

Religious Confession Privilege And The Common Law By A Keith Thompson

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Religious Confession Privilege and the Common Law (Studies ...

The origin of the privilege in the canon law in the first millennium AD is traced and its reception into common law is documented. Proof that religious confession privilege continues unbroken at common law through to the present day is of obvious importance in jurisdictions where there is no relevant statute.

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RELIGIOUS CONFESSION PRIVILEGE - THOMPSON - ABSTRACT vi Canada decided R v Gruenke⁴ in 1991, there was no reported decision on religious confession privilege anywhere in the British Commonwealth. All else that had been

Religious Confession Privilege at Common Law: A Historical ...

Despite what most evidence law texts say, religious confession privilege does exist at common law. This book provides proof from both historical and common law materials with consequences even in jurisdictions where the privilege now exists in statutory form. 2011-04-11 2011-04-11. 204 Download ...

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The confessional seal and priestly privilege is central to Catholic doctrine. A Commonwealth law compelling clergy to violate the seal is likely to breach Section 116 of the Australian Constitution, which provides that "The Commonwealth shall not make any law for...prohibiting the free exercise of any religion".

Religious freedom, the confessional and the Royal ...

Perhaps the most contested issue that arose from the recommendations of the Royal Commission is the status of religious confessions in mandatory reporting and 'failure to report' laws. The Royal Commission heard evidence of various instances of both victims and perpetrators discussing abuse during confession.

Religious Confessions and Child Protection Reporting (Part ...

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The religious confessions privilege applies in pre-trial matters, as it relates not only to the adducing of evidence but also allows a member of the clergy (of any religion and religious denomination) to refuse to divulge that a religious confession was made or the contents of the confession.

Religious confessions | ALRC

The clergy-penitent privilege, clergy privilege, confessional privilege, priest-penitent privilege, clergyman-communicant privilege, or ecclesiastical privilege is a rule of evidence that forbids judicial inquiry into certain communications between clergy and members of their congregation. The law recognises certain communication as privileged and not subject to otherwise obligatory disclosure; for example, this often applies to communications between lawyers and clients. In many ...

Priest-penitent privilege - Wikipedia

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Religious Confession Privilege And The Common Law By A ...

There has never been any UK legislation, one way or the other, about the disclosure in evidence of religious confession. If the privilege had ceased to be part of the common law, legislation would be necessary to re-establish it.

Priest-penitent privilege in England - Wikipedia

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Religious Confession Privilege and the Common Law : A ...

Abstract The Ryan Commission in Ireland and the Royal Commission in Australia both addressed strident calls for the abolition of Religious Confession Privilege (RCP) in cases of suspected child sex abuse. But while the Australian Commission supported that recommendation, the Ryan Commission did not.

The persistence of religious confession privilege ...

"Removing the privilege associated with religious confession will set a dangerous precedent which may be relied on, in the future, to remove or restrict legal professional privilege," he said.

Law body wary about legislative moves against religious ...

127 Religious confessions (1) A person who is or was a member of the clergy of any church or religious denomination is entitled to refuse to divulge that a religious confession was made, or the contents of a religious confession made, to the person when a member of the clergy.

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