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#### JEHOVAH'S WITNESSES AND CHILD PROTECTION

The child protection policy of Jehovah's Witnesses is proactive, is being applied in practice, and is working. Congregants are provided with effective education about child sexual abuse and the steps that are needed to protect children from this evil. The religion of Jehovah's Witnesses does not sponsor any activities that separate children from their parents. Elders fully comply with any law that requires mandatory reporting of allegations of child sexual abuse. Even in jurisdictions that do not have a mandatory reporting law, elders are reporting allegations to the authorities if there is reason to believe that the victim or any other minor is in danger of abuse. Victims and their families are receiving pastoral support from the elders. Parents of minor children are being warned by elders of anyone associated with the congregation who has a history of child abuse.

#### **ECCLESIASTICAL STRUCTURE OF JEHOVAH'S WITNESSES**

Jehovah's Witnesses are a worldwide Christian religious denomination, numbering approximately nine million congregants. In 2021, more than 21,000,000 persons attended their most sacred religious event, the annual Memorial of Christ's death. They are active in almost each country of the world.

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 circuit overseers. (Acts 15:36) A governing body, comprised of 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)<sup>1</sup> More specifically, the ecclesiastical structure of Jehovah's Witnesses is as follows:

**Governing Body:** 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 direction and guidance through the religious publications of Jehovah's Witnesses, such as *The Watchtower* magazine and the handbook *Organized*, and

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<sup>&</sup>lt;sup>1</sup> [ HYPERLINK "https://wol.jw.org/en/wol/d/r1/lp-e/1102014934" \h ]

the official website of Jehovah's Witnesses, jw.org. Jehovah's Witnesses recognize 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 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 and direction the Governing Body provides as a spiritual shepherd.

Branch Office: The religious activity of Jehovah's Witnesses in the country level is coordinated by the 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. The Branch Committee is composed of well-qualified elders appointed by the Governing Body. The Branch Office is staffed by 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. The religious activity of Jehovah's Witnesses in New Zealand is coordinated by the Australasia Branch Office, which is located in Denham Court, New South Wales, Australia.

Congregations: Congregations of Jehovah's Witnesses generally comprise of individual congregants living in a particular neighbourhood or area. In New Zealand, there are over 15,000 congregants who worship in 172 congregations. They generally meet in places of worship called Kingdom Halls. They hold two weekly religious services at their Kingdom Halls, each lasting approximately 1 hour and 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 [HYPERLINK "https://www.jw.org/en/jehovahs-witnesses/meetings/video-kingdom-hall/" \h

]) 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 recognize the importance of supervising their children in these settings, as in any other public setting.

Elders: A body of elders administers 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 Scriptural 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) When a congregant requests 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) Jehovah's Witnesses have published a handbook for elders that provides them Scriptural and procedural direction and guidance, entitled "Shepherd the Flock of God"—I Peter 5:2 ("Shepherd"). 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, [ HYPERLINK "http://www.jw.org" \h ]). All elders are expected to take the lead in shepherding, teaching, and evangelizing and are trained to do so. They meet regularly to discuss the spiritual needs of the congregation. 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. In New Zealand, there are 1,565 elders in the 172 congregations.

**Ministerial Servants:** Elders are assisted by ministerial servants, who primarily deal with routine organizational 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

<sup>&</sup>lt;sup>2</sup> [ HYPERLINK "https://wol.jw.org/en/wol/d/r1/lp-e/1102014935" \h ]

on teaching and shepherding responsibilities. The Scriptural 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)<sup>3</sup>

Circuit Overseer: 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 and deletions of elders and ministerial servants. The Branch Office also keeps a record.

**Congregants:** Becoming one of Jehovah's Witnesses is a matter of personal choice. A person may stop associating with Jehovah's Witnesses at any time. 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, jw.org. Bible study helps the person understand basic Bible teachings, build his faith, and adjust his lifestyle in harmony with Bible standards and morals. Jehovah's Witnesses do not practice infant baptism. Parents who are Jehovah's Witnesses teach and train their children according to their Bible-based beliefs. As a Bible student grows in faith, he may 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 the Bible student becomes known as an unbaptised publisher. If the unbaptized 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

<sup>&</sup>lt;sup>3</sup> [ HYPERLINK "https://wol.jw.org/en/wol/d/r1/lp-e/1102014936" \h ]

