

SUBMISSION TO JOINT SELECT COMMITTEE ON THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

- OVERSIGHT ON REDRESS RELATED RECOMMENDATIONS

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1.1 INTRODUCTION

The Australian Royal Commission into Institutional Responses to Child Sexual Abuse (ARC) uncovered some shocking statistics when it came to the Jehovah's Witness (JW)* response to child sexual abuse within their organisation. It was disclosed that the Australia Branch had records of 1,006 alleged perpetrators of child sexual abuse, relating to more than 1,800 victims, none of which were reported to police by the church.

Since the recommendations handed down from the ARC, there is evidence that the JWs are refusing to put in place many of the recommendations and are refusing to join the Redress Scheme.

As a survivor of the Jehovah's Witness group, my submission is designed to make the Joint Select Committee aware of the issues that are preventing the JW organisation respond to the recommendations of the ARC. This submission will demonstrate the internal systems and practices of the JWs that prevent them from being responsive to the minimum requirements for the safety and wellbeing of young people, and have indeed prevented them from joining the Redress Scheme to date.¹

1.2 THE IMAGE PORTRAYED BY JWS

JWs claim to abhor child sexual abuse and that their practices comply with secular laws. However, the ARC found clear contradictions between their statement and documented policies and what they actually practiced. The ARC found JWs efforts were evasive and the JWs wilfully refused to follow the recommendations laid out in Cast Study 29. (Stewart Opening Address Case Study 54).

The JWs want to be viewed as having superior moral standards to outsiders, believing they are God's only chosen people. They have made statements such as 'No crime can be found among JWs' and 'We are the most peaceful and law-abiding group of people on earth'. For this reason evidence before the ARC demonstrated the JWs concealed confessed paedophiles in order to protect their

¹ <https://www.nationalredress.gov.au/institutions/joined-scheme>

reputation. Further, believing authorities are corrupt and satanic, JW's implement 'Theocratic Warfare' where it is considered proper and acceptable to misdirect by hiding the truth, in order to protect their reputation.

For these reasons, their oral and written policies and statements such as "We abhor child sexual abuse" and "If [there is] anybody takes action against someone who would threaten our young ones, and takes action to protect our young ones, it is Jehovah's Organisation," (Steven Lett March 2017, Governing Body Member) cannot be taken at face value. A regulation and monitoring of processes must be present in order to ensure the safe-guarding of child wellbeing.

1.3 THE PRACTICE OF SILENCING VICTIMS AND CONCEALING PAEDOPHILES

The JW's have internal practices in place which are deeply flawed, silencing victims and preventing the reporting of child sexual abuse. The following are the mechanisms which by design silence victims:

1.3.1 Internal Judicial System

JW's current practice is to investigate allegations of child sexual abuse internally. The recent update to policy since the ARC reiterated that the primary contact for allegations of child sexual abuse be directed to the Legal Department of the Australian Branch of JW's, and not Police.

JW's view paedophilia as a sin (and only recently as also a crime). An internal judicial committee is appointed (consisting of three Elders) and they are granted the power to conduct an internal investigation to determine motive and repentance. Believing they are ordained by God, they maintain that this procedure for investigation and punishment overrides that of a secular authority such as the Police.²

1.3.2 Lack of Children's Voice

Because of their 'patriarchal headship' arrangement, the JW's question the credibility of a child's report. Children's motive for complaints are questioned as being attention-seeking and unreliable.³

This same patriarchal arrangement has recently resulted in objectionable material being released by the JW's Governing Body where female victims of domestic violence are encouraged to remain with their abusive partner, "enduring extreme physical abuse" resulting in the victim's "health or life being in danger". (Watchtower Study Edition, December 2018).

"Children are to be submissive, and parents are advised to have "children in subjection with all seriousness."" (Shepherd The Flock of God, 2019).

² "You should immediately call the branch office for direction if you learn of an accusation of child abuse, regardless of the age of the victim now or at the time of the alleged abuse, even if it occurred before the alleged perpetrator's baptism. The branch office will then give direction based on the circumstances involved in each situation." (Shepherd the Flock of God, 2019).

