Confidentiality and mandatory reporting: Discerning what and whom to protect

Kjartan Leer-Salvesen

Through their conversations with people in different contexts and circumstances, clergy are on the front line for detecting and reporting child abuse and domestic violence. In this article, I explore how clergy judge dilemmas and decide the right course of action when facing cases of possible child abuse or domestic violence. How do the clergy reason out their choices? What grounds do they give for their actions? Further, I discuss what characterises these grounds when compared with laws that regulate confidentiality and mandatory reporting.

Data are provided from a mixed methods study with 97 Norwegian teachers and clergy. My analysis suggests that the clergy's reflections on confidentiality are in conflict with mandatory reporting laws, and I conclude that there is a need to rethink clergy confidentiality. Confidentiality is frequently associated with trust. The clergy maintain that confidentiality contributes to securing trust in themselves and in the church as an institution. But is keeping confidence always necessary for maintaining trust? May the trust argument also be used the other way around? Can clerical initiatives to help children and women out of abuse contribute to building trust in the church? (188 words)

Keywords: Confidentiality, clergy, mandatory reporting, professional discretion, ethical dilemma, trust