

Jehovah's Witnesses in spotlight over their response to abuse cases

BY BARRY J WHYTE

The Jehovah's Witnesses religious movement is coming under increasing criticism for its handling of child abuse allegations in Ireland, *The Sunday Business Post* can reveal.

In a number of cases, members have criticised the hierarchy about the handling of allegations of child sex abuse.

It comes as the group has been subjected to strong criticism by statutory inquiries in Britain and Australia over its handling of child abuse allegations.

Professor Geoffrey Shannon, Ireland's special rapporteur on child protection, told this newspaper there was "a growing concern internationally that within the hierarchy

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of the Jehovah's Witnesses, in some cases, there is a premium placed on the institution to the detriment of the welfare of children". When contacted, the group's legal department in London said "any suggestion that Jehovah's Witnesses cover up child abuse is absolutely false".

Correspondence seen by this newspaper shows that in one case this legal department instructed elders in an Irish congregation – which cannot be identified for legal reasons – on how it should handle the case of a man who had admitted to abusing a child, outlining the steps it should take to restrict the man's privileges.

Further investigation by this newspaper revealed that two elders in the congregation – holding a position comparable to priests – were effectively defrocked after notifying the Garda of the abuse allegations. The two were stripped of their positions for "being disloyal" and for "lacking soundness of mind".

In another case, elders in another congregation were instructed by the legal department to destroy records relating to allegations of child sex abuse.

A number of individuals with knowledge of the case expressed reservations about this but felt compelled to carry out the instructions.

One elder has since taken legal advice on having destroyed the records.

Professor Shannon has welcomed new laws to come into

will impose statutory obligations on certain professionals to report child protection concerns to Tusla.

"The state is now saying that it's no longer acceptable for organisations to fail to report child sex abuse," he said. "I think this is a defining moment in Ireland as we learn from the lessons of the past."

The Jehovah's Witnesses has been criticised in several countries for its handling of child sex abuse allegations. In July the Charity Commission of England and Wales strongly criticised the group's head office, the Watch Tower, for its handling of child sex abuse and found that "the trustees of the charity did not engage openly and candidly with the Commission as the charity regulator".

The group was similarly criticised by the Australian Royal Commission in 2016, while it was the subject of a number of law suits in the US by people who had been abused and accused the organisation of covering up their cases.

The Watch Tower, told *The Sunday Business Post* that "Jehovah's Witnesses abhor child abuse in all of its forms and do not shield wrongdoers from the authorities or from the consequences of their actions".

"The victim and his or her parents have the absolute right to report the matter to the governmental authorities," it said in a statement, adding that "any suggestion that Jehovah's Witnesses cover up child abuse is absolutely false".

A Sunday Business Post investigation

The Jehovah's Witnesses religion is coming under mounting criticism for its handling of sexual abuse allegations in Ireland

A failure to bear Witness?



By **Barry J Whyte**

In the summer of 2016, elders in an Irish Jehovah's Witnesses congregation were informed of a case of alleged child sex abuse within their flock. According to the religion's own internal rules in force at the time, when elders encounter a case of child sexual abuse they are required to contact the legal department of the London-based Watch Tower Bible and Tract Society of Britain, also known simply as the Watch Tower.

Those guidelines, however, made no reference to notifying the police or the state authorities, and the elders were advised by the Watch Tower to conduct their own internal investigation into the matter.

This led to a disagreement among the elders about whether to contact the Gardai, especially when the abuser – who cannot be named because he is the subject of an ongoing investigation – admitted his guilt.

Eventually, one of the elders decided to take the matter to the Gardai and made a statement.

Soon after, the Watch Tower's legal department issued detailed instructions on how the matter should be handled by the congregation.

In a letter seen by *The Sunday Business Post* from August 2016, the legal department wrote that because the individual had "recently confessed to very serious wrongdoing" it was "necessary

for certain restrictions to be applied and certain steps taken, in the interests of child safeguarding".

Those restrictions included limiting his privileges, "even seemingly minor ones, such as would normally be assigned to those considered exemplary", and ensuring that he was kept apart from children in the congregation.

The Watch Tower also advised the elders how they ought to handle the fact that the matter was the subject of a Garda investigation.

