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THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Witness Statement of Paul Stuart Gillies

I, **Paul Stuart Gillies**, make the following statement on behalf of the Christian Congregation of Jehovah's Witnesses of Britain. I have been an elder since 1981. I served for 12 years as a member of the Branch Committee of the Britain Branch Office of Jehovah's Witnesses until I was appointed in 2018 as the Director of the Office of Public Information of the World Headquarters of Jehovah's Witnesses, located in Warwick, New York, USA. Prior to my appointment to the Britain Branch Committee, I was a member of the Service Department in the Britain Branch Office of Jehovah's Witnesses. During my appointment to the Branch Committee, I have overseen the activity of the Service Department and later the Legal Department, each for a period of several years. I will say as follows:

1. Jehovah's Witnesses take child protection seriously. We have a long-standing and widely published Bible-based position on child protection. We recognise that victims of child sexual abuse may be male or female, as is also true of the perpetrators of abuse.¹ We abhor child sexual abuse and view it as a crime (Romans 12:9).² We recognise that the secular authorities are responsible for addressing such crimes (Romans 13:1-4). From a religious viewpoint, we also recognise child sexual abuse as a serious sin for which a congregant could be expelled or sanctioned. As I will explain, elders are organised and trained to promote child protection and to follow the worldwide child safeguarding policy of Jehovah's Witnesses, which has been strengthened and clarified over time.

¹ For simplicity, in this statement an individual accused of child sexual abuse is referred to in the male gender, while the complainant or victim is referred to in the female gender.

² All references to the Bible cited in this statement are from the *New World Translation of the Holy Scriptures* and are reproduced at **Exhibit PG50**.

2. This statement is organised as follows:

- Ecclesiastical structure of Jehovah's Witnesses; legal entities and charities (paras 3-28)
- Training, and the understanding of child sexual abuse (paras 29-51)
- Religious procedure for responding to allegations of child sexual abuse, including pastoral support (paras 52-74)
- Internal checks; complaints (paras 75-80)
- Institutional allegations of child sexual abuse (paras 81-84)
- Reports to and enquiries by the Charity Commission (paras 85-100)

A. Ecclesiastical structure of Jehovah's Witnesses

3. Jehovah's Witnesses are a worldwide Christian religious denomination, numbering more than 8,683,000 congregants. In 2019, more than 20,919,000 persons attended their most sacred religious event, the annual Memorial of Christ's death. They are active in 240 lands.

4. In England and Wales there are more than 131,700 Jehovah's Witnesses. They comprise persons of all age groups and all walks of life.

5. The organisational structure of Jehovah's Witnesses is modelled on first-century Christianity. As set out in the Bible, the early Christians met for worship as congregations (2 Corinthians 1:1). The spiritual needs of each congregation were attended by experienced Christian men known as "elders" (Acts 14:22, 23; 20:17), while the spiritual needs of groups of congregations were addressed by travelling overseers (Acts 15:36). A governing body, comprising the apostles and other experienced elders, provided religious direction and guidance to all congregations (Acts 2:14, 15; 15:6). Jehovah's Witnesses imitate that Biblical pattern. (*Organized to Do Jehovah's Will* ("Organized"), Chapter 4, pp 24-29, **Exhibit PG3**)

6. The ecclesiastical **GOVERNING BODY OF JEHOVAH'S WITNESSES** ("the Governing Body") provides religious direction and guidance to Jehovah's Witnesses worldwide. The Governing Body communicates that guidance through the religious publications of Jehovah's Witnesses, such as *The Watchtower* magazine and the handbook *Organized*.

7. Jehovah's Witnesses recognise Jehovah God and Jesus Christ as their chief shepherds (Psalm 23:1-6; John 10:11-15). They consider the Governing Body to be a "faithful ... slave", which ministers to their religious and spiritual needs (Matthew 24:45-47). As such, the Governing Body does not exercise control over the faith of fellow believers (2 Corinthians 1:24). The members of the Governing Body do not regard themselves as the leaders of Jehovah's Witnesses. Nonetheless, Jehovah's Witnesses appreciate the experience and Scriptural guidance the Governing Body provides as a spiritual shepherd.

8. The religious activity of Jehovah's Witnesses in England and Wales is coordinated by the Britain **BRANCH OFFICE OF JEHOVAH'S WITNESSES** ("the Branch Office") (also referred to as "Bethel", from the Hebrew word meaning "House of God"), which is supervised by a Branch Committee. Members of the Branch Committee are appointed by the Governing Body.

9. The Branch Office is currently staffed by around 400 Jehovah's Witnesses. They are not employees, nor do they receive any remuneration for their services, rather they are members of the religious order known as the Worldwide Order of Special Full-Time Servants of Jehovah's Witnesses. The relevant departments in the Branch Office that assist elders to respond to allegations of child sexual abuse are:

- (a) the **SERVICE DEPARTMENT**, which provides guidance to congregation elders on implementing the child safeguarding policy of Jehovah's Witnesses; and
- (b) the **LEGAL DEPARTMENT**, which provides legal advice to the Branch Office and to congregation elders.

10. **CONGREGATIONS** of Jehovah's Witnesses generally comprise individual congregants living in a particular neighbourhood or area. They meet in places of worship called Kingdom Halls. There are currently 1,505 congregations of Jehovah's Witnesses in England and Wales.

11. A **BODY OF ELDERS** ministers to the spiritual needs of each congregation. Elders carry out a number of religious responsibilities, including presiding over religious services and attending to the spiritual needs of congregants. As spiritual shepherds, they also provide comfort and support to congregants who request pastoral visits (Isaiah 32:1, 2; 1 Peter 5:2, 3; James 5:13-15). The ecclesiastical qualifications of elders are set out in the Bible at 1 Timothy 3:1-7 and Titus 1:5-9. (*Organized*, Chapter 5, pp 31-38, paras 4-19, **Exhibit PG3**)

12. When a congregant is in need of spiritual help (referred to as “shepherding”), the body of elders will assign the elders most qualified to offer that help. Elders do not exercise control over the faith of individual Jehovah’s Witnesses and, therefore, it is up to individual congregants whether to request or accept pastoral support. (2 Corinthians 1:24; Galatians 6:5; James 5:14)

13. Jehovah’s Witnesses have published a handbook for elders that provides them Scriptural and procedural direction and guidance. The latest edition was published in October 2019 and is entitled “*Shepherd the Flock of God*”—1 Peter 5:2 (“*Shepherd*”) (**Exhibit PG9**). The substance of the information in that handbook is accessible to individual Jehovah’s Witnesses through *The Watchtower* magazine, the *Organized* handbook, and other religious literature of Jehovah’s Witnesses (most of which is freely available in hard copy and online at their official website, www.jw.org).

14. All elders are expected to take the lead in shepherding, teaching, and evangelising and are trained to do so (see paragraphs 46 to 51 below). They meet regularly to discuss the spiritual needs of the congregation.

15. Elders are assisted by MINISTERIAL SERVANTS, who primarily deal with routine organisational tasks, such as maintaining adequate stocks of Bibles and other religious literature, and assisting with the maintenance of the Kingdom Hall. This allows elders to focus on teaching and shepherding responsibilities. The ecclesiastical qualifications of ministerial servants are set out in the Bible at 1 Timothy 3:8-10, 12. (*Organized*, Chapter 6, pp 53-54, paras 3-6, **Exhibit PG3**)

16. Elders (and ministerial servants) do not receive any payment or remuneration. Thus, they are in no sense employees of any religious corporation. Most are secularly employed or self-employed (or retired) and care for the needs of their own families. They sacrifice time and energy to perform their religious duties for the congregation, generally in the evenings and weekends, in the spirit of Matthew 10:8, where Jesus said: “You received free, give free.” In other words, for most elders, the demands of caring for their families means that they can devote only a few hours each week to attending to the needs of the congregation.

17. Approximately 20 congregations of Jehovah’s Witnesses are grouped together into a circuit. The spiritual needs of those groups of congregations are addressed by an experienced elder known as a CIRCUIT OVERSEER (also called a travelling overseer). In imitation of the Biblical pattern, circuit overseers make appointments of congregation elders

and ministerial servants (Acts 14:23; Titus 1:5). These appointments are made based on a recommendation of the congregation's body of elders. Circuit overseers also decide, based on the recommendation of the body of elders, whether an elder or ministerial servant should be deleted as such because that person no longer meets the Scriptural qualifications. Each congregation keeps a record of appointments of elders and ministerial servants. The Branch Office also keeps a record of each appointment.

18. Becoming one of Jehovah's Witnesses is a matter of personal choice. A person may stop associating with Jehovah's Witnesses at any time.

19. The process of becoming one of Jehovah's Witnesses begins with an interested person either requesting a Bible study from a personal teacher or accessing a Bible study course on our website, www.jw.org. Bible study helps the person understand basic Bible teachings, build his faith, and make adjustments to live in harmony with Bible standards and morals. Jehovah's Witnesses do not practise infant baptism. Parents who are Jehovah's Witnesses teach and train their children according to their Bible-based beliefs (see paragraph 32 below).

20. As a Bible student grows in faith, he might choose to share his newfound beliefs with family and friends. If a Bible student expresses the desire to accompany Jehovah's Witnesses in preaching the "good news of [God's] Kingdom" publicly (Matthew 24:14; 28:19, 20), two elders will meet with that person to ensure he understands the basic beliefs of Jehovah's Witnesses and is making sufficient progress in applying the Bible's moral standards. If he does, then he becomes known as an **UNBAPTISED PUBLISHER**.

21. If the unbaptised publisher continues to make spiritual progress and is convinced by what he is learning, he can inform the elders that he has made a personal dedication to Jehovah God by means of prayer and that he would like to symbolise that dedication by water **BAPTISM**. Elders then meet with the person to ensure he understands basic Bible doctrines, is living in harmony with the Bible's moral standards, and that he is aware of, and accepts, the personal responsibilities that come with being one of Jehovah's Witnesses (1 Timothy 4:15). An individual becomes one of Jehovah's Witnesses when he is baptised.

22. The same religious process applies to children of Jehovah's Witnesses. The Bible does not prescribe a set age by which a person should be baptised, nor does it condone pressuring anyone to get baptised. A youth's personal relationship with God and appreciation for Bible teachings is what motivates him to get baptised.

23. If one of Jehovah's Witnesses moves to another congregation, the elders will send a **LETTER OF INTRODUCTION** to the elders in that person's new congregation. This is done to confirm that the individual is one of Jehovah's Witnesses. If the person served in an ecclesiastical capacity as an elder or a ministerial servant, and if the elders recommend that person continue to serve as such, then the letter of introduction will include that recommendation. A strict procedure is followed when an individual known to have been involved in child sexual abuse moves to another congregation (see paragraph 53, Step 7, below).

1. **Religious corporations and entities**

24. The Branch Committee may direct the creation of one or more religious corporations to facilitate the activity of Jehovah's Witnesses in the branch territory. (*Organized*, Chapter 4, p 28, para 12, **Exhibit PG3**)

25. The Branch Office makes use of the Christian Congregation of Jehovah's Witnesses ("CCJW") of Britain, an unincorporated religious association, and three religious corporations (private companies) in England and Wales: International Bible Students Association ("IBSA"), Watch Tower Bible and Tract Society of Britain ("Watch Tower Britain"), and The Kingdom Hall Trust ("KHT").

26. Prior to 1999, the Service Department in Britain used Watch Tower Bible and Tract Society of Pennsylvania letterhead to communicate spiritual guidance to elders and congregations of Jehovah's Witnesses in the branch territory. From 1999 to July 2011 that religious communication function was fulfilled using Watch Tower Britain letterhead. Since July 2011 that religious communication function has been fulfilled using CCJW. As a result, the exclusive function of Watch Tower Britain now is to look after property and financial matters. IBSA provides facilities for annual conventions and assemblies of Jehovah's Witnesses and provides modest material support to cover the basic material needs of members of the Worldwide Order of Special Full-Time Servants. KHT holds title to places of worship. IBSA and KHT have never been involved in communicating religious guidance.

2. **Religious charities**

27. Watch Tower Britain, IBSA, and KHT are registered charities. The trustees of these charities serve full-time at the Branch Office.

