on its committees, boards and decision-making bodies.

https://plenarycouncil.catholic.org.au/wp-content/uploads/2022/07/FINAL-Decree-I-Reconciliation-Healing-Wounds-Receiving-Gifts.pdf

Other initiatives

Whilst there is always more work to be done, examples of these directions in action within the Catholic Archdiocese of Melbourne can be seen clearly in the following:

I. Melbourne Catholic Archdiocese Cultural Competency in a Catholic Context

As part of child safety training all Church personnel are required (according to the Archdiocesan Safeguarding and Wellbeing of Children and Young People Policy 2023) to undertake training on cultural safety.

https://melbournecatholic.org/uploads/documents/Safeguarding_and_wellbeing_of_children and young people policy Oct23 2024-02-28-234649 yozt.pdf

2. Melbourne Catholic Archdiocese Schools (MACS) Aboriginal and Torres Strait Islander Education

Melbourne Archdiocese Catholic Schools (MACS) provides consultancy support to schools to meet the educational and cultural needs of Aboriginal and Torres Strait Islander students. Grants are available on an annual basis and cultural and curriculum support is also available through dedicated Aboriginal and Torres Strait Islander Education Officers. Services provided by MACS include:

- · cultural awareness training
- consultancy
- funding to primary schools to support literacy and numeracy outcomes
- funding to secondary schools for either school-based support or tutoring
- advice regarding appropriate resources including books, DVDs and relevant websites
- guidance in how to engage with local Aboriginal and Torres Strait Islander groups.

https://www.macs.vic.edu.au/Our-Schools/Students-with-Diverse-Learning-Needs/Aboriginal-and-Torres-Strait-Islander-Education.aspx\

3. Safeguarding - Catholic Archdiocese of Melbourne Commitment to the safety of children and young people

By the directive of the Catholic Archbishop of Melbourne Peter A Comensoli, this commitment extends to clergy, employees and volunteers within the Archdiocese, regardless of their role or level of responsibility to act to safeguarding children and young people from abuse.

The Catholic Church has a mission-driven moral and legal responsibility to create nurturing environments where children are respected, where their voices are heard, and where they feel safe and are safe. We acknowledge that preventing child abuse requires proactive approaches across policies, procedures and practices consistent with the requirements of the Victorian Child Safe Standards and the National Catholic Safeguarding Standards (informed by the National Principles for Child Safe Organisations).

4. Aboriginal and Torres Strait Islander Education Action Plan

(Victorian Catholic Education Authority VCEA)

VCEA is the peak body for Catholic school education in Victoria. The Education Action Plan embeds a foundation stone statement – the commitment of the VCEA to support schools and the actions that will enable them to strengthen each of the following priority areas:

- Catholic identity
- leadership, quality teaching and workforce development
- culture and identity
- partnerships
- attendance
- transitions and pathways
- literacy and numeracy.

5. Aboriginal Catholic Ministry (ACM, ACMM, ACMV)

In 1984, a group of Aboriginal Catholics began to meet informally in their homes in Melbourne and at St Francis Church in the city. Using the name 'Aboriginal Catholic Ministry Group', they held regular meetings. Following the trip by several members to Alice Springs to meet Pope John Paul II and hear his address to Aboriginal and Torres Strait Islander peoples, they return full of enthusiasm and eager to develop their ministry, and to seek the sanction and support of the Archbishop. In 1988 the ACM receives its own place when the Archdiocese of Melbourne purchases a house in Thornbury for their use, and the following year the name Aboriginal Catholic Ministry is formalised and approved through the Archdiocese.

6. Aboriginal Flag

In 1997, the Aboriginal Flag was raised for the first time at St Patrick's Cathedral during NAIDOC Week. It remains in position today in the main forecourt of St Patrick's Cathedral Melbourne.

7. The Message Stick & Stone Inlay at Saint Patrick's Cathedral

The Aboriginal Message Stick housed in Saint Patrick's Cathedral and the beautiful Stone Inlay in the Cathedral forecourt are magnificent and poignant additions to the Catholic heritage of Melbourne. In 1993 on the 20th Anniversary of the First Aboriginal Mass celebrated in Melbourne, Aboriginal Catholic people travelled from the remotest parts of the land as well as from the Torres Strait to Melbourne. They undertook the journey to keep the story alive and to celebrate the second national Aboriginal Mass. This ceremony was held on the banks of the Yarra River as the opening of the 1993 National Liturgical Music Convention. During the Gospel a Message Stick prepared by Agnes Palmer and Arrente elder from Santa Teresa Alice Springs was carried. At the close of this ceremony, before returning to their country, the Aboriginal Catholic elders requested that the Message Stick be kept in a sacred place. Their choice was St Patrick's Cathedral. From 1994-1998 the members of the Aboriginal Catholic Ministry acted as the appointed

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custodians of this important artefact. On Sunday, 5 July, 1998, it was installed in its rightful place in the Cathedral.

