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Confessional secrets

A FORMER Catholic priest in Queensland, Australia, went to confession more than 1,500 times to admit sexually abusing boys. He was told to go home and pray. In a 2003 affidavit, then 68-year-old Michael Joseph McArdle, who was jailed for six years in October of that year, claimed to have made confession about his paedophile activities to about 30 priests over a 25-year period.

He noted: "As the children would leave after each respective assault, I would feel an overwhelming sense of sadness for them and remorse, so much so it would almost be physical. I was devastated after the assaults, every one of them. So distressed would I become that I would attend confessionals weekly and on other occasions fortnightly and would confess that I had been sexually assaulting young boys." He said the only assistance or advice he was given was to undertake penance in the form of prayer.

He claimed that after each confession, "it was like a magic wand had been waved over me." McArdle's affidavit would appear to contradict a widespread view in Ireland that child sex abusers are unlikely to admit such abuse to a priest in the confessional. Common sense would suggest that priest abusers particularly, and as above, would be likely to avail of the seal of the confessional as they seek forgiveness for what they have done and maybe even help in controlling their impulses. More is required in such cases of the confessor priest than penance, prayer and sympathy.

In that context it was unfair and disproportionate of the Catholic primate Cardinal Séan Brady last Sunday to portray proposed new child protection legislation, which would make it mandatory in all cases to report child abuse, as an attack on freedom of religion. In Knock, he said "the inviolability of the seal of confession is so fundamental to the very nature of the Sacrament that any proposal that undermines that inviolability is a challenge to the right of every Catholic to freedom of religion and conscience".

Minister for Justice Alan Shatter has said that new child protection legislation would apply to doctors and priests, even where this information is revealed in the confessional. Minister for Children Frances Fitzgerald has said on the matter that "if there is a law in the land, it has to be followed by everybody. There are no exceptions, there are no exemptions."

In this newspaper yesterday she said "what is required is a positive piece of legislation which will encourage a culture where child protection is taken seriously" and that such legislation would "require a careful teasing out". It will.

That is what all sides should now be about. Freedom of religion is an important principle in a pluralist society but all should remind themselves that the most important issue here is the protection of children. Other jurisdictions deal with the issue of priest-penitent privilege in various ways. With goodwill, it ought to be possible here to negotiate through conflicting rights and freedoms in the primary interest of children.