

Complementary Legislation to Canon 961, §2 of the Code of Canon Law for the Dioceses of England and Wales in light of the Motu Proprio *Misericordia Dei*. Agreed by the Bishops' Conference of England and Wales on 12th November 2003.

1. Priests administering the Sacrament of Penance are reminded that the universal law of the Church, applying Catholic doctrine in this area, has established that:

Individual and integral confession and absolution constitute the sole ordinary means by which a member of the faithful, who is conscious of grave sin is reconciled with God and the Church. Physical or moral impossibility alone excuses from such confession, in which case reconciliation may be attained by other means also. ⁱ

All to whom by virtue of office the care of souls is committed are bound to provide for the hearing of the confessions of the faithful entrusted to them, who reasonably request confession, and they are to provide these faithful with an opportunity to make individual confessions on days and at times arranged to suit them. ⁱⁱ

2. “An unwillingness to welcome the wounded sheep, and even to go out to them in order to bring them back into the fold, would be a sad sign of a lack of pastoral sensibility in those who, by priestly Ordination, must reflect the image of the Good Shepherd.”ⁱⁱⁱ

Generous provision should be made for the celebration of the sacrament at times which are adapted to the real circumstances of penitents, and care should be taken that the times of celebration are noted in newsletters and Church notices. It is particularly recommended that opportunities for the celebration of the sacrament should be made available especially before the celebration of Mass in order to meet the needs of the faithful.^{iv} Confessions should normally be scheduled at least weekly in parish churches and other Mass centres at times of convenience to the faithful. If this is not possible other arrangements should be made, but with the opportunity for confession at least once per month. It is particularly recommended that Confessors be visibly present at the advertised times.^v

3. **General Absolution, without prior individual confession, cannot be given to a number of penitents together, unless**
 1. danger of death threatens and there is not time for the priest or priests to hear the confession of the individual penitents.
 2. there exists a grave necessity, that is, given the number of penitents, there are not enough confessors available properly to hear the individual confessions within an appropriate time, so that without fault of their own the penitents are deprived of the sacramental grace of holy communion for a lengthy time. A sufficient necessity is not, however, considered to exist when confessors cannot be available merely because of a great

gathering of penitents, such as can occur on some major feast day or pilgrimage.^{vi}

It is for the Diocesan Bishop to judge whether the conditions required in Canon 961, §1.2 are present.^{vii}

In accordance with the requirement of Canon 961,§1.2, the Conference of Bishops hereby confirms that on such occasion as a priest considers that there may be sufficient motivation for recourse to simultaneous administration of sacramental absolution to a number of penitents,^{viii} he must refer the concrete case to the judgement of his Diocesan Bishop in advance of any celebration. The Diocesan Bishop in turn makes his judgement in accord with the fundamental criteria found in the universal discipline of the Church, which are themselves based upon the requirement deriving from the sacrament of Penance itself as a divine institution and the following criteria hereby established for the Dioceses of England and Wales:^{ix}

‘Grave necessity’ should be understood as referring to rare and extreme cases, which could arise in a situation of true physical impossibility as in wartime conditions or in a similar situation, such as a major disaster, in which the shortage of priests would be such that “penitents would otherwise be forced to remain deprived of sacramental grace ‘for a long time’, through no fault of their own.”^x An occasion of grave necessity is not constituted when a sufficient number of confessors cannot be available merely because of a great gathering of penitents such as may occur during the seasons of Advent, Lent or Easter, at a marriage or funeral, or on some major feast day or pilgrimage.^{xi}

Neither may General Absolution be administered solely because individuals cannot have their confession properly heard within an appropriate time on any particular day. In order for General Absolution to be administered in accord with the authentic discipline of the Church, it must also be the case that penitents would otherwise be deprived, without fault of their own, of the grace of the sacrament or of Holy Communion for a period of time that exceeds one month.^{xii}

4. In the altogether exceptional situation that the Diocesan Bishop should judge that recourse to simultaneous administration of sacramental absolution of a number of penitents (i.e. general absolution) may lawfully be permitted, the following Canon should also be noted:

§1 For a member of Christ’s faithful to benefit validly from a sacramental absolution given to a number of people simultaneously, it is required not only that he or she be properly disposed, but also that he or she be at the same time personally resolved to confess in due time each of the grave sins which cannot for the moment be confessed.^{xiii}

§2 Christ’s faithful are to be instructed about the requirements set out in §1, as far as possible even on the occasion of general absolution being received. An exhortation that each person should make an act of

contrition is to precede a general absolution, even in the case of danger of death if there is time.^{xiv}

5. By divine law, it is necessary that a penitent confess to a priest all grave sins, as well as any specifying moral circumstances that he or she remembers after a careful examination of conscience. Having confessed their sins in this way, a penitent is absolved from them in the judicial act of the priest's sacramental absolution.^{xv} Pastors are urged to take special care to avoid any practice which might interfere with the faithful's fulfilment of the obligation of integral confession of grave sins as might well occur when penitents are asked to name just one sin or to name a representative sin, etc, and then receive absolution.^{xvi}

“It is clear that penitents living in a habitual state of serious sin and who do not intend to change their situation cannot validly receive absolution.”^{xvii} However the Sacred Pastors are encouraged to have a special care for those whose state in life presently prevents their full participation in the sacraments of Penance and the Eucharist. As Pope John Paul has affirmed: none of these brothers and sisters of ours should feel abandoned by the Church. The Church's manifestation of kindness, care and pastoral support “can prepare the way for full reconciliation at the hour that Providence alone knows.”^{xviii}

ⁱ Code of Canon Law, Canon 960

ⁱⁱ Canon 986§1

ⁱⁱⁱ Pope John Paul II, Apostolic Letter *Misericordia Dei* on certain aspects of the celebration of the Sacrament of Penance, no. 1b (*Acta Apostolicae Sedis* 94 [7 April 2002] 455.)

^{iv} Indeed, “Confessions may even be heard during Mass if there are other priests available, in order to meet the needs of the faithful.” (*Misericordia Dei*, no. 2)

^v *Misericordia Dei*, no. 2

^{vi} Canon 961§1

^{vii} Canon 961§2

^{viii} C.f. Rite of Penance Chapter III

^{ix} Cf. *Misericordia Dei*, nn4.2a-f, 5; Pontifical Council for the Interpretation of Legislative Texts, *Nota Explicativa*, 8 November 1996, in *Communicationes* 28 [1996] 179.

^x *Misericordia Dei*, no. 4.2b

^{xi} Cf. also *Misericordia Dei*, no. 4.2e

^{xii} Cf. *Misericordia Dei*, no. 4.2d

^{xiii} Canon 962 §1

^{xiv} Canon 962 §2

^{xv} Cf. Conc. Oecum. Flor., sessio VIII, *Bulla Unionis Armenorum*: Denzinger-Schönmetzer 1323; Conc. Oecum. Trid., sessio XIV, , cap. III et V, Den-Schön. 1673-1675, 1679-1683; sessio XIV *Canones de sacramento paenitentiae*, cann. 4, 6-9: Den-Schön 1704, 1706-1709; Sacred Congregation for the Doctrine of the Faith, *Sacramentum Paenitentiae*, (16 June 1972): *Acta Apostolicae Sedis* 64(1972) 510-514; can. 988, 1 CIC; *Catechism of the Catholic Church*, 1456.

^{xvi} CF. *Misericordia Dei*, no.3

^{xvii} *Misericordia Dei*, no. 7c

^{xviii} Pope John Paul II, Apostolic Exhortation *Reconciliatio et Paenitentia*, no 34, in *Acta Apostolicae Sedis* 77 [1985] 273.