

but rather a request for pastoral counselling. He believed that the question whether a religious confession or a secular confidence was involved must be decided by each priest individually; that an assurance of confidentiality in a pastoral setting would be binding upon the priest in the absence of the penitent's change of mind.'

The priest himself testified 'he did not believe that any church law governed his authority to determine whether the purpose of the conversation or communication was a request for religious or spiritual aid.' The court observed that while 'the Episcopal Church recognizes the inviolability of an act of confession by a penitent seeking God's forgiveness and absolution through a priest,' nevertheless 'no privilege attached preventing Father Rankin from otherwise consensually disclosing the content of the nonpenitential, though private, communication to the church officials and, ultimately, to the authorities.' 248 Cal. Rptr. at 57.

It would seem advisable, at least for California penitents, to ensure that communications to an Episcopal priest either are subject to an express undertaking of confidentiality, or clearly fall within the Prayer Book's rite of Reconciliation of a Penitent.

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