28. Congregations of Jehovah's Witnesses in England and Wales that meet the criteria register associated charities. The sole function of the congregation's associated charity is to

administer property and financial matters. The congregation's associated charity does not care for ecclesiastical matters. In most cases, but not all, the elders in the congregation also serve as the trustees of the charity.

B. Training, and the understanding of child sexual abuse

29. Jehovah's Witnesses strive to live their lives according to the Bible, particularly its two greatest commands: to "love Jehovah your God with your whole heart and with your whole soul and with your whole mind ... [and to] love your neighbor as yourself" (Matthew 22:37-39). In obedience to those two commands, the religious beliefs and practices of Jehovah's Witnesses are founded on a personal relationship with, and accountability before, God.

30. Unlike many other religions, Jehovah's Witnesses as a religion do not make any arrangements that separate children from their parents such as crèches, playgroups, Sunday Schools, youth groups or clubs. They do not run schools, orphanages, home care or any other activity where they assume responsibility for the care of children. Nor do they provide or sponsor any extra-curricular activity, such as choirs, camps, outings, sports, outdoor walks, parties, and similar activities for youths or adolescents.

31. Congregations of Jehovah's Witnesses hold two weekly religious services at their Kingdom Halls, each lasting approximately 1 hour 45 minutes. One service is usually held on a weeknight with the other service held on the weekend. The instruction is Bible-based, practical, and educational, with opportunities for audience participation. Jehovah's Witnesses hold these services with families sitting together, in obedience to the Scriptural admonition to "[g]ather the people together, the men, the women, the children ... in order that they may listen and learn about ... Jehovah your God" (Deuteronomy 31:12; Hebrews 10:24, 25; see video clip *What Happens at a Kingdom Hall?*, **Exhibit PG4**). Jehovah's Witnesses also hold one annual regional convention and two annual circuit assemblies. The format of these services is similar to the weekly congregation services. Parents recognise the importance of supervising their children in these settings, as in any other public setting.

32. Parents who are Jehovah's Witnesses learn from their personal Bible study that they have the Scriptural responsibility to provide age-specific religious education and training to their children, including protecting them from harmful influences. This is based on Bible passages such as Deuteronomy 6:6, 7, where parents are admonished to encourage, promote, and maintain regular communication with their children "when you sit in your house

and when you walk on the road and when you lie down and when you get up”. Parents decide when and how their children will engage in door-to-door preaching.

1. **Educative religious material on child sexual abuse**

33. As a religious organisation, we believe that the most effective step to protect children from sexual abuse is to build a strong fence at the top of the proverbial cliff rather than focusing solely on providing an emergency response at the bottom of the cliff. Parents have responsibility for educating their children and are in the best position to protect them. To that end, we have provided an abundance of age-appropriate materials to educate families about child sexual abuse and assist parents to protect their children.

34. As mentioned at the outset, Jehovah’s Witnesses firmly adhere to the Bible, which condemns child sexual abuse as a crime. They also view it as a detestable sin against the victim, a sin against the congregation, and above all a sin against God. (Leviticus 18:6, 29; Galatians 5:19-21; Ephesians 4:19; *The Watchtower* of May 2019, Study Article 19, p 9, paras 5-8, **Exhibit PG8**)

35. For more than 35 years, Jehovah’s Witnesses have provided material in *The Watchtower* and *Awake!* magazines and in religious books and videos that gives parents clear, timely, and practical advice on protecting their children from the evil of child sexual abuse. That material has been published in hundreds of languages and in hundreds of millions of copies (**Exhibits PG7, PG8, PG13 to PG32**). It is freely accessible at no charge to congregants and the general public, both in hard copy and on the official website of Jehovah’s Witnesses, www.jw.org. These educational materials are appreciated by many parents, as illustrated by the attached written statements, set out at **Exhibit PG51**, para 13; **Exhibit PG52**, paras 4, 11; **Exhibit PG54**, paras 13-14; **Exhibit PG56**, paras 3-7; **Exhibit PG57**, paras 7-9; **Exhibit PG59**, paras 5-6; and **Exhibit PG60**, paras 4, 11.

36. The following is a brief sampling of the educative religious material published by Jehovah’s Witnesses to protect children from sexual abuse:

“The first line of defence is to avoid situations that leave our children vulnerable. ... [Parents should explain to their child] the parts of their body that other people should not touch. ... ‘Nobody should touch you there, even if it is a schoolteacher or a policeman. Not even Mummy or Daddy should touch you there. And a doctor should only touch you there if Mummy or Daddy is with you!’ ... However, if molestation—and especially incest—is discovered to have occurred, two things must be done immediately: **First**, the child—and other children too—must be protected from any further abuse. This must be done, whatever the cost. ... **Second**, the child must be given a lot of love and emotional support. Parents must make it very clear that the

little victim is not to blame. The crime and anything that happens as a result of it—even if a close relative goes to prison—is not her (or his) fault. But that reassurance will have to be given many times, so that the victim comes to believe it—and to believe that the parents believe it too!” [Emphasis in the original.] (*Awake!* 22 January 1985, pp 6-9, **Exhibit PG16**)

“Abuse prevention can be taught early ... Children thus need to know that some grown-ups do bad things and that not even a child has to obey *anyone* who tells him or her to do something wrong. ... Show the child how to say no through words and clear, firm body language. Remember, abusers often test how children respond to subtle advances. So a child must be taught to resist firmly and say, ‘I’m telling on you.’” [Emphasis in the original.] (*Awake!* 8 October 1993, pp 6-7, **Exhibit PG19**)

“[C]hildren should also be warned about—and urged to report to the authorities—any person making improper advances toward them, including people they know.” (*Awake!* 8 April 1997, p 14, **Exhibit PG22**)

“What can you do to protect your children from abuse? First, **educate yourself about abuse**. Learn about the kind of individuals who abuse children and the tactics they use to deceive them ... Remember that in most cases, the abuser is someone the child already knows and trusts. Second, **maintain good communication with your children** ... Remember that children are often reluctant to report abuse. They may fear that they will not be believed, or they may have been threatened by the abuser to keep the abuse secret. If you sense that something is wrong, kindly draw them out with questions and then patiently listen to their answers. Third, **educate your children**. Share with them age-appropriate information about sex. Teach them what to say and do if someone tries to touch them in an inappropriate way.” [Emphasis in the original.] (*The Watchtower* of May 2019, Study Article 19, p 13, paras 19-22, **Exhibit PG8**)

37. A comprehensive history, with supporting extracts, of relevant material produced by Jehovah’s Witnesses on the subject of child sexual abuse is set out at **Exhibit PG1**.

2. Safeguarding policy of Jehovah’s Witnesses on child sexual abuse

38. *The Watchtower* of May 2019 states that Jehovah’s Witnesses continue “to review the way congregations handle the sin of child abuse ... [to ensure it] is in harmony with the law of the Christ” (**Exhibit PG8**, p. 10, para 9; see also *Jehovah’s Witnesses’ Scripturally Based Position on Child Protection*, p 2, para 13, **Exhibit PG6**). Our response to allegations of child sexual abuse and our pastoral support for victims have been strengthened and clarified over time.

39. Over the past several decades, the child safeguarding policy of Jehovah’s Witnesses was outlined in various issues of *The Watchtower* magazine, letters from the Branch Office to elders and travelling overseers, and in handbooks for elders. In 2011, that child safeguarding policy was summarised in a single document for use in the United Kingdom and the Republic of Ireland (**Exhibit PG11**). That policy was reviewed annually until 2017. (**Exhibit PG12**)

40. In addition to the material provided in the above-mentioned religious publications, for several decades elders have been provided with ongoing training at bi-annual meetings with the circuit overseer, one-day Kingdom Ministry Schools (held approximately every three years), in the five-day School for Congregation Elders (held approximately every five years, see paragraph 50 below), and in correspondence from the Branch Office. Such training includes child safeguarding matters. A non-exhaustive summary of the training provided to congregation elders from 1991 to 2017 is found at **Exhibit PG61**.

41. In 2018, Jehovah's Witnesses published a worldwide child safeguarding policy document, entitled *Jehovah's Witnesses' Scripturally Based Position on Child Protection* ("*Scripturally Based Position*"), which incorporated the direction and guidance on protecting children from sexual abuse discussed in the above-mentioned religious publications (**Exhibit PG6**). That worldwide policy is published on the official website of Jehovah's Witnesses, www.jw.org, and is available in dozens of languages. That worldwide policy is explained and expanded on in *The Watchtower* of May 2019, Study Articles 18 to 20, which were considered by all congregations of Jehovah's Witnesses worldwide over three consecutive weekly one-hour religious services, beginning on 1 July 2019. (**Exhibit PG8**)

42. Direction for elders on applying that worldwide child safeguarding policy is provided in *Shepherd*, published in January 2019. That handbook for elders brings together and replaces all previous letters and guidance given to elders by the Branch Office (i.e. it replaces the material summarised at **Exhibit PG61**). Chapter 14 of *Shepherd* provides specific direction on cases of child sexual abuse (**Exhibit PG9**). Additional guidance for elders in the Service Department who handle child safeguarding questions is provided in *Child Sexual Abuse—Guidelines for Branch Service Desks*, revised in January 2019 ("*Guidelines for Branch Service Desks*"). (**Exhibit PG10**)

43. Congregation elders are familiarised with the child safeguarding policy of Jehovah's Witnesses and the *Shepherd* handbook. For example, as part of their ongoing education, beginning in November 2019, a one-day Kingdom Ministry School will be held for all elders worldwide, which will include a discussion of the child safeguarding policy of Jehovah's Witnesses, particularly Chapter 14 of *Shepherd* and *The Watchtower* of May 2019, Study Articles 19 and 20 (see also paragraphs 50 and 51 below).

44. Adhering to the child safeguarding policy of Jehovah's Witnesses is mandatory for all elders. Failure of any elder to follow the child safeguarding policy could lead to his removal as an elder. (Titus 1:7-9)

45. For the Inquiry's convenience, the principal parts of the worldwide child safeguarding policy of Jehovah's Witnesses, and direction on its implementation, are extracted at **Exhibit PG2**.

3. Training in pastoral support

46. Jehovah's Witnesses place great emphasis on training and education. The main focus of the training of elders is with regard to pastoral support. Elders also receive training related to child safeguarding, as summarised in this section.

47. Before an experienced elder is appointed by the Governing Body to serve on the Branch Committee, he must attend a five-month pastoral training school at the world headquarters of Jehovah's Witnesses. Every five to ten years thereafter, all Branch Committee members worldwide attend a similar two-month course at the same location. The primary purpose of that specialised training is to assist Branch Committee members to support the religious activity in the Branch Office, to give attention to important matters affecting congregations, and generally to oversee the spiritual activity in the lands under their spiritual oversight. (Luke 12:48, second sentence)

48. A member of the Branch Committee serves as the overseer of the Service Department, which includes supervising the elders in the Service Department who handle child safeguarding enquiries. He ensures that current direction on child safeguarding is being implemented. Less experienced elders who work with the Service Department are trained to handle a range of issues, including child safeguarding. Part of their training involves sitting-in at meetings where complex issues are discussed by more experienced elders.

49. Circuit overseers receive training to help them fulfil their role. Every five years, all circuit overseers worldwide attend a four-week pastoral training school. The purpose of that school is to assist them to serve congregations more effectively, especially in the area of pastoral support.

50. Approximately every three years, all elders worldwide receive training in a one-day course known as the Kingdom Ministry School, which includes reminders of current policies on a range of issues, including child safeguarding. Every five years, each elder receives

training in a five-day course known as the School for Congregation Elders. Additionally, twice each year, the circuit overseer meets with each body of elders in his circuit to review with them the spiritual needs of the congregation and pertinent ecclesiastical direction (see paragraphs 40 to 42 above for a summary of that training).

51. Congregation elders also benefit from the Scriptural and procedural direction provided in the *Shepherd* handbook. Whenever they are called on to serve on an ecclesiastical judicial committee, the elders are instructed to review carefully Chapters 12 and 16 of that handbook, as well as Chapter 14 if the matter involves allegations of child sexual abuse.

