

Royal Commission into Institutional Responses to Child Sexual Abuse

Watchtower Bible and Tract Society of Australia

Response to Royal Commission letter dated 4 November 2016

3 January 2017

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Introductory Comments¹

- i. Following the hearing before the Commission on Case Study No. 29, Jehovah's Witnesses reviewed, clarified, refined and consolidated their policies and procedures on child abuse to address concerns raised by the Commission during the hearing on Case Study No. 29, for example:
 - congregation elders worldwide were provided with the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*";² and
 - the Australia branch office and branches worldwide received the *Child Protection Guidelines for Branch Office Service Desks*.
- ii. Specifically, Jehovah's Witnesses clarified, refined and consolidated the following policies and procedures:
 - Victims of child abuse are never required to confront their abuser.
 - Congregation elders should provide on-going shepherding to comfort both the victim and his/her family and be empathetic and compassionate with them.
 - In exhorting congregation elders to lovingly and kindly serve as spiritual shepherds to victims of child sexual abuse, Jehovah's Witnesses confirmed their long-standing policy that a victim will not be shunned.
 - Victims may be accompanied by a confidant of either gender to provide them with moral support during the investigation by the elders or, if the victim wishes to be present, at a subsequent judicial hearing concerning an allegation of child abuse.
 - Congregation elders will inform parents if there is a known child abuser in the congregation.
 - Victims and their parents are informed that they have the absolute right to report an allegation of child sexual abuse to law enforcement authorities and, if they choose to do so, the elders will support their decision.
 - If the elders and/or branch office determine that a child is in danger, the elders are directed to call law enforcement authorities, even if such reporting is not mandated by law.

¹ In this Response any reference to "JWNS" is to the submission in Case Study No. 29 on behalf of the religion of Jehovah's Witnesses (*Submissions on behalf of Watchtower Bible and Tract Society of Australia & Others*) dated 9 November 2015. Any references to Transcripts and/or Exhibits (not otherwise specified) refer to those in Case Study No. 29.

² Please find attached the August 1, 2016 letter to All Bodies of Elders *Re: Protecting Minors From Abuse*. Throughout this Response, the August 1, 2016 letter to All Bodies of Elders *Re: Protecting Minors From Abuse* may be so designated or simply referred to as the "August 1, 2016 letter".

- For the protection of children, when known child abusers move, the branch office provides direction to elders in the new congregation to inform the parents and to be vigilant with regard to the individual's conduct during congregation activities.³
 - Congregation elders need to remain vigilant with regard to the conduct and activity of the accused during congregation activities, even where there is insufficient evidence to form a judicial committee. In some cases, there may be restrictions imposed on the accused, even if there is only one witness.⁴
- iii. Since the hearing before the Commission on Case Study No. 29, Jehovah's Witnesses have also published and distributed articles and videos to educate parents and children about the dangers of child sexual abuse and to promote child safety (examples of which are set out in Section 2.3 below).

Responses to Annexure A Questions

1. Question 1: What has the Jehovah's Witness organisation learnt through its participation in Case Study 29?

- 1.1 From its participation in Case Study No. 29, Jehovah's Witnesses learnt that some of their policies and procedures on child sexual abuse were not correctly understood and needed to be clarified, refined and consolidated. Jehovah's Witnesses also learnt that their policies and procedures needed to be better communicated to elders and members of the congregations.

2. Question 2: What if any action has the Jehovah's Witness organisation taken since the hearing of Case Study 29 in relation to:

(a) Organisational structure, governance and culture

- 2.1 Since the hearing of Case Study No. 29, Jehovah's Witnesses have reviewed their policies and procedures to ensure that they more clearly focus on assisting victims and protecting children. As a faith-based community, the organisational structure, governance and culture of Jehovah's Witnesses are, and will continue to be, based on the Bible. But in any event, Jehovah's Witnesses consider that their present approach to such matters is appropriate for a faith-based community that is concerned with child abuse as a sin.

³ *Child Protection Guidelines for Branch Office Service Desks*, para 27.

⁴ *Child Protection Guidelines for Branch Office Service Desks*, para 9.

