

Ministerial PJPs in Australia

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Introduction

The Second Vatican Council started a process of ongoing development in the practice, theology, and canon law regarding lay involvement in Church governance. The establishment of Ministerial Public Juridic Persons (MPJP) is one of the most significant fruits of this development.

Public Juridic Persons

The Catholic Church, the People of God, is made up of persons. In addition to human persons, there are 'legal persons' created by Church (canon) law. Public Juridic Person (PJP) is the name given to these entities created by canon law. The concept of a PJP is similar to the civil law construct which gives legal identity/personhood to companies, clubs and associations etc. Parishes, dioceses and Religious Institutes (Orders) are common examples of PJPs. Over the past forty years, a different type of PJP has also been established with the sole purpose of governing Church ministries, e.g., hospitals and schools. Because of their specific role with ministries, they are often referred to as Ministerial PJPs (MPJP).

Features of a MPJP:

1. Establishing Authority

The Apostolic See via the Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life was the Establishing Authority for eight of the thirteen MPJPs in Australia.

Three MPJPs were established by individual Archbishops (Sydney and Perth) and a further two MPJP were established by a Province of Bishops (Sydney and Perth).

2. Statutes

The role of the Establishing Authority is to approve the purpose, structure and fundamental rules of the MPJP. These are detailed in Statutes.

3. Member

The Member(s) can be persons¹ or be PJPs. They are usually the Religious Institute(s), dioceses and parishes who contributed ministries to the MPJP. The role of Member enables them to maintain a connection without being responsible for, or controlling, the MPJP. The number of Members of each of the Australian MPJPs ranges from 1 to 17.

Almost all MPJPs have a Member(s) who has the role of appointing or confirming the MPJP's Canonical Stewards. Some Members also have roles e.g., supporting the Canonical Stewards develop the mission and formation in the MPJP's ministries.

4. Council of Canonical Stewards

The MPJP is governed by a Council of Canonical Stewards. These individuals answer a call from God to the ministry of stewardship and this call is recognised by the Church via the Members who appoint them.. The appointed Councils of Canonical Stewards have as their primary role the development of the Church's ministries which have been entrusted to the MPJP. The MPJP's Statutes detail the size and role of the Council, often from 5 to 9 Canonical Stewards. The Council of Canonical Stewards appoint Boards with whom they have complementary roles.

¹ For example, the Statutes of MercyCare allow the people who are its Canonical Stewards to also be its Members.

5. Civil and Canonical incorporation

The Statutes establish the MPJP in the Church. MPJPs may also need to be recognised in Australian law to enable them to obtain an Australian Business Number (ABN), employ people, enter into contracts and hold property etc. The most common legal identity of MPJP's is as a company under the Corporations Act 2001 (Cth).

6. Ministries

The respective roles and responsibilities of the MPJP and its ministry(s) are detailed in the Constitution of the ministry and often elaborated in a delegation policy/matrix. The MPJP will hold reserve powers that enable it to ensure that the ministry's Catholic identity, mission, purpose, and property are maintained and developed.

There is considerable diversity in the governance structures adopted by MPJPs in relation to their ministries. For instance, some have incorporated all of their ministries and some have an overall board between the MPJP and the ministries.

The table below shows Australian MPJPs according to the type of ministries that they sponsor:

Australian Ministerial PJPs by ministry type		
Education	<ul style="list-style-type: none">› Dominican Education Australia› Edmund Rice Education Australia› Good Samaritan Education	<ul style="list-style-type: none">› Sophia Education Ministries› University of Notre Dame Australia
Health/Aged care/ Disability/ Community Services	<ul style="list-style-type: none">› Calvary Ministries› Catholic Healthcare	<ul style="list-style-type: none">› MercyCare› St John of God Australia
Education and Health/Aged care/ Disability/Community Services	<ul style="list-style-type: none">› Kildare Ministries› Mary Aikenhead Ministries	<ul style="list-style-type: none">› Mercy Ministry Companions› Mercy Partners

Edmund Rice Education Australia is the only MPJP that operates in every State and Territory of Australia. Most MPJPs have ministries in various States/Territories. Only one Ministerial PJP operates in only one State (MercyCare in Western Australia). New South Wales is the State with the greatest number of Ministerial PJPs (10).

Significant as Ecclesial Authorities

A MPJP is a spiritual entity within the Church - the Body of Christ. In faith, we believe that the Holy Spirit dwells in the Church and empowers the Church to express the Risen Christ in this place and time. MPJP Canonical Stewards are very conscious of the MPJP's spiritual life and set aside time for prayer, discernment and formation as part of their responsibilities as governors of Church ministry.

Significant for lay governance in the Church

The role of MPJP Canonical Steward is open to, and almost always held by, lay people. This is a new chapter for the Catholic Church where almost all authority in Church bodies requires ordination or a vowed life and where decision-making is often vested in one person (bishop or parish priest).

