

CANON CONCERNING CONFESSIONS 1989

Canon 10, 1992¹ as amended by
Canon 11, 2014²
Canon 16, 2017

A canon concerning confessions

Whereas every confession to an ordained minister is heard in the context of the desire of the penitent to be reconciled to God, to the fellowship of the church, and to those who have been harmed by the penitent's sin:³

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning confessions 1989".
- 2.⁴ 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.⁵ (1) In this section –

abuse means sexual assault, sexual exploitation or physical abuse;

child means a person under the age of 18 years;

child abuse has the same meaning as in the National Register Canon 2007;

Church authority 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;

grave offence means conduct that amounts to a criminal offence against the laws of the Commonwealth, a State or Territory, or another country which is equivalent to a criminal offence of the Commonwealth, a State or Territory involving child abuse:

ordained minister has the same meaning as **clergy**;

penitent means a person who makes a confession to an ordained minister;

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

² Repealed by Canon 16, 2017

³ Added by Canon 16, 2017

⁴ Amended by Canon 16, 2017

⁵ Added by Canon 16, 2017

police means the Australian Federal Police or the police service of a State or Territory of Australia.

- (2) Subject to subsection (3), where a penitent confesses to an ordained minister that he or she has or may have committed a grave offence, that ordained minister is obliged to keep confidential the grave offence so confessed only if he or she is reasonably satisfied that the penitent has reported the grave offence to the police and, if the person is a church worker or a member of the clergy, to the Director of Professional Standards or other relevant Church authority.
 - (3) An ordained minister to whom a penitent has confessed that he or she has or may have committed a grave offence may, for the purpose of obtaining advice as to whether that conduct constitutes a grave offence, reveal the nature of that confession to a person nominated by the bishop of the diocese for the purpose of giving that advice.
 - (4) It is a defence to a charge of breach of discipline or any offence brought against an ordained minister, arising from his or her disclosure to any person of conduct confessed by a penitent that did not constitute a grave offence, that the ordained minister believed in good faith and on reasonable grounds that the conduct may have constituted a grave 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.