Witnesses when he is baptised. 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 baptized. An individual's personal relationship with God and appreciation for Bible teachings is what motivates him to get baptized. If one of Jehovah's Witnesses moves to another congregation, the elders will send a *letter of introduction* to the elders in the individual's new congregation. This is done to confirm that the individual is one of Jehovah's Witnesses. If the individual served in an ecclesiastical capacity as an elder or a ministerial servant, and if the elders recommend that he continue to serve as such, then the letter of introduction will include that recommendation. When an individual known to have committed child sexual abuse moves to another congregation, a strict procedure is followed to orally inform the Branch Office and to ensure that the letter of introduction informs the elders in the new congregation about the restrictions on the individual's activities in the congregation as a result of his having committed child sexual abuse in the past.

### UNDERSTANDING OF CHILD SEXUAL ABUSE

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 neighbour 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.

Jehovah's Witnesses recognise they are not immune to the evil of child sexual abuse. The religion of Jehovah's Witnesses has endeavoured to address this pernicious evil at its root by providing religious ministers (elders), congregants, and parents, with practical and Scripturally-based guidance and ongoing education on the subject of child sexual abuse.

Since the early 1980's, Jehovah's Witnesses have provided congregants with clear, timely, practical, and Scripturally-based guidance and education in *The Watchtower* and *Awake!* 

magazines,<sup>4</sup> and in religious books and videos<sup>5</sup> on practical steps to protect children from the crime of sexual abuse. Those materials have been published and distributed in millions of copies and in hundreds of languages free of charge. The following is a sampling of some of the subjects discussed:

- Abusers are most often someone the child already knows and trusts.
- The steps parents should take to educate themselves about child sexual abuse.
- The warning signs of child sexual abuse.
- The need to be alert, especially concerning persons who seek out questionable association with children.
- The need to avoid situations that could leave a child vulnerable to abuse.
- The need to provide children with age-appropriate education on the parts of their body that no one should touch.
- The need to maintain good parent-child communication so that a child will be more likely to tell a parent of behaviour that makes the child feel uncomfortable.
- The need to help children understand when they should not obey what they are told by an adult or a youth, regardless of who that person is.
- The long-term emotional trauma experienced by child abuse victims.

Those educative materials confirm a determined effort by the religion of Jehovah's Witnesses to proactively prevent child sexual abuse and assist victims. A comprehensive history, with supporting extracts, of relevant material produced by Jehovah's Witnesses on the subject of

See for example, *The Watchtower*, October 1, 1983, "Help for the Victims of Incest" (available at [ HYPERLINK "https://www.jw.org/en/library/magazines/w19831001/help-for-victim-of-incest/" ]); *Awake!*, October 8, 1991, "The Innocent Victims of Child Abuse" and "The Secret Wounds of Child Abuse" (available at [ HYPERLINK "https://www.jw.org/en/library/magazines/g19911008/adult-victims-child-abuse/" ] and [ HYPERLINK "https://www.jw.org/en/library/magazines/g19911008/effects-of-child-abuse/" ]); *Awake!*, October 8, 1993, "How Can We Protect Our Children?" and "Prevention in the Home" ([ HYPERLINK "https://www.jw.org/en/library/magazines/g19931008/child-protection/" ] and [ HYPERLINK "https://www.jw.org/en/library/magazines/g19931008/prevent-child-sexual-abuse/" ]); *Awake!*, October 2007, "Keep Your Children Safe!", pp. 1-11 (available at [ HYPERLINK "https://www.jw.org/en/library/magazines/g200710/protect-your-children/" ]); and "How Can Parents Teach Their Children About Sex?" (2015), [ HYPERLINK "http://www.jw.org" ] (available at [ HYPERLINK "https://www.jw.org/en/bible-teachings/questions/parents-teach-children-about-sex/" ])

See for example, the animated video "Protect Your Children" (available at [ HYPERLINK "https://www.jw.org/en/library/videos/" \l "en/mediaitems/BJF/pub-pk\_17\_VIDEO" ])

child sexual abuse is set out at page 3 of the document *Jehovah's Witnesses' Scripturally Based Position on Child Protection*.<sup>6</sup>

#### CHILDREN ARE NOT SEPARATED FROM THEIR PARENTS

Jehovah's Witnesses as a religion do not provide or sponsor any activities that separate children from their parents such as crèches, playgroups, Sunday Schools, youth groups, or clubs. They do not provide or sponsor schools, orphanages, home care, or any other activity where they assume responsibility for the care of children. Nor do they provide or sponsor any extracurricular activity, such as choirs, camps, outings, sports, outdoor walks, parties, and similar activities for youths or adolescents. This is based on Jehovah's Witnesses' understanding of Bible commands such as Deuteronomy 6:6, 7, which give parents the sole Scriptural responsibility to provide religious education and training to their children and that others should not usurp or assume that parental responsibility.