³ "In a case in which a brother denies an allegation of child abuse and he has been accused by only one witness, the following direction is given if he moves to another congregation....The following questions should be answered with regard to the accuser: (1) What is the level of maturity of the child or youth? (2) Is he (or she) describing conduct that one his age would not normally know about? (3) Is the child or his parents known to be serious, mature? (4) Is his memory consistent, or is it intermittent, or does it involve repressed memories? (w95 11/1 pp. 25-26) (5) What is the reputation of the parents? (6) Are they spiritually and emotionally mature? After carefully considering the matter, the branch office will then give you direction as to what information about the allegation should be shared, if any, with the elders of the new congregation." (Shepherd the Flock of God, 2019)

1.3.3 Two-Witness Rule

In order for a complaint to warrant a judicial committee and judicial action within the JWs, there must be two eye-witnesses to the abuse. JWs only accept a second eye-witness, a second survivor, or photographic media as evidence. In the case of child abuse, these are rarely available. “We will never change our scriptural position on (the two witnesses) subject.” (Gary Breaux, Governing Body helper, November 2017).⁴

1.3.4 Confidentiality

JWs policies require all complaints to Elders to be kept confidential. This conceals the crime from the rest of the congregation, and has prevented the Elders from making a report to the authorities in the past. Victims have also been asked to refrain from discussing the abuse, in order to protect the reputation of JWs.^{5 6}

1.3.5 Shunning

Disfellowshipping is a practice that has been used as a threat to prevent victims and whistle-blowers from reporting to secular authorities. Once JW victims question procedures, they are disfellowshipped - shunned and cut off from all other members. This social coercion is used as a tool, both to prevent the reporting of incidences of abuse and as a means to prevent victims from alerting others of the presence of a paedophile. (“A Loving Provision’? How Former Jehovah’s Witnesses Experience Shunning Practices”, by Julia Gutsell)

1.3.6 Lack of Higher Education

JWs have, by means of their doctrine and coercive practices, prevented the majority of JWs from obtaining higher education. As a result, the JWs have among some of the lowest education rates and are as a result one of the poorest population in the religious sector. This lack of education has removed the ability for many of the victims to stand up and represent themselves in establishing their rights.⁷

1.3.7 Higher Suicide Rates

There is anecdotal evidence and some minor studies which have confirmed high rates of suicide among JW survivors. Extreme shunning and abuse by a high control group such as JWs has prevented a representation of victims in the past.

⁴ “If the accuser or the accused is unwilling to meet with the elders or if the accused continues to deny the accusation of a single witness and the wrongdoing is not established, the elders will leave matters in Jehovah’s hands.” (Shepherd the Flock of God, 2019).

⁵ “In some cases the elders may feel that it is necessary to warn the congregation by means of a Scriptural talk about the type of conduct practiced. A member of the judicial committee should generally give the talk. He should explain the wrongness of the conduct and how to avoid it but without saying anything that would connect the wrongdoer with the type of sin under discussion. In the case of an announced reproof, the elders should wait a few weeks before giving such a talk; when the reproof is unannounced, there is no need to wait.” (Shepherd the Flock of God, 2019).

⁶ “There are times when an emotionally distressed Christian may seek professional help... He may draw attention to or discuss material in the publications that provides cautions regarding therapies that may conflict with Bible principles. While participating in group therapy by a professional therapist is a matter for personal decision, there could be a revealing of confidential facts about other members of the Christian congregation during such sessions if a Christian does not exercise discretion.” (Shepherd the Flock of God, 2019).

⁷ <https://www.pewresearch.org/fact-tank/2016/10/11/how-income-varies-among-u-s-religious-groups> and <https://www.pewresearch.org/fact-tank/2016/11/04/the-most-and-least-educated-u-s-religious-groups>

1.3.8 No Political Voice

JW policy precludes the ability for their members to vote. Voting is viewed as supporting “Satan’s System of Things” and therefore any member placing a ballot faces serious repercussions, including disfellowshipping and shunning. Their website states: “We do not lobby, vote for political parties or candidates, run for government office, or participate in any action to change governments”⁸. As a result, JWs have not had representation or cannot effect any policies for the benefit of the victims.

1.4 UNWILLINGNESS TO FOLLOW SIX KEY RECOMMENDATIONS BY THE ARC CASE STUDY 29

Despite being asked to review Six Key Recommendations following Case Study 29, prior to the follow up Case Study 54, and despite there being no impediments, the ARC found that the JWs failed to respond to many of the recommendations made in Case Study 29.