C. Religious procedure for responding to allegations of child sexual abuse

52. If an accusation of child abuse comes to the attention of the elders, they are instructed to arrange for two elders to telephone the Britain Branch Office immediately for assistance. Why is this done? To provide situation-specific support from experienced elders in the Service Department who are well versed in the child safeguarding policy of Jehovah's Witnesses (see paragraph 48 above) and by qualified solicitors in the Legal Department who are well versed in the relevant reporting obligations to the statutory authorities (i.e. to the police or to the local social services in the United Kingdom or to TUSLA or the Garda Síochána in the Republic of Ireland).

53. The following steps outline how the worldwide child safeguarding policy of Jehovah's Witnesses published in 2018 is typically applied whenever an allegation of child sexual abuse is reported to congregation elders. Each of these steps is explained in greater detail at paragraphs 56 to 74 below. Although those steps have been strengthened and clarified in recent years, they reflect the religious procedure followed by Jehovah's Witnesses for several decades (see paragraph 40 above and **Exhibit PG61**).

Step 1: Immediately upon learning of the allegation, two elders from the congregation's body of elders will telephone the Branch Office Legal Department for legal advice on reporting the allegation to the statutory authorities (the Legal Department will also provide advice on serious incident reporting to the Charity Commission).

The Legal Department will give advice as to whether the elders have a legal duty to report the allegation to the appropriate statutory authorities based on the applicable reporting laws. That legal advice may vary according to the

law for each country. For example, while the laws of England and Wales do not mandate religious ministers to report allegations of child abuse, the Branch Office oversees the activity of Jehovah's Witnesses in the Republic of Ireland, which has a mandatory reporting law (see paragraphs 56 to 58 below for details on reporting allegations of child abuse).

If there is such a legal duty, the elders make a report even if there is only one complainant³ and no other corroborating evidence.

The Legal Department will also advise the elders to inform the complainant, the complainant's family, and anyone else with knowledge of the allegation of their absolute right to make a report to the statutory authorities. If requested, the elders will assist the complainant or the complainant's family in making the report.

All legal advice on child safeguarding issues by the Legal Department is provided by duly qualified solicitors.

Step 2: The Legal Department will then transfer the call to one of the experienced elders in the Service Department (also known as a Service Desk), which will provide spiritual and child safeguarding direction to the elders. This includes direction on providing pastoral support to the complainant and the complainant's family (see paragraphs 62 to 66 below for details on pastoral support).

Even if the elders have no legal obligation to report the allegation to the statutory authorities, the Service Desk will nonetheless review the matter with the elders to determine whether there is reason to believe the complainant or any other minor is in danger of abuse from the accused. If so, the Service Desk will direct the elders to report the allegation to the statutory authorities. In such cases, the Service Desk will transfer the call back to the Legal Department to provide the elders with legal advice on how the report should be made.

³ Consistent with the approach taken by IICSA in the current investigation, in this statement we refer to persons who have made allegations of child sexual abuse as "complainants", except where the fact of abuse has been established by an ecclesiastical judicial committee and/or by a criminal trial, in which case we refer to that person as a "victim".

- Step 3: If it is determined that a report to the statutory authorities should be made, the elders will be directed to do so immediately, and to report back to the Service Department and/or Legal Department once the matter has been reported. We emphasise that a report to the statutory authorities may be made even if there is only one complainant and no other corroborating evidence, as stated in Step 1 above.
- Step 4: The elders will offer pastoral support to the complainant and the complainant's family. Depending on the complainant's gender, the elders may be assisted in providing pastoral support by mature women in the congregation (see paragraphs 62 to 66 below for details on pastoral support).
- Step 5: After (or concurrently with) taking the above steps, the elders will then consider whether there is sufficient evidence to establish the allegation from a Scriptural perspective (a confession or the evidence of at least two people—the one making the accusation and someone else who can verify this act or other acts of child abuse). This is solely to determine whether the accused should remain one of Jehovah's Witnesses. It is exclusively an ecclesiastical process and does not substitute for any actions or punishment deemed necessary by the secular authorities (see paragraphs 67 to 71 below for details of that Scriptural investigation).
- If there is not sufficient evidence to form an ecclesiastical judicial committee, the Service Department may nonetheless instruct the elders to be vigilant with regard to the conduct and activity of the accused during congregation activities. The restrictions set out in Step 7 below may still be applied if the accused was convicted by the secular authorities.
- Step 6: If the congregation elders decide there is sufficient evidence from a Scriptural perspective that a gross sin has been committed, they will form an ecclesiastical judicial committee, which usually comprises three elders. They will telephone the circuit overseer, who will select an experienced elder to serve as the chairman of the ecclesiastical judicial committee. If the accused was serving as an elder or ministerial servant, he will immediately

be deleted as such and an announcement to that effect will be made to the congregation at the next mid-week meeting.⁴

The ecclesiastical judicial committee will then meet with the offender. A complainant or victim is never required to confront the accused (see paragraphs 69 and 71 below). If the judicial committee determines that the accused is not Scripturally repentant, he will be disfellowshipped (expelled) (see paragraphs 73 to 74 below for details of the ecclesiastical judicial committee process and how Scriptural repentance is determined).

Step 7: If the offender is found by the ecclesiastical judicial committee to be Scripturally repentant, an announcement will be made to the congregation that: “[Name of person] has been reprovved.” That announcement serves to alert all in the congregation that a baptised Christian who has committed a gross sin has been Scripturally disciplined.

In all cases of child sexual abuse wherein the offender is not expelled, the Service Department will provide written direction to the body of elders on the restrictions to be imposed on the offender’s activities within the congregation. This will include directing the elders: (a) to strongly caution the offender to avoid compromising situations with minors; (b) not to give the offender any responsibilities, privileges, duties, or tasks in the congregation; and (c) to meet with the parents of all minor children in the congregation (and any family with minor children that subsequently moves into the congregation) to caution that their children should never be left alone with the offender; parents will also be reminded to review the educative material published by Jehovah’s Witnesses on protecting children from sexual abuse. When warning other parents, the elders do not provide any information that would identify the victim. The restrictions imposed on the offender remain in place indefinitely and follow the offender if he moves to a new congregation anywhere in the world, which includes notifying parents of minor children in that new congregation. If the offender does not adhere to those restrictions, then this may demonstrate a “brazen attitude” resulting in his disfellowshipping.

⁴ If the offender is a trustee of the congregation’s associated charity, he would also be immediately removed as such.

Step 8: An offender who was disfellowshipped may apply to be reinstated. In cases of child sexual abuse, such a request would only be given serious consideration by the elders if sufficient time has passed (usually years) for the offender to demonstrate Scriptural repentance (see paragraph 73 below on determining Scriptural repentance). The circuit overseer will appoint an experienced elder to serve as chairman of the ecclesiastical reinstatement committee, which usually comprise the same elders that disfellowshipped the offender.

If the ecclesiastical reinstatement committee determines, after meeting with the offender, that he is Scripturally repentant then they may decide to reinstate that person as one of Jehovah's Witnesses. An announcement will then be made to the congregation that the person is reinstated. In all such cases, the restrictions listed in Step 7 above will be imposed.

54. Steps 1 to 8 above outline the religious process when one of Jehovah's Witnesses is accused of child sexual abuse. A different process is followed in the case of a person who wants to become an unbaptised publisher or to be baptised as one of Jehovah's Witnesses and who is known to have abused a child in the past (e.g. who was criminally convicted). In such a case, the person must demonstrate by his course of life over a period of many months or years that he now meets the Scriptural qualifications, including living up to the Bible's high moral standards (Ephesians 4:23, 24; Colossians 3:9, 10; for details on the religious requirements see paragraphs 19 to 22 above). Even then, the restrictions in Step 7 above are imposed in all such cases, which would include warning parents of minor children explicitly about that person. This is in addition to any restrictions or probation requirements imposed by the secular authorities.

55. To assist the Inquiry in better understanding how the child safeguarding policy of Jehovah's Witnesses is applied in the context of the above eight steps, we are providing the Inquiry with the written statements of ten Jehovah's Witnesses who relate their first-hand experience with that policy. (**Exhibits PG51 to PG60**)

1. **Steps 1 to 3: Reporting allegations of child abuse to the statutory authorities**

56. The child safeguarding policy of Jehovah's Witnesses requires that when elders learn of an allegation of abuse they will make a report to the statutory authorities as may be required by law or if it appears that any child may be in danger.

57. In jurisdictions with mandatory reporting laws, such as the Republic of Ireland, Jehovah's Witnesses comply with what the law requires. *The Watchtower* of May 2019 explains: "In places where such laws exist, elders endeavor to comply with secular laws about reporting allegations of abuse. (Rom[ans] 13:1)" (**Exhibit PG8**, p 10, para 13)

58. In jurisdictions without mandatory reporting laws, such as England and Wales, it has been the religious position of Jehovah's Witnesses for the past several years "to report the matter if a minor is still in danger of abuse" (*Scripturally Based Position*, p 1, para 5, **Exhibit PG6**). In making that determination, the Service Desk will consider with the elders questions such as the following: Is there a reason to believe the alleged victim or any other minor is in danger of abuse? Do the accused's day-to-day activities put him in close proximity to minors? For example, is there a minor living in his home? Does his employment bring him into contact with minors? (*Guidelines for Branch Service Desks*, p 2, para 8, **Exhibit PG10**)

59. For decades, Jehovah's Witnesses have taken steps to ensure that congregants do not hold back from reporting an allegation of child sexual abuse to the statutory authorities out of misplaced loyalty to the accused or fear of damaging the reputation of the congregation.⁵ For example, the 8 April 1997 issue of *Awake!* stated that "children should also be warned about—and urged to report to the authorities—any person making improper advances toward them, including people they know" (**Exhibit PG22**, p. 14). The 8 October 1993 issue of *Awake!* acknowledged that although emotional and other ties "can be overwhelmingly strong ... [i]nnocent children ... stand to lose much more if they are not believed and protected. Their whole future is at stake" (**Exhibit PG19**, p. 9). The 22 January 1985 issue of *Awake!* stated: "if molestation ... is discovered to have occurred ... the child—and other children too—must be protected from any further abuse. This must be done, whatever the cost. ... The crime and anything that happens as a result of it—even if a close relative goes to prison—is not [the victim's] fault". (**Exhibit PG16**, p. 8)

⁵ Some critics claim that Jehovah's Witnesses believe it is unscriptural to report an allegation of child sexual abuse to the secular authorities, relying on 1 Corinthians 6:1-8, which counsels Christians 'not to take their brother to court'. This is patently false. It has long been the religious belief of Jehovah's Witnesses that 1 Corinthians 6:1-8 applies only to civil disputes and not to potential criminal offences, such as an allegation of child sexual abuse or rape. The book *How to Remain in God's Love*, published in 2017 by Jehovah's Witnesses, explains: "If a serious crime is involved, such as rape, child abuse, assault, major theft, or murder, then a Christian who reports such a crime to the secular authorities does not violate Paul's counsel [in 1 Corinthians 6:1-8]" (**Exhibit PG5**, p 254). A similar statement is made at page 223 of the book *Keep Yourselves in God's Love*, published by Jehovah's Witnesses in 2008. (See also **Exhibit PG1**, pp 2, 4, 5, 8, 12 for similar references on reporting allegations of child sexual abuse.)

60. *The Watchtower* of May 2019 confirmed that one of Jehovah's Witnesses should not hold back from reporting an allegation of child sexual abuse to the statutory authorities out of concern for the congregation's reputation:

"Elders assure victims and their parents and others with knowledge of the matter that they are free to report an allegation of abuse to the secular authorities. But what if the report is about someone who is part of the congregation and the matter then becomes known in the community? Should the Christian who reported it feel that he has brought reproach on God's name? No. The abuser is the one who brings reproach on God's name." (**Exhibit PG8**, pp 10-11, para 14; see also *Scripturally Based Position*, p 1, para 4, **Exhibit PG6**)

61. Further, as already noted, whenever elders contact the Branch Office about an allegation of child abuse they are directed to inform the complainant, the complainant's family, and anyone else with knowledge of the allegation, of their absolute right to make a report to the statutory authorities (see paragraph 53, Step 1, above).

2. **Step 4: Pastoral support for complainants and victims**

62. Elders endeavour to take a loving and active interest in the spiritual, emotional, and physical needs of congregants. One of the ways they do so is by providing pastoral support, also known as shepherding calls, which are always provided at no charge. Elders are not instructed to make a record of the number or nature of pastoral visits made. Nonetheless, we can assure the Inquiry that pastoral visits are an integral and regular part of the religious activity of congregation elders.

