

CANON CONCERNING CONFESSIONS 1989

Canon 10, 1992¹ as amended by
Canon 11, 2014

A canon concerning confessions

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning confessions 1989".

- 2.² Subject to section 2A, if any person confess his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sin so confessed and committed to trust and secrecy by that person without the consent of that person.

- 2A.³ (1) In this section -
 - "child" means a person under the age of 18 years;
 - "child abuse" has the same meaning as in the *National Register Canon 2007*;
 - "child exploitation material" has the same meaning as in the *National Register Canon 2007*;
 - "church worker" has the same meaning as in the *National Register Canon 2007*;
 - "clergy" has the same meaning as in the *National Register Canon 2007*;
 - "Director of Professional Standards" has the same meaning as in the *National Register Canon 2007*;
 - "ordained minister" has the same meaning as "clergy";
 - "police" means the Australian Federal Police or the police service of a State or Territory of Australia;
 - "serious offence" means a criminal offence of the Commonwealth, of a State or of a Territory, or of another country which is equivalent to such a criminal offence of the Commonwealth, of a State or of a Territory:
 - (a) involving child abuse; or

1 This canon was passed provisionally as Canon P3, 1989.

2 Amended by Canon 11, 2014

3 Inserted by Canon 11, 2014.

- (b) involving child exploitation material; or
 - (c) punishable by imprisonment for life or for a term of 5 years or more.
- (2) Subject to subsection (3), where a person confesses that he or she has committed a serious offence an ordained minister is only obliged to keep confidential the serious offence so confessed where the ordained minister is reasonably satisfied that the person has reported the serious offence to the police and, if the person is a church worker or a member of the clergy, to the Director of Professional Standards.
 - (3) An ordained minister may reveal the conduct so confessed to a professional advisor for the purpose of obtaining advice as to whether that conduct constitutes a serious offence.
 - (4) It is a defence to a charge of breach of discipline or any offence against the ordained minister arising from his or her disclosure to any person of the conduct so confessed that does not constitute a serious offence that the ordained minister in good faith believed that the conduct did constitute a serious offence.
3. The proviso to canon numbered 113 of the Canons of 1603, and any other law of this Church concerning the making of confessions to an ordained minister, in so far as the same may have any force, shall have no operation or effect in this Church.
 4. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.
