

## *O.B.C. Policy on Confidentiality*

Our current policy on confidentiality<sup>4</sup> is summarized by the following section in our Rules:

“Spiritual communications to a priest of the Order are presumed to be confidential. If, as a result of meditation, a priest feels that silence will cause harm and greater good can be accomplished by revealing confidential information, the priest must follow his or her conscience. Consultations with other senior priests of the Order are not a breach of confidentiality.”

We normally consider any information entrusted to a priest in his or her priestly capacity as confidential. This includes not only information confided in formal spiritual counseling or sanzen, but also information confided in more informal contexts provided that a reasonable person would consider that the information was of a private nature and that it was confided in good faith to an ordained member of our Order because of their priestly role. As with any form of professional confidentiality, there are exceptions of which you should be aware.

The only usual exception is consultation with other senior priests of the Order. These are done because taking refuge in the Sangha is a basic principle of Buddhism and is ultimately for the benefit of the confiding person. A priest must be free to discuss confidential material with his or her Master, Abbot, Prior, Head of the Order, or other spiritual advisor in order to gain the benefit of their additional wise discernment on the situation so as to be able to better counsel the confiding person in the future. Also, the priest has an obligation to inform one or more of these same seniors, or the appropriate Prior or monastic officer, of confidential situations of which that senior has a need to know in order that he or she may be able to be of assistance to the confiding person and to the Sangha generally. If you have concerns about particular confidential information being shared with particular seniors in the refuge-taking process, please discuss these concerns with your priest before confiding in him or her, and make a mutually acceptable arrangement.

The other exception referred to in our rule occurs very rarely, when the confiding person reveals information to a priest about a situation which the priest believes to be one of serious impending danger to the spiritual or

physical well-being of someone and then the confiding person refuses to take responsible action to attempt to prevent that harm. In this case, the priest is authorized to do what he or she believes must be done, when the impending harm is seen to significantly outweigh the harm that will be done by breaking confidentiality and when no other reasonable alternative is apparent. Except in dire emergencies, the priest will consult with other senior Sangha members before taking action under this provision of our rules. Such actions are rare and not undertaken lightly.

Another rare exception occurs when a confiding person dies before being able to take action to rectify a situation involving his or her own past actions. The priest is then free to follow his or her conscience and meditation in acting on behalf of the deceased to do what may be done to right the situation, both for the benefit of others and to help set to rest the karma of the deceased. Such actions are presumed to be in accord with the True Heart of the deceased, even when they necessitate the disclosure of confidential information.

Finally, some legal districts have passed laws which limit the confidentiality of clergy communications within their jurisdiction. This is most often the case when the information concerns on-going child abuse. Please consult with your priest in advance if you have concerns about this possibility, or about any of the matters discussed above.