

To Members of the Legislative Committee

Reference: Inquiry into the children and community services amendment Bill 2019

Background:

I'm a happy and grateful West Australian and blessed with a healthy life, children and recently the grandchildren. I am fortunate to operate a small business employing West Australians.

My submission below outlines the valid grounds supported with cogent objective evidence to demonstrate that the proposed amendment is undeniably defective, totally prejudice and unhelpfully discriminatory.

My motivation to write the submission is based on the following:

- our blessed and lucky country Australia is based on Christian values,
- sadly from 1940 to 1970, child sexual abuse occurred far too often,
- I strongly condemn any form of child sexual abuse,
- It is heartening to learn that the worst is behind us with 90% of the occurrences tabled at the Royal Commission occurred pre-1990,
- Lastly my motivation is that I myself unfortunately suffered child sexual abuse while I was in school by a non-Catholic staff member however thanks to my faith and thanks to the Sacrament of Reconciliation I was able to be healed and have moved on from that experience from many years ago

Royal Commission findings

Royal Commission into Institutional responses into Child sexual Abuse

Re: Recommendation 7.3 and Recommendation 7.4

With reference to recommendation 7.3, I support reporting to Child Protection Authorities on 'factual' evidence.

With reference to recommendation 7.4, I do not support mandatory reporting on what is disclosed in the 'Sacrament of Reconciliation'.

Reasons I do not support:

- Based on my research and more importantly my beliefs, I have serious reservations by amendment 7.4 in mandating Catholic priests to disclose information received in the confessional. The Catholic Church in Australia and my Church has many safe guards in place including a Catholic Professional Standards Office, a Safe Guarding Office and an army of safe guarding officers in our Parishes. Mandatory "Working with Children cards" is required for anyone working or involved in volunteer activities in the Catholic Church.

- As per Canon Law, The priest is bound by the Seal of Confession and absolute confidentiality.

- Confession is a Sacrament of forgiveness, healing and peace, is free of charge and the benefits may be difficult for those who do not understand the teachings of the Catholic Church.

- The Freedom of Religion is a basic freedom in our secular democracy.

- The Amendment makes priests criminals for refusing to break the seal of confession. Yet it does not

require lawyers, psychologists, counsellors or social workers to reveal what they hear of childhood abuse.

- It must be pointed out that a report of a delictum gravius received in confession is under placed the strictest bond of the sacramental seal (cf. canon 983 § 1 CIC; canon 733 § 1 CCEO; art. 4 § 1, 5^o SST). A confessor who learns of a delictum gravius during the celebration of the sacrament should seek to convince the penitent to make that information known by other means, in order to enable the appropriate authorities to take action.