

**Victorian Parliamentary Inquiry into the Handling of
Sexual Abuse Claims by Churches and other NGOs**

[REDACTED]

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- [REDACTED]

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[REDACTED]

Brother Barry Coldrey's has researched and written in this area:

The (Irish) Christian Brothers

Here are a few salient facts for busy people:

- founded in 1802, Waterford, Ireland by (Blessed) Edmund Rice, a retired businessman, (wholesale foodstuffs, Army – Navy Contractor to the British military and naval authorities in southern Ireland. Waterford was a garrison town.)
- first Brother members arrived in Melbourne, Australia, 1868 after a short abortive attempt to found a permanent school in Sydney in the 1840s
- over time became the largest male Brothers Order/Congregation involved in Catholic education in Australia
- by 1950s, had around one hundred 'ministries' – primary, secondary, technical schools; orphanages and other welfare works in Australia, New Zealand and Papua New Guinea
- numbers in Australia peaked around 1200 Brothers in the 1960s
- during the late 1960s and into the following decade, many members left the Order; few joined. This trend has been maintained – i.e. Brothers leaving; few, if any joining in 'Oceania' since the late 1960s.
- In 2013, there are c. 360 Christian Brothers, average age, 75 years living in Australia, N.Z. or Papua New Guinea. There are c. thirteen Christian Brothers in Australia-New Zealand under the age of 63 in 2013.

Admission, Training, Annual Vows, Final Vows

There have been few men who have joined the Christian Brothers since 1980, i.e. over the last 35 years and – as far as I can recall – **NONE** has stayed who did join after 1980.

The general drift of what is written here would apply, in the main, to the other Brotherhoods who worked in Australia: the La Salle Brothers, Marist Brothers, Patrician Brothers and St John of God Brothers. They would have similar Canon Law Procedures for dismissing an erring member.

However, to the Christian Brothers

Therefore, the discussion of ‘training’ refers, in practice, to the years prior to 1980, even an earlier period.

The average aspirant to join the Christian Brothers was a teenager

- If the teenager had not completed his secondary education, he did so at a Training College in Strathfield, Sydney or in Box Hill, Melbourne.
- After completion of his secondary education, he proceeded to
- a six weeks ‘Postulancy’ to see if he had enough interest in or aptitude for the life of a Christian Brother at a Training College, and if suitable
- there followed a one year’s ‘Novitiate’ in the same Training College
- this one-year was followed by a second year of Primary Teacher Training for registration with the Victorian Department of Public Instruction as a Primary Teacher. After 1958, a third year of training was added to conform with the requirements of the Victorian body.

At the end of his Novitiate, a young man who wished to remain and who was accepted to remain by the Order, took the first of his **Annual Vows of Poverty, Chastity/Celibacy and Obedience.**

After two years training, and after 1958, three years training, the Brother was assigned to a school community, usually as a primary teacher.

In due course, some of the young Brothers were sent for full-time University – at Melbourne or Sydney Universities, commencing in the 1950s. I did Honours (Arts) at Melbourne Uni, 1961 – 1964.

A Brother made **ANNUAL VOWS** for at least six years or until he was 25 years old. At that stage, he was permitted to request **PERPETUAL VOWS** and if accepted would proceed to make his 'FINAL or PERPETUAL VOWS'.

In view of the reality that I am writing for busy people, I am trying to summarise important points without the evidence to support the assertions, but the evidence could be provided:

Dismissal from the Congregation

Brothers on Annual Vows

If a Brother still on annual Vows was accused of molesting a student and after investigation – and discussing the matter with the Brother – Superiors felt the accusation was true and accurate the Brother was either (a) warned and advised not to repeat the offence or (b) dismissed from the Congregation at that point.

Until at least the 1980s or later, no-one involved would, probably, have thought of contacting the police over the accusation.

If the young Brother (under 25 years of age, on **ANNUAL VOWS**) was considered to have improved over the following months, he might be permitted at the end of the year to make a further annual vows, but

My research showed that no Brother on Annual Vows was permitted to make FINAL VOWS if he had ever been credibly accused of molesting a student during his early years teaching after the leaving the Training College.

The Crisis Procedure

This rare procedure could involve either a Brother on Annual Vows or a Brother who had made his Final Vows.