(b) The promotion of child safety within the organisation

2.2 Since the hearing before the Commission on Case Study No. 29, Jehovah's Witnesses have reviewed, clarified, refined and consolidated their policies and procedures on child abuse. For example:

- Victims of child abuse are never required to confront their abuser.
- Child abuse victims who make an allegation may be accompanied by a confidant of either gender for moral support during the investigation by the elders or, if the victim wishes to be present, at a subsequent judicial hearing of allegations of child abuse.
- Congregation elders will inform parents if there is a known child abuser in the congregation.
- In all cases, the victim and his/her parents have the absolute right to report an allegation to the authorities.⁵
- For the protection of children, when known child abusers move, the branch office provides direction to elders in the new congregation to inform parents and to be vigilant of the individual's conduct during congregation activities.⁶

2.3 Since the hearing before the Commission on Case Study No. 29, Jehovah's Witnesses have also produced, published and/or distributed the following to promote child safety within the organisation:

- Internet television station, "[JW Broadcasting](#)" video presentation entitled "[We Protect Our Children](#)", narrated by a member of the Governing Body (July 2015).
- Publication entitled *Answers to 10 Questions Young People Ask*, with information on "[What Should I Know About Sexual Assault?](#)" (January 2016).
- Article entitled "[Teaching Your Child About Sex](#)" in *Awake!* magazine 2016 No. 5 (October), which stated in part: "Preschoolers can be taught the proper names of the sex organs, as well as how to protect themselves from sexual predators".
- Video entitled "[What Your Peers Say—Sexual Harassment](#)" posted on their official website, [jw.org](#), wherein five young people explain what sexual harassment is and why you should not tolerate it.
- Summary of publications posted on their official website, [jw.org](#), related to child sexual abuse entitled "[Jehovah's Witnesses Educate Parents and Children to Protect Against Sexual Predators](#)".

⁵ *Child Protection Guidelines for Branch Office Service Desks*, para 4.

⁶ *Child Protection Guidelines for Branch Office Service Desks*, para 27.

- Video entitled “[Protect Your Children](#)” posted on their official website, jw.org, which shows how parents have been helped to protect their children from sexual predators.
- Animated video posted on their official website, jw.org, for pre-school aged children in the *Become Jehovah’s Friend* series entitled “[Lesson 17: Protect Your Children](#)”.

(c) The development and promotion of child protection policy and procedure within the organisation

- 2.4 As stated above, since the hearing of Case Study No. 29, Jehovah’s Witnesses have clarified, refined and consolidated their policies and procedures as evidenced by the August 1, 2016 letter to All Bodies of Elders regarding “*Protecting Minors From Abuse*” and the *Child Protection Guidelines for Branch Office Service Desks*.

(d) Appointment of individuals to official roles within the organisation

- 2.5 As a faith-based community, the appointment of individuals to official roles within the religion of Jehovah’s Witnesses continues to be based on the Bible. The individuals who gave evidence before the Royal Commission continue in their roles.

(e) Training and supervision of those who hold an official role within the organisation

- 2.6 Since the hearing of Case Study No. 29, Jehovah’s Witnesses have provided branch offices and congregation elders with clarified, refined and consolidated child sexual abuse policies and procedures. See the August 1, 2016 letter to All Bodies of Elders regarding “*Protecting Minors From Abuse*” and the *Child Protection Guidelines for Branch Office Service Desks*. Key personnel have kept up-to-date with the publications issued by the Royal Commission concerning child sexual abuse.

(f) The organisation’s policies and procedures regarding documentation of and response to allegations of child sexual abuse

- 2.7 Since the hearing of Case Study No. 29, the Australia branch office of Jehovah’s Witnesses has continued to document every allegation of child sexual abuse communicated to it, including familial and acquaintance abuse. With respect to Jehovah’s Witnesses’ response to allegations of child sexual abuse, elders have been reminded and encouraged to be empathetic and compassionate with victims and their families. They have also been directed to provide on-going shepherding to comfort both the victim and his/her family.⁷ See the August 1,

⁷ *Child Protection Guidelines for Branch Office Service Desks*, para 3.
August 1, 2016 letter to All Bodies of Elders Re: *Protecting Minors From Abuse*, paras 11-12.

2016 letter to All Bodies of Elders regarding “*Protecting Minors From Abuse*” and the *Child Protection Guidelines for Branch Office Service Desks*.

(g) The management of risk in relation to known offenders and/or those members of the organisation in relation to whom an allegation has been made

2.8 Since the hearing of Case Study No. 29, Jehovah’s Witnesses have reviewed and refined their policies and procedures to manage risk in relation to known offenders and congregation members against whom an allegation has been made as follows:

- (a) Branch offices worldwide direct elders to inform parents of minor children regarding an individual who is a known child abuser. After two elders inform the parents, they prepare and sign a brief statement that includes the name of the individual, the names of the parents who were informed, and the date that they were informed. These statements are to be kept indefinitely in the congregation’s confidential file.⁸ The elders also inform the parents of new families with minor children that move into their congregation.
- (b) The elders inform an individual who is guilty of child sexual abuse that he has a responsibility to share this critical information with his marriage mate or fiancée, if he has not already done so. The same applies to an individual who is courting. If the marriage mate or fiancée is a parent or guardian of a minor child, the elders inform her as noted in 2.8(a) above.⁹
- (c) Branch offices inform elders that if an individual does not adhere to restrictions, two elders must immediately call the Service Department since there may be a Scriptural basis to form a congregation judicial committee to deal with him.¹⁰ In addition, if the elders and branch office determine that a child is in danger, the elders are directed to call law enforcement authorities, even if such reporting is not mandated by law.
- (d) Congregation elders have been directed that two elders must immediately call the branch office when an individual who has been accused of child sexual abuse (established or not) moves from or to their congregation, so that the elders can receive legal advice from the Legal Department and spiritual direction from the Service Department.¹¹
- (e) If a person who has been restricted from having contact with minors moves to another congregation, the Service Department informs the elders what information needs to accompany their letter of introduction to the new body of elders.¹² The Service Department will also send a letter to the new body of elders conveying the restrictions.¹³

⁸ *Child Protection Guidelines for Branch Office Service Desks*, para 20.

⁹ *Child Protection Guidelines for Branch Office Service Desks*, para 22.

¹⁰ *Child Protection Guidelines for Branch Office Service Desks*, paras 23-24.

¹¹ August 1, 2016 letter to All Bodies of Elders Re: *Protecting Minors From Abuse*, paras 21-22.

¹² *Child Protection Guidelines for Branch Office Service Desks*, para 27.

¹³ *Child Protection Guidelines for Branch Office Service Desks*, para 29.

- (f) When an individual who has been accused of child sexual abuse (but the charge was not Scripturally established and the branch did not impose restrictions) moves to a new congregation, two elders will still inform the Legal Department. The Legal Department will provide legal advice and then transfer the call to the Service Department which will assist the elders to determine what information needs to accompany their letter of introduction to the new body of elders.¹⁴
- (g) If a disfellowshipped or disassociated person who engaged in or was accused of child sexual abuse moves to another congregation, the Service Department informs the elders of what information needs to be included in their letter to the body of elders in the new congregation. This will help the elders of the new congregation to be vigilant if the disfellowshipped or disassociated person attends congregation meetings.¹⁵ The Service Department will confirm with the elders in the new congregation that they received the letter from the elders in the previous congregation.¹⁶
- (h) If an individual who has been accused of child sexual abuse (established or not) moves to a congregation outside the branch territory, the Service Department immediately forwards a letter along with any information regarding branch-imposed restrictions to the new branch office. The same procedure is followed when a disfellowshipped or disassociated person moves to a congregation in another branch territory.

2.9 In addition to the above refinements to their policies and procedures, since the hearing of Case Study No. 29, Jehovah's Witnesses have also clarified and consolidated the following policies and procedures to manage risk of known offenders and/or congregation members against whom an allegation has been made. See the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*" and the *Child Protection Guidelines for Branch Office Service Desks*.

- (a) The victim and his/her parents are informed that they have the absolute right to report the allegation to the authorities and, if they choose to do so, the elders will support their decision.¹⁷
- (b) To ensure that elders comply with child abuse reporting laws, two elders should immediately call the branch Legal Department for legal advice when they learn of an accusation of child abuse.¹⁸
- (c) The elders must call the branch Legal Department even in the following situations:

¹⁴ *Child Protection Guidelines for Branch Office Service Desks*, para 30.

¹⁵ *Child Protection Guidelines for Branch Office Service Desks*, para 31.

¹⁶ *Child Protection Guidelines for Branch Office Service Desks*, para 33.

¹⁷ JWNS at [9.217], [9.317].

¹⁸ JWNS at [5.7] – [5.10]; Exhibit 29 0019, First statement of R P Spinks, STAT.0591.001.0001_R at [29]-[30]; Exhibit 29 0019, Annexure 2 to First statement of R P Spinks, STAT.0591.001.0018_R at [1.8]; Exhibit 29 0024, First statement of T J O'Brien, STAT.0592.001.0001_R at [74]; Transcript of V J Toole, T15776:30-35 (Day 153); Transcript of G W Jackson, T15967:15-17 (Day 155). August 1, 2016 letter to All Bodies of Elders Re: *Protecting Minors From Abuse*, para 6.

