

Ministerial PJPs Advancing Lay Leadership in the Australian Church

*Gabrielle McMullen and Paul Oakley**

The Vocation of the Laity

The Second Vatican Council promoted the calling of all the baptised to the mission of the church and highlighted the ‘indispensable role’ of the laity. The 1965 Decree on the Apostolate of Lay People stated:

An indication of this manifold and pressing need is the unmistakable work being done today by the Holy Spirit in making the laity ever more conscious of their own responsibility and encouraging them to serve Christ and the Church in all circumstances.¹

The half century since the council has seen an intensifying and diversifying of the apostolate of the laity in response to the ‘signs of the times’.² More recently, Pope Francis has highlighted this calling. At a 2014 conference focused on the role of the laity, he said: ‘Each member of the People of God is inseparably a disciple and a missionary. We must always start again from this foundation, common to all of us’.³

* Professor Gabrielle McMullen, AM, formerly Deputy Vice-Chancellor (Academic) at Australian Catholic University, was a trustee of Mary Aikenhead Ministries from 2011 to 2017. She played a leading role in the establishment of the Association of Ministerial PJPs Ltd. Br Paul Oakley, cfc, President of Edmund Rice Education Australia, was initial Chair of the Council of the Association of Ministerial PJPs.

1. Second Vatican Council, *Apostolicam Actuositatem*, Decree on the Apostolate of Lay People, 1965, n. 1, www.vatican.va/.
2. Second Vatican Council, *Gaudium et Spes*, Pastoral Constitution on the Church in the Modern World, 1965, n. 4, www.vatican.va/.
3. Francis, Message to the Conference, ‘The Lay Christian’s Mission in the City’ (Pontifical Lateran University, Rome, 7–8 March 2014), www.vatican.va/.

The emergence of the ministerial public juridic persons is one creative response to this calling whereby the gifts or charisms of the laity are being brought to the mission of the church in the modern world.

The Emergence of Ministerial PJPs

The first ministerial public juridic person (PJP), Catholic Health Care Federation, was established in 1991 by the Holy See's Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (CICLSAL). The deliberative process, which saw its establishment and recognition of the new entity's capability to sponsor the founding members' health ministries, took twelve years—the initial petition had been presented in 1979.⁴ The related civil entity, Catholic Health Initiatives, was formed in 1996. In 2017, it operated over one hundred hospitals as well as other healthcare services across seventeen American states; thirteen congregations of women religious either founded or later joined Catholic Health Care Federation.⁵

A 1992 report on the innovative development that saw the establishment of Catholic Health Care Federation stated: 'Public juridic person status is a way ... to continue Christ's healing mission ... to be formally "in the Church" ... to perpetuate the ministry beyond the sponsors' own lives'.⁶ Subsequently, other religious institutes, particularly in the United States of America, Canada, Australia and Ireland, have employed this pioneering model of sponsorship and lay leadership to take their ministries purposely into the future as works of the Catholic Church. The PJPs now encompass Catholic education and community services as well as health and aged care ministries.

The first such Australian entity, Catholic Healthcare, came into existence in 1994, just three years after the Holy See's approval of the pioneering Catholic Health Care Federation in the United States and prior to the emergence of the latter's civil entity, Catholic Health Initiatives, in 1996. Established by the bishops of the Province of Sydney, Catholic Healthcare, like its American counterpart, brought together healthcare ministries. The foundation members were six New South Wales-based religious institutes: the Religious Sisters of Charity of Australia, the New South Wales Province of the Sisters of St Joseph of the Sacred Heart, the Sisters of Mercy (Singleton), the Province of the Holy Spirit of the Sisters of the Little Company of Mary, the Province of St Therese of the Sisters of St John of God, and the Province of the Holy Family of the Hospitaller Order of St John of God. The decree establishing Catholic Healthcare states:

4. J. Hite and J. Poe, 'An Innovative Way to Continue the Ministry: A Catholic Multi-Institutional Healthcare System Achieves Public Juridic Person Status', *Health Progress* 73, no. 7 (1992): 56–8.

5. For information on Catholic Health Care Federation (CHCF), see www.catholichealthinitiatives.org/, and CHCF, *Passing the Flame: Sponsorship of Catholic Health Initiatives*, undated, www.catholichealthinitiatives.org/documents_public/sponsorship/sponsorship%20book.pdf.