63. Elders make the provision of pastoral support a priority, especially in cases of child sexual abuse. However, they respect the victim's choice of whether to accept the offer of pastoral support. They will arrange for the pastoral visit at a time and place most convenient to the victim.

64. Elders recognise that female victims of child sexual abuse may feel more comfortable in a pastoral setting with an adult female confidant present. For example, *The Watchtower* of May 2019 states: "Mature Christian sisters can be especially encouraging to sisters in need of comfort. Fittingly, Jehovah God likened himself to a mother who comforts her son. (Isa[iah] 66:13) The Bible includes examples of women who provided comfort to those in distress. (Job 42:11) How delighted Jehovah is to see Christian women today offering comfort to fellow sisters who struggle with emotional pain! In some cases, an elder or two may discreetly ask a mature sister if she is in a position to help a suffering sister in that way." (**Exhibit PG8**, pp 16-17, para 11)

65. Elders may also provide pastoral support to a minor, if requested by the minor's parent(s). The elders will ask that one or both parents be present for the pastoral visit. If one of the parents is the accused, that parent would not be involved. If neither parent can be present, then another adult Witness who is a confidant of the victim would be included. (*The Watchtower* of May 2019, Study Article 20, pp 17-19, paras 12-20, **Exhibit PG8**; *Shepherd*, Chapter 14, paras 13-14, **Exhibit PG9**)

66. As they provide pastoral help, elders endeavour to demonstrate empathy and compassion to the victim and the victim's family.⁶ They strive to be good listeners and to "speak consolingly" from God's Word (1 Thessalonians 5:14). A number of pastoral visits may be required to assist the victim effectively. Elders also recognise their limits. They are not health care professionals. They will let the victim or the victim's family know that whether to seek professional counselling is a personal decision. (*Shepherd*, Chapter 14, para 17, **Exhibit PG9**)

3. **Religious process for handling cases of serious sin**
 a. **Step 5: Scriptural investigation**

67. As explained above, when elders learn that someone in the congregation is accused of child sexual abuse, they immediately take steps to ensure the matter is reported to the statutory authorities as may be required by law or if it appears that any child may be in danger (see paragraphs 56 to 61 above). They will also offer pastoral support to the complainant and the complainant's family.

68. The elders then (or concurrently with the above) conduct a Scriptural investigation to determine whether a Biblical sin has been committed. If the elders learn that the police wish to carry out an investigation, the Scriptural investigation may need to be paused or postponed.

69. Two elders selected by the body of elders conduct the Scriptural investigation. If the accused denies the accusation, the elders will consider the testimony of witnesses. When there is no confession of wrongdoing, the Bible requires two witnesses to establish the

⁶ This is also confirmed by the direction given to elders if a victim of child sexual abuse later commits a serious sin. The *Shepherd* handbook explains that elders should consider as an extenuating circumstance whether "the wrongdoer may have been a victim of abuse. Although this is not an excuse for wrongdoing, understanding any extenuating circumstances will help the judicial committee to understand the wrongdoer better". (*Shepherd*, Chapter 16, para 11, **Exhibit PG9**)

accusation before the elders can take ecclesiastical judicial action (Deuteronomy 19:15; Matthew 18:16; 1 Timothy 5:19). If at least two people—the one making the accusation and someone else who can verify this act or other acts of child abuse by the accused—establish the charge, an ecclesiastical judicial committee is formed. (*The Watchtower* of May 2019, Study Article 19, p 11, paras 15-16, **Exhibit PG8**)

70. This religious process should not be confused with whether an allegation of child sexual abuse should be reported to the statutory authorities; as explained in paragraph 53 above, a report may be made to the statutory authorities even if there is only one complainant and no other corroborating evidence.

71. A complainant or victim of child sexual abuse is never required by the elders to make his or her allegations in the presence of the accused. If the complainant is a minor, the elders will obtain the details of the allegation from the minor's parents. If the complainant is an adult, the elders will receive the complainant's evidence in a format that is most comfortable to the complainant, whether by a private in-person meeting, by telephone, by videoconference, or in writing. (*Scripturally Based Position*, p 2, para 9, **Exhibit PG6**; *The Watchtower* of May 2019, Study Article 19, p 11, footnote, **Exhibit PG8**; *Shepherd*, Chapter 16, para 2, **Exhibit PG9**; see also supplementary witness statements at **Exhibit PG51**, para 5; **Exhibit PG52**, para 5; **Exhibit PG53**, para 10; and **Exhibit PG54**, para 7)

72. Jehovah's Witnesses do not take ecclesiastical judicial action against anyone for making unsubstantiated allegations of child sexual abuse. It has long been the position of Jehovah's Witnesses that a person reporting an accusation to the police, the court, the elders, or others who have authority to look into the matter would not be viewed by the congregation as guilty of committing slander or any other Scriptural offence. This is true even if the accusation is not Scripturally established (*Shepherd*, Chapter 12, para 28, **Exhibit PG9**). Further, even if an accusation of child abuse cannot be Biblically established by two witnesses, the elders recognise that a serious sin may have been committed. The elders provide ongoing pastoral support to the complainant and the complainant's family. In addition, the elders remain alert regarding the alleged abuser to help parents protect their children from potential danger. (*The Watchtower* of May 2019, Study Article 19, p 11, para 16, **Exhibit PG8**)

b. Steps 6 to 8: Ecclesiastical judicial committee

73. If the allegations are Scripturally established, the body of elders forms an ecclesiastical judicial committee. The term “judicial” does not mean that the elders decide whether the offender should be punished by secular authorities for breaking the law. Instead, the elders determine, based on the laws and principles contained in the Bible, whether the offender should remain in the congregation. If he is Scripturally repentant and allowed to remain in the congregation, protective measures are taken (see paragraph 76 below). If he is unrepentant, he is disfellowshipped (expelled) (*The Watchtower* of May 2019, Study Article 19, p 11, para 17, **Exhibit PG8**). That religious process is not adversarial.

74. If disfellowshipping is the decision, an announcement is made to the congregation: “[Name of person] is no longer one of Jehovah’s Witnesses.” (*Organized*, Chapter 14, p 151, para 29, **Exhibit PG3**)

D. Internal checks

75. Jehovah’s Witnesses do not provide or sponsor any regulated activity that separates children from their parents (see paragraph 30 above) and thus Disclosure and Barring Services checks are not permitted by the applicable legislation. Nonetheless, Jehovah’s Witnesses have the following internal checks in place to ensure that a person known to have abused a child is not appointed as an elder or ministerial servant.

76. First, the restrictions set out in Step 7, paragraph 53 above, are imposed whenever: (1) it is determined that a congregant who is guilty of child sexual abuse is repentant and will remain in the congregation; (2) a person disfellowshipped for child sexual abuse is reinstated as one of Jehovah’s Witnesses; (3) a congregant who denies an accusation of child abuse is convicted by the secular authorities for child sexual abuse; or (4) a person viewed as a child abuser in the community becomes one of Jehovah’s Witnesses. One of the restrictions imposed is that the offender will not qualify for any responsibilities, privileges, duties or tasks in the congregation, even seemingly minor privileges, for decades, if ever. (*Guidelines for Branch Service Desks*, p 4, para 15, **Exhibit PG10**)

77. Second, whenever a congregant is to be appointed for the first time as a ministerial servant the circuit overseer will ask him the following questions: (1) Is there anything from your past, even before baptism, or in your personal or family life that disqualifies you or that would prevent you from accepting this appointment? (2) Is there any reason why your appointment should not be announced to the congregation? (3) Have you ever been

involved at any time in the past with child sexual abuse? Only if the person answers no to all three questions will the circuit overseer make the appointment.

78. Third, the Branch Office keeps a brief notation of each congregant who is known to have committed child sexual abuse. That notation is checked whenever the Branch Office is notified by a body of elders that they are considering the potential appointment of an elder or ministerial servant. This ensures that an individual who has committed child sexual abuse is not appointed as an elder or ministerial servant (see paragraph 76 above).

79. Fourth, necessary information concerning an individual associated with the congregation who has been accused of child sexual abuse, established or not, is retained in a sealed envelope in the congregation's secure file and marked "Do Not Destroy". That envelope is retained indefinitely and will be accessed by the elders if the person is disfellowshipped and applies for reinstatement, or if the elders learn of another similar allegation which might then constitute sufficient Scriptural evidence to form an ecclesiastical judicial committee. If applicable, the sealed envelope will include a copy of the restrictions imposed on the offender, as set out in Step 7, paragraph 53 above, along with a brief statement by the elders confirming the dates on which they warned parents of minor children about the offender. (*Shepherd*, Chapter 14, para 25, **Exhibit PG9**; *Guidelines for Branch Service Desks*, p 6, para 23, **Exhibit PG10**)

E. Complaints

80. If a congregant is concerned with how an allegation of child sexual abuse has been dealt with, he may express his concern directly to one of the elders in his congregation. If the congregant is not satisfied with the response, he may discuss the matter with the circuit overseer. In all such cases, the elders or the circuit overseer will endeavour to respond as quickly as possible, often by an in-person meeting with the congregant. The congregant may also express his concerns in writing to the Branch Office direct, which will endeavour to provide a timely response. Although this religious process is not a formal complaints procedure as some secular organisations may have, it allows congregants to raise matters of concern directly to congregation elders, the circuit overseer, or the Branch Office.

F. Institutional allegations of child sexual abuse

81. Since 2000, four civil claims have been issued against a congregation or legal entity of Jehovah's Witnesses concerning an allegation of child sexual abuse. One of those claims was decided at trial in 2015 on a question of law (damages were agreed in advance). The three other claims were settled.

82. Currently, there are 13,846 elders and 9,379 ministerial servants in England and Wales. In harmony with Steps 1 and 2, paragraph 53 above, during the past ten years (September 2009 to August 2019) the Branch Office was contacted by congregation elders who reported allegations of child sexual abuse concerning 25 elders, 32 ministerial servants,⁷ and 10 persons accused of committing child sexual abuse in an institutional context (e.g. alleged abuse at a place of worship by a congregant or a non-Witness) in England and Wales.

83. The following chart sets out how the allegations against those 67 persons were dealt with by the secular authorities and the congregation.

Year of alleged abuse ⁸	Accused	Criminally convicted	Reported to statutory authorities	Ecclesiastical judicial committee ⁹
2009-2019	67	13	37	25

84. Although there was no legal duty to report any of those 67 cases because they all occurred in England and Wales, reports were nonetheless made to the statutory authorities in 37 of those cases. In most instances, the reports were made by the complainant's family with the support of the elders. Two of the 37 cases were reported to the statutory authorities by the elders because the complainant's family was reluctant to do so or had requested the assistance of the elders in making the report. (**Exhibit PG53**, paras 6-7; see also **Exhibit PG51**, para 4; **Exhibit PG52**, para 3; and **Exhibit PG54**, paras 3-4)

⁷ Ministerial servants merely play a supportive role to the elders, as explained at paragraph 15 above. Nonetheless, in the interests of transparency, allegations relating to ministerial servants are herein included.

⁸ In addition, during the past ten years, accusations of child sexual abuse that allegedly occurred one or more decades ago (between 1953 and 2008) were made against 32 elders, 18 ministerial servants, and, in an institutional context, 2 other persons.

⁹ Of the 25 persons subject to a judicial committee, the offender was disfellowshipped in 19 cases.

G. Charity Commission

1. Serious incident reports

85. In the past 10 years (September 2009 to August 2019), Jehovah's Witnesses have made 24 serious incident reports (RSI) to the Charity Commission concerning allegations of child sexual abuse. They responded to an additional eight requests for information by the Charity Commission. Most of those RSI and information requests were related to allegations of child sexual abuse from one or more decades ago. (**Exhibit PG33**)

86. Of those 32 RSI and information requests, nine concerned allegations of child sexual abuse by elders or ministerial servants or which allegedly occurred in an institutional context.¹⁰ The remaining 23 cases concerned allegations against persons who either were not Jehovah's Witnesses or who did not hold any position of responsibility within the charity or the congregation (**Exhibits PG34 to PG42**). Further:

- (a) In 20 cases, the Charity Commission closed its compliance investigation, concluding it was satisfied with the actions of the congregation's charity.
- (b) In nine cases, there has been no response in 20 or more months by the Charity Commission to the last correspondence of the congregation's charity.
- (c) Three cases were reported by the congregation's charity to the Charity Commission in the past 12 months and the congregation's charity is still awaiting a response.

