

**From:** [Grant Gorddard](#)  
**To:** [Legislation Committee](#)  
**Subject:** Children and Community Services Amendment Bill 2019  
**Date:** Sunday, 19 July 2020 3:41:48 PM

---

Legislative Council Legislation Committee

Parliament House

4 Harvest Terrace

West Perth, WA 6005

19 July 2020

To the Committee members,

I write about the *Children and Community Services Amendment Bill 2019* with its proposed amendments to the *Children and Community Services Act 2004*, and in regard to section 124BA and ministers of religion being mandatory reporters of child sexual abuse, particularly from beliefs formed from information disclosed within the context of religious confession.

As a minister of religion myself, the parish priest of Immaculate Heart of Mary Parish, Scarborough, I concur with the growing consensus among the priests of Australia that it is extremely rare these days to hear the confession of the sin of child sexual abuse. I wish it were otherwise, considering how widespread this crime is within society. Should the State introduce mandatory reporting of ministers of religion to the extent that includes beliefs formed from information disclosed within the context of religious confession, this would actually deter people from confessing this sin, making this kind of confession rarer. Sexual predators are very careful about not getting caught, and it will be very unlikely that they would confess these sins to a priest who is to be legally bound to report any suspicion of such sin.

On the other hand, priests are currently bound to keep all Confessional conversations in absolute and unbreakable confidentiality, which we call the seal of Confession, creating the safest opportunity available for any person who has committed the sin of child sexual abuse to disclose what they have done. The priest then has the opportunity and duty to give counsel to the penitent, ensuring that the penitent is fully aware of the gravity of their sin, that the path of righteousness and justice requires turning themselves in to the police, and at the same time offering the penitent encouragement and support in taking this step. Any such opportunity created by the seal of Confession will be lost with the proposed new laws, with child sex offenders being deterred from making any disclosure to priests, and Western Australia overall will be less safe than what it is at present.

With respect to children disclosing any sexual abuse within the context of conversations of the sacrament of Confession, the proposed new laws will also deter this, making such an occurrence less likely, with further lost opportunities for the priest to intervene. In the course of teaching Catholic children how to celebrate the sacrament of Confession, they are currently taught that everything said in their conversation with the priest is held by the priest in absolute and unbreakable confidentiality. With the proposed new laws, Catholic children will then need to be taught and reminded that everything said in their Confession conversation with the priest will be held in absolute and unbreakable confidentiality by the priest *except for one thing*. There can be no hiding from children the truth of what that one exception is, especially older children and teenagers, that the priest is legally bound to report any suspicion or disclosure of sexual abuse from what they have said to him. Again, once children are taught and reminded of this, they will be deterred from making any such disclosures.

On the other hand, if children can continue to be taught that *everything* said in their conversation with the priest whilst celebrating the sacrament of Confession is bound by the seal of Confession, the sacrament of Confession will continue to be a place which is safe to bring up anything, and children will feel safer in making a disclosure of

sexual abuse that it may be happening to them. The priest then has the opportunity to intervene, disarming any malice or lies that sexual predators may have planted in their young minds to keep this abuse secret, and offering them encouragement and support in informing a trusted adult. Once again, any such opportunity created by the seal of Confession will be lost with the proposed new laws, with children being deterred from making any disclosure of sexual abuse to priests, and Western Australia overall will be less safe than what it is at present.

Finally, I would like to take this opportunity to offer reassurance of my personal commitment, and the commitment of so many of my brother priests in Western Australia, to making our parishes and schools places that are safe for our children. With the changes of recent years, including the Safeguarding Program which has been implemented in the Parishes of the Archdiocese of Perth, we are already seeing the beginnings of a new culture within the Church that will give protection against the abhorrent crimes of child sexual abuse that have happened to children entrusted to our care.

Sincerely,

Fr Grant Gorddard

Parish Priest