Australian bishop protests law requiring priests to break seal of confession



- A new law in Australia will require Catholic priests in Canberra to break the seal of confession to report child abusers, drawing adamant opposition from Church officials.

“Priests are bound by a sacred vow to maintain the seal of confession,” said Archbishop Christopher Prowse of Canberra and Goulburn, adding “without that vow, who would be willing to unburden themselves of their sins?”

In a June 6 article for the Canberra Times, Prowse cautioned that “the government threatens religious freedom by appointing itself an expert on religious practices and by attempting to change the sacrament of confession while delivering no improvement in the safety of children.”

“Sadly, breaking the seal of confession won’t prevent abuse and it won’t help our ongoing efforts to improve the safety of children in Catholic institutions,” the archbishop continued.

On Thursday, the ACT Legislative Assembly in Canberra passed a law requiring religious organizations to fall under the legal requirements of the mandatory Reporting Conduct Scheme. Religious groups and their “activities, facilities, programs or services” will be required to report any allegations, offences or convictions of child abuse within 30 days.

This legislation extends to the seal of confession, making it illegal for priests to fail to report the confession of a child sexual abuse crime. The confession provision will take effect March 31, 2019.

ACT Attorney-General Gordon Ramsay said the situation is “complex” and must be discussed “with community and religious leaders” over the course of the coming months. Ramsay also noted he would be meeting with Archbishop Prowse to discuss the new law.

However, politicians in the area have already raised concerns over the new measure. Andrew Wall, a member of the Australian Capital Territory Legislative Assembly, said many of the clauses in the new law were “overdue,” but disagreed with its extension to the confessional.

Wall said forcing priests to break the seal of confession “significantly impinges on an individual’s freedom of association, freedom of expression and freedom of religious rights,” according to the Canberra Times.

Vicki Dunne, a Catholic and member of the Australian Capital Territory Legislative Assembly, also noted that a priest who directly violates the “Seal of Confession” incurs a “latae senentiae” excommunication reserved to the Apostolic See, which can only be lifted by the Pope himself.

The Catechism of the Catholic Church teaches 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,” due to the “delicacy and greatness of this ministry and the respect due to persons.”

Trying to force priests to break this seal would undermine the “sacred, sacramental and sacrosanct” rite of confession, Dunne said.

“We need to stop and think twice before we pass legislation that requires Catholic priests to break the seal of confession,” she said.

Archbishop Prowse, who was apologetic for the Church’s role in the failure to protect children in the past, asked for forgiveness and highlighted the measures the Church is taking to ensure safety and protection of children.

However, Prowse said the new law asking priests to break the seal of confession will not contribute to a safer environment for children.

“What sexual abuser would confess to a priest if they thought they would be reported?” said Prowse, adding, “if the seal is removed, the remote possibility that they would confess and so could be counselled to report is gone.”

The archbishop also remarked there would be no guarantee that a priest would be able to identify the penitent after a confession, especially if there is a screen in the confessional. He also underscored the sacredness of the confessional vow, which safeguards the vulnerability of penitents.

Prowse, who said he supports the reportable conduct scheme in general, voiced his anticipation of discussing the legislation with government officials, saying, “it is vital we get this right.”

“We urge the chief minister to allow the Catholic community into this conversation to ensure we are part of the solution,” Prowse said.

“Together we can ensure the protection of children’s rights and uphold the integrity of our sacraments.”

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