A new Message Stick was presented to Archbishop Comensoli in July 2023 on behalf of the Aboriginal Catholic Community of Victoria. This new Message Stick is one of more than 600 message sticks in parishes and schools across the state of Victoria, and that they exist as 'a testament to the wonderful resource that we offer in reconciliation with the wider community. This message stick represents Aboriginal people's contribution to the Catholic Church in Australia.' - Sherry Balcombe, Director ACMV

8. Melbourne Mass

To mark the 175th Anniversary of the Catholic Diocese of Melbourne, a new Mass setting, arranged by Dr Philip Matthias, Director of Music at St Patrick's Cathedral, was written for both Anglican and Catholic liturgies, bringing together families, individuals, histories and stories to create a collaborative musical setting. Entitled One Family in Christ. The setting embraces Aboriginal, Torres Strait Islander, Irish, Croatian, Tongan, Vietnamese and Filipino communities and their music. The final product acknowledges the First Peoples, settler and multicultural histories and communities of Australia, with an Aboriginal and Torres Strait Islander Kyrie composed by John Wayne Parsons; a traditional Tongan gospel acclamation: Irish Gloria: traditional Torres Islander Sanctus composed by Toby Whaleboat; a Filipino Agnus Dei composed by Therese Medina; a Croatian psalm setting; a Lamb of God composed by Robert Pida, and a hymn and intercessions sung in traditional Vietnamese.

https://melbournecatholic.org/news/special-mass-setting-to-mark-¹⁷5th-anniversary-of-melbourne-diocese

9. ATSI SUNDAY

Every year on the first Sunday in July (part of NAIDOC Week), the Catholic Church in Australia celebrates Aboriginal and Torres Strait Islander Sunday. This is replicated throughout every parish in the Catholic Archdiocese of Melbourne, with a particular gathering at St Patrick's Cathedral led by Archbishop Comensoli. This is a time for Catholics to come together to acknowledge and celebrate the gifts of Australia's First Peoples in the Catholic Church. The National and Aboriginal and Torres Strait Islander Catholic Council (NATSICC) provides prayers, hymns, Homily, community action plans and multimedia resources for parishes to bring an authentic voice into their worship and celebration.

"In Australia we are blessed to be home to the world's oldest continuing Culture and the resources

that we have created and collated will assist you to celebrate this very important day on our Liturgical Calendar." (NATSICC website).

https://www.natsicc.org.au/2023-atsi-sunday.html

APPENDICES ON FOLLOWING PAGES

APPENDIX I. SCOPE OF THIS SUBMISSION

APPENDIX I - SCOPE OF THIS SUBMISSION

Within the boundaries of the Archdiocese of Melbourne are many Catholic entities with many different:

- **structures** some are companies limited by guarantee, others are unincorporated associations, some are incorporated associations.
- **governance models** some organisations are governed by boards or councils, others by the Archbishop personally or the College of Consultors (archdiocesan consultative body).
- **relationships to the Archdiocese** some entities are under the control of the Archbishop, others merely have the Archbishop's consent to operate as an entity that identifies as Catholic within the bounds of the Archdiocese and yet others are under the control of the Archbishop and other Victorian bishops.
- **objectives and roles** some are hospitals and health organisations, some are schools and colleges, others are aimed at social services.

What entities are included and excluded in this Submission?

Included Entities

- the Archdiocese itself (here meaning the central offices of the Archdiocese).
- the Parishes, of which there are over 200.

Excluded Entities

• Other dioceses:

- as described in the overview, dioceses are, generally speaking, peer organisations and generally do not give authority to speak on another's behalf. In this way, dioceses are similar to States of Australia – they are all sovereign in their area – however the bishops are answerable to the Universal Roman Catholic Church. Even the Australian Catholic Bishop's Council must be provided with the authority of its member

bishops to create a policy, and that policy holds in the diocese so long as the bishop of that diocese wishes it.

Schools – primary:

 Parish schools are now governed by Melbourne Archdiocese Catholic Schools Ltd. Most, if not all, parish schools are co-located / adjacent to the parish church. There are over 300 parish primary schools within the Archdiocese.

Schools – secondary:

Secondary schools are operated by various Religious Congregations e.g.
 Xavier College, Marcellin College, Star of the Sea, Our Lady of the Sacred Heart – some of which operate across many States of Australia.

