

I, Richard Cooke, wish to make a submission to the Western Australian Parliamentary Inquiry into the Children and Community Services Amendment Bill 2019.

This is regarding the attempt by the State Government to introduce changes to the Children and Community Services Act 2004 that would extend mandatory reporting of child sexual abuse to information gained during the Catholic Sacrament of Confession.

This seems to me like the State is attempting to intervene in our religious freedom, undermining the essence of what it means to be a Catholic when they should instead be protecting our religious freedoms.

I understand that Australia's Constitution states that the Commonwealth is not to legislate in respect of religion - "The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth. (Commonwealth of Australia Constitution Act - Section 116 )

I feel that this bill, as currently set out, would drive a horse and carriage through Australia's Constitution.

The Catechism of the Catholic Church sums up, in book form, the beliefs of the Catholic faithful. For as long as I can remember the Catholic Catechism teaches that - "Given the delicacy and greatness of this ministry and the respect due to persons, the Church declares that every priest who hears confessions is bound under very severe penalties to keep absolute secrecy regarding the sins that his penitents have confessed to him. He can make no use of knowledge that confession gives him about penitents' lives. This secret, which admits of no exceptions, is called the "sacramental seal," because what the penitent has made known to the priest remains "sealed" by the sacrament. (Article 4 - 1467)

Catholic Canon Law states that "The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason. (Can. 983 §1.)

This or similar edicts have been in place in the Catholic Church for many hundreds of years. In my view, the passing of this bill would be an attempt to abolish long standing laws and traditions of the Catholic Church, cause our faithful priests to be excommunicated from the church for violating the 'sacramental seal' and undermine the Australian constitution. In short I believe that it would be a terrible insult to members of one of the world's largest religions if our state were to go down this road.