Each congregation of Jehovah's Witnesses holds only two weekly religious services for worship, each lasting 1 hour and 45 minutes, during which children sit with their parents. Congregations of Jehovah's Witnesses do not provide or sponsor any other services or activities, religious or otherwise, exclusive for children or which separate children from their parents. Congregations of Jehovah's Witnesses do not sponsor private Bible studies for children in the congregation. This is because Jehovah's Witnesses believe that parents have the Scriptural responsibility to provide religious instruction to their children. A parent might ask another congregant for assistance in studying the Bible with their child. Nonetheless, this would be a purely private initiative between the parent and the congregant. The June 2017 issue of *The Watchtower* (p. 8, paras. 15-16)<sup>7</sup> 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[erbs] 23:22; Eph[esians] 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

<sup>&</sup>lt;sup>6</sup> Available at [ HYPERLINK "https://www.jw.org/en/news/legal/legal-resources/information/packet-jw-scripturally-based-position-child-protection/" \h ]

<sup>&</sup>lt;sup>7</sup> [ HYPERLINK "https://www.jw.org/en/library/magazines/watchtower-study-june-2017/jehovah-god-provides-comfort-in-all-our-trials/" ]

hoped that the parents will, in time, fulfill their God-given responsibility to care spiritually for their children." (Emphasis added.)

A minor 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 symbolize that dedication by water baptism. Before agreeing to that request, the elders will meet with the minor on three occasions to ensure he has acquired a reasonable understanding of basic Bible teachings. The handbook *Organized* (p. 210)<sup>8</sup> provides the following direction:

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

Thus, an elder would not meet alone with a minor baptism candidate to determine whether he qualified for baptism. In addition, most congregations would only have one or two baptism candidates (adults or minors) each year. Thus, for most congregation elders, meeting with a baptism candidate is something that they might be involved in only once on an annual basis and only for an hour or two.

Congregations of Jehovah's Witnesses do not have any prescribed program, formal or informal, for unsupervised mentoring of minors. Any support or interest congregants provided to youths (and minors) should be in a group setting. The book *Living with Jehovah's Day in Mind* (p. 150, para. 21) states:

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

Congregation elders may meet with a baptized minor as an ecclesiastical judicial committee (which consists of at least 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.

Jehovah's Witnesses are well known for their personal interest in people as expressed through their Christian evangelising activity. This evangelising activity is a personal expression of each

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<sup>&</sup>lt;sup>8</sup> https://www.jw.org/en/library/books/?contentLanquageFilter=en&pubFilter=od&sortBy=1

one's faith. (Matthew 24:14; Acts 5:28, 29) It is up to parents whether their minor child will share in this activity with them. If a minor does share in that activity, he will do so in the company of his parents. On occasion, a parent might make a private arrangement for their child to accompany another adult member of the congregation in the evangelising activity. Such a private arrangement would not involve the congregation and would be the parent's responsibility to supervise.

### Child Protection Policy of Jehovah's Witnesses

In the 1980's through to the 2000's, the child protection policy of Jehovah's Witnesses continued to develop, and was outlined in various issues of *The Watchtower* and in letters from the Branch Office of Jehovah's Witnesses.

Beginning in 2018, Jehovah's Witnesses published a worldwide child protection policy, which enhanced their previous policies and practices. The current child protection policy is comprised of four core documents which were created in 2018 and 2019 (collectively referred to herein as the "Child Protection Policy"):

- Jehovah's Witnesses' Scripturally Based Position on Child Protection ("Scripturally Based Position")<sup>9</sup>, published on the official website of Jehovah's Witnesses jw.org and which is available in dozens of languages for all congregants worldwide and the general public.<sup>10</sup>
- The May 2019 study issue of *The Watchtower*, Study Articles 18 to 20, which were reviewed and discussed by the more than 119,000 congregations worldwide, during three separate one-hour religious services in July 2019, and which are available in 275 languages and in more than 16.8 million copies (print and downloaded). These articles are designed for all congregants and explain and expand on the *Scripturally Based Position*.