87. In some cases, the Charity Commission initially replied demanding information and threatening action against the congregation charity, but when the charity replied and provided the requested information there was no response for many months or years (e.g. **Exhibit PG42**, p 2). This unfortunate delay by the Charity Commission has the effect of stigmatising the congregation charity and trustees, leaving them in a position of perpetual uncertainty.

88. It appears that the Inquiry's Rule 9 request for information from the Charity Commission has prompted the Commission to review many of the RSI reports of charities of Jehovah's Witnesses that were left unanswered for two or more years. On 13 August 2019 alone, the Charity Commission responded in four cases with identical letters. (**Exhibit PG33**, Nos 18, 19, 20, 23)

¹⁰ All but one of those nine cases has either been closed by the Charity Commission or there has been no response to the charity's correspondence in the past 20 or more months. (**Exhibit PG33**)

2. Statutory inquiries

89. In the past 10 years (September 2009 to August 2019), the Charity Commission has opened two statutory inquiries concerning charities of Jehovah's Witnesses.

90. New Moston, Manchester. This inquiry was opened on 30 May 2014, and closed on 26 July 2017. The Charity Commission expressed the view, *inter alia*, that the congregation's trustees acted inappropriately because one of the three adult victims was allegedly required to confront her abuser during an ecclesiastical judicial committee. The trustees, however, had no involvement whatsoever in the ecclesiastical judicial committee, which comprised elders from another congregation and who were not members of the New Moston charity. The elders involved in the ecclesiastical judicial committee confirmed that at no point was the victim required to confront her abuser. As confirmed at paragraph 71 above, a victim of child sexual abuse is never required to confront the accused. The congregation's trustees thus strongly disagree with the facts and the conclusion as set out in the report.

91. In any event, the Charity Commission was satisfied that the revised 2017 child safeguarding policy of Jehovah's Witnesses in England and Wales addressed the "issues identified by the inquiry", including making it clear that victims of child sexual abuse are not required to make their allegations in the presence of the alleged abuser. (Charity Commission decision, 26 July 2017, p 20, **Exhibit PG44**; see also **Exhibit PG12**)

92. Watch Tower Britain. This inquiry was opened on 27 May 2014 and remains open. When opening the inquiry, the Charity Commission stated that the scope of the investigation would examine Watch Tower Britain's "handling of safeguarding matters, including the creation, development, substance and implementation of its safeguarding policy"; whether the trustees had "fulfilled their duties and responsibilities under charity law"; and the "charity's safeguarding advice provided to congregation charities" (**Exhibit PG45**, p 9). The inquiry does not concern any specific allegation of child sexual abuse against the trustees of Watch Tower Britain or anyone else.

93. We understand that internal memos circulated within the Charity Commission described the statutory inquiry against Watch Tower Britain as a "fishing" exercise or a "look-see" inquiry (**Exhibit PG46**). It was allegedly premised on unidentified complaints, which have never been disclosed to Watch Tower Britain. This process appears to be manifestly unfair and a violation of the Charity Commission's own rules, which state: "Before submitting a complaint you must complain directly to the charity first." (**Exhibit PG47**)

94. Since Jehovah's Witnesses take child safeguarding seriously, we have engaged with the Charity Commission on the merits of its stated concerns (see paragraph 98 below). We have done so even though Watch Tower Britain (the charity) does not provide any ecclesiastical guidance to Jehovah's Witnesses in England and Wales and does not sponsor any activity involving children (see paragraph 26 above). In 2019, the High Court found as a fact that by May 2011 Watch Tower Britain ceased to be used by the Branch Office to communicate religious guidance and from that date onward "had become, in essence, a publishing and capital financing operation", which is not "liable for the actions of the Elders of any congregation". (*Otuo v. Watch Tower Bible and Tract Society of Britain et al* [2019] EWHC 1349 (QB), paras 108, 109, 111(1), 111(2))

95. During the course of the statutory inquiry, the Commission has also sought to investigate a broad range of other matters about Jehovah's Witnesses under what it calls "non-inquiry" issues, including their religious beliefs on effective medical alternatives to blood transfusions and racial equality,¹¹ none of which has anything to do with child safeguarding.

96. Throughout the five-year statutory inquiry, Watch Tower Britain has taken all reasonable steps to engage with the Charity Commission and answer its requests. After an initial period of litigation, the statutory inquiry has been spasmodic from December 2016 to the present.

97. For example, Watch Tower Britain received no substantive correspondence from the Charity Commission for nearly a year, from October 2018 until 12 September 2019. On 3 April 2019, Watch Tower Britain wrote the Charity Commission and confirmed that it was ready to discuss a question raised by the commission. Earlier, on 1 May 2018, Watch Tower Britain provided the Charity Commission with a copy of the worldwide child safeguarding policy of Jehovah's Witnesses (the *Scripturally Based Position*) and on 1 July 2019 and 15 August 2019 respectively provided the Charity Commission with copies of the May 2019 issue of *The Watchtower* and relevant extracts of the *Shepherd* handbook, which explain and expand on the worldwide child safeguarding policy of Jehovah's Witnesses (see paragraphs 40 and 42 above). It was not until 12 September 2019 that the Charity Commission responded to that correspondence, informing Watch Tower Britain that the May

¹¹ The issue of racial equality has been raised several times by the Charity Commission although it is well known that Jehovah's Witnesses believe that all persons are equal in God's sight, regardless of race, nationality, or gender. It is disappointing that the Charity Commission continues to base its actions on false information provided by critics (see, *inter alia*, **Exhibit PG43**, pp 1-2).

2019 study edition of *The Watchtower* (our main religious magazine) had been submitted by the Charity Commission to a third party for review. (**Exhibit PG45**, pp 22, 29-33)

98. Over the last five years, there have been no less than five different lead investigators in the Charity Commission's statutory inquiry (**Exhibit PG45**, pp 14, 28). With each successive lead investigator, Watch Tower Britain has been willing to meet with the new investigator, often explaining for many hours the same issues they have already explained to the previous investigator. Overall, Watch Tower Britain has enjoyed a cordial relationship with each successive lead investigator and has found the meetings to be constructive.

99. However, it is evident that there are serious questions concerning whether the Charity Commission is well-suited to dealing with child safeguarding issues. The Charity Commission has, itself, stated that it "can assess safeguarding policies/procedures only from a pragmatic (not expert) point of view" and "cannot provide detailed advice on the content or robustness of a charity's safeguarding policy" (**Exhibit PG48**, p 3). Yet, in correspondence to one congregation charity the Charity Commission asserts that it has "considered" the worldwide child safeguarding policy of Jehovah's Witnesses and "found it lacking several key elements", but then fails to state what is allegedly lacking. (**Exhibit PG49**, p 2)

100. Jehovah's Witnesses take child safeguarding seriously. We are happy to explain our policy to regulatory bodies like the Charity Commission, as demonstrated by the many hours Watch Tower Britain has spent on the statutory inquiry. The Charity Commission's statutory inquiry, however, has been a source of considerable frustration for Watch Tower Britain for the following reasons:

- (a) The Charity Commission has never disclosed the specific allegations against Watch Tower Britain.
- (b) No allegations have been brought against the trustees themselves or the members of Watch Tower Britain regarding child safeguarding.
- (c) The statutory inquiry has consumed an inordinate amount of charitable resources and time of the trustees over the past five years.
- (d) The inordinate length of the statutory inquiry has caused, and continues to cause, reputational damage.

101. CCJW welcomes this opportunity to clarify our beliefs and practices on this issue, especially because some have misrepresented our beliefs and practices. Our organisation continues to review our policy on this matter, and we share the aims of the Independent Inquiry to protect children from the evil of sexual abuse.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:

DPA

Paul Stuart Gillies

Dated: 2 December 2019

Witness Name: Paul S. Gillies
Statement No.: 2
Exhibits:
Dated: 19 February 2020

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Witness Statement of Paul Stuart Gillies

I, **Paul Stuart Gillies**, make the following statement on behalf of the Christian Congregation of Jehovah's Witnesses of Britain (CCJW), which is in addition to my statement, dated 2 December 2019. I will say as follows:

1. The Inquiry has asked for CCJW's views on the current arrangements in respect of the regulation of child protection within religious organisations and settings; whether a common set of training materials and model policies might be useful; our views on current statutory guidance and on the system of vetting and barring; our views on mandatory reporting; and whether there should be a voluntary code of conduct for out of school settings.
2. As noted at paragraph 30 of my 2 December 2019 witness statement, Jehovah's Witnesses as a religion do not make any arrangements that separate children from their parents such as crèches, playgroups, Sunday Schools, youth groups or clubs. We do not run schools, orphanages, home care, or any other activity where we assume responsibility for the care of children. Nor do we provide or sponsor any extra-curricular activity, such as choirs, camps, outings, sports, outdoor walks, parties, and similar activities for youths or adolescents.
3. In 2018, Jehovah's Witnesses published a worldwide child safeguarding policy document, entitled *Jehovah's Witnesses' Scripturally Based Position on Child Protection* ("*Scripturally Based Position*"), which incorporated earlier direction and guidance that had been provided in our religious publications. That worldwide policy is explained and expanded on in *The Watchtower* of May 2019, Study Articles 18 to 20, which was considered by all congregations of Jehovah's Witnesses worldwide in July 2019. Direction for elders on

applying that worldwide policy is provided in the elder's handbook *Shepherd*, published in January 2019. Additional guidance on that policy for elders in the Service Department who handle child safeguarding questions is provided in *Child Sexual Abuse—Guidelines for Branch Service Desks*, revised in January 2019 ("*Guidelines for Branch Service Desks*").

4. As stated in the May 2019 issue of *The Watchtower*, p. 9, para. 9, Jehovah's Witnesses continue to review how child sexual abuse allegations are handled "so that our way of handling the matter is in harmony with the law of the Christ," namely, that it imitates the love and compassion that Jesus Christ showed for victims, coupled with his hatred of wickedness.

5. The child protection policy of Jehovah's Witnesses is tailored to our religious beliefs and practices and takes into account the fact that, unlike most other religions, we do not provide services that separate children from their parents. Nonetheless, we believe that our worldwide policy is comprehensive and sufficiently flexible to adapt to child protection laws that vary from country to country.

6. We do not consider that a "common qualification for all faith leaders" related to "child protection within a religious organisation," would be necessary for elders in our organisation, given that congregations do not provide any activities that separate children from their parents. It is a core of our religious beliefs that congregation elders must meet the ecclesiastical qualifications set out in the Bible at 1 Timothy 3:1-7 and Titus 1:5-9. In addition, we consider that sufficient training is provided to elders in our child safeguarding policy commensurate with their congregation role. However, we would carefully consider any common set of training materials, model policies, or questions and answer sheets that the Inquiry may recommend.

7. In respect of vetting and barring, we consider the current definition of "regulated activity" in the Safeguarding and Vulnerable Groups Act 2006 (as amended) is sufficiently clear. We already have a system of internal checks in place to ensure that a person known to have abused a child is not appointed as an elder (for details, see paras 75 to 79 of my 2 December 2019 witness statement). Even a single allegation against a person who is being considered for appointment as an elder would be identified by an internal check. We consider that this internal system is sufficiently robust and proportionate to the risk of an elder abusing a child in the course of his religious duties. Additionally, as noted above, Jehovah's Witnesses do not provide services that separate children from their parents. For

this reason, we do not consider that any extension of vetting checks would be necessary in relation to Jehovah's Witnesses.

8. We do not provide services that separate children from their parents and are, therefore, unable to comment meaningfully on the following issues which are relevant to religions that provide such services: (a) the current statutory arrangements for the regulation of child protection within religious organisations, including the guidance in *Working Together to Safeguard Children, 2018*; (b) mandatory minimum standards, practices, and policies; (c) compulsory training for volunteers providing such services; and (d) a voluntary code of conduct for out of school settings where such services are provided.