"As the secular authorities are investigating this matter, if approached, please arrange for two elders to telephone the Legal Department at the branch for legal advice before discussing the matter with the authorities," the letter said.

They also decided to discipline those elders who had been involved in notifying the Gardai, to page 2



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“When secular authorities request confidential information, you are not obligated to answer questions before consulting the Legal Department”

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according to people familiar with the matter.

Further correspondence obtained by The Sunday Business Post shows that the Watch Tower sent a number of its senior clergy to Ireland to deal with “an unusual situation for four elders’ to have their qualifications considered at one time”.

Soon after that letter, two of the congregation’s elders were stripped of their positions – akin to being defrocked as a priest, according to sources. According to people who are familiar with the case, who didn’t want to be named for fear of the repercussions, the elders were deleted – in the religion’s own terminology – for “lacking soundness of mind” and “being disloyal”.

The Jehovah’s Witnesses religion is known worldwide for its fervency and piety – its members actively desire the end of the world, eschew smoking and voting, and refuse blood transfusions based on a literal reading of the Bible – as well as for its evangelical, door-to-door proselytising.

The religion is highly insular and self-contained, and it tends to stay apart from the secular world.

All this has led to a growing disquiet, both inside the religion and outside it, over the manner in which it handles child sex abuse allegations.

The aforementioned case is not a wholly isolated incident. The Sunday Business Post has also spoken to one woman – who did not wish to be named – who, in a separate case, notified the Gardaí that one of her children had been allegedly abused by a member of the congregation.

She discovered, during the subsequent internal investigation, that the child had already alerted elders within the group to the abuse, though she was not told of this at the time and only learned of it later.

She said that she had been informed that the authorities did not proceed with a prosecution because CCTV recordings in the area where the alleged abuse took place were unavailable, while a statement which had been made by one of her family members was subsequently withdrawn.

While it’s not possible to say whether a prosecution would have followed, what is clear is that in the aftermath of the investigation, the woman was shunned by the other members of her congregation, including close family members.

The woman told The Sunday Business Post: “The organisation did not care for what happened to my child: their only concern was not bringing ‘reproach upon Jehovah’s organisation’. As soon as they could tell I was not keeping quiet about what happened, they made sure no one from the congregation had any contact with me from then on.”

The Sunday Business Post is also aware of instances of elders in other Irish congregations being instructed to destroy records relating to allegations of child sex abuse. These instructions were conveyed by email and telephone in recent months.

It’s not clear what motivated the instructions. Some individuals with whom The Sunday Business Post has spoken expressed reservations about the destruction, but felt compelled to carry out the orders. One elder has since taken legal advice on having destroyed the records.

According to one individual familiar with the organisation’s handling of alleged cases of child abuse: “It’s very



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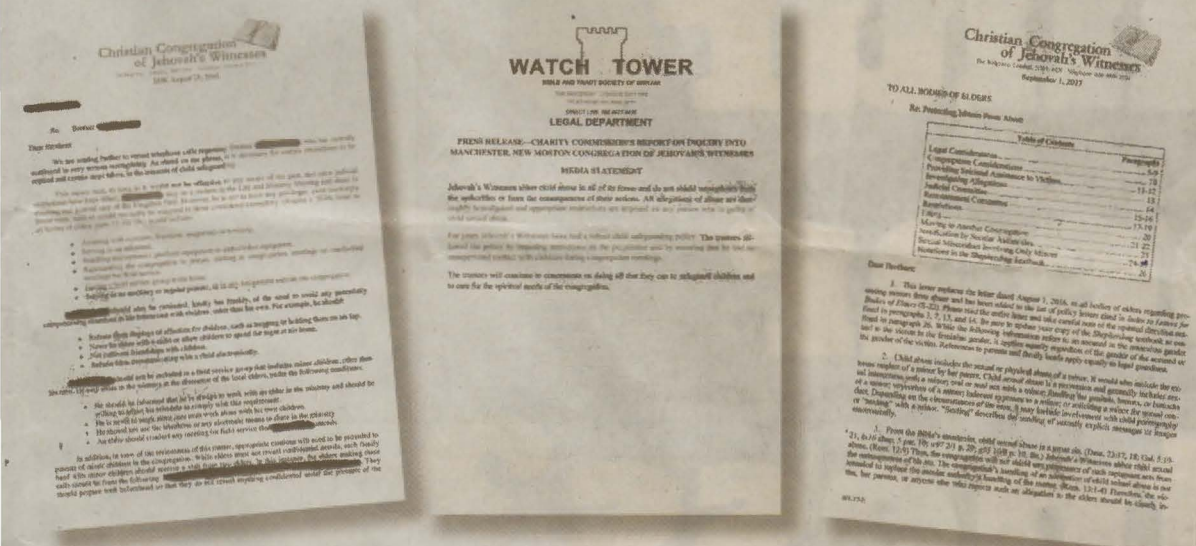
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Ex-Jehovah's Witnesses put up a billboard in Belton, Texas, where Jehovah's Witnesses conventions were set to take place earlier this year