Originally released in May 2018. The current version of this document is dated December 2020, following some minor updates

Available at [ HYPERLINK "https://www.jw.org/en/news/legal/legal-resources/information/packet-jw-scripturally-based-position-child-protection/"]

Available at [ HYPERLINK "https://www.jw.org/en/library/magazines/watchtower-study-may-2019/" ]. The Scripturally Based Position, p 3, and the May 2019 study edition of The Watchtower, p 12, both include a list of religious educational materials published by Jehovah's Witnesses that provide practical guidance to protect children from the evil of child sexual abuse.

- The elder's handbook *Shepherd the Flock of God* <sup>12</sup>(Chapter 14 in particular), available in dozens of languages. That handbook provides guidance to congregation elders in responding to allegations of child sexual abuse.
- Child Sexual Abuse—Guidelines for Branch Service Desks ("Service Desk CSA Guidelines")<sup>13</sup>, available in dozens of languages. That document provides specific direction and guidelines to assist the experienced elders in the Branch Service Department who provide direction and guidance to congregation elders concerning allegations of child sexual abuse.

These four core policy documents are written in language understood by their respective target religious audience, who will easily understand the child protection policy and grasp the underlying Scriptural principles. These four core policy documents are Scripturally-based for the greatest motivational effect and impact on this religious community. The core policy documents are tailored to Jehovah's Witnesses' congregation activities—two weekly religious services, which children attend with their parents, and the public ministry, which Jehovah's Witnesses are well-known for, in which children participate with their parents.

The following is a non-exhaustive list of the key elements of the Child Protection Policy:

- A statement of commitment to protect children from sexual abuse. 14
- A description of what child abuse is, together with the signs of such abuse. 15
- An explanation about the persons to whom the policy applies, the principles that underpin the policy, and the need to follow statutory requirements.<sup>16</sup>
- Scriptural guidance and training for pastoral care offered to victims and their families.<sup>17</sup>
- Children are not separated from their parents during any congregation activities.<sup>18</sup>

<sup>&</sup>lt;sup>12</sup> The elder's handbook was completely revised in January 2019. The handbook is updated every six months.

<sup>&</sup>lt;sup>13</sup> Originally released in January 2019. The current version of this document is dated June 2021, following some minor updates.

<sup>&</sup>lt;sup>14</sup> Scripturally Based Position, paras. 1-3; The Watchtower, May 2019, pp. 8, 9, paras. 1-9.

Scripturally Based Position, "Definitions"; Shepherd the Flock of God, Chapter 12, para. 13; Chapter 14, para. 3.

<sup>&</sup>lt;sup>16</sup> Scripturally Based Position, paras. 2, 4, 5; The Watchtower, May 2019, p. 7, paras. 23, 24; pp. 9-11, paras. 7, 13-15; Shepherd the Flock of God, Chapter 14, paras. 4, 6-8, 28; Service Desk CSA Guidelines, paras. 2, 8.

<sup>&</sup>lt;sup>17</sup> Scripturally Based Position, para. 8; The Watchtower, May 2019, pp. 14-18, paras. 1-21; Shepherd the Flock of God, Chapter 14, paras. 12-17; Service Desk CSA Guidelines, para. 4.

<sup>&</sup>lt;sup>18</sup> Scripturally Based Position, para. 7.

- Victims and parents are informed of their right to report an accusation of child abuse directly to the authorities. 19
- Whom congregants may contact in the congregation to inform of an allegation of child abuse, in addition to reporting that allegation to the authorities.<sup>20</sup>
- Elders immediately seek and receive legal advice in order to comply fully with any applicable reporting law and, in the absence of a reporting law, elders will make a report to the authorities if there is a reason to believe that any minor is in danger of abuse.<sup>21</sup>
- Ensure that elders immediately respond to allegations of child abuse, including the criteria to determine when an allegation should be reported to the authorities by elders.<sup>22</sup>
- The recording of child abuse incidents and allegations and storing these securely in accordance with relevant data protection legislation to meet privacy concerns.<sup>23</sup>
- Information sharing between congregations for immediate follow up.<sup>24</sup>
- Parents of all minor children in the congregation are warned about any individual associated with the congregation who has sexually abused a minor.<sup>25</sup>
- A congregant who has committed child sexual abuse does not qualify to receive any privileges or responsibilities in the congregation and elders monitor their conduct during the limited congregation activities that they may be allowed to participate in.<sup>26</sup>
- Persons against whom an unconfirmed accusation of child sexual abuse has been made may be monitored by congregation elders during congregation activities.<sup>27</sup>

Scripturally Based Position, para. 4; The Watchtower, May 2019, p 10, para. 14; Shepherd the Flock of God, Chapter 14, para. 4.

