

BISHOP'S GUIDELINES

Pastoral Counseling & Rite of Reconciliation

(Lent, A.D.2015)

Principles

The Church must be a “safe place” for her people, especially children and the vulnerable, where predatory behavior is not tolerated.

The Church must also be a place where the secrets of the heart can be entrusted to those appointed to responsibility for the cure of souls, such that spiritual direction can be given and holiness of life fostered.

The Clergy have a special responsibility for the stewardship and maintenance of this safety and this environment.

Pennsylvania Law

Pennsylvania Law provides for protection of both priest/penitent and the counselor/counselee confidentiality in significant ways.

Pennsylvania law provides that “no ... priest..., who while in the course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial or investigation before any government unit.” Other parts of the Pennsylvania statutes make it clear that this privilege applies even in situations involving child abuse.

Those functioning in jurisdictions outside the Commonwealth of Pennsylvania may consult the Chancellor of the Anglican Diocese of Pittsburgh for guidance on relevant statutes in their jurisdictions.

Rite of Reconciliation of a Penitent and Pastoral Counseling--A Clarification of Distinction

The Rite of Reconciliation of a Penitent and pastoral counseling are related but distinct ministry activities. The Rite of Reconciliation is one of the Church's pastoral offices. It occurs in a very limited context, when a Priest hears the confession of a penitent regarding specific sins of commission or omission accompanied by expression of contrition for the conduct, speech, thoughts or failure to act and an intention to accept God's grace for subsequent amendment of life. The expression of contrition also will include any restitution implicit in the circumstances of that which is forgiven. Upon hearing a valid confession inclusive of the enumerated elements, the Priest, using the authority given him or her by God, then declares to the penitent God's forgiveness for the sins confessed. Normally, a confession is heard at the altar rail (if there is one) or within the sanctuary, the priest having put on a stole.

In pastoral counseling the objective context is much more broad. First, the offering of pastoral counseling is not limited to the priesthood only. And where in confession the penitent comes seeking God's forgiveness for known wrongs done (or things left undone) in the past, in pastoral counseling a

counselee may be looking (appropriately or otherwise) for God's blessing for anticipated future conduct. Even in an instance in which past conduct, speech, thought, or failure to act is invoked, the counselee may not be expressing or even particularly feeling contrition--in certain circumstances contrition might not even be an indicated response; in certain others the counselee may not yet have attained a state of contrition; in still others the person may be wrestling against or even resisting conviction by the Spirit of God. In other words, in many instances pastoral counseling will simply have no relationship to Confession because the rather specific threshold required for there to be a Confession is simply not present. In others, pastoral counseling may ultimately lead to Confession when the time is right.

Anglican Diocese of Pittsburgh – Pastoral Counseling

Those seeking pastoral counseling can expect the content of conversations to be kept confidential between the counsellor and the counselee. At the Bishop's direction, exception to this confidence is authorized when reportable offenses under Pennsylvania statute – sexual activity with minors or child abuse – are revealed to the counsellor by the counselee. If disclosed in a pastoral counselling situation, the counselee should be informed that the counsellor will report it, or be present with the counselee when he/she self-reports. The advantage of counselee self-reporting is that it preserves the counselor's immunity from being compelled to testify in any legal proceeding, trial or investigation involving the counselee.

Anglican Diocese of Pittsburgh – Rite of Reconciliation of a Penitent

A person may ask to make a formal confession in the presence of a priest, whether in the course of pastoral counselling or spiritual direction, or independently. The priest will then hear, or arrange to have heard, as a distinct act, that person's confession and declare God's forgiveness according to an established Prayer Book rite or using traditional Anglican formulas.

The import of Canon XXX of the canons of the Diocese of Pittsburgh is that it holds the seal of the confessional to be absolute, and statutory reporting requirements do not apply.

Nevertheless, it is the Bishop's recommendation that a confessor withhold absolution for any offense involving child abuse or serious crime where "restitution" has not already been made by the penitent. "Restitution" in such a case would include going to the authorities about any criminal act that harms another living person. If such crime has not been reported, the priest should tell the penitent that he/she should turn himself/herself in, and that the priest is willing to accompany the penitent in doing so. Absolution could follow such action, provided that there is true repentance and the commitment to amend life, obtaining whatever "help" is necessary for that amendment.

If the penitent declines to make restitution by turning himself/herself in, absolution may be withheld but the seal of the confessional must remain absolute. The priest may not report the penitent and may not testify concerning the content of the confession.

Where sins repented of involve addictive behavior or public scandal or other matter the confessor believes should be followed-up, the confessor can ask that pastoral follow-up be initiated by the penitent in pastoral counseling or spiritual direction, thus allowing for discussion and remediation beyond the rite of reconciliation.

General Considerations

No priest is required to hear a confession.

The general purpose of the sacramental rite of reconciliation of a penitent (confession) is set out in Cranmer's Great Exhortation, *Texts for Common Prayer*, p. 71. See also *Being a Christian: An Anglican Catechism*, nos. 120 and 121, pp. 63-64.

It is recommended that employers or supervisors not hear confessions of employees or of pastoral or youth work volunteers supervised by them.

Part of what makes the Church a "safe place" is that matters shared – where an expectation of confidentiality would be expected – are in fact kept in confidence by a priest or pastoral counsellor. Predatory or destructive behavior is not however to be thus protected.

Under ordinary circumstances, breaching pastoral confidentiality is a serious failure in the exercise of the pastoral office and is an amenable offense. The most serious form of such breach is betrayal of the seal of the confessional, for which the historic punishment is removal from priestly function. Part of the "safety" of the Church allows for souls to be utterly exposed before a priest or counsellor without fear of betrayal by the minister.

Nevertheless, when safety of children or the weak comes into conflict with the principle of pastoral confidentiality, erring on the side of protecting children or the vulnerable (and where the seal is involved, without breaking the seal) will always be, in the Bishop's judgment, the more Godly choice.

Suggested Bibliography Concerning the Rite of Reconciliation of a Penitent

History of the Cure of Souls (1977), John T. McNeill, esp. c.10, "The Cure of Souls in the Anglican Communion."

Christian Proficiency (1988), Martin Thornton, esp. c.9, "Self-Examination and Confession."

Reconciliation: Preparing for Confession, (1985), Martin L. Smith.

Soul Friend (1977), Kenneth Leech, "Appendix: Spiritual Direction and the Rite of Reconciliation"

The Modern Confessional (2014), Jon C. Jenkins