

Religious Confession and Evidential Privilege in the 21st Century

Edited by Mark Hill QC
and A. Keith Thompson

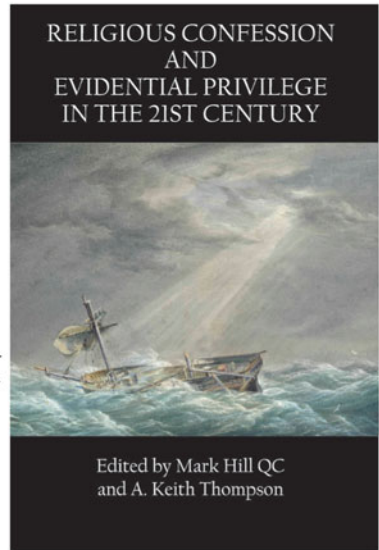
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This collection by editors Mark Hill QC and Keith Thompson raises many questions about recent challenges to religious confession privilege whether through legislative enactment or otherwise. Is confessional practice protected by international human rights instruments and domestic constitutional norms? Is there a social benefit from sinners using confession as a means of reformation of character? How do we decide which confidences should be protected by law? Are children and the vulnerable any better protected by making inroads into the doctrinal practice of confession?

While these questions are not all answered here, the different US, European and Australian contexts enable wider comparative insights not always considered within a single jurisdiction. While religious confession privilege law has evolved differently in countries with established churches, it seems that the need to accommodate other religions has led to increased tolerance of diverse belief and practice. There are also some surprises here - including the confessional nature of auditing practice in Scientology and that, until recently, it was a criminal offence in Norway and Sweden for a religious minister to disclose confidences.

As former Archbishop of Canterbury, Rowan Williams says in the Foreword, no community of faith can exist without a foundation of trust. That bond is shattered when religious authorities betray trust, such as by physical or mental abuse, but confession requires confidences to be maintained for the sacrament of penance to be meaningful. This volume seeks to stimulate discussion and to inform a deeper understanding of this tangled and urgent issue.

Contributions from: A. Keith Thompson, Robert Natanek, Patrick Parkinson, Monica Doumit, Mario Ferrante, Mark Hill QC, Christopher Grout, Andreas Henriksen Aarflot, Stephen Farrell, Gregory Zubacz, Giorgio Morelli and Eric Lieberman



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