<sup>&</sup>lt;sup>20</sup> Scripturally Based Position, para. 4; The Watchtower, May 2019, pp. 10, 11, paras. 13, 14; Shepherd the Flock of God, Chapter 14, para. 4; Service Desk CSA Guidelines, paras. 5, 7.

<sup>&</sup>lt;sup>21</sup> The Watchtower, May 2019, p 10, para. 13; Shepherd the Flock of God, Chapter 14, paras. 1, 6-8; Service Desk CSA Guidelines, paras. 7, 8.

Scripturally Based Position, para. 5; The Watchtower, May 2019, p 10, para. 13; Shepherd the Flock of God, Chapter 14, paras. 1, 6-8; Service Desk CSA Guidelines, para. 8.

<sup>&</sup>lt;sup>23</sup> Shepherd the Flock of God, Chapter 14, paras. 25-27; Service Desk CSA Guidelines, paras. 23, 29-36.

<sup>&</sup>lt;sup>24</sup> Shepherd the Flock of God, Chapter 14, paras. 25-27; Service Desk CSA Guidelines, paras. 29-36.

<sup>&</sup>lt;sup>25</sup> The Watchtower, May 2019, p 11, para. 18; Shepherd the Flock of God, Chapter 14, paras. 22-24; Service Desk CSA Guidelines, paras. 14-25.

<sup>&</sup>lt;sup>26</sup> The Watchtower, May 2019, p. 11, para. 18; Shepherd the Flock of God, Chapter 14, paras. 23, 24; Service Desk CSA Guidelines, paras. 18, 19, 27, 28.

The Watchtower, May 2019, p. 11, para. 16; Shepherd the Flock of God, Chapter 14, paras. 25-27; Service Desk CSA Guidelines, para. 12.

The following seven steps outline how Jehovah's Witnesses as a religion respond to allegations of child sexual abuse. Steps 1 and 2 directly concern the Child Protection Policy. Steps 3 to 7 concern the ecclesiastical process Jehovah's Witnesses follow to determine whether a congregant who has committed child sexual abuse should be expelled.

Step 1: Immediately upon learning of an allegation of child sexual abuse, two elders from the congregation's body of elders will telephone the Branch Office for spiritual and legal advice.

Experienced and trained elders in the Service Department will advise the two elders to inform the victim,<sup>28</sup> the victim's family, and anyone else who reports an allegation to the elders of their right to make a report to the authorities. Additionally, they will provide Scriptural guidance to the elders including on providing ongoing pastoral support to the victim and the victim's family.

The Legal Department will determine whether the elders have a legal obligation to report the allegation to the authorities. Even if the elders have no legal obligation to report the allegation to the authorities, as is the case in New Zealand, the Service Desk will nonetheless review the matter with the elders (using the guidelines in paragraph 8 of the *Service Desk CSA Guidelines*) to determine whether there is reason to believe the victim or any other minor is in danger of abuse from the accused. If so, elders will be directed to report the allegation to the authorities even if there is only one witness.

Step 2: If it is determined that the elders should make a report to the authorities, the elders will be directed to do so immediately. They will receive guidance from the Legal Department on reporting the allegation to the authorities, and on how to make that report.

In making the report, the elders will provide the police with the pertinent details of the allegation, including the name of the accused, if known.

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These submissions 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 they are referred to as "victims."

Step 3: The elders will offer ongoing pastoral support to the victim and the victim's family. Depending on the victim's gender, the elders may be assisted by mature female congregants in providing pastoral support.<sup>29</sup>

Step 4: After (or concurrently with) taking the above steps, the elders will then consider whether there is sufficient evidence to establish the allegation based on Scriptural standards. This is solely to determine whether the accused should be expelled from being one of Jehovah's Witnesses, and has nothing to do with whether the allegations will be reported to the authorities. (See Steps 1 and 2 above)

If the elders learn that the police are investigating, they may pause or postpone their ecclesiastical process until the police have had sufficient time to conduct their initial criminal investigation.

Step 5: 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, usually comprised of three elders. If the committee determines that the accused is not Scripturally repentant, he will be disfellowshipped (expelled). An announcement will be made to the congregation that: "[Name of person] is no longer one of Jehovah's Witnesses."