The Jehovah's Witnesses world headquarters in upstate New York



Jehovah's Witnesses letters relating to child sex abuse

simple. If the organisation turned around and reported it, we wouldn't be where we are today. [It should be a case that] someone comes along and says: 'I did this,' and you'd report it. And you [the media] would have nothing to write about because there'd be no news. They've caused this article to be written because they didn't handle it right in the first place."

The Jehovah's Witnesses have long held themselves at arm's length from secular society, even on legal matters.

That can be best illustrated by a document circulated in November 2014, which The Sunday Business Post has seen.

While the document relates to matters of legal confidentiality, not specifically child sex abuse, it shows the London headquarters advising its elders in Ireland and Britain that "even when secular authorities request confidential information, you are not obligated to answer questions before consulting the Legal Department. Oftentimes, secular authorities request confidential information to which they are not legally entitled. Thus, you could subject yourself and the organization to civil liability if you reveal such confidential information".

When it comes to matters related to child sex abuse allegations, the Witnesses take a similar approach, guiding their members and elders to check with the Watch Tower's legal department first for legal advice.

That advice relates mostly to handling their own internal investigations, documents seen by this newspaper show.

The guidelines instruct elders to set up a scriptural investigation to establish wrongdoing by any accused individual. Once that wrongdoing has been established, the accused individual will – depending on the level of repentance they show – either be disfellowshipped or reproved, meaning they will either get restricted privileges or be shunned entirely.

But even disfellowshipped Witnesses can, eventually, apply for reinstatement, the guidelines show.

Meanwhile, the elders are advised that the guidelines don't apply in the case of a "minor who is a willing participant and who is approaching adulthood and who is involved in sexual activity with an adult who is a few years older than the minor", even though, under Irish law, a child is "a person under the age of 18 years other than a person who is or has been married".

Since September of this year, they have amended their guidelines to state that "the victim, her parents, or anyone else who reports such an allegation to the elders should be clearly informed that they have the right to report the matter to the secular authorities. Elders do not criticise anyone who chooses to make such a report".

Meanwhile, the state's rules on child abuse have also been changing. Last



Professor Geoffrey Shannon, Ireland's Special Rapporteur on Child Protection: 'We allowed the Catholic Church to be beyond the reach of the law, and allowing any institution to be beyond the reach of state laws is dangerous'

month, Minister for Children Katherine Zappone announced that mandatory reporting for suspected cases of child abuse would finally be made law. From December 11, the new law will impose statutory obligations on certain professionals to report child protection concerns to Tusla.

Nevertheless, it remains unclear whether this covers the Jehovah's Witnesses specifically.

When contacted by The Sunday Business Post, a spokesman for the department said that 'mandated persons' included a "member of the clergy [howsoever described] or pastoral care worker [howsoever described] of a church or other religious community".

The spokesman pointed out that, under the Criminal Justice Act, it is a criminal offence to withhold information about a serious offence against a person under 18 years of age, while all persons, whether mandated reporters or not, should report reasonable concerns in relation to child welfare and protection to Tusla.

Nevertheless, the department also pointed out that "it is a matter for any organisation, or individual, to assess whether, and the extent to which, the provisions of the Children First Act 2015 apply to them and to seek legal advice if deemed necessary. It is not the role of the Department of Children and Youth Affairs to interpret legislation for any particular person or category of persons".

Last April, the Centre for Investigative Reporting (CIR) held a conference in London on the growing problem of child sex abuse in the Jehovah's Witnesses.