• Religious Congregations:

The Religious Congregations excluded from this Submission are listed below.

• University Residential Colleges:

- There are three Catholic residential colleges within Universities in the Archdiocese – Newman College (University of Melbourne), St Mary's College (University of Melbourne), and Mannix College (Monash University) as well as a regional seminary for Victoria and Tasmania Corpus Christi College.

• Universities:

- There are two universities being Australia Catholic University and University of Divinity (a Collegiate University).

• Retirement villages and residential aged care facilities:

- Villa Maria Catholic Homes operates care services for the aged and for people with a disability.

Hospitals:

- Health care services such as St Vincent's Hospital, Cabrini Health, Mercy Health, Calvary Health, St John of God.

Associated charities and social services entities:

Charities such as Catholic Care Victoria Ltd; John Pierce Centre (a centre for the deaf and hearing impaired) and Melbourne Overseas

Missions Fund Inc. as well as charities that identify as Catholic but may be governed internationally or nationally such as St Vincent de Paul Society.

If the Yoorrook Justice Commission wishes to procure further information from the excluded entities, the Archdiocese can provide relevant contact details. For the large majority of these organisations, the Archdiocese cannot compel co-operation, but can facilitate contact.

Excluded Religious Congregational Entities

(noting not all may have been resident in Victoria)

Clerical Religious	Religious Sisters	Religious Sisters
Augustinian Fathers OSA	Antonine Sisters AS	Poor Clare Colettines PCC
Benedictine Fathers OSB	Augustinian Sisters ASMJ	Poor Sisters of Nazareth CSN
Blessed Sacrament Fathers SSS	Basilian Chouerite Sisters	Presentation Sisters PBVM
Capuchin Franciscan Friars OFM	Basilian Nuns OSBM	Salesian Sisters FMA
Carmelite Friars O Carm	Blessed Sacrament Sisters SSS	Sisters Servants of Mary Immaculate SSMI
Cistercian Monks OSCO	Brigidine Sisters CSB	Sisters of Charity RSC
Confraternity of Christ the Priest CCS	Carmelite Nuns OCDM	Sisters of Jesus Good Shepherd "Pastorelle" Sisters SJBP
Divine Word Missionaries SVD	Daughters of Charity DC	Sisters of Mercy RSM
Dominican Friars OP	Daughters of Divine Zeal FDZ	Sisters of Nazareth SON
Franciscan Friars OFM	Daughters of St Paul FSP	Sisters of Our Lady of Sion NDS
Missionaries of God's Love MGL	Discalced Carmelite Nuns OCDM	Sisters of Our Lady of the Missions RNDM
Missionaries of the Sacred Heart MSC	Dominican Sisters Eastern Australia OP	Sisters of St Joseph of Cluny SJC
Order of Friars Minor. OFM Conv	Dominican Sisters of Malta CP	Sisters of St Paul de Chartres SPC
Order of the Servants of Mary OSM	Dominican Sisters of Rose of Lima OP	Sisters of the Good Samaritan SGS

Pallotines SAC	Faithful Companions of Jesus FCJ	Sisters of the Good Shepherd RGS
Passionist Congregation CFP	Family Care Sisters FCS	Sisters of the Holy Angels CHA
Pauline Fathers OSPPE	Franciscan Missionaries of Divine Motherhood FMDM	Sisters of the Holy Cross SHC
Paulists MSSP	Franciscan Missionaries of Mary FMM	Sisters of the Nativity SON
Redemptorists Congregation CSsR	Holy Spirit Missionary Sisters SSpS	Sisters of the Resurrection CR
Resurrection Fathers CR	Institute of the Blessed Virgin Mary IBVM	Society of the Sacred Heart RSCJ
Salesians of Don Bosco SDB	Little Company of Mary LCM	
Scalabrinian Fathers CS	Little Sisters of the Poor LSP	Religious Brothers
Society of Jesus SJ	Missionaries of Charity MC	Brothers of St John of God OH
Society of St Paul SSP	Missionaries of Christ the King MChR	Christian Brothers CFC
The Spiritans CSSp	Missionaries of Gods Love MGL	De La Salle Brothers FSC
Vincentian Fathers CM	Missionary Franciscan Sisters MFIC	Marist Brothers FSC
	Missionary Oblates of Mary Immaculate OMI	Oblate Apostles of the Two Hearts OATH
	Missionary Sisters of the Sacred Heart (Cabrini) MSC	
	Missionary Sisters of the Sacred Heart MSC	
	Missionary Sisters of Service MSS	
	Missionary Sisters of St Peter Claver SSPC	
	Passionist Sisters CP	