9. We are aware that the Inquiry has heard from experts on whether mandatory reporting should be adopted and, if so, whether it should include a duty to report any allegation (including non-recent allegations), or whether it should only require reporting allegations which appear to indicate that a child might currently be in need of protection. We defer to the Inquiry's expertise on this question and will, of course, comply with any mandatory reporting law, as we do in the Republic of Ireland.

10. We have read with concern the decision of Mrs Justice Lieven in *Lancashire County Council v. E & F & Ors* [2020] EWHC 182, and offer the following comments. At the outset, it is important for the Inquiry to be aware that the relevance of the safeguarding policies of Jehovah's Witnesses was first raised by Mrs Justice Lieven in the context of an application to set aside witness summonses issued against two elders. Therefore, there was no evidence before her Ladyship from CCJW explaining the child protection policy of Jehovah's Witnesses at the hearing. Further and importantly, at that stage of the proceedings, the court had not heard any testimony from the elders concerning all the facts of the case.

11. Mrs Justice Lieven had before her the 2018 policy document entitled *Jehovah's Witnesses' Scripturally Based Position on Child Protection*. Due to the fact that the relevance of the safeguarding policies of Jehovah's Witnesses was first raised during the oral hearing and without notice to the lawyer representing the elders, Mrs Justice Lieven did not have three subsequent documents produced by Jehovah's Witnesses in 2019 which explained and expanded on that policy, namely: (a) the May 2019 issue of *The Watchtower*, Study Articles 18 to 20, which was considered by all congregations of Jehovah's Witnesses worldwide in July 2019; (b) the January 2019 edition of the elder's handbook *Shepherd*, and Chapter 14 of that handbook, which provides specific direction to congregation elders on

responding to allegations of child sexual abuse; and (c) the January 2019 *Child Sexual Abuse—Guidelines for Branch Service Desks*. When taken together, these four core documents significantly strengthen the child protection policy of Jehovah’s Witnesses as compared to the earlier 2013 policy (a copy of which is attached as **Exhibit PG11** to my 2 December 2019 witness statement).

12. The 2018 policy document, *Jehovah’s Witnesses’ Scripturally Based Position on Child Protection*, states at para 5: “Even if the elders have no legal duty to report an accusation [of child abuse], the branch office of Jehovah’s Witnesses will instruct the elders to report the matter [to the secular authorities] if a minor is still in danger of abuse.” This is expanded upon at para. 8 of the 2019 *Child Sexual Abuse—Guidelines for Branch Service Desks*, which provides a non-exhaustive list of conditions that could indicate that elders will be instructed to report an allegation of sexual abuse to the authorities because there is “a reason to believe that the alleged victim or any other minor is in danger of abuse.”

13. Thus, our worldwide child safeguarding policy has been strengthened, not weakened. Exhibits **PG51** to **PG60** of my 2 December 2019 provide ten recent examples of how that policy has been applied in practice (see in particular **Exhibit PG53**, paras 6-7; **Exhibit PG51**, para 4; **Exhibit PG52**, para 3; and **Exhibit PG54**, paras 3-4).

14. With regard to the specific facts of the case before Mrs Justice Lieven, I am informed that when the matter came to the attention of the congregation elders in 2016, they were assured by the victim’s mother that both she and her extended family had put in place arrangements to ensure that the victim would be protected from any further risk. The victim’s mother provided the elders with specific examples of those measures that had been put in place. The elders accepted the mother’s reassurance that she had taken specific protective measures to safeguard her children. In addition, the elders informed the mother of her right to report the alleged abuse to the authorities.

15. In May 2018 Jehovah’s Witnesses adopted and published a worldwide child protection policy which was explained and expanded upon in three documents published in 2019 (see para 11 above). That policy has clarified that elders will be instructed to report an allegation of child sexual abuse to the authorities whenever it appears a child is in danger of abuse or for some other valid reason. This applies regardless of any assurances given by the non-offending parent. In harmony with this clarification, in 2019 the elders in the *Lancashire County Council* case reported the previous abuse to the statutory authorities. It

was that report by the elders which resulted in child protection measures being taken by the authorities in July 2019.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:

DPA

Paul Stuart Gillies

Dated: 19 February 2020

Witness Name: Paul S. Gillies
Statement No.: 3
Exhibits:
Dated: 11 March 2020

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Second Supplementary Witness Statement of Paul Stuart Gillies

I, **Paul Stuart Gillies**, make this second supplementary statement on behalf of the Christian Congregation of Jehovah's Witnesses of Britain (CCJW). I will say as follows:

1. This witness statement responds primarily to the statements and supplementary statements of Sarah Davies and John Lloyd Evans.

A. Non-recent allegations of sexual abuse

2. The Inquiry has stated that the current investigation is "[a] thematic investigation into the nature and adequacy of current child protection policies, practices and procedures in religious organisations and settings within England and Wales" (emphasis added) (Definition of Scope, para 1). It "will not focus on any individual case studies or particular religious organisations. Instead it will look at whether there are common issues across religious organisations and settings and how they can be met and overcome". (April 2019 Explanatory Note, para 10)

3. The witness statements of PR-A5, PR-A6, PR-A7, PR-A8, PR-A9, PR-A39, PR-A40, however, concern seven cases of non-recent abuse said to have occurred 30 or more years ago (at some time between 1961 and 1991). Only the witness statement of PR-H14¹ concerns abuse from the last decade (2012). None of those witness statements concern the current child safeguarding policy of Jehovah's Witnesses.

4. In contrast, the ten witness statements attached to my 2 December 2019 witness statement (**Exhibits PG51 to PG60**) provide the Inquiry with first-hand experiences of the current child safeguarding policy of Jehovah's Witnesses.

¹ The perpetrator referred to in the statement of PR-H14 was an adult woman (not a congregation elder) and, as such, that case does not fall within the scope of this Inquiry.

5. To the extent the Inquiry determines that it is relevant to consider non-recent cases from the 1980s and 1990s, we draw the Inquiry's attention to the conclusions of Mr Justice Globe in *A. v. Trustees of the Watchtower Bible and Tract Society and Others* [2015] EWHC 1722 (QB), which concerned sexual abuse perpetrated on PR-A5 in the 1980s by Peter Stewart. In rendering his judgment, Mr Justice Globe accepted the areas of agreement between the parties' experts that: "The Jehovah's Witness organisation could be viewed as ahead of its time [in the 1980s and 1990s] in terms of its educative publications addressing the issues of child sexual abuse." (*A. v. Trustees of the Watchtower Bible and Tract Society*, cited above, para 116; see also paras 120, 121, 123)

B. Jehovah's Witnesses do not sponsor activities that separate children from their parents

6. As confirmed in my witness statement dated 2 December 2019 (paragraphs 30 to 32) and my supplementary witness statement dated 19 February 2020, Jehovah's Witnesses do not sponsor any activities that separate children from their parents. This is based on our understanding of Bible commands such as Deuteronomy 6:6, 7, which states that parents have the Scriptural responsibility to provide age-specific religious education and training to their children.

7. Each congregation of Jehovah's Witnesses holds only two weekly religious services, each lasting 1 hour and 45 minutes, during which children sit with their parents. We do not sponsor any other services or activities, religious or otherwise, exclusively for children.

8. Ms Davies claims in her 3 December 2019 witness statement that congregations of Jehovah's Witnesses sponsor some activities in which children are left unsupervised in the company of an adult. Those activities are said to be "mentoring", "Bible study/interaction with those seeking baptism", "field service" and "judicial committees".

9. In fact, congregations of Jehovah's Witnesses do not have any prescribed programme, formal or informal, for unsupervised "mentoring" of minors. The publication *Live with Jehovah's Day in Mind* cited by Ms Davies merely discussed the Bible example of Israelite King Josiah and how he benefited from the interest shown to him by others when he was a youth. The publication encouraged congregants to imitate that Bible example. It did not counsel or encourage that this be done unsupervised. Quite the contrary, the publication states that any such support and interest should be provided in a group setting: (Chapter 11, p 150, para 21)

“A single mother, for example, may be helped if mature Christians show interest in her children. (James 1:27) While showing due respect for headship and consideration for propriety, overseers and others can offer spiritual support to members of disadvantaged families. Perhaps you and your mate or family can spend time with a fatherless boy or girl.” (Emphasis added.)

10. We do not sponsor private Bible studies for children in the congregation. As I have already explained, this is because Jehovah’s Witnesses believe that parents have the Scriptural responsibility to provide spiritual instruction to their children. A parent might ask another congregant for assistance in studying the Bible with their child. The elders would inform the parent whether such an arrangement is advisable. Nonetheless, this remains a purely private initiative between the parent and the congregant. The June 2017 issue of *The Watchtower* (p 8, paras 15-16)² provides the following advice:

“On occasion, new ones ask mature publishers to help them teach their children the truth, even to conduct a Bible study with the youngsters. Scripturally, the primary responsibility to teach and train young ones lies with the parents. (Prov. 23:22; Eph. 6:1-4) In some cases help from others is needed and much appreciated. Yet, that does not negate the parents’ responsibility. Their regular communication in the family is essential. If a parent decides to have someone study with the children, the one who does so should not try to take over the role of the parents. There have been instances when a Witness was asked to study with children whose parents were not interested in the truth. The Witness needs to bear in mind, though, that in providing spiritual help, he or she does not become the children’s parent. And if such a study is conducted, it would be wise to do so either in the children’s home with the parents or another mature Witness around or in a suitable public area. Thus no one would have a basis to misconstrue what is occurring. It is to be hoped that the parents will, in time, fulfill their God-given responsibility to care spiritually for their children.” (Emphasis added.)

11. The process of baptism is explained at paragraphs 21 and 22 of my 2 December 2019 witness statement. A youth who has made sufficient spiritual progress may inform the elders that he has made a personal dedication to God in prayer and would like to symbolise that dedication by water baptism. Before agreeing to that request, the elders will meet with the youth on two occasions to ensure he has acquired a reasonable understanding of basic Bible teachings. An elder would not meet alone with the minor. The handbook *Organized to Do Jehovah’s Will* (p 210)³ provides the following guidance:

“When the baptism candidate is a minor, his believing parent(s) should be present for the sessions. If the parent(s) cannot be present, then two elders (or an elder and a ministerial servant, depending on the section being reviewed) should be involved in each session.” (Emphasis added.)

² <https://www.jw.org/en/library/magazines/watchtower-study-june-2017/jehovah-god-provides-comfort-in-all-our-trials/> (accessed 10 March 2020)

³ <https://www.jw.org/en/library/books/?contentLanguageFilter=en&pubFilter=od&sortBy=1> (accessed 10 March 2020)

12. Most congregations of Jehovah's Witnesses in England and Wales would only have one or two baptism candidates each year, whether adults or mature youths. Thus, for most congregation elders, meeting with a baptism candidate is something that an elder might be involved in only once on an annual basis and only for an hour or two.

13. Congregation elders may meet with a baptised minor as an ecclesiastical judicial committee (which normally consists of three elders), but only if the minor deliberately committed a gross sin. The elders' handbook "*Shepherd the Flock of God*"—1 Peter 5:2 ("*Shepherd*") (Chapter 15, para 15) states that the elders would meet with the minor with his parents:

"It is best to meet with the youth and his Christian parents, since they have the responsibility to raise and train him. If the accused is living in the home of his believing parents but is no longer a minor, the elders would not generally invite the parents to the hearing. However, if the accused has recently become an adult and is still living in his parents' home, the parents may ask to be present. If the accused has no objection, the judicial committee may decide to allow them to attend the hearing."

14. Jehovah's Witnesses are well-known for their personal interest in people as expressed through their Christian evangelizing activity. This is a personal expression of faith (Matthew 24:14; Acts 5:28, 29). It is up to parents whether their minor child will share in that activity. If a minor does share in that activity, he will do so in the company of his parents. On occasion, a parent might arrange for their child to accompany another adult member of the congregation in the evangelizing activity. This is a private arrangement, not involving the congregation, and would be done under the parent's supervision.

15. Accordingly, congregation elders would rarely (if ever) spend time with a minor without one of the minor's parents being present. This is why they are not involved in "regulated activity relating to children" and therefore not eligible for DBS checks.

