

## Legislative Council Committee Office

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**Subject:** Children's and community services bill 2019 recommendations 7.3, 7.4 Clauses 51-53 of the amendment bill 2019

**from:** Rosa Pasquale

**Sent:** Friday, 24 July 2020 3:46 PM

**To:** Legislation Committee <[lclc@parliament.wa.gov.au](mailto:lclc@parliament.wa.gov.au)>

**Subject:** Children's and community services bill 2019 recommendations 7.3, 7.4 Clauses 51-53 of the amendment bill 2019

**Subject: THE CHILDREN AND COMMUNITY SERVICES BILL 2019  
Recommendation 7.3, 7.4 Clauses 51 - 53 of the amendment bill**

I have been reading the inquiry into the Children and Community Services Amendment Bill of 2019 noting that there is a push into making amendments.

While I am in favour of always reviewing the services and bills, for the purpose of improving the laws for the good of all, I must admit that I am surprised by the main purpose of the amendments to the Children and Community Services Act 2004.

It appears to me that this particular amendment is aimed at the ministers of religion and in particular to the practice of CONFESSIO which has always been regarded as private and sacred.

I find this discriminatory and unreasonable for the following reasons:

Are lawyers, doctors, nurses, school teachers and many more who deal with the private lives of children and the public, not in the same position as religious ministers.

Is the information received by the above professionals not as important as that received by religious ministers?

Does not every professional have the responsibility to defend the weak and the abused?

Are doctors, lawyers, nurses and teachers not in a better position of identifying the abused than the religious ministers? After all, a priest/minister must wait to be approached by an offender before receiving any knowledge about the criminal act. Whereas, other professionals may be in contact with the abused and receive information much sooner.

If religious ministers are to be bound to report all crimes, then so, all professionals should not be excused from criminal responsibility.

It is my belief, that it is imperative that **confession** remain private and secret so that 'the abuser' can confide their crime. This promise of secrecy provides the religious ministers with the opportunity to offer assistance and encourage the other to seek help and go to the authorities. While secrecy remains, they can provide help which will be beneficial to the abused as well as the abuser.

I truly believe that our ultimate aim is to defend and protect all children and the weak, so by leaving the doors of confidentiality open in the CONFESSIOIN, there is more opportunity to help those at risk.

As a last point, please consider the rights of others who attend Confession. The church has always advocated that the confession is between God and the person asking forgiveness. The priest offers God's love, guidance and forgiveness, and the people (who are not criminals) find comfort in the knowledge they are not judged or that their words are remembered. They believe in the seal of the confession, that nothing will be repeated.

**If this bill is to be amended, then it must be amended justly! It must apply to all, not just the religious ministers. If it is amended only in the future to include other professionals, then you are discriminating against religious ministers now. You are attacking one section of the community! The law must be just and clear! No single group or community or profession must be attacked by the law.**

Sent from my iPhone