- (i) when both persons involved are minors;
 - (ii) the alleged abuse occurred many years ago;
 - (iii) the alleged abuse is based on the testimony of only one witness;
 - (iv) the alleged abuse is believed to be a repressed memory;
 - (v) the alleged abuse involved perpetrators or victims who are deceased;
 - (vi) the alleged abuse is believed to have already been reported to the secular authorities;
 - (vii) the alleged perpetrator or victim is not a member of their congregation;
 - (viii) the alleged perpetrator is a non-Jehovah's Witness associating with the congregation;
 - (ix) the alleged abuse occurred before the alleged perpetrator or victim was baptised;
 - (x) the alleged victim is now an adult;
 - (xi) the alleged abuse occurred in the past, and it is unclear whether their congregation elders called the Legal Department for direction;¹⁹ and
 - (xii) an adult or a minor associated with a congregation is "sexting" with a minor.²⁰
- (d) The Australia branch office continues to keep detailed records of every accusation of child sexual abuse to help elders remain vigilant of the conduct of an accused during congregation activities and to ensure that an accused individual is not inadvertently appointed to a congregation position.²¹
- (e) Even when there is insufficient evidence to form a congregation judicial committee, the branch office may instruct congregation elders to remain vigilant with regard to the conduct and activity of the accused during congregation activities. In some cases, there may be restrictions imposed on the accused, even if there is only one witness.²²
- (f) If an individual is convicted of child sexual abuse by the secular authorities, the branch office may impose restrictions even if there is insufficient evidence to form a congregation judicial committee.²³
- (g) When it is established that an individual is guilty of child abuse, the branch office communicates in writing to the congregation elders what restrictions will be imposed on his activity in the congregation and in the field ministry.²⁴

¹⁹ August 1, 2016 letter to All Bodies of Elders *Re: Protecting Minors From Abuse*, para 6.

²⁰ August 1, 2016 letter to All Bodies of Elders *Re: Protecting Minors From Abuse*, para 9.

²¹ JWNS at [3.24].

²² *Child Protection Guidelines for Branch Office Service Desks*, para 9.

²³ *Child Protection Guidelines for Branch Office Service Desks*, para 9.

²⁴ *Child Protection Guidelines for Branch Office Service Desks*, para 12.

- (h) Restrictions are imposed by the branch office when: (1) a congregation judicial committee determines that one guilty of child sexual abuse is repentant and will remain in the congregation; (2) one disfellowshipped for child sexual abuse is reinstated; (3) when an unbaptised publisher or a baptised member of the congregation who denies an accusation of child sexual abuse is convicted by the secular authorities, or (4) one viewed as a child molester by the community or the congregation becomes a publisher or becomes a baptised member of the congregation. In some cases, there may be restrictions imposed on the accused even if there is only one witness.²⁵
- (i) In all cases, when the branch imposes restrictions, the individual is no longer qualified to serve in an appointed position or to receive even seemingly minor privileges. Since the individual is not exemplary, he is not given any responsibility that could be viewed as an assigned duty or task, even though some assignments may be considered minor.²⁶
- (j) When the branch office imposes restrictions, two elders are assigned to talk to the individual, strongly cautioning him to refrain from displays of affection for children, such as hugging or holding them on his lap, to never be alone with a child (other than his own), not to allow children to spend the night in his home and not to cultivate friendships with children. This would include his refraining from communicating with a child electronically, such as by e-mail or text message.²⁷
- (k) When child abuse is established, the wrongdoer is disfellowshipped if he is not repentant. If the wrongdoer is repentant, he is reproofed and the elders announce to the congregation that he was reproofed, which will serve as a protection for the congregation.²⁸

(h) The development and/or promotion of policies and procedures regarding provision of redress to victims/survivors of child sexual abuse

- 2.10 The Australia branch office has participated in a roundtable discussion and will carefully consider the details of any National Redress Scheme that the government may propose to enact. Since the hearing of Case Study No. 29, Jehovah's Witnesses continue to handle redress for victims of child sexual abuse on a person-by-person basis, taking into consideration the facts of each case. The majority of instances of child sexual abuse reported to Jehovah's Witnesses have been familial and/or acquaintance abuse.

²⁵ *Child Protection Guidelines for Branch Office Service Desks*, para 13.

²⁶ JWNS at [7.13]; Exhibit 29-0003, WAT.0001.004.0306 at 0307-0309 (*The Watchtower*, January 1, 1997 – "Let Us Abhor What is Wicked"), August 1, 2016 letter, paras 17-19; *Child Protection Guidelines for Branch Office Service Desks*, paras 15, 17.

²⁷ *Child Protection Guidelines for Branch Office Service Desks*, para 16.

²⁸ *Child Protection Guidelines for Branch Office Service Desks*, para 14.

(i) Communication of relevant policies and procedures to, and promotion of compliance with those policies and procedures by, all members of the Jehovah's Witness organisation

- 2.11 Since the hearing of Case Study No. 29, Jehovah's Witnesses have provided to each congregation elder worldwide, the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*" to promote compliance with the policies and procedures therein. Additionally, the *Child Protection Guidelines for Branch Office Service Desks* have now been provided to branch offices worldwide to promote compliance with these policies and procedures.

