

Dear Legislation Committee

I am writing in relation to the Children and Community Services Amendment Bill 2019 (the Bill).

My main concern with the Bill is the intended and discriminatory restriction of the practice of the Catholic religion, by requiring priests to break the seal of confession in certain circumstances. I readily concede that many non-religious citizens have little sympathy or understanding of the religious worth of a personal confession under the seal. But such a practice has been an integral element of the Catholic religion for over a thousand years to the present day. It is remiss of the Government to take away this aspect of religious freedom without objectively assessing whether its abolition truly does anything other than assuage the outrage of people in the community towards anything distinctively Catholic or religious.

In this regard, we know from the Royal Commission that paedophiles tend to be manipulative and deceptive. A person coming to confession can choose to attend at any church, including one where he is not known. He can choose whether to confess anonymously behind the grille (though much less available in the Church these days) or openly in front of the priest. In any event, to my knowledge, no priest has ever had anyone confess to child sexual abuse. The prospect of that happening will not be enhanced by removing the privilege in relation to the confessional seal.

I also note that the Royal Commission recommended mandatory reporting for five groups of professions (including psychologists and school counsellors). However, the Bill appears to have only singled out Ministers of Religion for mandatory reporting with little (or none) consultation with religious organisations. The Committee may wish to note that the Catholic Archdiocese of Perth has implemented exemplary measures in the safeguarding of children. Its successful Safeguarding Programme has been adopted as a model across Catholic Dioceses across Australia. No other organisation outside the Catholic Church of Australia has as comprehensive and as large-scale a programme for the safeguarding of children. Instead of forcing the Church to implement mandatory reporting, my hope is the Government will instead consult and work collaboratively with the Church to implement and improve practices that will be effective in protecting the vulnerable young members of our community.

Regards  
Brendan Cullen