

Submission to the Legislative Council against the proposal to break the confessional seal.

I am a practising Catholic living in WA and I am grateful for the freedom I have to engage in my faith without widespread persecution. I can deal with those people who have different or no faith as each should be free to believe as they do. I am however concerned that a major part of the Catholic faith is now threatened through the Bill that is before Parliament and currently being considered by the Legislative Committee.

I am concerned for a number of reasons. The fact that mandatory reporting would probably deter offenders from confessing is actually way down on my list of concerns. The main concern is the threat to the practice of the Catholic faith in WA. A priest cannot obey this law, even if you bring it in, as they are bound by the Canon Law of the universal church and this prohibits breaking of the confessional seal. So, there would be two options for priests should an offender actually confess their abuse. They either report the confession of the abuser, breaking the seal, and get excommunicated from the Catholic Church; or they do not report, and they are jailed. Either way, we lose our priests. This is religious persecution at its highest.

Another reason is that the whole scenario is so unlikely to occur anyway. To receive absolution, you have to be repentant and intend not to offend again. For most offenders this is beyond their capacity as they either don't consider they have done anything wrong (so probably wouldn't confess anyway, and if they did confess, it would be short term appeasement if they did have a conscience); or they have an addiction, which is not dealt with by confession. What would entice an abuser to confess? Very little, so nothing gained.

Thirdly, I have received Safeguarding training from the Catholic Church in WA. It is leading the way in safeguards to stop further abuse and responses to existing. Every member of any parish or organisation who MAY have any contact with a minor, even through giving communion, must be cleared through the safeguarding office and must have a WWCC. Parishes and organisations have dedicated, fully trained safeguarding officers who are monitoring activities and are available should anyone have a concern. The training offered by the Safeguarding office is serious and thorough. We are left in no doubt (if there was one) how the Church has failed in this area, what measures have been put in place to try to prevent this ever happening again, and how we play our part in this. This is a huge priority in the Archdiocese of Perth, which is the only experience I can attest to.

Please take into consideration that you may also impact the very ones that you are trying to protect. Some sufferers are using the confessional to seek time with a priest for counselling or healing. Yes, they could make an appointment and do this outside the confessional, but they find safety and maybe anonymity in the confessional and a caring ear and heart. Please do not put every priest into the same melting pot as that very small percentage of priests who have committed evil through abusing other people. The vast majority of priests live to love and serve those who come to them for counsel or to receive sacraments. Your legislation would remove this opportunity. Not every abuse victim is ready to deal with the consequences immediately. Some need to work through events and seek some level of healing before they are mentally able to deal with the inevitable trauma involved with achieving a conviction.

Please do not take the politically expedient way out but consult with the Catholic and Orthodox Churches and survivor groups to find a better solution. Talk to the Churches and see how much has already changed and what safeguards are in place.

Society as a whole has turned its back on God and on religion. Those of us who continue to believe and have the right at present to practice our faith want to be able to do so, without fear or favour. Please do not act on this knee-jerk reaction. If everyone is committed, we can work towards a win-win solution.

Thank you for considering my submission. May God bless you all.

Yours sincerely,

Jane Borg  
23 July 2020