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No law protects priest/parishioner privilege—court

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The Supreme Court of Ontario ruled Friday that there is no legal recognition of priest/parishioner privilege.

During a hearing before the court brought by the Church of Scientology of Toronto, Justice John Osler ruled that communications between a parishioner and a recognized religious leader are not protected from disclosure in the manner of lawyer/client communications.

The Scientologists asked for the ruling as part of their motion to quash an Ontario Provincial Police search warrant executed last year on the sect. During the police raid, about 200,000 documents were seized as part of an investigation into suspected criminal activity. Many of the documents, the Scientologists claimed, were of a priest/parishioner nature and should be returned unexamined to the sect.

But Osler disagreed. "While the preaching of religion is no business of the state, religious activities may not conflict with the law of the land, criminal or otherwise," Osler stated, sources told the *Clearwater Sun*.

The proceedings were then adjourned until October, at which time the legality of the search warrant will be argued, a source said. However, Osler ruled Friday that much of the information in the contested warrant is valid. And Osler may rule by July on another question raised during proceedings, that of the lawyer/client privilege concerning certain other seized documents.