Irish priests reject suggestion that they break seal of confession

by Michael Kelly by Catholic News Service

DUBLIN (CNS) -- The group that represents Ireland's Catholic priests says the secrecy of confession must be protected, despite government indications that confessions would not be exempt from rules on mandatory reporting of child abuse.

"The point is, if there is a law in the land, it has to be followed by everybody. There are no exceptions, there are no exemptions," said Irish Children's Minister Frances Fitzgerald.

Father P.J. Madden, spokesman for the Association of Catholic Priests, insisted that the sacramental seal of confession is "above and beyond all else" and should not be broken even if a penitent confesses to a crime.

Father Madden said he would strongly urge and appeal to the penitent -- whether a priest or anyone else -- to confess a crime to the police and have the civil aspect dealt with, but that he did not approve of the idea of reporting what was said.

"If I'm breaking the law then somebody has to find a way to address that for me ... but in my own right as a priest what I understand is the seal of confession is above and beyond all else," he said.

"The seal of confession is a very sacred seal for lots of different reasons way beyond this one single issue, however serious this one single issue is," Father Madden insisted.

The Irish government said it would introduce legislation that makes it mandatory for priests to reveal details of child abuse, even if they become known in the confessional. The offense is punishable with up to five years in prison.

The announcement came after a judicial commission investigating the Diocese of Cloyne revealed July 13 that allegations of abuse were being mishandled and withheld from the police as recently as 2008.

Irish Prime Minister Enda Kenny said July 14 that canon law would not be allowed to supersede state law.

Fitzgerald said the government was not concerned about "the rules governing any body."

"This is about the law of the land. It's about child protection. Are we saying ... if a child is at risk of child sexual abuse that should not be reported? We cannot say that. The law of the land is clear and unambiguous," she said.

Bishop John McAreavey of Dromore told Catholic News Service that the bishops would await the publication of the legislation before assessing it. However, he said, he felt it was "unreal to suggest that the seal of confession has prevented the reporting of the abuse of children."

The new legislation is not expected to be published this fall, and sources close to the Irish bishops' conference expected that a heavy lobbying campaign will get under way to ensure that a suitable exemption is considered.

David Quinn, director of the think-tank the Iona Institute, called the proposal "unprecedented."

"This would make us the one and only country in the Western world to have such a law. Even revolutionary France in the days of its worst violence against the church did not pass a law requiring the breaking of the seal of confession," Quinn told Catholic News Service.

He said the government "is clearly missing something that every other government can see, which is that, at a minimum, such a law is very unlikely to lead to a single conviction and, at a maximum, will be counterproductive and will make society less safe, rather than more safe."

"No child abuser will go to a priest in confession knowing the priest is required to inform the police. But cutting off the avenue of confession to a child abuser makes it less likely that he will talk to someone who can persuade him to take the next step," he added.

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