If the Brother committed an offence against a boy or boys where the offence was very serious, blindingly clear and there was considered to be (a) no doubt as to guilt AND (b) grave risk of scandal, i.e. the media getting wind of same, the Brother could be dismissed from the Congregation immediately. Usually the local Bishop was part of the decision-making process in these cases.

If that Brother was FINALLY professed, the details of the case had to be sent to the Roman authorities (Sacred Congregation of Religious Orders) to dispense him from his FINAL vows.

This crisis procedure was rarely used. I recall, off hand, only one or two cases where FINALLY professed Brothers or Brothers on ANNUAL VOWS were dismissed from the Congregation in this sort of situation.

The Brother on Perpetual or Final Vows

In the Teaching Brotherhoods, 'Final' Vows were often not as 'Final' at the word suggests. While no study (that I know of) has been done, it is clear that MOST Brothers who made 'Final' Vows did not die in their Order/Congregation.

At some stage in their life times, most Brothers requested and were granted leave to get DISPENSATION from their FINAL VOWS and leave the Order. Only a minority stayed until their deaths.

However, what of the situation where a Brother on PERPETUAL VOWS molested a boy or boys?

'We' have seen that there was a rarely-used crisis procedure to force such a Brother to leave the Order/Congregation.

In other cases, the situation was more confused:

The Brother was FINALLY professed. He had a right to stay in his Order until death except in rare cases and these rare cases normally involved 'proven' child molestation charges.

In my written SUBMISSION to the Committee I tried to tease out the attitudes around DENIAL which can reverberate around a Religious Order in these matters.

In addition, a Religious Order has some aspects of a family. This can be exaggerated but there are elements of a family in a Religious Order.

If this family model is strong, a Brother who commits an offence or offences against minors (e.g. Robert Best, Edward Dowlan) can be viewed as an erring member of the family, erring but still of the family. Some feel he cannot be dismissed from the 'family' but he should be supported to get his life 'back-on-track'. He must be forgiven.

There IS the mood that what Robert Best, Edward Dowlan (and some others) have done is along the lines of sinful behaviour which should be forgiven.

These attitudes ebb-and-flow around Religious Orders when a Brother is revealed to have committed offences against minors or vulnerable adults.

The procedures for dismissing a FINALLY PROFESSED member are complicated and difficult and meant to be so, because such a man

who has spent (say) many years in his Order may have little earning power and little experience of adult life outside his Religious Order.

If the FINALLY professed Brother 'digs in his heels', facing procedures to dismiss him from the Order, the whole business – with appeals to Rome – can go on for months, even a year or two.

If the FINALLY professed member of the Order is still young when the offence(s) were committed it was easier to ask him to leave or proceed with the dismissal procedures if he did not leave voluntarily.

However, what if all the members of the Religious Order are fairly old or very old [REDACTED]

However to the procedures for dismissing a FINALLY professed Brother?

The Baseball Syndrome: 'Three Strikes and You're OUT!'

When the Brother finally professed was accused of a serious fault/crime against a minor, there could be a Canonical Trial before the relevant Superiors.

If, after the trial, the Superiors felt the Brother was innocent, that was the end of the matter.

If he was deemed guilty, the Brother could be given a CANONICAL WARNING, in writing, that he was facing dismissal from the Order if he committed further offences. He was usually moved to a new community around the Order after a Canonical trial.

He might be advised to VOLUNTARILY seek a dispensation from his vows. This was more common with younger Brothers in times past who had a chance of a full life outside the Religious Order.

Younger men normally took this way out of the Order.

If the Brother committed a further offence (within a certain time frame and along the same lines as the first offence), there could be a second CANONICAL trial with the same possible results as the first.

If, after the second CANONICAL trial, the Brother commits a third offence (within a reasonable period of time and along the same lines as previously) and after the THIRD Canonical Trial he is found guilty the Brother was deemed to have shown (Quote/Unquote) 'perversity of the will bent on evil' and could be dismissed from the Religious Order. The grim wording is from a Latin translation!

Hence, my use of the term, 'The Baseball Syndrome' – three strikes and you're out!

However, the Brother had the right of appeal to Rome, first, to the Higher Superiors of the Order in Rome and, second, to the Sacred Congregation for Religious, and pending the outcome of those appeals which could take one, two years, the Brother remained a member of the Order.

You can see why Superiors might balk at going through the messy procedure to dismiss a finally professed Brother if they can possibly avoid same – when the Brother has refused to go voluntarily.