- 1.4.1 Refusal to follow instruction from ARC to disseminate new policy to each member of the congregation. “First, the ARC recommended that the Jehovah's Witnesses' written policies should clearly state that a complainant of child sexual abuse is no longer required to confront the abuser, and that members of the organisation should be informed of this right. The ARC is expected to hear that although this policy has been amended accordingly, it has, to date, only been communicated in writing to elders and not to members of the Jehovah's Witnesses more generally.” (Case Study 54).
- 1.4.2 Refusal to review of the “Two-Witness” Rule. “Secondly, the ARC recommended that the Jehovah's Witnesses revise and modify their application of the two-witness rule in cases involving complaints of child sexual abuse. The ARC is expected to hear that Jehovah's Witnesses consider that they are “prohibited by Scripture from altering the application of the two-witness rule”.” (Case Study 54).
- 1.4.3 Refusal to include women in all aspects of child sexual abuse investigations. “Thirdly, the ARC recommended that the Jehovah's Witnesses explore ways to involve women in the investigation and assessment of the credibility of allegations of child sexual abuse. The ARC is expected to hear that the Jehovah's Witnesses restrict the participation of women to presenting allegations to elders and supporting the complainant.”⁹ (Case Study 54).
- 1.4.4 Refusal to abolish the practice of shunning survivors who chose to disassociate. “Finally, the ARC found that the Jehovah's Witnesses' practice of shunning members who disassociate from the organisation potentially puts survivors in an untenable position.. The organisation has failed to address the particularly devastating practice of shunning survivors who disassociate from the organisation because of their abuse.” (Case Study 54).

The unwillingness and obstinacy on the part of JWs in response to the ARC demonstrates that they do not respond to recommendations given by secular authorities. Therefore any policies and more importantly, practices must be mandated and closely monitored.

⁸ <https://www.jw.org/en/jehovahs-witnesses/faq/political-neutrality>

⁹ “Sometimes a sister who suffered abuse as a child may approach a capable older sister for help. It is understood that a sister would not get involved in matters that need the attention of the elders.” (Shepherd the Flock of God, 2019).

1.5 CONCLUSION

The ARC uncovered shocking statistics regarding the concealment of child sexual abuse within the Jehovah's Witness organisation. There are currently approximately 68,000 JWs in Australia. The ARC revealed over 1,800 sexual abuse survivors, with NOT ONE SINGLE incident being reported to the authorities. Proportionately, JWs have been found to have a higher incidence of sexual abuse rates than the Catholic Church.

The policies and procedures observed and mandated by the JWs were found by the ARC to pose significant risks to child safety. The Governing Body's recent updates of policies and public statements indicate they have no intention of reforming their processes. It is therefore imperative that urgent action is taken to mandate, monitor and enforce the changes required for the safety and child wellbeing.

The Governing Body's repeated denouncing of secular authorities, labelling them as under satanic control, fuels their perceived need to replace the secular justice system with their own internal investigative processes. For this reason, the safety of children must be monitored, by preventing the JW internal justice system (with Elders who are not trained to act as judges of child sex crimes) to replace of Australia's criminal justice system.

Finally, the voice of the survivors must not be silenced, as had been the case through lack of education within the JWs, lack of political vote, extreme shunning, the Two-Witness rule, ancient patriarchal headship arrangements, and the use of 'Elder confidentiality' to not report of the presence of paedophiles to congregants.

Recommendation: That the Joint Select Committee mandate 'survivor focussed National Redress Scheme meetings and events' hosted by the Department of Social Services always include at least one Jehovah's Witness child sexual abuse survivor (and support person, if required).

Recommendation: That the Joint Select Committee be extended to hold additional briefings in each state and territory.

Recommendation: That the incidence of suicide is investigated by AIHW via formal research to provide empirical data regarding the suicide rates among all populations, including a variable for the effects of religious affiliation such as the JWs.

Recommendation: That there is an examination of institutional policies and procedures that target child sexual abuse victims and whistle-blowers (former Jehovah's Witnesses who are excommunicated/shunned because they report child sexual abuse which meet the ARC Terms of Reference).

Thank you for allowing me to submit this response.

I would like to acknowledge the following resources for my submission:

1. The Australian Royal Commission into Institutional Responses into Child Sexual Abuse, Case Studies 29 and 54.
2. "Jehovah's Witnesses Internal Judicial Committees Attempt to Pervert the Course of Justice With Child Sex Crimes to Protect Their Religious Reputation" by Shelly Rose Braieoux (BCG in Case 29).
3. The body of articles obtained via ex-Jehovah's Witness community forums, blogs and websites.

*Please note reference to Jehovah's Witnesses (JW) religion includes its administrative management corporation, Watchtower Bible and Tract Society of Australia Limited, and their controlling parent organisation Watch Tower Bible and Tract Society of Pennsylvania, Inc. ("Watchtower PA").