Significant expressions of Christ's love

MPJP ministries are expressions of the Church's duty to care for those who are sick, poor, in need of education, needing a home, in distress, and/or in need of care. The ministries of MPJPs engage approximately 97,000 staff/volunteers in express Christ's love to over 3.1 million Australians.

Significant opportunities for dialogue and evangelisation

MPJPs are uniquely placed to contribute to the Church's mission to be in dialogue with people and to proclaim the Reign of God wherever it is found - be that inside or beyond the Church.

MPJP ministries employ a large number of people – many of whom do not identify as Catholic. Through induction and formation programs, the MPJP ministry is able to invite these people to identify why they engage in service and where they find 'life' (which we may refer to as God) in their work. This is the foundation for finding commonality and mutual respect. This discussion of meaning is an opening for the presentation of Christ and the Church as companions in life and service.

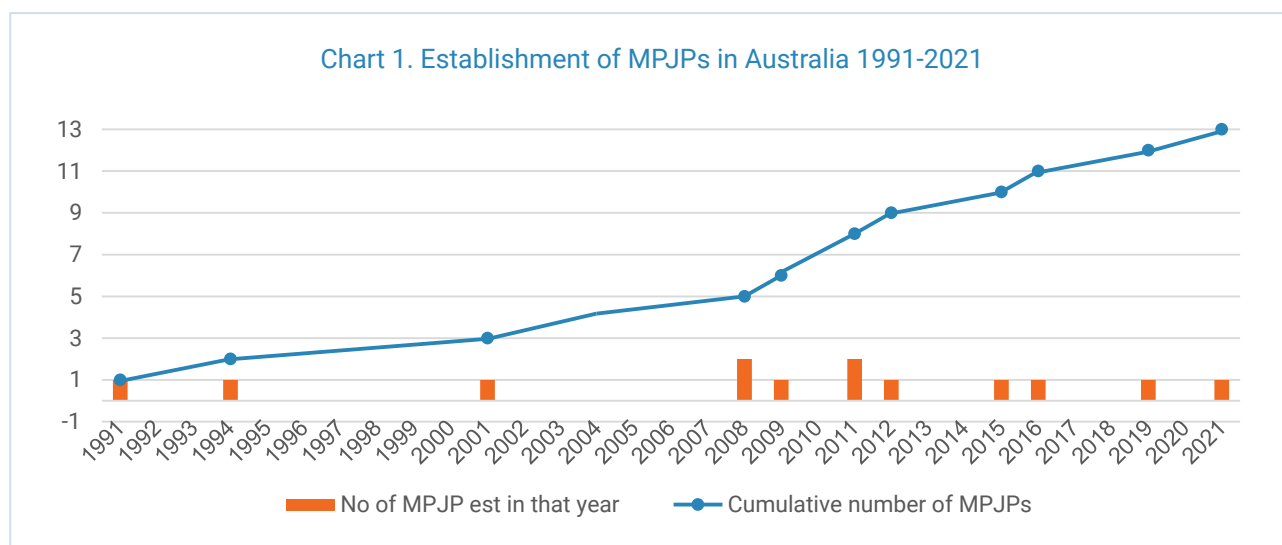
MPJP ministries have similar conversations with the people they serve in schools, hospitals, aged care etc. For many people, the MPJP ministry is the only expression of Church with whom they are in contact. They also interact with the MPJP ministry at points in their life where they are open to explore questions of meaning, purpose and belonging e.g., coming of age, birth of a child, preparation for death, adjustment to disability/frailty.

History of MPJPs in Australia

Several factors led to the development of MPJPs in Australia:

- › Religious Institutes responding to God's call that they move beyond existing ministries for new and prophetic ministries;
- › Religious Institutes responded to the Second Vatican Council's call for lay people to be active contributors to the life of the Church;
- › Religious Institutes not having sufficient members to fill governance positions; and
- › Religious Institutes and parishes with a small number of ministries realising that a larger Church Authority would find it easier to meet the increasing requirements of government regulations.

In 1991, the University of Notre Dame Australia became the first MPJP established in Australia. Chart 1 shows that the establishment of MPJPs in Australia has been steady, except for a period of rapid growth between 2008-2011. In 2022, there are 13 MPJPs in Australia.



Conclusion

MPJPs are a relatively new development in the life of the Church in Australia. The steady increase in the number of MPJPs is an outcome of the Second Vatican Council. MPJPs can be seen as a response to: Religious redefining their role, laity increasing their role and new structures being available to steward Church ministries in times of complexity.

Among MPJPs in Australia there is diversity of structure, size and ministry. There is also a shared commitment to God's mission for the Church and the provision of formation to assist this mission. The MPJP identity as a spiritual body will be key to ensuring that they continue to be shaped by the promptings of the Holy Spirit.

Given the significance of their nature and scale, the ongoing development of MPJPs and their impact on Australian society will be an active area of interest within the Church.