

Annexure in the matter of Watchtower Bible & Tract Society of Australia

Annexure 1 to Statement of Vincent Joseph Toole



Royal Commission
into Institutional Responses
to Child Sexual Abuse

26 June 2015

Mr Vincent Toole
Legal Department
Watchtower Bible and Tract Society of Australia
12-14 Zouch Road
Denham Court NSW 2565

By email: InboxLGL.AU@jw.org

Dear Mr Toole,

Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) **Case Study 29 (Jehovah's Witnesses) – request for statements**

As you are aware, the Royal Commission is holding a public hearing in Sydney commencing on 27 July 2015 to inquire into the response of the Jehovah's Witnesses Church and the Watchtower Bible and Tract Society of Australia Ltd (**Watchtower Australia**) to complaints of child sexual abuse within the Jehovah's Witnesses Church in Australia.

The scope and purpose of the public hearing is to inquire into:

1. The experience of survivors of child sexual abuse within the Jehovah's Witnesses Church in Australia.
2. The responses of the Jehovah's Witnesses Church and the Watchtower Bible and Tract Society of Australia Ltd to allegations, reports or complaints of child sexual abuse within the Church.
3. The systems, policies and procedures in place within the Jehovah's Witnesses Church and the Watchtower Bible and Tract Society of Australia Ltd for raising and responding to allegations of or concerns about child sexual abuse within the Church.
4. The systems, policies and procedures in place in the Jehovah's Witnesses Church and the Watchtower Bible and Tract Society of Australia Ltd to prevent child sexual abuse within the Church.
5. Any related matters.

Request for statement

The Royal Commission requests that you prepare a statement which addresses the following matters:

- A. An overview of your involvement with the Jehovah's Witnesses Church, including but not limited to an overview of:
 - i. the congregations of which you have been a member; and

- ii. the roles you have held within the Church, including but not limited to your role within the Legal Department and the period of service in that role.
- B. The function(s) of the Legal Department in relation to responding to allegations and managing the risk of child sexual abuse within the Jehovah's Witnesses Church.
- C. The membership and/or staffing of the Legal Department, with specific reference to the number of members/staff and their qualifications, if any.
- D. The role of the Legal Department in the following processes as they relate to or involve allegations, reports, or history of child sexual abuse:
 - a. consideration of prospective members of the Jehovah's Witnesses Church and their subsequent suitability for baptism;
 - b. selection and appointment of elders, ministerial servants, pioneers, special pioneers, and/or any other position of status within the Church;
 - c. the deletion or removal of elders, ministerial servants, pioneers, special pioneers, and/or any other position of status within the Church;
 - d. the public or private reproof of members of the Church;
 - e. the awarding and removal of congregational privileges to members of the congregation, including the nature of those privileges;
 - f. the disfellowshipping and/or disassociation of members of the Church; and/or
 - g. the reinstatement of individuals as members of the Church.
- E. The role of the Legal Department in relation to the case of child sexual abuse by BCH
- F. The involvement, if any, of:
 - a. the Legal Department; and/or
 - b. Vincent Toole Solicitors,
 in the investigation of, and subsequent criminal proceedings against, BCH
- G. Your knowledge and understanding of any obligations, legal or otherwise, that members of the Jehovah's Witnesses Church around Australia have in relation to:
 - i. reporting child sexual abuse to State and/or Federal authorities;
 - ii. conducting police checks of persons within the Church whose roles involve contact with children; and
 - iii. sharing of information that might prevent future child sexual abuse.
- H. Watchtower Australia's document retention policy and the revisions to that policy in or around 2008 regarding records relating to child sexual abuse, and the reasons for those revisions.

The above matters are not intended to limit you in any way, and you should provide any other information that you consider to be relevant. We ask that you please provide copies of any documents not already produced to the Royal Commission which record the matters referred to above.

We ask that you prepare your statement by no later than **10 July 2015**. At such time, the Royal Commission will issue a notice for its production, and may summons you to give evidence in the public hearing.

Please do not hesitate to contact Joanna Blair on (02) 8284 2448 if you would like to discuss any aspect of this matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tony Giugni', with a stylized, wavy line extending from the end.

Tony Giugni

Solicitor Assisting the Royal Commission

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