



WATCHTOWER

BIBLE AND TRACT SOCIETY OF AUSTRALIA

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SD:SSD January 31, 2014

The Body of Elders
Kalamunda - Perth WA

Re: BCH

Dear Brothers:

After receiving correspondence dated January 20 from the committee handling **REDACTED** BCH's request for reinstatement, we are seeking the cooperation of the body of elders in carefully considering our response.

In replying to our letter of December 27, 2013, the committee writes, "Please do not think we are questioning the decision not to reinstate BCH—the original committee, and the branch, obviously have 'credible evidence' that contradicts his side of the story, so your response was expected. However, as a committee we feel at a distinct disadvantage in trying to handle this case, simply because we do not have access to the 'credible evidence' to which you refer. Without knowing exactly what he is supposed to have done, we cannot tell if he is genuinely repentant of committing these offences. Obviously we are hearing only his side of the story, hence this letter: Is it possible for us to have access to the evidence you have, or even just a summary of it? This would enable us to challenge his claim that there cannot be any genuine evidence, as he did not commit any offence against his other daughters. . . . While this case is only a plea for reinstatement, if it had been an original judicial committee hearing, then (as discussed in *ks10* 7:2), the testimony of the witnesses would 'be given in the presence of the accused' or if necessary, would be 'submitted in writing and read to the accused.' Presumably this was done at the original judicial hearing, although he claims it wasn't and because we do not have any details of the evidence, we are not able to re-read the evidence to him. If it is not possible for us to be given a copy (or summary) of the evidence to read to him, would it be possible for his plea for reinstatement to be heard by the original committee, or ones who do have this evidence? This possibility has not been discussed with him, but in the past he has said he would be prepared to travel if necessary, if it is the only way to establish that he is repentant. . . . So, in summary, is it possible for us to have more details of the evidence against him or, if not, for those who do have the evidence to hear his plea for reinstatement? . . . We apologise for having to trouble you with this case again. However, it does distress us, (and the whole congregation in fact), to see someone, who for so many years has conducted himself faultlessly and appears to be totally repentant, yet is not accepted back into the congregation. We, as a committee, would also like to be convinced in our own mind that this is justified and hence our requests above."

As with the previous letters we received, the reasoning quoted above from the reinstatement committee is not in harmony with theocratic procedure. As noted in *ks10* 11:8, "The elders on the original committee may be *aware of important factors not apparent to others*, so it usually best to respect their judgement." (Italics ours) The local committee does not need to review the evidence with BCH, but simply trust their fellow elders who judged the case, and the branch office that reviewed the case. (Compare Prov. 18:17) Those who judged and reviewed the case established that the evidence of the witnesses was credible. On the other hand, your local committee is now hearing the testimony of one man, who is a self-confessed and convicted child molester with an extensive history of lying. Regardless of how convincing he may seem or how adamant his denial, the Biblical principle remains the same: "The witness of two men is true." (John

Re: BCH

SD:SSD January 31, 2014

Page 2

8:17; Deut. 19:15) In the same way that elders cannot judge a person guilty without proving there is a confession or two witnesses to the wrongdoing, they cannot make a judgement on the testimony of one witness—in this case BCH—to refute the credible evidence established by a judicial committee. Therefore, it is inconsistent to say he “appears to be totally repentant” while he continues to deny the proven sexual abuse of his daughters.

To help your body of elders reason on the implications of what is being suggested by the reinstatement committee in requesting a summary of the evidence, picture a situation where a disfellowshipped person moves to a number of different congregations. The original committee may have highly confidential information and testimony from victims. Those victims are assured that their testimony will be treated with confidentiality by the elders who handled the case. Anything less would circumvent our published theocratic procedure. For example, our letter to all bodies of elders dated September 7, 2011, regarding the sealed record of a judicial case, states, “If there is a need to open these files in the future, such as in connection with a plea for reinstatement, this should be done only by the elders who are assigned by the body to handle the matter.” If successive congregations were made aware of confidential evidence and victim statements, perhaps a dozen or more elders could become aware of what the victims believed was confidential between them and the original committee. As sometimes explained to outside enquirers, “Confidential shepherding makes it easier for those who seek the elders’ help to do so without worrying that what they say to the elders will be divulged later.”—*ks 10 6:18*.

Finally, the suggestion that BCH travel to Queensland to meet with a judicial committee in the congregation that disfellowshipped him seems impractical while he continues to deny the offences. If, as it appears, the intention is to establish his innocence, the original committee would be obliged to conclude that, “Regardless of the time elapsed, there would be no need to consider BCH’s claims of repentance while he continues to deny clearly established offences.”—See our letters to Kalamunda dated February 12, 2012, and December 27, 2013.

Brothers, as you say, the congregation may “see someone, who for so many years has conducted himself faultlessly and appears to be totally repentant, yet is not accepted back into the congregation.” However, these individuals are not aware of the facts. They do not see the ongoing physical and emotional suffering of the victims of sexual abuse by BCH, or his adamant denial of what the victims know to be true. That is why, as elders, we must be firm for righteousness in defence of the innocent victims of child sexual abuse.—1 Pet. 3:12.

So they are aware of our additional comments, we have copied in the body of elders in Loganholme Congregation, Queensland, and your circuit overseer.

We are confident in your willingness to cooperate with the direction provided. Be assured, Jehovah is aware of all the factors in this difficult case and will ultimately judge. (Isa. 33:22) In the meantime, we commend your efforts to “Shepherd the flock of God under your care.” (1 Pet. 5:2) We also take this opportunity to send you our warm Christian love and greetings.

Your brothers,

Watchtower B.S. Society
OF AUSTRALIA

cc: Loganholme - Brisbane QLD
Jeffrey Riessen