6. Hite and Poe, 'Innovative Way', 56–7.

The Church has ever developed and adopted new structures to carry on more effectively its mission ... Anticipating the new millennium and motivated by the desire to ensure the continuation of Christ's healing presence in the world through a healthcare service that is authentically Christian, the meeting of the Bishops of the Province of Sydney was asked to establish a new Catholic organisation which will share in the mission of the Church through the ministry of Catholic healthcare ... as a public juridic person.⁷

Eleven ministerial PJPs⁸ have been established to date in Australia; these are listed in table 1. Five focus predominantly on education ministries,⁹ another four on health ministries, including aged care and community services, and Mary Aikenhead Ministries and Mercy Partners encompass both education and health ministries.

Table 1. Australian ministerial PJPs by sector and year of establishment

Health	Health and Education	Education
Catholic Healthcare, 1994		
MercyCare, 2002		
St John of God Australia, 2004		
	Mercy Partners, 2008	
	Mary Aikenhead Ministries, 2009	
Calvary Ministries, 2011		
		Good Samaritan Education, 2012
		Edmund Rice Education Australia, 2013
		Kildare Ministries, 2014
		Dominican Education Australia, 2016
		Sophia Education Ministries, 2019

7. Decree Establishing Catholic Healthcare, kindly provided by Catholic Healthcare Ltd. See www.catholichealthcare.com.au/.

8. For further details of the Australian ministerial PJPs, their founders and their ministries, see G. McMullen and M. Laverty, 'Learnings from the Development of New Lay-Led Church Entities in Australia', *Australasian Catholic Record* 97, no. 2 (2020): 131–43.

9. Besides its education ministries, Kildare Ministries also conducts three community services, namely Presentation Family Centre Balnarring, Wellsprings for Women Dandenong and the Brigidine Asylum Seeker Project.

What Is a Ministerial PJP?

A *juridic person* is a legal entity under canon, or church, law which is set up for one or more specific purposes—within church law, it is analogous to a corporation within civil law. Each juridic person functions through designated physical persons who serve as its representative according to its approved statutes. Such ecclesial entities are designated as *public* juridic persons when their purposes have been formally sanctioned by a church authority and are carried out publicly under its auspices. PJPs include dioceses, parishes and religious congregations. To distinguish these traditional PJPs from the new entities, the latter have been given the tag ‘ministerial’ PJPs. A *ministerial* PJP has the role and responsibilities of stewardship or sponsorship of ministries, enabling the ministries to relate directly to the church, comparably to when they were sponsored by the religious institute/s which instigated each PJP.

The establishing authority for the ministerial PJPs has varied: some have been established by the Holy See through CICLSAL and are known as PJPs of pontifical right. Others have been authorised by diocesan or provincial bishops. While the model varies, such religious–lay partnerships have in common the continuation and long-term stable governance of church ministries and are authorised for this apostolate through their establishment as new church entities under the Code of Canon Law. Most importantly, in taking responsibility for church ministries formerly conducted by religious institutes, PJPs enable the latter’s service of the disadvantaged and marginalised to be continued.

At any given time, a group of trustees is ‘missioned’ to sponsor a PJP’s ministries. In their role, trustees exercise the *ministry of stewardship*. Theirs is a ‘calling’ to what is technically titled canonical stewardship and the trustees (canonical stewards) generally have both canonical and civil responsibility for the ministries entrusted to them. In exercising their ministry of stewardship, trustees delegate to incorporated boards, senior executives and other entities, the governance and conduct of specific ministries. Together, these partners must seek to develop a strategic direction to ensure that the ministries flourish, exemplify contemporary best practice, and crucially remain faithful to continuing the mission of Jesus.

Effective ministry of stewardship is underpinned by a responsiveness to the ‘signs of the times’ whereby the ministries are developed and adapted to meet the needs of the contemporary church and society. Thus, trustees of ministerial PJPs oversee the evolution of the ministries whilst exercising vigilance to ensure harmony with their heritage and discerning about their ‘refounding’¹⁰ to ensure that they continue to be a place of encounter with Christ.

In the ministerial PJPs, we see the church, promoted by the Holy Spirit, continuing the ministry of Jesus in a new way for a new age. Edward

10. G.A. Arbuckle, *Catholic Identity or Identities?: Refounding Ministries in Chaotic Times* (Collegeville, MN: Liturgical, 2013).