C. Elders receive training to provide pastoral support

16. The main focus of the training that elders receive is with regard to pastoral support. This training is provided by means of (1) the elder's handbook, *Shepherd*, (2) in specific articles in *The Watchtower* and *Awake!* magazines, (3) in a one-day course known as the Kingdom Ministry School, which is held approximately every three years, (4) in a five-day course known as the School for Congregation Elders, which is held approximately every five years, and (5) in bi-annual visits of the circuit overseer. (See paragraphs 46, 50, 51 and 62 to 66 of my 2 December 2019 witness statement.)

17. Elders make the provision of pastoral support a priority, especially in cases of child sexual abuse. However, they respect the victim's choice of whether to accept the offer of pastoral support. They will arrange for the pastoral visit(s) at a time and place most convenient to the victim. Elders may be assisted by mature Christian women in the congregation when providing pastoral support to female victims of child abuse. (**Exhibit PG8**, pp 16-17, para 11; see also **Exhibit PG6**, para 9)⁴

18. A number of pastoral visits may be required to assist the victim effectively. Elders also recognise their limits. They are not health care professionals. They will let the victim or the victim's family know that whether to seek professional counselling is a personal decision for them to make. (**Exhibit PG9**, Chapter 14, para 17)

D. Child safeguarding commensurate with our activity

19. Our child safeguarding policy is tailored to the nature of our religious activity—twice weekly congregation religious services where children attend along with their parents.⁵ The steps we take to safeguard children can be summarised as follows.

1. Reporting allegations of child sexual abuse

20. Our child safeguarding policy makes clear that anyone with knowledge of an allegation of child sexual abuse, including the complainant, the complainant's family, and congregants has the absolute right to report that allegation to the statutory authorities. (**Exhibit PG6**, para 4; **Exhibit PG8**, pp 10-11, para 14)

21. We have also emphasised that no one should hold back from making a report to the statutory authorities out of misplaced concern for the congregation's reputation (**Exhibit PG8**, pp 10-11, para 14; see also paragraph 59 of my 2 December 2019 witness statement). We do not instruct congregants that they must report an allegation of child sexual abuse to the statutory authorities because we do not have the Scriptural authority to make that decision for someone else (Galatians 6:5). There are a number of valid reasons, none of which are related to reputational concerns for the congregation, why an adult complainant might choose not to report an allegation of non-recent child sexual abuse to the authorities (see paragraph 26 below).

⁴ All references to Exhibits are to my 2 December 2019 statement.

⁵ As mentioned at paragraph 31 of my 2 December 2019 statement, Jehovah's Witnesses also hold one annual regional convention and two annual circuit assemblies. The format of these services is similar to the weekly congregation services, with minor children sitting with their parents.

22. In the cases of sexual abuse that do come to the attention of congregation elders, some will have already been reported to the statutory authorities by the complainant or the complainant's family. Nonetheless, our safeguarding policy requires that upon learning of the allegation, two elders from the congregation's body of elders must immediately telephone the Branch Office for direction in all cases. This is done to ensure that allegations that need to be reported to the statutory authorities (because a child might be in danger of abuse) are reported.

23. In emergency circumstances, an elder may first make a report to the statutory authorities before contacting the Branch Office.

24. For many years, our child safeguarding policy has directed elders to report an allegation of child sexual abuse as required by law, such as in jurisdictions with mandatory reporting laws. Our policy has also directed elders to inform the complainant and the complainant's family and anyone else with knowledge of the allegations of their absolute right to report the allegations to the statutory authorities.

25. In April 2018, Jehovah's Witnesses published a worldwide child safeguarding policy on our official website. That policy states that even in jurisdictions without a mandatory reporting law, such as England and Wales, congregation elders will be directed by the Branch Office Service Desk to themselves immediately report an allegation of child sexual abuse to the statutory authorities if there is reason to believe the complainant or any other minor is in danger of abuse from the accused (**Exhibit PG6**, para 5). In applying that policy, the January 2019 edition of the *Guidelines for Branch Service Desks* states that the Service Desk will consider with the elders questions such as the following: Is there a reason to believe the alleged victim or any other minor is in danger of abuse? Do the accused's day-to-day activities put him in close proximity to minors? For example, is there a minor living in his home? Does his employment bring him into contact with minors? This is a non-exhaustive list of factors (**Exhibit PG10**, para 8). These factors are similar to those employed in jurisdictions where the threshold for reporting an allegation is "reasonable grounds to suspect that a child is or may be in need of protection".⁶

26. In the absence of a mandatory reporting law in England and Wales, we believe that our child safeguarding policy takes a balanced approach. On the one hand there is a need to

⁶ <http://www.children.gov.on.ca/htdocs/English/childrensaidthereportingabuse/index.aspx> (accessed 10 March 2020); see also, IICSA, Features of mandatory reporting models (part I), 30 April 2019

protect children where there are reasonable grounds to suspect a child might be at risk of abuse. On the other hand, there is a risk that an adult victim of child sexual abuse in need of pastoral support would be dissuaded from seeking that support out of concern that a report to the statutory authorities would be made which in turn could cause further turmoil to the adult victim and the adult victim's family. (See the UK Government's, "Reporting and acting on child abuse and neglect", 5 March 2018, paras 23, 79.)⁷

2. **Restrictions imposed on an offender concerning congregation activities**

27. In most cases, an offender will be expelled from the congregation and, as a result, he will have no further interaction with the congregation (see paragraphs 35 and 36 below).

28. Further, in all cases, restrictions and cautions will be imposed on an offender's activities within the congregation whenever (1) it is determined that a congregant who is guilty of child sexual abuse is repentant and will remain in the congregation, (2) one expelled for child sexual abuse is reinstated, (3) a congregant who denies an accusation of child abuse is convicted by the secular authorities for child sexual abuse, or (4) a person viewed as a child abuser by the community or the congregation becomes one of Jehovah's Witnesses. (**Exhibit PG10**, para 15)

29. It is important to stress that those restrictions and cautions are imposed on any congregant, which many religions would refer to as a "parishioner" or "lay member", who falls into one of the preceding four categories.

30. Those restrictions and cautions will include directing the congregation elders (1) to strongly caution the offender to avoid compromising situations with minors; (2) not to give the offender any responsibilities, privileges, duties, or tasks in the congregation for decades, if ever; (3) to instruct the offender that he may not qualify to share in the preaching activity of Jehovah's Witnesses and, if he later qualifies, "*each time* he shares in the [preaching activity] he is *required* to be in the company of an elder who is aware of the individual's past abuse of a minor"; and (4) to meet with the parents of all minor children in the congregation (and any family with minor children that subsequently moves into the congregation) to caution that their children should never be left alone with the offender; parents will also be reminded to review the educative material published by Jehovah's Witnesses on protecting children from sexual abuse. When warning parents, the elders respect privacy rights and do

⁷ http://data.parliament.uk/DepositedPapers/Files/DEP2018-0224/Reporting_child_abuse_and_neglect_-_response_to_consultation.pdf (accessed 10 March 2020)

not provide any information that would identify the victim. The restrictions and cautions imposed on the offender remain in place indefinitely and follow the offender if he moves to a new congregation anywhere in the world, which includes notifying parents of minor children in that new congregation. If the offender does not adhere to those restrictions, then this may result in his being expelled. (**Exhibit PG10**, paras 15-26)

31. As noted above, the offender would not qualify for any responsibilities, privileges, duties or tasks in the congregation, “even seemingly minor privileges, for decades, if ever” (emphasis added). The expression “seemingly minor privileges” refers to activities such as assisting with financial bookkeeping, submitting paperwork to order religious publications, operating the audio/video equipment at the Kingdom Hall or adjusting microphones. The elders would not consider granting the offender any such minor privileges, even “decades” after his offence, “if his receiving such is offensive to his victim, to the victim’s relatives, or to others who know of the wrongdoing”. (**Exhibit PG10**, paras 17, 19, 27-28)

32. In addition, the Branch Office keeps a notation of each congregant who is known to have committed sexual abuse. One of the purposes in doing so is to ensure the congregant, if a male, is not appointed as an elder or ministerial servant. Necessary information concerning an individual associated with the congregation who has been accused of child sexual abuse, established or not, is also retained in a sealed envelope in the congregation’s secure file and marked “Do Not Destroy”. That envelope is retained indefinitely and will be accessed if the person is expelled and later applies to be reinstated, or if the elders learn of another similar allegation that might then constitute sufficient Scriptural evidence to form an ecclesiastical judicial committee. (See paragraphs 78 and 79 of my 2 December 2019 witness statement and supporting exhibits.)

33. If the offender is not expelled (or if he is later reinstated), out of concern for the feelings of the victim, the elders will ask that he not attend the same religious services as are attended by the victim. (**Exhibit PG51**, para 10)

34. In summary, we wish to emphasise the following points:

- (a) Our child safeguarding policy is commensurate with the limited area of our congregation activity as it relates to children. Our religious activities comprise two weekly congregation religious services, which children attend with their parents. We do not sponsor any activities that separate children from their parents. We have published an abundance of educative materials to assist

parents in discharging their Scriptural responsibility to train, educate, and protect their children from sexual abuse.

- (b) We take the following actions to fulfil our safeguarding responsibilities:
- (i) Congregants are informed that they have the absolute right to report an allegation of child sexual abuse.
 - (ii) Whenever elders learn of an allegation of child sexual abuse, they are directed to contact the Branch Office immediately for direction. This is done to ensure the allegations are reported by the elders as required by law or, in the absence of a mandatory reporting law, that the allegations are reported whenever it appears that any child may be in danger of abuse from the accused.
 - (iii) The elders will always offer pastoral support to the victim.
 - (iv) If the offender is not expelled, or if the offender is later reinstated as one of Jehovah's Witnesses, restrictions and cautions will be imposed on the offender in all cases. Those restrictions and cautions remain in place indefinitely and follow the offender if he moves to a new congregation anywhere in the world. This will include warning all parents in the congregation that they should never allow their children to be left alone with the offender.
 - (v) In all cases, the offender will not qualify for any responsibilities, privileges, duties or tasks in the congregation, "even seemingly minor privileges, for decades, if ever".

E. Response to other issues

1. Ecclesiastical determination of whether the offender should be expelled

35. Criticism of the ecclesiastical process we follow to determine whether an offender should be expelled from being one of Jehovah's Witnesses is misplaced. That ecclesiastical process is separate from and in addition to our child safeguarding practices and procedures. It is a purely religious process to determine, applying Biblical standards, whether the accused should be expelled. We are not aware of the Inquiry, or any other public authority, insisting that a religion or group must expel a congregant who has committed sexual abuse

as part of their child safeguarding policy.⁸ Indeed, very few religions, groups, or organisations, have a process to expel a member who has committed child sexual abuse.

36. Accordingly, we respectfully submit that this ecclesiastical process is not relevant to the evaluation of our child safeguarding policy. However, out of respect for the Inquiry, my 2 December 2019 witness statement briefly summarises that ecclesiastical process so as to correct several erroneous claims that have been made concerning that ecclesiastical process (see paragraphs 70 to 72 and footnote 5 on page 17 of that statement).

2. Determining Scriptural repentance

37. How do elders determine whether the offender has demonstrated Scriptural repentance? The elders' handbook, *Shepherd*, explains that Scriptural repentance "includes a heart-motivated rejection of the bad course as something repugnant, hated ... The committee must be convinced that the wrongdoer ... is absolutely determined to avoid it in the future" (2 Corinthians 7:10) (**Exhibit PG9**, Chapter 16, paras 6-7). We stress, however, that determining Scriptural repentance is a religious standard. The elders are not purporting to conduct a professional assessment of the risk of reoffending.

38. Nonetheless, even if the elders have determined that an offender is Scripturally repentant, we recognise that the elders cannot read hearts and that the person might reoffend (**Exhibit PG21**, pp 28-29). For that reason, in all cases where the elders determine that the offender is Scripturally repentant, or the offender is later reinstated as one of Jehovah's Witnesses (years after the offence), restrictions and cautions will be imposed on the offender's activities within the congregation which will remain in place indefinitely (see paragraphs 28 to 33 above).

3. Shunning

39. As stated at paragraph 72 of my 2 December 2019 witness statement: "Jehovah's Witnesses do not take ecclesiastical judicial action against anyone for making unsubstantiated allegations of child sexual abuse." Therefore, we do not expel anyone for reporting an allegation of child sexual abuse to the statutory authorities. This fact is not disputed by any of the core participants and therefore I will not address it further.