The CIR is a highly respected California-based nonprofit investigative journalism organisation, and it invited

to London such high-profile figures as US lawyer Irwin Zalkin, who has taken multiple cases against the Jehovah's Witnesses' corporate headquarters in New York, and Mike Rezendes, the Boston Globe reporter who was part of the Spotlight team that uncovered the Catholic Church's decades of child sex abuse in the US.

Also present was Professor Geoffrey Shannon, Ireland's Special Rapporteur on Child Protection, who gave a talk on the parallels between the Jehovah's Witnesses handling of child sex abuse allegations and that of the Catholic Church.

Shannon told The Sunday Business Post that, during his talk, he explained to the audience how in both the Jehovah's Witnesses and the Catholic Church, "the maintenance of secrecy, the avoidance of scandal, the protection of the good name of the church and the assets of the church all took precedence over protecting vulnerable children".

"There is a growing concern internationally that within the hierarchy of the Jehovah's Witnesses, in some cases, there is a premium placed on the institution to the detriment of the welfare of children," he told this newspaper last week.

Shannon also pointed out that the problems being experienced in Ireland are part of an increasing scrutiny on the religion worldwide, especially for the manner in which the organisation handles child sex abuse allegations.

Last July, for example, the Charity Commission of England and Wales strongly criticised the Watch Tower for its handling of child sex abuse, specifically in relation to a case related to a former member of the church named Jonathan Rose, who was subsequently convicted on several charges of abuse, but whose victims were forced to confront him to make their allegations as part of a three-hour meeting during the organisation's internal investigation.

The commission reported that "the inquiry found that the trustees of the charity did not engage openly and candidly with the Commission as the charity regulator. The trustees did not report the allegations to the Commission as a serious incident".

The criticisms are not limited to the Watch Tower Bible & Tract Society of Britain. In Australia, a 2016 Royal Commission found that children were not adequately protected from the risk of sexual abuse in the Jehovah's Witnesses. It criticised the organisation's practice of not reporting child sex abuse to police or authorities unless required to do so by Australian law.

In the US, the Jehovah's Witnesses have been sued by several former Witnesses who were abused while they were part of the congregation, most recently in February of this year, when it settled a case out of court with a woman named Stephanie Fessler who had been abused by a fellow church member in Pennsylvania.

Shannon said he welcomed the change in Ireland's laws and the introduction of mandatory reporting – but this, he said, was only the beginning.

He added that the Catholic Church could once again provide a model for handling the increasing number of cases coming to light in the Jehovah's Witnesses.

“In essence, what happened is that the church institutions were allowed to be beyond the reach of the law,” he told this newspaper. “We need to focus on the extent to which the law and its *modus operandi* were inadequate or even counter-productive, allowing perpetrators of sexual abuse to go unpunished.”

“We allowed the Catholic Church to be beyond the reach of the law, and allowing any institution to be beyond the reach of state laws is dangerous,” he said.

“Nothing predicts like the past, and we know that those who ignore the lessons of history are doomed to repeat its mistakes.

“The state is now saying that it's no longer acceptable for organisations to fail to report child sex abuse. I think this is a defining moment in Ireland as we learn from the lessons of the past.”

The Sunday Business Post has asked the Watch Tower several times about its handling of child protection in the organisation, especially in Ireland, over the course of this investigation.

Last July, it stated that “Jehovah’s Witnesses abhor child abuse in all of its forms and do not shield wrongdoers from the authorities or from the consequences of their actions. All allegations of abuse are thoroughly investigated and appropriate restrictions are imposed on any person who is guilty of child sexual abuse”.

In response to another question this newspaper put to it in August, the Watch Tower pointed out that it has provided multiple articles on how to handle child abuse in its journals The Watchtower and Awake, as well as in published guidelines on its website.

It also stated that “congregation elders comply with child-abuse reporting laws. They provide abuse victims and their families with spiritual comfort from the Bible”.

It added that “the victim and his or her parents have the absolute right to report the matter to the governmental authorities”, and that “congregation elders do not shield abusers from the authorities or from the consequences of their actions”, while “anyone who commits the sin of child abuse faces expulsion from the congregation. If such a person is serving in a position of responsibility, he is removed”.

It concluded: “Any suggestion that Jehovah’s Witnesses cover up child abuse is absolutely false.”