



4 November 2016

Mr Terence O'Brien
Director
Watchtower Bible and Tract Society of Australia Ltd
12-14 Zouch Rd
Denham Court NSW 2565

By e-mail: REDACTED

cc: Milton Bray

By e-mail: REDACTED

Dear Mr O'Brien

**Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission)
Final Hearing into Faith-based Institutions**

The Royal Commission will be conducting further public hearings into certain institutions which have already been the subject of a case study.

The hearings will examine actions taken by institutions after the hearing to enhance the safety of children within their care, to improve the effectiveness of their responses to reports of child sexual abuse and alleviate the impact of past and future child sexual abuse within those institutions. The further public hearings will also examine any other relevant actions taken by the institution.

The Jehovah's Witnesses and the Watchtower Bible & Tract Society of Australia Ltd (the **Jehovah's Witness organisation**) was examined in *Case Study 29: The response of the Jehovah's Witnesses and the Watchtower Bible & Tract Society of Australia Ltd to child sexual abuse*, the public hearing of which was held in Sydney in July and August 2015.

To assist in our preparation for further hearings into faith-based institutions we request that Jehovah's Witness organisation provide a written response addressing the matters broadly described above, and answering some more targeted questions as set out in Annexure A. It is acknowledged that the Royal Commission's report of Case Study 29 has not yet been published. Your response should address any developments within the Jehovah's Witness organisation arising from the evidence given during the case study.

We ask that the Jehovah's Witness organisation prepares its written response to this letter, together with any additional documents that it wishes to include in support of its response, by no later than **16 December 2016**. The Royal Commission will then issue a Notice to Produce for production of the written response and supporting documents.

Please do not hesitate to contact Kimberley Rose on 02 8284 2415 or myself if you wish to discuss any aspect of this request.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tony Giugni', with a stylized, wavy line extending to the right.

Tony Giugni
Solicitor Assisting

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Email: solicitor@childabuseroyalcommission.gov.au

Annexure A – Jehovah’s Witnesses – Case Study 29

1. What has the Jehovah’s Witness organisation has learnt through its participation in Case Study 29?
2. What if any action has the Jehovah’s Witness organisation taken since the hearing of Case Study 29 in relation to:
 - a. organisational structure, governance and culture
 - b. the promotion of child safety within the organisation
 - c. the development and promotion of child protection policy and procedure within the organisation
 - d. appointment of individuals to official roles within the organisation
 - e. training and supervision of those who hold an official role within the organisation
 - f. the organisation’s policies and procedures regarding documentation of and response to allegations of child sexual abuse
 - g. the management of risk in relation to known offenders and/or those members of the organisation in relation to whom an allegation has been made
 - h. the development and/or promotion of policies and procedures regarding provision of redress to victims/survivors of child sexual abuse
 - i. communication of relevant policies and procedures to, and promotion of compliance with those policies and procedures by, all members of the Jehovah’s Witness organisation.
3. Please detail any consultation(s) undertaken, both internally and externally, in relation to any action taken by the Jehovah’s Witness organisation in response to the concerns raised by the evidence before the Royal Commission in Case Study 29.
4. Please detail and provide copies of any material(s) considered by the Jehovah’s Witness organisation in the formulation of its response to the concerns raised by the evidence before the Royal Commission in Case Study 29.
5. What, if any, impediment(s) did, or does, the Jehovah’s Witness organisation face in:
 - a. developing a response to the concerns raised by the evidence before the Royal Commission in Case Study 29, and/or
 - b. implementing any such response?
6. What measures are proposed to overcome such impediment(s)?
7. How, if at all, has the Jehovah’s Witness organisation addressed the following specific concerns raised in the evidence before the Royal Commission in Case Study 29:
 - a. the prospect that a complainant of child sexual abuse might be required to confront their alleged abuser
 - b. the application by the organisation of the ‘two-witness rule’ in cases involving allegations of child sexual abuse

- c. exclusion of women from participation in the making of a decision about the credibility of an allegation of child sexual abuse
 - d. the capacity of a complainant of child sexual abuse to have a person or persons present with them when appearing before a 'judicial committee' hearing
 - e. that reproof and disfellowshipping leave perpetrators at large and are not effective mechanisms for protecting children in the organisation's congregations and in the broader community
 - f. the organisation's practice of shunning.
8. Please detail all allegations of child sexual abuse, including historical allegations, received by the Jehovah's Witness organisation since the conclusion of the public hearing of Case Study 29. Details of each allegations should include the following (see the enclosed Microsoft Excel spreadsheet):
- a. nature of the abuse
 - b. date and period of alleged sexual abuse
 - c. gender and age of alleged perpetrator(s) and victim(s)
 - d. the internal assessment and investigation report(s) by the Jehovah's Witness organisation (specifically by those holding official roles) in respect of the allegation
 - e. any report(s) made to an authorised department and/or law enforcement agency and/or to an oversight agency by the Jehovah's Witness organisation about those allegations, including the role of the person in the organisation who made the report
 - f. whether the victim sought any form of redress from the Jehovah's Witness organisation
 - g. whether the victim was offered any form of redress
 - h. whether a legal claim has been made against the Jehovah's Witness organisation in relation to the alleged sexual abuse
 - i. what, if any, policies and procedures were considered and/or applied by the Jehovah's Witness organisation in responding to the allegation
 - j. feedback from the survivor(s)/victim(s) and/or their families regarding the Jehovah's Witness organisation's response to the allegation of child sexual abuse