

I, Ruth Cooke wish to make a submission to the Western Australian Parliamentary Inquiry into the Children and Community Services Amendment Bill 2019. This is in regards to the State Government introducing changes to the Children and Community Services Act 2004 to require ministers of religion to report child sexual abuse, including extending mandatory reporting to information gained during the Sacrament of Confession.

I believe that the state government, by trying to introduce changes to this bill, are intervening in the religious freedom of the Catholic Church. They should be protecting my religious freedom and not undermining my Catholic beliefs. To me this is imposing changes to the religious observance of the Sacrament of Confession on my church.

Also, practically, the priest hearing the confession would probably not know the identity of the offender or of the victim, and so would have no specific crime to report. Furthermore, if a single priest broke the seal of confession and reported the matter to the police, that would be the last time any paedophile priest or anyone confessed to anything anywhere. A priest who confesses to child sexual abuse would be a rare case of a paedophile priest who still had something left of his conscience and the priest hearing the confession can use that opportunity to persuade the priest to report this matter to the police.

I have additional concerns with the possibility of this law being imposed. When I go to confession I am not asked for my personal details. The priest I confess to does not know who I am. There is always a strong possibility that those who have a hatred for the Catholic church could try and entrap priests. They could fake a confession saying they have sexually abused a child and then inform the authorities that the priest did not report his confession.

The seal of the confessional is a longstanding tradition observed by the Catholic Church. It is of very high value and is enshrined in Canon Law. If one priest started breaking it, we would enter a subjective world in which different priests use different criteria and in which no one would ever confess, not just to sexual abuse, but to anything at all that anyone might consider a crime. We would then lose the opportunity for counsel and healing that the confessional can provide.