

From: [Callan Leach](#)
To: [Legislation Committee](#)
Subject: Submission: Children and Community Services Amendment Bill 2019
Date: Monday, 13 July 2020 10:42:48 AM

To Whom It May Concern

The only reason a person (penitent) who has committed a crime would tell the Priest something confidential in confession is because he trusts that the Priest will not tell anyone. If the penitent knows the Priest will tell someone, then he won't tell the Priest his crime.

So forcing the Priest to tell on the penitent will inevitably result in the penitent not telling the Priest of his crime.

If my logic is correct, the only thing this Bill will achieve is it will stop the penitent confessing his crime to the Priest. Unless I am mistaken, this is not the purpose of this Bill.

Therefore this Bill does not make sense and may perhaps have a more sinister purpose. Perhaps the real purpose of this Bill is to put the Priest to the test, by pitting his allegiance to Catholic law against his allegiance to criminal law. In this way a fake penitent could be sent to the Priest to test his allegiance. This would almost be a jealous act of the government, something you may expect in Communist China.

Perhaps my suggestion is far-fetched but in all honesty I am just trying to think of a practical purpose for this proposed law.

The only other purpose I can think of, is that you are hoping that a criminal will remain ignorant of the success of this Bill and unaware that he is about to confess to an informant, will confess his crimes to the Priest, only to realise he may as well have handed himself to the Police.

So this Bill is relying on the ignorant criminal or the fake criminal.

And the secondary benefit of this Bill in the eyes of its supporters may be that those Priests who have greater allegiance to their Church than their Government can finally be charged and punished.

So obviously I challenge the logic, the usefulness and the goodness of this Bill in Australia, a land where Freedom of Religion is still respected.

Obviously, the religion of the Priest is not asking him to commit a crime. The crime has been committed; the Priest did not witness it nor act as an accomplice. He is playing a unique role as a safe-haven for the criminal to confess all and receive advice. This is not the same as a confession to the police in which the criminal is ready to face the consequences of his actions. The Priest in the confessional is not to be used as another trap by the Police to catch the criminal any more than the Parliamentary floor is to be used by the Catholic Church for a Pontifical Mass.

Thank you for your time and I hope I have provided a fresh insight into this Bill.

Callan Leach