3. Question 3: Please detail any consultation(s) undertaken, both internally and externally, in relation to any action taken by the Jehovah's Witness organisation in response to the concerns raised by the evidence before the Royal Commission in Case Study 29

- 3.1 The Australia branch office undertook a careful consideration of all of the concerns raised by Royal Commission and the evidence before the Commission in Case Study No. 29, and consulted with the World Headquarters office of Jehovah's Witnesses.

4. Question 4: Please detail and provide copies of any material(s) considered by the Jehovah's Witness organisation in the formulation of its response to the concerns raised by the evidence before the Royal Commission in Case Study 29

- 4.1 Jehovah's Witnesses considered their policies and procedures in place at the time of Case Study No. 29, the videos and transcripts of the hearings for Case Study No. 29, the published comments, recommendations and media statements of the Commission regarding child sexual abuse, published articles in *The Watchtower* and *Awake!* magazines on child sexual abuse and their cited scientific references, together with the relevant Scriptural principles in the formulation of their response to the concerns raised by the evidence before the Royal Commission in Case Study No. 29.²⁹

²⁹ Please refer to the attached *Table of References*.

5. Question 5: What, if any, impediment(s) did, or does, the Jehovah's Witness organisation face in:

(a) Developing a response to the concerns raised by the evidence before the Royal Commission in Case Study 29

- 5.1 As evidenced by the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*" and the *Child Protection Guidelines for Branch Office Service Desks*, Jehovah's Witnesses believe there are no impediments to developing their response to most of the concerns raised by the evidence before the Commission in Case Study No. 29.

(b) Implementing any such response?

- 5.2 As evidenced by the August 1, 2016 letter to All Bodies of Elders regarding "Protecting From Abuse" and the *Child Protection Guidelines for Branch Office Service Desks*, Jehovah's Witnesses believe there are no impediments to implementing their response to most of the concerns raised by the evidence.

6. Question 6: What measures are proposed to overcome such impediment(s)?

- 6.1 As stated in response to 5.2 above, Jehovah's Witnesses believe there are no impediments to implementing their response to most of the concerns raised by the evidence. Jehovah's Witnesses are morally bound to follow the authority of the Bible, which includes the mandate to be guided by love, to be honest and law-abiding citizens.³⁰ This same belief compels Jehovah's Witnesses to comply with current, and any future, legislation that mandates elders to report allegations of child sexual abuse to law enforcement authorities.

7. Question 7: How, if at all, has the Jehovah's Witness organisation addressed the following specific concerns raised in the evidence before the Royal Commission in Case Study 29:

(a) The prospect that a complainant of child sexual abuse might be required to confront their alleged abuser

- 7.1 Jehovah's Witnesses have documented their long-standing policy that a complainant of child sexual abuse is not required to confront their alleged

³⁰ Romans 13:1.

abuser.³¹ This is clearly stated in paragraph 13 of the August 1, 2016 letter to All Bodies of Elders regarding “*Protecting Minors From Abuse*”:

Elders should remember that during the investigation process and during the judicial committee process, a victim of child sexual abuse is not required to make her allegation in the presence of the alleged abuser.

(b) The application by the organisation of the ‘two-witness rule’ in cases involving allegations of child sexual abuse

- 7.2 Jehovah’s Witnesses conscientiously investigate every allegation of child abuse, even if it is raised by only one person. In every case, they take appropriate steps to see to it that the alleged victim receives comfort and support. In some cases, there may be restrictions imposed on the accused even if there is only one witness.
- 7.3 The so-called ‘two-witness’ rule only applies to the issue of whether an individual may continue to be a member of the congregation. Jehovah’s Witnesses are prohibited by Scripture from altering the application of the so-called ‘two-witness rule’.³² This Scriptural rule of evidence to establish serious sin is clearly set out in the Bible.³³ The Scriptural rule of evidence applied by Jehovah’s Witnesses in their internal ecclesiastical proceedings to establish sin is not in competition with, and does not conflict with, the criminal justice system.³⁴ For reference, Jehovah’s Witnesses note the comments made by the Royal Commission CEO Philip Reed, when releasing for consultation the model bill to amend evidence laws.³⁵
- 7.4 Moreover, it should be noted that sufficient Scriptural evidence to establish a serious sin may consist of two or more witnesses to the same sin or two or more witnesses to the same type of sin committed on different occasions.³⁶ On this basis, the Scriptural rule of evidence, as applied by Jehovah’s Witnesses, is already in harmony with the model bill, *Evidence (Tendency and Coincidence)*

³¹ Transcript of R P Spinks, T15683:45-T15684:2, T15685:42-T15686:40 T15686:26-40, T15695:12-14, T15702-T15705:20, and T15704:3-14, 33-37 (Day 152); Transcript of T J O’Brien, T15827:39-41, T15834:1-26 (Day 153); Transcript of G W Jackson, T15951:29-33 and T15954:40-44 (Day 155); Exhibit 29-0020, EXH.029.020.0001; Exhibit 29-0003, WAT.0003.001.0001 at 0073; Exhibit 29 0003, WAT.0001.004.0310 at 0313, second column (*The Watchtower*, November 1, 1995 – “Comfort for Those with a Stricken Spirit”), August 1, 2016 letter, para 13.

