



WATCH TOWER

BIBLE AND TRACT SOCIETY OF PENNSYLVANIA

THE RIDGEWAY LONDON NW7 1RN ENGLAND

EC:SG May 15, 1987

TO ALL BODIES OF ELDERS

Dear Brothers:

We are writing in connection with expressions found in the Kingdom Ministry School Textbook (ks 81), page 147, where in the opening paragraph reference is made to the law on "Ecclesiastical Privilege".

A number of enquiries have been received of late concerning the validity of the above law in this country. It appears that some difficulties have been experienced by elders in dealing with authorities, particularly the Police, pursuing enquiries about members of the congregation. Apparently they were of the view that confidential information in their possession was protected by the above law.

The Society has taken legal opinion on this subject and our understanding is that whilst congregation records are protected, as a matter of strict law there is no "Ecclesiastical Privilege" in this country. If, therefore, an elder receives information from a member of his congregation in confidence he may nonetheless, in certain circumstances, be compelled in a Court of Law (whether criminal or civil) to disclose that information.

Additionally, if an elder gave advice deliberately intended to ensure either that a criminal offence did not come to the attention of the authorities or, more particularly, to persuade a brother or sister not to make a report of the offence, then he could lay himself open to a charge of attempting to pervert the course of justice.

An elder who receives confidential information that a member of the congregation has committed a criminal offence is under no obligation in law to report that offence to the authorities and commits no offence simply by remaining silent. However, if he is approached by the Police or some other authority, such as the Social Services, and invited to reveal information considered by him to be confidential he will need to consider carefully the extent to which he ought to properly co-operate and answer questions, thereby assisting with such enquiries.

As this is a difficult and technical part of the Law, we would strongly recommend that elders contact the Branch office for legal advice before making any statement to the Police, solicitors, or social workers.

We trust these comments will be of assistance to you. Please accept an expression of our warm Christian love and best wishes.

Your brothers,

Watch Tower B. & J. Society
OF PENNSYLVANIA