Hahnenberg has stated: ‘The emergence of lay ecclesial ministry ... stands out as one of the top three or four most important ministerial shifts of the past two-thousand years’. It offers ‘a way of living out the gospel and serving the church’s mission that [is] at the same time both traditional and radically new ... The shape of the Spirit in the lives of the baptized will find new forms as new needs arise’.¹¹

Towards an Umbrella Body for the Australian Ministerial PJPs

With the establishment of several ministerial PJPs in Australia, informal and then formal meetings of their representatives commenced in 2012. On these occasions participants explored potential means of collaboration and of support for one another and, in particular, for their trustees in the new and evolving ministry of stewardship.

For some three and half years the Australian ministerial PJPs worked together looking at options for association and potential areas of cooperation. Initially, a small working party was set up with representatives of some of the PJPs, Catholic Religious Australia,¹² and another peak body, Catholic Health Australia.¹³ This group undertook some initial exploration of options and organised a forum of fifty trustees from across the sector in 2013. The forum proposed that each of the ministerial PJPs nominate a representative to an implementation committee. Its first task was to plan another forum in 2014 to assist PJP trustees to get to know one another and to explore the core purposes of, and options for, an ‘umbrella’ body.

A forum, bringing together trustees from across Australia, was duly held in 2014 and advanced these aims. The gathering requested the implementation committee to continue its task and, in particular, to develop a discussion paper defining the purposes of the proposed association of PJPs and outlining possible structures. The paper was to be circulated amongst PJPs for initial feedback and then form the basis for reflection, discussion and decision-making at a further forum planned for 2015. In preparing the paper and weighing up options for the body representing ministerial PJPs, it became apparent that an incorporated entity was a superior structure and the preferred way forward, at least at the foundational stages of the PJPs relating to one another.¹⁴

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11. E.P. Hahnenberg, ‘The Holy Spirit’s Call: The Vocation to Lay Ecclesial Ministry’ (presentation, National Symposium on Lay Ecclesial Ministry, St John’s University, Collegeville, MN, 1 August 2007), www.csbsju.edu/Documents/SOT/Events/2007/Symposium/8.Hahnenberg-SpiritsCall.pdf.
 12. Catholic Religious Australia is the peak body for leaders of religious institutes and societies of apostolic life resident in Australia. Its membership comprises more than 130 congregations of sisters, brothers and religious priests living and working in all Australian states and territories. www.catholicreligiousaustralia.org.au/.
 13. Catholic Health Australia is the largest non-government provider grouping of health, community and aged care services in Australia, nationally representing Catholic health care sponsors, systems, facilities and related organisations and services. www.cha.org.au/.
 14. Consideration was given to seeking canonical as well as civil status for the Association of Ministerial PJPs Ltd. However, it was subsequently decided to keep this as a potential goal for the longer-term future: achieving it was not essential to commence a collaborative entity, and doing so would have considerably delayed the association’s establishment.

The 2015 forum noted growing recognition of the significance for the Australian Church of ministerial PJPs and of the importance of these new entities, under lay leadership, having a form of association with one another. The forum resolved to move to implementation of an incorporated body, which would provide a means for the PJPs to interact formally with one another, support their canonical stewards in their ministry, and, in a corporate sense, relate to the Australian Bishops, religious institutes and other church agencies.

Thus, following an extensive period of dialogue, agreement was reached on the ‘umbrella’ body for the Australian ministerial PJPs. In the following months, the implementation committee defined the parameters for the incorporated association,¹⁵ which included at least six of the ten Australian ministerial PJPs electing to be become members, and arrangements were then put in place for its establishment. The latter were assisted by the engagement of a part-time executive officer. Catholic Religious Australia generously provided administrative support to both the original working party and the implementation committee.

Throughout this period of exploration and then planning, the PJPs regularly updated not only Catholic Religious Australia but also the President of the Australian Catholic Bishops Conference (ACBC) on their planning. The Australian Bishops welcomed the proposed ‘umbrella’ body and advised, following their May 2014 plenary meeting, that the Bishops Conference would ‘establish a formal relationship with a group representing the newly established Public Juridic Persons’.¹⁶

The Association of Ministerial PJPs

The formal establishment of the Association of Ministerial PJPs in May 2016 marked a historic development for the Australian Church in relation to lay ecclesial leadership. The association is now the peak body for the Australian ministerial PJPs. The aims of the association, which are incorporated into its constitution,¹⁷ are:

- (a) offering a contemporary, encouraging example of Christ’s mission at work in the world—‘I have come that they may have life, and have it to the full’ (*John* 10:10);
- (b) actively enabling the co-responsibility of laity and clergy for the life of the Church and its ministries;

15. The entity established in due course (see notes 17 and 18, below), entitled the Association of Ministerial PJPs Ltd, was incorporated as a company limited by guarantee under the *Corporations Act 2001* (Cwlth). A company limited by guarantee is a specialised form of public company designed for non-profit organisations. Such incorporation designates an organisation as a separate legal entity that can legally lease property, enter into contracts or hold assets in its name. This form of incorporation involves reporting to the national regulator and is most suitable for entities, like the association, that operate across state jurisdictions.

16. Personal communication from ACBC General Secretary re minutes of ACBC May 2014 plenary meeting.

17. To access the Association of Ministerial PJPs Ltd Constitution, see www.acnc.gov.au/.

- (c) facilitating collegial interaction between canonical stewards of the member PJPs;
- (d) providing the Australian Catholic Bishops Conference, Catholic Religious Australia, their respective members and other Catholic entities with a point of liaison with member PJPs and their canonical stewards;
- (e) supporting canonical stewards in their ministry of governance by—
 - (i) fostering the capability of current and future canonical stewards, including through facilitating formation activities and qualifications to support canonical stewards and their staff;
 - (ii) facilitating access to canonical governance and related advice;
 - (iii) communicating to the member PJPs relevant matters of significance;
- (f) promoting and proclaiming Catholic identity as an integral part of the PJPs' ministries.

The founding members of the Association of Ministerial PJPs were Calvary Ministries, Catholic Healthcare, Dominican Education Australia, Edmund Rice Education Australia, Good Samaritan Education, Kildare Ministries, Mary Aikenhead Ministries, Mercy Partners, and St John of God Australia Ltd. Subsequently, MercyCare and Sophia Education Ministries joined the Association. Thus, there were nine founding members, meeting the criterion, noted above, of at least six of the PJPs electing to join the association. Together these PJPs make a major contribution to Catholic education, health, aged care and social services across Australia. With other PJP entities in the establishment phase, further association members are anticipated in the future.

Significantly, the association has been advised by CICLSAL that it is the first such 'umbrella' body of ministerial PJPs internationally. As the aims noted above indicate, the Association of Ministerial PJPs Ltd is working to foster the ministry of stewardship through a relational, collegial and collaborative approach. Importantly, and recognising the diversity of the ministerial PJPs, it seeks to be inclusive in supporting them and their canonical stewards to flourish individually and together as a new ecclesial sector; for example, the association's Constitution stipulates that 'for the purpose of providing diversity of representation and member participation ... member geography, size and ministry' must be taken into account when electing the association's council.

The Association of Ministerial PJPs (AMPJP) adopted the following mission and vision statements:

Mission: In fostering the ministry of canonical governance, the Association of Ministerial PJPs supports its members to flourish individually and together in communion with the Catholic Church.

AMPJP facilitates Ministerial PJPs' collaboration on common issues and communion with the wider Church.

Vision: Our Vision is for flourishing, vibrant Catholic ministries governed by well-formed Canonical Stewards, continuing Jesus' mission in Australia and beyond in the 21st century.

The association's council has arranged further national trustee forums, associated with the annual general meetings of the association. Other activities have included developing a website with resources for the PJPs,¹⁸ coordinating invitations to seminars, conferences, workshops and other events for the sector, and facilitating the sharing of resources between existing PJPs and with emerging entities. By way of illustration, the Association of Ministerial PJPs has developed a resource entitled *Governance Principles, Foundations and Applications* as a support for its members' trustees in their role as canonical stewards.

The Association of Ministerial PJPs has also developed its first strategic plans, covering the periods 2018–20 and 2020–23. They focus on advancing the sector, individual PJPs and their canonical stewards, and on promoting collaboration and cooperation between PJPs and with the Australian Catholic Bishops Conference, Catholic Religious Australia and other church agencies such as Catholic Health Australia, Catholic Social Services Australia and the National Catholic Education Commission. Achievement of the strategic goals will enhance lay leadership in the church and be a further instance of the whole being greater than the sum of its parts.