A victim is <u>never</u> required to confront the accused. Jehovah's Witnesses <u>do not</u> take ecclesiastical judicial action against anyone for making allegations of child sexual abuse (substantiated or unsubstantiated). They <u>do not</u> teach that victims should be shunned. Quite the contrary, as stressed in their religious publications for decades, they teach that victims should be offered comfort and support. An entire article in the May 2019 study issue of *The Watchtower* was devoted to the subject of providing comfort and support to victims of child sexual abuse. This article was reviewed and discussed in detail by all congregations worldwide during three one-hour religious services.<sup>30</sup>

30 "Providing Comfort for Victims of Abuse", *The Watchtower*, May 2019, pp. 14-20 (available at [ HYPERLINK "https://www.jw.org/en/library/magazines/watchtower-study-may-2019/comfort-victims-of-abuse/" \t "\_blank" ]). The need to provide victims with comfort and support has been repeatedly encouraged in the publications of Jehovah's Witnesses, see for example: "Consoling Adult Survivors of Childhood Trauma",

This is in addition to whether the complainant or victim decides to consult with health care professionals, including mental health professionals. See *Scripturally Based Position*, para. 8; *The Watchtower*, May 2019, p. 17, footnote; *Shepherd the Flock of God*, Chapter 14, para. 17.

Step 6: If the offender is found by the ecclesiastical judicial committee to be Scripturally repentant based on Biblical standards, an announcement will be made to the congregation that: "[Name of person] has been reproved." Thereafter, as set out in the following paragraphs, elders will meet separately with parents of all minor children in the congregation to warn them about the offender.

The Branch Office will direct that restrictions and cautions be imposed on a congregant (i.e. not just a religious minister, but also on a person other religions refer to as a "parishioner" or "lay member") 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 sexual abuse is convicted by the authorities of child sexual abuse; or (4) a person viewed as a child abuser by the community at large or by the congregation becomes one of Jehovah's Witnesses.

The restrictions and cautions will include the Branch Office directing the 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 are also encouraged to review the educative material published by Jehovah's Witnesses on protecting children from sexual abuse.

When warning parents, the elders do not provide any information that would identify the victim.

Awake! 8 October 1993 (p. 14, available at [ HYPERLINK "https://www.jw.org/en/library/magazines/g19931008/" \t " blank" ]).

The restrictions <u>remain in place indefinitely</u> and follow the offender if he moves to a new congregation <u>anywhere in the world</u>, which includes elders meeting in person with parents of minor children in that new congregation to warn them about the offender. If the offender does not adhere to those restrictions, then this may result in his being expelled.

Step 7: An offender who was disfellowshipped may apply to be reinstated. In cases of child sexual abuse, the elders would seriously consider such a request only if sufficient time has passed (usually years). If the elders determine that the offender is Scripturally repentant, then they may decide to reinstate that person as one of Jehovah's Witnesses. In all such cases, the restrictions and cautions in Step 7 above will be imposed.

As noted, Steps 3 to 7 outline the ecclesiastical process Jehovah's Witnesses follow to determine whether an offender should be expelled. That ecclesiastical process is separate from and in addition to the Child Protection Policy (with the exception of the restrictions and cautions that are imposed on an offender in Step 6, which are part of the Child Protection Policy). It is purely a religious or doctrinal process, applying Bible standards to determine whether the accused should be expelled, and is beyond the competence of the State and the courts.<sup>31</sup>

### REPORTING ALLEGATIONS OF CHILD ABUSE TO THE AUTHORITIES

The Child Protection Policy of Jehovah's Witnesses requires that when elders learn of an allegation of abuse, they will make a report to the authorities as may be required by law or if

