

The Sacrament of Penance is an essential function of the Church. It is one of the sacraments that was instituted by Christ the Lord and entrusted to her.

The Code of Canon Law of the Catholic Church provides that the seal of confession is absolute.

Canons 983 and 984¹ state:

Can. 983

§1. The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason.

§2. The interpreter, if there is one, and all others who in any way have knowledge of sins from confession are also obliged to observe secrecy.

Can. 984

§1. A confessor is prohibited completely from using knowledge acquired from confession to the detriment of the penitent even when any danger of revelation is excluded.

§2. A person who has been placed in authority cannot use in any manner for external governance the knowledge about sins which he has received in confession at any time.

Furthermore, under Canon 1388, a confessor who directly violates the sacramental seal is excommunicated.²

Pope Francis recently recalled the Church's consistent teaching of the absolute inviolability of the sacramental seal in *Note of the Apostolic Penitentiary on the importance of the internal forum and the inviolability of the sacramental seal* dated 1 July 2019. In the English presentation of the Note³, Pope Francis states:

Reconciliation itself is a benefit that the wisdom of the Church has always safeguarded with all her moral and legal might, with the sacramental seal. Although it is not always understood by the modern mentality, it is indispensable for the sanctity of the sacrament and for the freedom of conscience of the penitent, who must be certain, at any time, that the sacramental conversation will remain within the secrecy of the confessional, between one's conscience that opens to grace, and God, with the necessary mediation of the priest. The sacramental seal is indispensable and no human power has jurisdiction over it, nor can lay any claim to it.

The Roman Catholic Archdiocese of Perth has already initiated comprehensive action to protect children and the vulnerable through the establishment of the Safeguarding Program.⁴ Furthermore, the Archdiocese is committed to encouraging anyone who has a concern about a child or vulnerable adult to report it. It also encourages those who suspect any criminal conduct to contact the Police.⁵

I sincerely request the Parliament of Western Australia to not proceed with enacting laws that would attempt to force ministers of the Sacrament of Penance to violate their duties when hearing confessions from those under their spiritual care.

¹ http://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib4-cann959-997_en.html#TITLE_IV.

² http://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib6-cann1364-1399_en.html#TITLE_III.

³ <http://press.vatican.va/content/salastampa/en/bollettino/pubblico/2019/07/01/190701e.html>

⁴ Safeguarding Office: http://perthcatholic.org.au/Organisations_Services-Safeguarding.htm; Safeguarding Program website: <http://safeguarding.perthcatholic.org.au/>

⁵ <http://safeguarding.perthcatholic.org.au/reporting-feedback/>