⁸ Such a demand would appear to be contrary to the "State's duty of neutrality and impartiality" under Article 9 of the European Convention on Human Rights which requires that the State must "accept the right of [religious] communities" to decide whether to expel an individual "in accordance with their own rules and interests". (ECtHR judgment in *Sindicatul "Păstorul cel Bun" v. Romania* [GC], no. 2330/09, 9 July 2013, paras 137, 165)

40. Mr Evans and Ms Davies allege that Jehovah's Witnesses shun persons who "disassociate" themselves because of disagreement with our child safeguarding policy.

41. A person who disassociates himself as one of Jehovah's Witnesses does not have to provide the congregation elders with any reason for their decision, and often they do not. The choice to disassociate is a unilateral step the former congregant makes to the effect that he or she "no longer wants to be recognized as, or known as, one of Jehovah's Witnesses" (**Exhibit PG3**, p 152, paras 30, 33). Once that choice is communicated by the former congregant to the elders, the congregation is simply informed that the person is "no longer one of Jehovah's Witnesses". No reasons are given.

42. Therefore, a person who chooses to disassociate is not shunned because he disagrees with the child safeguarding policy of Jehovah's Witnesses (or any other policy or religious doctrine). Congregants (and in many cases, the elders) do not know the reasons why a person has chosen to disassociate. However, once a person has made the decision to disassociate himself, individual congregants will, in turn, exercise their personal religious conscience and apply the Bible's admonition to limit their association with (shun) such a person. A disassociated person is still free to attend congregation religious services, share in singing religious songs during those services, and can request to be reinstated and again recognised as one of Jehovah's Witnesses.

4. The religious role of women

43. Some criticise Jehovah's Witnesses because women are not appointed as congregation elders. We do not have female elders because we follow the Bible's guidance for congregation oversight set out at 1 Timothy 3:1-7 and Titus 1:5-9.

44. This is not unique to Jehovah's Witnesses. In the Roman Catholic Church there are no women serving as cardinals, bishops, or priests, in Islam there are no females guiding mosques, and in Orthodox Judaism there are no female rabbis.

45. However, women are actively involved in our congregations, freely and regularly participate in our religious services, and may be included by elders in pastoral visits where the congregant is a female. The May 2019 issue of *The Watchtower* states: "Mature Christian sisters can be especially encouraging to sisters in need of comfort ... In some cases, an elder or two may discreetly ask a mature sister if she is in a position to help a suffering sister in that way." (**Exhibit PG8**, pp 16-17, para 11; see also **Exhibit PG6**, para 9)

5. Report of the Utrecht University, The Netherlands

46. Mr Evans makes brief reference in paragraph 58 of his supplementary statement to the 11 December 2019 report by the Utrecht University in The Netherlands. He fails to draw the Inquiry's attention to the following facts as stated in that report (emphasis added below):

- The authors of that report concede: "When we write about perpetrators and victims we mean alleged perpetrators and alleged victims ... This is because we could not verify if the abuse really took place or not. As was said before, this research does not focus on the process of establishing the truth." (p 29)⁹
- The authors of that report concede that the main source of their data was an online questionnaire, which could be accessed by anyone, anywhere in the world. The respondents who completed the online questionnaire, or parts of it, remained entirely anonymous, even to the researchers; the same respondent(s) could fill out the online questionnaire, or parts thereof, "multiple times"; and there may have been "overlap" between reported allegations (p 33). In other words, it is impossible to know (1) whether each respondent was a real person and not just the same person completing the questionnaire (or parts of it) many times; (2) that each respondent lived in The Netherlands; and (3) that the reported number of allegations all concerned different alleged incidents.
- Only 15 of the reported allegations, covering a period of more than 70 years, were made against an "elder or other authority figure within the community" of Jehovah's Witnesses in The Netherlands. (p 37, diagram 3)
- The Utrecht report found, in comparison to the general population in The Netherlands, that Jehovah's Witnesses were much more willing to report an allegation of sexual abuse to the secular authorities. On average, they were three times more willing to notify the police of an allegation of sexual abuse and ten times more willing to file a police report. (p 38)
- Jehovah's Witnesses who reported an allegation of sexual abuse to the police and who reported the allegation to the religious community were about equally satisfied with the way their complaint was handled. Only respondents who

⁹ All page references in this section are to the Dutch original of the full Utrecht report.

claimed to be former congregants stated that they were dissatisfied with the way their complaints had allegedly been handled. (pp 42 and 44)

47. Three independent expert opinions have now been produced in response to the Utrecht Report, all of which are unanimous in concluding that the Utrecht Report is fundamentally flawed and unreliable. One of those expert opinions (in the field of statistics and market research) concludes that owing to the very serious errors in the online questionnaire, the Utrecht report “is of almost no quantitative value” and “cannot be relied on” for its intended purpose (emphasis added). A claim is currently pending before The Netherlands courts to declare the Utrecht report scientifically flawed, factually inaccurate, defamatory, and a breach of the European Convention on Human Rights.

6. **Forgiveness**

48. Finally, it is also wrong to imply that Jehovah’s Witnesses teach that a victim of child sexual abuse, or the victim’s family members, must forgive the offender.

49. The 8 October 1991 issue of *Awake!* states that the decision whether to attempt reconciliation, particularly if the offender is a close family member, should be left for the victim alone to decide. That article went on to caution that an attempt at reconciliation “may trigger a torrent of denial and verbal abuse from the molester and other family members. Worse, you may discover that he is still a threat to you. Forgiveness may then be inappropriate, a close relationship impossible”. (**Exhibit PG18**, p 11)

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:

DPA

Dated: 11 March 2020

Witness Name: Paul S. Gillies
Statement No.: 4
Exhibits: PG62 to PG64
Dated: 7 July 2020

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Third Supplementary Witness Statement of Paul Stuart Gillies

I, **Paul Stuart Gillies**, make this third supplementary statement on behalf of the Christian Congregation of Jehovah's Witnesses of Britain (CCJW). This witness statement is in response to two further Rule 9 requests, which were received on 4 and 24 June 2020.

1. The facts stated in this witness statement are within my knowledge, information or belief. I have identified the source of any facts which are within my information or belief.
2. This statement has been prepared following discussions by written correspondence and video conferencing (at a time of social isolation as a result of COVID-19).
3. The Inquiry has asked if the April 2020 edition of the elder's handbook "*Shepherd the Flock of God*"—1 Peter 5:2 differs in any relevant way from the November 2019 edition of that handbook referenced in my 2 December 2019 witness statement.
4. In short, the answer is that it does not. As explained in my 2 December 2019 witness statement, Chapter 14 of that handbook provides guidance to elders on responding to allegations of child sexual abuse. Chapters 12 and 16 are of some relevance in that they refer elders to follow the guidance set out in Chapter 14 whenever they deal with a matter that concerns an allegation of child sexual abuse. The April 2020 edition of the elder's handbook has not made any material amendments to those chapters. Thus, there has been no change to the religious process elders follow for responding to allegations of child sexual abuse as is summarised at paragraph 53 of my 2 December 2019 witness statement.

5. The Inquiry has also asked for information regarding the case of Clifford Whitely, who was recently found guilty of sexually abusing his step daughter. The statement of Rudi Dobson, an elder in the Birmingham, Kings Norton congregation of Jehovah's Witnesses, addresses the Inquiry's questions regarding that case.

6. I provide the following supplementary information to assist the Inquiry to understand how congregation elders balance the importance of maintaining confidentiality concerning private communications with adherents with the need to respond appropriately to allegations of child sexual abuse.

7. Elders are guided by the Scriptural principle to 'not reveal what they were told confidentially'. (Proverbs 25:9) Congregants thus have confidence that they can freely confide in elders their personal thoughts, feelings, and experiences in order to receive spiritual assistance. Knowing that elders will keep private matters confidential helps congregants adhere to the requirement of the Scriptures that they confess serious sins to the elders.—James 5:14, 15.

8. If elders were to breach their ecclesiastical duty of confidentiality, this could have a profound effect on the way congregants view the privacy of information they share with elders. It could deter them from seeking spiritual help out of fear that their private thoughts confidentially conveyed to elders will be revealed to others.

9. Notwithstanding the above, congregation elders may consider that their duty of confidentiality is overridden in certain circumstances, for example in cases of child sexual abuse where it appears that a child might be in danger of abuse from the accused or where reporting is required by law. In such cases, elders will report the details of the allegation to the statutory authorities, which includes providing the name of the accused if known (see paragraphs 53 and 56-61 of my 2 December 2019 and paragraphs 24-26 and 34 of my 11 March 2020 supplementary witness statement).

10. After that initial report, the police might later contact the elders requesting that they voluntarily disclose to the police ecclesiastical documents (if any) relating to communications they had with the complainant or the accused. In some cases, the police might also request that the elders provide a written statement about their oral communications with the complainant or the accused.

11. I am informed that the confidentiality of religious communications and documents created in connection with spiritual counselling is recognised by the law. For example, Schedule 1 of the Police and Criminal Evidence Act 1984 provides that documents that have been produced in connection with spiritual counselling are “excluded material” and therefore have some protection from seizure by warrant and disclosure. Accordingly, Parliament has expressly recognised that information relating to confidential spiritual counselling has a special status and has protection from disclosure.

12. When police contact the elders requesting that they voluntarily disclose ecclesiastical documents or provide written statements, and if it does not appear that a child might be in danger of abuse from the accused, elders will be directed by the Branch Office to seek the written consent of the individuals concerned. In most cases, the complainant will waive confidentiality and will authorise the elders to provide the relevant disclosure either directly to the complainant or to the police.

13. If the complainant or the accused refuse to waive confidentiality concerning their communications with the elders, the elders will inform the police that they will need to apply for a production order or a witness summons (which I am informed can be applied for summarily in the Crown Court) so that the court can weigh the police’s need for the confidential material (such as the elders’ written notes of a confession or other confidential communication) and the value of the principle of confidentiality to society at large. I am informed by the CCJW Legal Department that the Criminal Procedure Rules (Rule 17) and the Police and Criminal Evidence Act 1984, Schedule 1 make provision for such a procedure.

14. Where a court rules that documents should be disclosed or information revealed, each elder will decide based on his Bible-trained conscience whether to comply with such a court order. I am informed by the CCJW Legal Department that they are not aware of any elder in England and Wales who has refused to comply with such a court order.

15. I understand that this process took place in the case of Clifford Whitely. I am informed by the CCJW Legal Department that the judge hearing the police’s application for a production order found that the elders were under an implied undertaking to maintain confidentiality of the confidential note of their ecclesiastical judicial committee meeting with

Clifford Whitely. However, the judge ruled that on the facts of that application it was in the overall public interest to disclose the confidential note and was likely to contain evidence of a crime. In doing so, the judge stated that he did not override the principle of confidentiality lightly.

16. The situations described above, such as the case of Clifford Whitely, involve criminal investigations where allegations have already been reported to the police and it appears that no child is currently at risk of abuse from the accused.

17. In situations where it appears that a child might be in danger of abuse from the accused, or as required by law, elders will report the details of the allegation to the statutory authorities. Attached as Exhibits PG62 to PG66 to this statement, are three recent examples of how our child protection policy is applied in practice and which illustrate how elders balance the principle of confidentiality with the need to report an allegation of child sexual abuse where it appears a child might be in danger of abuse:

- Witness statement of Francis Kakokota. Allegation of child sexual abuse reported to the elders on 10 April 2020. That same day, the elders obtained advice from the Branch Office and reported the allegation to the police. **(Exhibit PG62)**
- Witness statement of Philip Snelman. Allegation of child sexual abuse reported to the elders on 5 May 2020. The elders obtained advice from the Branch Office that same day and reported the allegation to the police on 6 May 2020. **(Exhibit PG63)**
- Witness statement of Daniel Butler. Allegation of child sexual abuse reported to the elders on the evening of 26 May 2020. The elders obtained advice from the Branch Office on 27 May 2020 and reported the allegation that same day to the police. **(Exhibit PG64)**

18. Additional recent examples of how our child protection policy is applied in practice are set out at Exhibits PG51 to PG60 of my 2 December 2019 witness statement.

19. I trust that this will assist the Inquiry to further understand our policy on responding to allegations of child sexual abuse and how it is applied in practice.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: **DPA** _____
Paul Stuart Gillies

Dated: 7 July 2020