³² The so-called “two witness rule” refers to a Scriptural rule of evidence that, absent a confession or other evidence, must be satisfied before the elders can form a judicial committee for an accused sinner (Deuteronomy 17:6; Matthew 18:16).

³³ Exhibit 29 0019, First statement of R P Spinks, STAT.0591.001.0001 at [36]; Exhibit 29 0019, Annexure 2 to First statement of R P Spinks, STAT.0591.001.0018 at [2.2]; Exhibit 29 0024, First statement of T J O’Brien, STAT.0592.001.0001_R at [61]; Transcript of T J O’Brien, T15833:26-28 (Day 153); Transcript of G W Jackson, T15967:33-T15968:7 (Day 155).

³⁴ Transcript of G W Jackson, T15954:36-38 (Day 155).

³⁵ Royal Commission Into Institutional Responses to Child Sexual Abuse, [Media Release - Model bill to amend evidence laws released for consultation](#), 25 November, 2016.

³⁶ JWNS at [5.17].

Model Provisions, by admitting tendency or coincidence evidence when establishing sin in their internal ecclesiastical proceedings.³⁷

(c) Exclusion of women from participation in the making of a decision about the credibility of an allegation of child sexual abuse

- 7.5 Jehovah's Witnesses continue to faithfully adhere to the Scriptural requirement found in the Bible that elders be assigned to investigate and preside over judicial hearings involving allegations of serious sin, including child sexual abuse.
- 7.6 Women can and do participate in the process of presenting allegations of child sexual abuse to the elders. Jehovah's Witnesses have made it clear that during the elders' investigation of child sexual abuse, the complainant may be accompanied by a confidant of either gender as moral support during any stage of the investigation.³⁸ See paragraph 13 of the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*".

(d) The capacity of a complainant of child sexual abuse to have a person or persons present with them when appearing before a 'judicial committee' hearing

- 7.7 Jehovah's Witnesses do not require victims of child sexual abuse to appear at the judicial committee hearing. But Jehovah's Witnesses have clarified that during a judicial committee hearing of child sexual abuse, an adult victim who desires to appear may be accompanied by a confidant of either gender present as moral support.³⁹ Minor victims are generally not interviewed by the elders, except that older minors might be interviewed before the hearing if their parents consent to, and are present during, the interview.⁴⁰

(e) That reproof and disfellowshipping leave perpetrators at large and are not effective mechanisms for protecting children in the organisation's congregations and in the broader community

- 7.8 Jehovah's Witnesses recognize that their internal judicial process of reproof and disfellowshipping may not in all cases be an effective mechanism for protecting children in the broader community. But it should be noted that these internal judicial processes relate to internal ecclesiastical proceedings for serious sin, and are not intended as substitutes for, nor are these in competition or conflict with, the criminal justice system. In addition, the Legal Department of the branch office provides legal advice to congregation elders to ensure that they comply with all child abuse reporting laws.

³⁷ Royal Commission's Public Consultation Draft of the [Evidence \(Tendency and Coincidence\) Model Provisions](#).

³⁸ JWNS, p. 76 at [9.243] – [9.247].

³⁹ JWNS, p. 76 at [9.243] – [9.247].

⁴⁰ JWNS, p. 76 at [9.243] – [9.246] and August 1, 2016 letter, para 13. See *Child Protection Guidelines for Branch Service Desks*, Appendix A—Meeting With A Mature Minor Who Is A Victim Of Child Abuse.