The Critical Role of the Ministerial PJPs and the National PJP Association

December 2017 saw the conclusion of the five-year Australian Royal Commission into Institutional Responses to Child Sexual Abuse.¹⁹ In examining the period 1950–2010, the Royal Commission, while it considered many religious and other institutions, uncovered a history of sexual abuse within the Catholic Church and failures of church authorities to respond appropriately to reports of abuse. The Royal Commission advocated for increased involvement of the laity in church governance and, in particular, its Recommendation 16.7 states:

The Australian Catholic Bishops Conference should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and the participation of lay men and women. This review

18. The website for the Association of Ministerial PJPs Ltd is www.ampjps.org.au/.

19. For information on the Royal Commission into Institutional Responses to Child Sexual Abuse and to access its report, see www.childabuseroyalcommission.gov.au/. Vol. 16, entitled 'Religious Institutions', is of particular relevance.

should draw from the approaches to governance of Catholic health, community services and education agencies.²⁰

The significance of this recommendation was highlighted by Francis Sullivan, Chief Executive Officer of the church's Truth Justice and Healing Council in Australia:²¹

the Commission went out of its way to affirm the more recent Church structures that have deployed the best practices of corporate governance in the arrangements for ministries across education, health and welfare services. One glaring feature of these structures is their lay leadership. Even more notable is that these structures are legitimate Church companies that have the same status in the Church as any diocese or religious order. Clearly there is much the rest of the institution can learn from how lay-led canonical structures are responding to the pastoral and ministerial needs of local communities. In essence, we are talking about lay participation in the decisions made about the way the Church operates, how dioceses and parishes operate, how priests and religious engage with the rest of us. And in turn how lay involvement can shape our doctrine.²²

In reflecting on the key role of the ministerial PJPs in the challenging context of the church within contemporary Australian society, David Ranson has stated:

our public juridic persons are most suited to stand in the gaps between social context and the ecclesial community, i.e. they are most suited to appreciate fully those areas in which there is alienation between a culture and the Church, and to witness to the Kingdom in those margins. Because they are at the same time 'church' and yet, in another sense, beyond Church, our emerging institutions ... have a unique opportunity to witness in these margins—to be truly bridge builders and instruments of reconciliation, to be able to bring both the Gospel and the Church to those who will never be able to feel comfortable, or to belong, within the structures of the Church.²³

20. Ibid.

21. The Truth Justice and Healing Council was established to oversee the Australian Catholic Church's engagement with the Royal Commission. For information on the council, see tjhcouncil.org.au/.

22. Francis Sullivan, Speech to Concerned Catholics Canberra-Goulburn, 2018, tjhcouncil.org.au/.

23. D. Ranson, "'New Wine, New Wineskins' (*Mark* 2:21-22): New Models of Mission in the Australian Church' (keynote address, Mary Aikenhead Ministries conference, Hobart, 10-11 May 2018).

In the Australian context, it is encouraging to have confirmed that the new PJPs have demonstrated how the church can operate in a way that meets contemporary civil standards of accountability, professionalism and quality while remaining faithful to the mission of Jesus. Importantly, apart from their commitment to achieving professional excellence, the Australian ministerial PJPs have made a significant commitment to formation for those in trustee, governance and executive roles and, as appropriate, incorporated formation in the induction and ongoing development of their staff.

The Association of Ministerial PJPs Ltd enhances these endeavours of its members by fostering relationships across this new ecclesial sector and promoting synergies with respect to formation for ministry and access to canon law and other relevant expertise.

Conclusion

It is the vision of Pope Francis that ‘we are not living in an era of change but change of era’.²⁴ As we make this transition we need to foster an environment where those working in the church are formed, like Francis, to be ‘gracious foot-washers’ so that the church and its ministries are abidingly a place of encounter with Christ.²⁵ This is a role that the new PJPs in Australia have embraced. Through the Association of Ministerial PJPs Ltd, they anticipate that, in sharing experiences and resources, they will be ‘ever more conscious of their own responsibility ... to serve Christ and the church in all circumstances’.²⁶

24. I. San Martin, ‘Pope Francis Says Catholics Must Be Open to Change’, 2015, cruxnow.com/church/2015/11/10/pope-francis-says-catholics-must-be-open-to-change/.

25. R.J. McDonald, Christian Brothers Congregation Leadership Team, Rome, weekly reflection for the feast of Corpus Christi, delivered 14 June 2017.

26. Second Vatican Council, *Apostolicam Actuositatem*, n. 1.