

**From:** [REDACTED]  
**To:** [Legal Affairs and Community Safety Committee](#)  
**Subject:** Concerns over the Sacrament of Confession and other consequences of the proposed Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019  
**Date:** Sunday, 5 January 2020 10:31:00 PM

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Dear Committee Secretary,

I am writing to express my opposition to the proposed amendments to the criminal code in the Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019.

I too am horrified at the abuse which has occurred not only in the Catholic Church but that has occurred at disturbing levels across all institutions in our society. We must take decisive action to protect children from abuse and abusers but it is for this reason that I am opposed to this bill and specifically the provisions targeting mandatory reporting relating to the Sacrament of Confession.

The provisions in the proposed bill regarding Confession are fundamentally flawed and will not make children any safer but will in fact make children less safe. While well intentioned, these provisions are written by legislators, many of whom are not Catholic and who propose solutions based on very superficial knowledge of Catholic issues. This ignorance will be highly detrimental not only to vulnerable children but to people of faith for the following reasons:

1. Persons guilty of abuse do not go to confession – the psychological profile of child sex abusers mean they go out of their way to hide their heinous acts and are extremely unlikely to confess them to a priest.
2. Confessions are made anonymously and details are not confessed – priests do not know the penitent nor the details of the event which they are supposedly required to report to police
3. This law would be unenforceable except where deceitful individuals act as ‘dummy penitents’ in order to report priests – this will result in priests facing imprisonment for not reporting events which never occurred.
4. The Canon law of the Catholic and Eastern Orthodox churches forbids priests from breaking the confidentiality of the confessional. This will lead to priests facing ‘religious persecution by prosecution’ as they would be unable to defend themselves in court since they cannot use any knowledge gained in confession even to save their own life, reputation, or refute a false accusation. Priests cannot even say what they did not hear in confession.
5. The Sacrament of Confession and its seal has been in practice for more than 2,000 years without fail. This long-standing credibility of the Sacrament in society clearly indicates this practice is not causal of the current abuse nor is it the fix.
6. In the unlikely scenario that an abuser goes to confession, this law would eliminate the opportunity of priests to encourage the predators to turn themselves in
7. Priests do in fact urge children to inform an adult or authorities of abuse outside of confession.

For the reasons above, I urge the Committee to reject the provisions in the proposed bill regarding mandatory reporting relating to the Sacrament of Confession.

Yours sincerely,  
Lara Byrnes

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