- 7.9 Jehovah's Witnesses recognize that disfellowshipping of an unrepentant perpetrator is an effective mechanism for protecting children in the organisation because the disfellowshipping is announced to the congregation and the perpetrator is thus 'shunned' by all in the congregation.⁴¹
- 7.10 In addition, when a disfellowshipped perpetrator moves, the elders will notify the branch office. The branch office keeps records of such individuals to ensure that the elders in the new congregation will be vigilant if the disfellowshipped perpetrator attends congregation meetings.⁴²
- 7.11 Jehovah's Witnesses recognize that the Scriptural reproof of a repentant perpetrator is an effective mechanism for protecting children in the organisation because his reproof is announced to the congregation, thus indicating to all in the congregation that he has a serious spiritual problem. Two congregation elders are also assigned to meet with the parents of minor children in the congregation in order to inform them, as set out in paragraph 18 of the August 1, 2016 letter to All Bodies of Elders regarding "*Protecting Minors From Abuse*".⁴³ See also paragraph 20 of the *Child Protection Guidelines for Branch Service Desks*.
- 7.12 Additionally, two elders are assigned to talk to the individual, strongly cautioning him to refrain from displays of affection for children, such as hugging or holding them on his lap, to never be alone with a child (other than his own), not to allow children to spend the night in his home and not to cultivate friendships with children. This would include his refraining from communicating with a child electronically, such as by e-mail or text message.⁴⁴ If an individual does not comply with these restrictions, a judicial committee can be formed to determine whether he should be disfellowshipped.⁴⁵
- 7.13 An individual who is guilty of child sexual abuse will not qualify for an appointed congregation position or even seemingly minor privileges, for decades, if ever. The branch office keeps records to ensure that anyone who is guilty of child sexual abuse does not inadvertently receive even seemingly minor privileges in any congregation.⁴⁶

(f) The organisation's practice of shunning

- 7.14 Shunning a disfellowshipped child molester is, and will continue to be, Jehovah's Witnesses' Bible-based response to this serious sin. This practice is an effective mechanism for protecting children in the congregation.

⁴¹ *Child Protection Guidelines for Branch Office Service Desks*, para 14.

⁴² *Child Protection Guidelines for Branch Office Service Desks*, para 31.

⁴³ Exhibit 29-0003, WAT.0001.004.0069. August 1, 2016 letter, para 18.

⁴⁴ *Child Protection Guidelines for Branch Office Service Desks*, para 16.

⁴⁵ *Child Protection Guidelines for Branch Office Service Desks*, paras 23-24.

⁴⁶ *Child Protection Guidelines for Branch Office Service Desks*, paras 15, 17, 27-29.

- 7.15 It is not, and has never been, Jehovah's Witnesses' policy to shun a victim of child sexual abuse.
- 7.16 The policies and procedures on how elders should respond to victims have been consolidated and clarified. Elders have been reminded and encouraged to be empathetic and compassionate with victims and their families. They have also been directed to provide on-going shepherding to comfort both the victim and his/her family. If elders are approached by a survivor of child sexual abuse, they should speak consolingly to the person and manifest an empathetic, compassionate, patient, and supportive response. In exhorting congregation elders to lovingly and kindly serve as spiritual shepherds to victims of child sexual abuse, Jehovah's Witnesses confirmed their long-standing policy that a victim will not be shunned.⁴⁷
8. **Question 8: Please detail all allegations of child sexual abuse, including historical allegations, received by the Jehovah's Witness organisation since the conclusion of the public hearing of Case Study 29. Details of each allegation should include the following (see the enclosed Microsoft Excel spreadsheet):**

(a) Nature of the abuse

- 8.1 Since the conclusion of the public hearing of Case Study No. 29, the Australia branch office of Jehovah's Witnesses has had no reports of child sexual abuse during any congregation-sponsored activity. However, the branch office has received reports of familial and/or acquaintance child sexual abuse. A summary, as well as the details of each of these allegations, is provided to the Commission in the form requested.
- 8.2 *Summary.* Congregation elders reported to the branch office nine allegations of historical child sexual abuse alleged to have occurred before the public hearing on Case Study No. 29. Seven of these allegations have been reported to the authorities. The adult survivors in the other two cases (in Western Australia and Queensland, respectively) decided not to report the matter to the authorities. Since there was no legal obligation for the elders to report, the elders respected their privacy.
- 8.3 Additionally, congregation elders have reported to the branch office eight allegations of familial and/or acquaintance child sexual abuse alleged to have occurred since the conclusion of the public hearing on Case Study No. 29. All of these allegations were also reported to the authorities.

⁴⁷ *Child Protection Guidelines for Branch Office Service Desks*, para 3.
August 1, 2016 letter to All Bodies of Elders *Re: Protecting Minors From Abuse*, paras 11-12.

- 8.4 The details requested in Questions 8(b) through 8(j) below for the above 17 allegations are provided in the attached Microsoft Excel spreadsheet.

(b) Date and period of alleged sexual abuse

- 8.5 Please refer to the attached Microsoft Excel spreadsheet.

(c) Gender and age of alleged perpetrator(s) and victim(s)

- 8.6 Please refer to the attached Microsoft Excel spreadsheet.

(d) The internal assessment and investigation report(s) by the Jehovah's Witness organisation (specifically by those holding official roles) in respect of the allegation

- 8.7 Please refer to the attached Microsoft Excel spreadsheet.