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<sup>(1)</sup> Belgium: Court of Appeal of Brussels: J.L. v. The A.S.B.L. Congregation Chrétienne des Témoins Jehovah, 4th Chamber, civil cases - 2014/AR/1628, (15 January 2018) confirmed by the Court of Cassation, 1st Chamber, C.18.0233.F/1 (7 February 2019); (2) Canada: Supreme Court of Canada, Highwood Congregation of Jehovah's Witnesses (Judicial Committee) v. Wall, 2018 SCC 26; (3) Germany: Federal Constitutional Court, 3<sup>rd</sup> Chamber of the Second Senate: [...] v. Jehovas Zeugen in Deutschland, 2 BvR 328/16 (3 April 2019); Higher Administrative Court Berlin-Brandenburg, 5th Senate, OVG 5 N 8.13, VG 27 K 79.10, [...] v. Jehovas Zeugen in Deutschland (5 January 2016); (4) Hungary: Supreme Court of Hungary: Lörincz v. Jehovah's Witnesses in Hungary, Pfv. E. 21.303/2005/2 (29 August 2005); (5) Ireland: Supreme Court of Ireland: Lowther v. Watchtower Bible and Tract Society of Ireland, No. 95/2006 (19 October 2007); (6) Italy: Supreme Court of Cassation (Civil): Sez. I, No. 9561 (26 October 2016); (7) Poland: Appeal Court in Warsaw, IVth Civil Section: K. v. Watchtower Bible and Tract Society, No.VI A CA 81/03 (13 August 2003); (8) United States: United States Court of Appeals, Ninth Circuit: Paul v. Watchtower Bible and Tract Society of New York, 819 F.2d 875 (9th Cir. 1987); Illinois Court of Appeal, Abrams v. Watchtower Bible and Tract Society of New York, 715 N.E.2d 798 (III. App. Ct. 1999); (9) Otuo v. Watch Tower Bible and Tract Society of Britain [2019] EWHC 1349 (QB), para. 122. On 17 March 2020, the Court of Appeal refused permission to appeal, noting that the trial decision was "plainly right" and that the "power of expulsion was plainly necessary within a spiritual organisation."

there is reason to believe that any minor may be in danger of abuse. (See Steps 1 and 2 [ PAGEREF Step1 \p \h].)

In jurisdictions with mandatory reporting laws Jehovah's Witnesses comply with what the law requires. *The Watchtower*, May 2019, explains: "In places where such laws exist, elders endeavour to comply with secular laws about reporting allegations of abuse. (Rom[ans] 13:1)" (*The Watchtower*, May 2019, Study Article 19, p. 10, para. 13)

In jurisdictions without mandatory reporting laws, it has been the religious position of Jehovah's Witnesses "to report the matter if a minor is still in danger of abuse" (*Scripturally Based Position*, p. 1, para. 5). In making that determination, the Service Desk will consider questions with the elders such as the following: Does the victim live in the accused's home? Are any other minors living in the accused's home? Do the accused day-to-day activities put him in close proximity to minors? Does the accused's employment bring him into contact with minors? If the answer to any of these questions is "Yes," the Service Desk will direct that the elders make a report to the secular authorities and transfer them to the Legal Department for the proper reporting procedure. (*Service Desk CSA Guidelines*, para. 8)

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 authorities out of misplaced loyalty to the accused or fear of damaging the reputation of the congregation. For example, the April 8, 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." (*Awake!*, April 8, 1997, p. 14) The October 8,1993 issue of *Awake!* acknowledged on page 9 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." The January 22, 1985, issue of *Awake!* stated on page 8: "if molestation ... is discovered to have occurred ... the child—and other children too—must be protected from any

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<sup>&</sup>lt;sup>32</sup> 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]." (p. 254) A similar statement is made on page 223 of the book *Keep Yourselves in God's Love*, published by Jehovah's Witnesses in 2008.

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."

The Watchtower, May 2019, confirmed that one of Jehovah's Witnesses should not hold back from reporting an allegation of child sexual abuse to the 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." (The Watchtower, May 2019, Study Article 19, pp. 10-11, para. 14; see also Scripturally Based Position, p. 1, para. 4)

Further, as already noted, whenever elders contact the Branch Office about an allegation of child abuse they are directed to inform the victim, the victim's family, and anyone else who reports an allegation of child abuse to the elders, of their right to make a report to the authorities. (See Step 1 [ PAGEREF Step1 \p \h ].)

In addition, elders will report an allegation of abuse to the authorities as required by law, or in the absence of a mandatory reporting law, if there is reason to believe the victim or any other minor is in danger of abuser. The elders will make that report even if there is only one witness. (See Steps 2 and 3 [ PAGEREF Step2 \p \h ])

• The so-called "two-witness rule" has nothing to do with whether elders will report an allegation of child sexual abuse to the authorities. The Bible requirement of two witnesses is related solely to a religious determination whether an ecclesiastical judicial committee can be formed to determine whether the accused should be expelled from being one of Jehovah's Witnesses (See Step 5 [ PAGEREF Step6 \p \h ]). This ecclesiastical process is not meant to be a substitute for the civil or criminal justice system. Jehovah's Witnesses as a religion recognise that the secular authorities have the "God-given responsibility to handle civil and criminal cases." 33

#### PASTORAL SUPPORT FOR COMPLAINANTS AND VICTIMS

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 making pastoral visits, also known as

<sup>33</sup> The Watchtower, May 2019, p. 7, para. 23.

