

## Role of the Council of Mercy Partners



A talk given to the Mercy Partners Leadership Gathering, Friday, 11th March, 2016, by **Ray Campbell, PhD**, Chair, Council of Mercy Partners.

LAST NIGHT I gave a very broad introduction to Mercy Partners in the context *communio* or communion.

This morning I want to focus upon sponsorship and within that speak a little more about how the Council of Mercy Partners seeks to carry out its role, and invite you to think about how we might do things in the future.

Previously the roles of sponsorship, governance and management were more or less a seamless garment because they were all exercised by the one entity – the congregation. Over the years congregations have gradually vacated these areas – first of all management, and then governance and finally sponsorship.

It is this last move which has brought the concept of sponsorship into sharper focus.

Sponsorship is an evolving concept within the Church, and I would go so far as to say that its meaning, particularly in relation to the evolving reality of a new kind of public juridic person, such as Mercy Partners, is not yet settled.

In 1988 the Commission on Catholic Health Care Ministry in the USA issued its landmark report, *Catholic Health Ministry: A New Vision for a New Century*. In that report it said:

“the health ministry of the future will employ new models of sponsorship to ensure continuity and stability. Canonical models based on lay sponsorship will predominate, and there will have been an evolutionary transfer of responsibility as religious congregations withdrew from sponsorship.” (Quoted by Fr Michael Place, *Health Progress*, Jan 2004.)

That was the prophecy. We are now living the reality, and not just in health ministry. I don't want to overdo this point, but I think it is important that

we appreciate that we are part of something new in the Church, and part of that something new is the role played by the laity.

One thing we can say is that sponsorship is about ensuring the continuance of a Catholic ministry as a Catholic ministry. In other words it is a responsibility for ensuring the ministry continues and that it continues in communion with the Church. This is sometimes referred to as maintaining the ministry's “Catholic identity”.

In order to ensure the continuance of their ministries when they might no longer have the personnel to ensure it themselves, religious congregations have been establishing public juridic persons.

It is important to appreciate that an ecclesial public juridic person is first and foremost a Church or canonical entity and secondarily a civil entity. The civil entity is used to serve the canonical entity. As one canon lawyer wrote: “In canon law, ownership, power, and control cede their secular place of primacy to greater principles such as *communio*, subsidiarity, collaboration, and mission.” (William King, “Sponsorship by Juridic Persons”, in *Sponsorship in the United States Context*, ed. by Rosemary Smith and ors.)

The primary focus of sponsorship is mission, not ownership and property issues. But in the new scenario this presents its own challenges which I will come to in a moment.

Last year I gave a paper on “Towards a Theology of Sponsorship” at our Formation Gathering in Townsville. I will not repeat it here, but I summed up my theology of sponsorship with the following:

- > Sponsorship is grounded in Baptism and Confirmation, and in a call to a particular office in the Church
- > Sponsorship is ordered to the carrying out of a ministry or ministries of the Church carried out

in the name of Jesus Christ

- > Sponsorship's particular service is to guarantee the ministry in conducting its work in communion with the Church
- > The Sponsor is accountable to the wider Church.

I used the word “support” because I think it describes the reality of what Mercy Partners has tried to do and the spirit of collaboration which I hope is found within Mercy Partners. However, as I have studied the matter more closely, I think it is better expressed by saying the sponsor’s particular purpose is to guarantee the ministry as a Catholic ministry into the future. This is what the Church asks for and expects from the sponsor.

A moment ago I said that the focus of sponsorship was the mission, but that in the new scenario this presented particular challenges.

Fr Frank Morrissey, one of the canon lawyers who emphasises this focus on mission, went on to say “yet those involved are becoming distanced from the actual mission which is carried out by others”. This is the case with Mercy Partners. When the Congregations continued in their role as sponsors they nearly always also maintained a presence on the Boards, not as a sponsor, but you would find a member of the Congregation serving as a Board member. Sometimes they also still served in some role in the ministry. This meant there was another level of connection between the Congregation and the ministry. It continues on many Boards today. Even from the geographic point of view the Sponsoring body was often literally on the doorstep of the ministry.

This is not the case with the new reality. We sometimes hear it said that “it is not the same as when the Congregation was in charge”. That is true, and necessarily so. The Council of Mercy Partners is not present on the Boards of any of our ministries, and we are geographically quite distant from some of the ministries. This makes the Council a little more distant than the Congregation was and challenges us to discover ways to communicate and relate to each other so that the Council might fulfill its mission and the mission of the ministry continue to prosper.

Last night I also highlighted the complexity of Mercy Partners, multiple ministries, multiple charisms, and diverse traditions in ‘doing things’.

So how do we carry out our sponsorship role in this new scenario? How do you, the ministries, work with the Sponsor in this new circumstance? How does the Sponsor in collaboration with the governance and management of the ministry guarantee its continuity as a Catholic ministry?

Here I am going to talk explicitly about the Council of Mercy Partners. So how do we go about “sponsoring” this complex reality?

One of the first things that comes to the minds of Directors tends to be the “reserve powers”. I was tempted to leave mention of the reserve powers to last, because I fear that focusing upon the reserve powers carries with it the danger of putting us into a legalistic framework. However I recognise that the reserve powers are important, indeed they are fundamental for allowing the sponsor to carry out its responsibilities. As well as that, the reserve powers point to some of the other responsibilities of the sponsor.

Reserved powers are in the first place, canonical, if I might put it that way. They exist to enable the sponsor to fulfil its canonical responsibilities. The way in which we exercise this civilly is by virtue of the fact that Mercy Partners is the member of the company under the civil constitution and retains these powers under that constitution. This is part of what I meant earlier when I said we use the civil entity to carry out our canonical mission.