(e) Any report(s) made to an authorised department and/or law enforcement agency and/or to an oversight agency by the Jehovah's Witness organisation about those allegations, including the role of the person in the organisation who made the report

- 8.8 Please refer to the attached Microsoft Excel spreadsheet.

(f) Whether the victim sought any form of redress from the Jehovah's Witness organisation

- 8.9 Please refer to the attached Microsoft Excel spreadsheet.

(g) Whether the victim was offered any form of redress

- 8.10 Please refer to the attached Microsoft Excel spreadsheet.

(h) Whether a legal claim has been made against the Jehovah's Witness organisation in relation to the alleged sexual abuse

- 8.11 Please refer to the attached Microsoft Excel spreadsheet.

(i) What, if any, policies and procedures were considered and/or applied by the Jehovah's Witness organisation in responding to the allegation

- 8.12 Please refer to the attached Microsoft Excel spreadsheet.

(j) Feedback from the survivor(s)/victim(s) and/or their families regarding the Jehovah's Witness organisation's response to the allegation of child sexual abuse

8.13 Please refer to the attached Microsoft Excel spreadsheet.

Closing Comment

In response to the Royal Commission's concerns, Jehovah's Witnesses have reviewed, refined and clarified their policies and procedures since the hearing in Case Study No. 29. These refinements and clarifications confirm that Jehovah's Witnesses take seriously the need to safeguard children and to compassionately and effectively respond to victims of child sexual abuse. Jehovah's Witnesses will continue to review, clarify, refine and consolidate their policies and procedures on child sexual abuse, and will continue with their educational efforts to safeguard children and assist victims of child sexual abuse.

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SOCIETY OF AUSTRALIA



T. J. O'Brien
Director

Table of References

- [**Common Misconceptions About Child Abuse**](#)
Debunk four common misconceptions about child abusers and children who are victimized.
- [**The Secret Wounds of Child Abuse**](#)
Sexual assault derails both the spiritual and emotional development in children. Child abuse is a betrayal of trust that has insidious effects.
- [**The Innocent Victims of Child Abuse**](#)
The effects are long lasting for many adults who were sexually abused as children.
- [**If Your Child Is Abused**](#)
If your child discloses sexual abuse, your reaction will play a major role in the child's recovery. What can you do?
- [**Child Sexual Abuse—Prevention Begins in the Home**](#)
The vast majority of sexual abuse occurs in the home. So how can the home be made more resistant to abuse?
- [**A Danger That Concerns Every Parent**](#)
Many parents know personally about child sexual abuse and its effects. Others hear shocking reports about it and wonder what to do.
- [**Jehovah Has Done So Much for Me - Video**](#)
What Bible truth helped Crystal, a victim of sexual abuse as a child, to build a relationship with God and to find real meaning in life?
- [**Your Child Is in Danger!**](#)
Child molestation is neither new nor rare. It is a long-standing problem that is epidemic today.
- [**How to Protect Your Children**](#)
Parents, learn how the typical child abuser operates. Knowing such tactics can make you better prepared to act as the first line of defence.
- [**Child Molesting—Every Mother's Nightmare**](#)
Sexual abuse of children is on the increase. How widespread is the problem?
- [**Child Molesting—'Who Would Do a Thing Like That?'**](#)
Parents may be surprised to learn that most child victims are molested by people they know and trust.
- [**How Can We Protect Our Children?**](#)
Close supervision by loving parents is one of the best safeguards against abuse. Education is another. What teaching tools are available?

- [**What Should I Know About Sexual Assault?—Part 1: Precautions**](#)
Three tips can help you to avoid being sexually assaulted.
- [**What Should I Know About Sexual Assault?—Part 2: Recovery**](#)
Read firsthand expressions from abuse victims who have recovered.
- [**How Can Parents Teach Their Children About Sex?**](#)
The Bible has many beneficial principles that will help you talk to your children about sex and protect them from sexual predators.
- [**Consoling Adult Survivors of Childhood Trauma**](#)
Telling abuse survivors simply to forget the past may do more harm than good. More is needed.
- [**Make Your Family a Safe Haven**](#)
To keep your family safe, every member needs to learn and to value principles that rule out abusive conduct. The best guidance is in God's Word, the Bible.
- [**Help for the Victims of Incest**](#)
Many people feel deep anger, worthlessness, and guilt because of incest committed against them when they were children. True friends can give support.
- [**Incest—The Hidden Crime**](#)
Families often try to keep it hidden. Victims would rather not discuss it, yet it is increasingly common.
- [**Child Molesting—You Can Protect Your Child**](#)
What are some ways that parents can protect their children from sexual molestation? Family communication can help.
- [**What Should I Know About Sexting?**](#)
Are you being pressured to sext? What are the consequences of sexting? Is it just harmless flirting?