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 but pastoral visits are an integral and regular part of the religious activity of congregation elders.

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.

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*, 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." (*The Watchtower*, May 2019, Study Article 19, pp. 16-17, para. 11)

Elders will 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*, May 2019, Study Article 20, pp. 17-19, paras. 12-20; *Shepherd*, Chapter 14, paras. 13-14)

As they provide pastoral help, elders endeavour to demonstrate empathy and compassion to the victim and the victim's family. 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 and the victim's family know that whether to seek professional counselling is a personal decision. (*Shepherd*, Chapter 14, para. 17)

#### ROLE OF WOMEN IN CHILD PROTECTION MATTERS

In accordance with the Bible-based beliefs and teachings of Jehovah's Witnesses, elders are male. That religious belief and teaching is not unique to Jehovah's Witnesses. For example, in the Roman Catholic Church there are no women serving as cardinals, bishops, or priests, as there are no female imams guiding mosques, nor female rabbis in Orthodox Judaism.

Women are actively involved in the community of Jehovah's Witnesses, share regularly in their religious services, and may be included by elders in pastoral visits where the adherent is a female. A female confidante may be present when a victim chooses to inform the elders of her experience of abuse. In some cases, elders may discreetly ask a mature female in the congregation if she is in a position to help an abuse victim who is struggling with emotional pain (See Step 4 [ PAGEREF Step4 \p \h]).

### TRAINING IN PASTORAL CARE

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

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 care better for the religious activity in the Branch Office, to give attention to important matters affecting congregations, and generally oversee the spiritual activity in the lands under their spiritual oversight. (Luke 12:48, second sentence)

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.

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 care.

Approximately every three years, all elders worldwide receive training in a one-day course known as the Kingdom Ministry School for Elders, 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 ecclesiastical direction from the Bible, the Branch Office, and the Governing Body.

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.

### PRIVACY AND CONFIDENTIALITY

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.

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

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 if reporting is required by law or if there is reason to believe that a minor is in danger of abuse. In such cases, elders will report the matter to the authorities, even if there is only one witness.

Later, in the context of a criminal prosecution against the accused, the police might contact the elders requesting that they voluntarily disclose to the police ecclesiastical documents (if any) relating to communications they had with the victim, the victim's parents, or the accused. In some cases, the police might also request that the elders provide a written statement about these oral communications. In such cases, elders will inform the police that they need to obtain the written consent of the individuals concerned. In most cases, the victim and the victim's parents will waive confidentiality and will authorize the elders to provide the relevant disclosure to the police.

If the victim, the victim's parents, 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 court order or a witness summons so that the court can decide the matter after it

weighs the elders' Scriptural obligation and legal duty (if one exists) to maintain confidentiality with the police's need for the confidential material.

Where a court rules that confidential religious oral or written communications must be disclosed, each elder will decide based on his Bible-trained conscience whether to comply with such a court order. However, we are not aware of any elder in New Zealand who has refused to comply with such a court order.

Please note that the foregoing situations involve criminal investigations where allegations have already been reported to the police. To be clear, when an elder is required by law to report an allegation of child sexual abuse to the authorities, or if there is reason to believe that a minor is in danger of abuse, elders will report the pertinent details of the matter to the authorities.

#### **REDRESS CLAIMS**

Jehovah's Witnesses consider it their moral and Scriptural obligation to extend spiritual comfort and assistance to child abuse victims and their families and we do so. As stated above, Jehovah's Witnesses as a religion do not provide or sponsor any activities that separate children from their parents such as crèches, playgroups, Sunday Schools, youth groups, or clubs. They do not provide or sponsor schools, orphanages, home care, or any other activity where they assume responsibility for the care of children. Nor do they provide or sponsor any extracurricular activity, such as choirs, camps, outings, sports, outdoor walks, parties, and similar activities for youths or adolescents. Therefore, it is uncommon for entities used by Jehovah's Witnesses to receive a claim for redress in connection with institutional abuse. When such a claim for redress is received, as a faith-based community, Jehovah's Witnesses respond directly in a caring, fair and principled manner.