



Terms of Reference for a review of the movement of Victor Higgs

I, Fr Brian McCoy SJ, Provincial of the Australian Province of the Society of Jesus (**the Society**), commission a review (**External Review**) of the movement of former Jesuit brother, Victor Higgs, from Adelaide to Sydney.

1. The Reviewer

1.1 I appoint, the Honourable Marilyn Warren AC QC, a former Chief Justice of the Supreme Court of Victoria and Lieutenant-Governor of Victoria to undertake the External Review.

2. Background

2.1 Victor Higgs, who left the Society in 2001, was recently convicted of historical cases of abuse at a Jesuit School in New South Wales and prior to that at another Jesuit School in South Australia.

2.2 Concerns have been raised about how the Jesuits may have handled complaints about Victor Higgs in the past and, specifically, regarding the circumstances of his move from Adelaide to Sydney at the end of 1970.

2.3 The purpose of the External Review is to investigate and understand the circumstances of Victor Higgs' move from Adelaide to Sydney in 1970, in accordance with the Society's commitment to safeguarding, openness and transparency.

3. Scope

3.1 The Terms of Reference for the External Review are to consider and report on the circumstances of the movement of the former Jesuit brother, Victor Higgs, from Adelaide to Sydney in 1970. In so doing, the External Review will consider and report on whether complaints had been made about Victor Higgs prior to this movement, and if so, whether those complaints played any role in the decision to move Victor Higgs.

4. Support to be provided to the External Review

4.1 Ms Warren will be supported by Nick Elias of Owen Dixon Chambers.

5. Conduct of Review

5.1 The Society will supply Ms Warren with any documentation she considers necessary to conduct the External Review. The Society will assist Ms Warren to liaise with any witnesses she wishes to interview.

5.2 Following consideration of the material provided, and any other investigations Ms Warren considers necessary, if Ms Warren identifies additional concerns outside of the current Terms of Reference, she may expand the Terms of Reference at her discretion, and she will advise me accordingly.

5.3 In the event that Ms Warren or Mr Elias are notified of matters outside these Terms of Reference then they will refer those matters to the Society's Director of Professional Standards for management.

6. Report

6.1 Ms Warren is required to prepare a detailed written report setting out the findings of the External Review in accordance with the Terms of Reference, which includes reasoning in support of each finding.

- 6.2 Ms Warren may, from time to time, provide the Society with updates on the status of the External Review. Ms Warren may consult with the Society regarding the public dissemination of any updates regarding the progress of the External Review.
- 6.3 Ms Warren's findings will be published, however, in order to protect the privacy of survivors and other individuals, Ms Warren's report will not be published in its entirety.

Brian F. McCoy S.J.

Fr Brian F. McCoy SJ
Provincial