It is interesting we use the expression “reserve powers”. It seems to me they are really reserve responsibilities, and they lead to other responsibilities.

Another feature about reserve powers in our context is that they are generally exercised in collaboration with the ministries. I will just talk briefly about two of the reserve powers.

The Sponsor, in our case Mercy Partners, has the responsibility of appointing the Directors of the Board. In the past this happened in different ways depending on the way your past sponsor did things. Under Mercy Partners it is generally the Board that nominates possible future directors. So it is the Board, usually through a subcommittee, which seeks out potential new Directors, and when satisfied with a candidate, the Board nominates him or her to the Council of Mercy Partners. To enable the Council to fulfil its responsibility in a conscientious manner we need the Board to supply us with a curriculum vitae of the person nominated and comments as to why the Board considers the person suitable. So the Directors are appointed by the Council in collaboration with the Board of the ministry, although the Council does have the option of appointing someone directly to the Board.

The other reserve power I would like to mention in a general way is that to do with property. Once again, the situation with Mercy Partners is somewhat different from what it was with the Congregations. In the process of transitioning the ministries into Mercy Partners it is usually the case that the property of the ministry, which was previously owned by the Congregation, has been transferred to the ministry. But Mercy Partners, as the canonical sponsor ultimately responsible for the “stable patrimony” has reserved powers as the Member of the Company whereby its consent is required regarding alienation of property and temporal goods.

The purpose of this is to ensure the property is used for the ministry. It is incumbent upon Mercy Partners to have

a register of the stable patrimony of the ministries. Once again this can only happen through collaboration between the ministries and the Council, and it is something we hope to finalise this year.

That's enough about reserve powers for now.

Last night I spoke about the different levels of relationships which exists within Mercy Partners. I won't repeat it all here. But I would like to highlight the relationship between the individual ministries and Mercy Partners Council. There are several ways in which we seek to maintain that relationship. One has been the creation of the role of what we call the liaison councillor. This is a position which has evolved a little over the last few years.

Originally the role was to assist the Council of Mercy Partners. Mercy Partners Council receives the minutes of all the Board meetings and copies of other forms of communication. That is a lot of material for every councillor to have to read before every Council meeting. So each Councillor was assigned one ministry to read the communications coming in from that particular ministry. The Chair and the Executive Officer would continue to read all the communications. We then asked the liaison councillor to take a special interest in that particular ministry, and when possible to attend functions of the ministry, sometimes with the Chair, sometimes representing the Chair. In some cases the liaison councillor has acted as a kind of consultant to the Chair of the Board of the ministry. From the point of view of Mercy Partners Council I think the role has been a success. We have spread the workload, and the councillors have taken a very active interest in their particular ministry. We hope that it has helped to strengthen the bond between the Council and the Board from your perspective.

However, to forestall misunderstandings, I need to point out that the liaison councillor is not meant as the point of formal communication for the ministry to the Council. Communication should still come to the Chair and/or the secretariat.

The key to good relationships is, as everyone knows, good communication. We need communication back from the ministries so we know what is happening. The minutes are a formal way of communicating back to Council, and of course there is the AGM of each ministry. Those of you who have been part of the AGMs will know that we have been asking that a report on mission initiatives be included as part of the Chair's annual report. We are also working on developing a template for ministries reporting to Council. However other more informal ways of communicating are also important. We also want to be able to effectively communicate with the ministries. And we hope to be a medium of communication for Mercy Partners as a whole. Our newsletter is one of the ways in which we seek to do both of these.

We seek to offer formation opportunities, in particular opportunities which go to the heart of understanding

who we are as Catholic ministries within Mercy Partners. Another canonist talking of the PJP's annual report to Rome comments: "In its report equal emphasis should be given to the development and training of leadership through retreats, conferences and seminars, as much as to progress achieved in growth of the ministry, service delivery etc." (Patricia M Dugan, *The Sponsorship Relationship*, *ibid.*)

We have had a formation program for the last five years. Many of you have participated in it. Last year we employed a full-time Director of Formation Programs, Caroline Thompson. Caroline conducted a review of the existing program and sought your feedback. Caroline will be reporting to you on the outcomes later this morning. This year, as a kind of transition year, we have focused upon the Year of Mercy, and during this time the Formation Committee and Caroline are considering our future approaches to formation.

The ongoing formation of lay leadership at various levels is a major challenge for all of us. There are different aspects to formation. A question for us as a Council is how do we ensure suitable formation for the continuance of the ministry as a Catholic mission?

Finally, the Council relates to the wider Church and community. The Council is accountable to the wider Church and to the community. We exercise that responsibility by giving an annual report to Rome, a report which has been approved by the Stewards. A copy of that report goes to the Bishops in whose dioceses we have ministries. And a version will also come back to the Boards of the ministries.

But it is not just a matter of being accountable. Mercy Partners needs to be present to the wider Church and community. One of the main ways we do that is through the ministries. In various ways through your websites, your publications and your service you promote Mercy Partners by acknowledging that you are part of this entity.

Mercy Partners, along with other PJPs, is becoming part of the fabric of the Church. We are joining with other PJPs to form an association which will have a direct link to the Australian Catholic Bishops Conference. In the future this association will become a means for a common voice of PJPs addressing a variety of issues.

And what of the future. Not long after the Council was created one of our Councillors started to ask the question about how might we undertake a new ministry? Could we respond to a new need? That remains an open question.

In the end, all of this is about us working together as a communion within the communion of the Church to ensure that all of the ministries under the umbrella of Mercy Partners continue to be vibrant Catholic ministries bringing Jesus Christ to our world.