

Quebec judge to rule on whether sexual abuse class-action against Jehovah's Witnesses can proceed



Lisa Blais says she was abused by her older brother for years, claims church failed to protect her

Ainslie MacLellan · CBC News · Posted: Dec 18, 2018 12:09 PM ET | Last Updated: December 18



The sexual abuse class-action lawsuit against a Jehovah's Witness organization has yet to be approved. (Radio-Canada)

A group of complainants who accuse the Jehovah's Witnesses of failing to protect them from sexual abuse will find out next year if a Quebec judge will authorize their class-action lawsuit.

If approved, the class action would cover current and former Jehovah's Witnesses, who claim they were either sexually assaulted by an elder of the church, or sexually assaulted as children

by another Jehovah's Witness.

The request for the lawsuit was filed in the name of Lisa Blais, a Quebec Jehovah's Witness who alleges she was abused for years by her older brother, also a Jehovah's Witness.

It seeks \$250,000 per complainant for moral and punitive damages.

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The lawsuit names as defendants The Watchtower Bible and Tract Society, the parent company of Jehovah's Witnesses in Canada, as well as the religious organization's American headquarters and governing body.

Blais says she complained to a church elder about the alleged abuses when she was 16, and claims Jehovah's Witnesses did nothing to protect her.

She claims she had to leave her family home at age 17 and was ex-communicated when she was 24, because of the fallout from the abuse. The allegations have not been proven in court.

Each congregation is governed by a council of elders, placing them within the church hierarchy, according to the lawsuit.

Jean St-Onge, a lawyer for the church, argued in a Montreal courtroom Tuesday that Blais has not established that the wider church organization knew about the abuse or tried to cover it up, calling the complainant's filing "filled with opinions, inferences and unverified speculation."

But ex-Jehovah's witness Marilou Lagacé said that elders should be considered as church authorities with a responsibility to report abuse.

"When you're an elder, you're an elder 24 hours a day. You have to exercise your role as a shepherd for the congregation," Lagacé told reporters outside the courtroom.

Pénélope Herbert, another ex-Jehovah's witness attending the hearing, claims she was sexually abused by a man in the religious community from the time she was 10 until the age of 16.

Herbert said elders have an enormous amount of influence over their congregation, particularly women and children. She claims that when her family reported her allegations of abuse to elders, nothing was done.

"We understood pretty quickly that we were to keep quiet," Herbert said. "Because we were going to sully the name of Jehovah. But it wasn't me that was sullying the name of Jehovah: it was my aggressor. But they made me carry that."

The defence referred to several policy letters put out by church leadership, which instructed Jehovah's Witnesses to report any cases of sexual abuse to the authorities. Elders were also instructed to contact the church's internal legal department about sexual abuse allegations.

Complainants argue this created a parallel legal system within the church hierarchy that discouraged families from disclosing cases of abuse to secular authorities, something the Jehovah's Witness organization disputes.

In a statement, Jehovah's Witnesses Canada said the organization does not "shield any perpetrator of child abuse from the consequences of their crimes."

"We have and will continue to report allegations of abuse to the authorities, in line with the Youth Protection Act," it said, adding that elders are not a replacement for authorities.

Quebec Superior Court of Quebec Justice Chantal Corriveau must decide whether the application is sufficiently substantiated to authorize the collective action.