

# Jehovah's Witnesses under pressure over handling of sexual abuse claims

Organisation faces fight to prevent Charity Commission examining its records of abuse claims after supreme court rejects its attempt to block inquiry

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The Jehovah's Witnesses organisation is under increasing pressure to address its handling of sexual abuse allegations as it faces legal setbacks, bills of over £1m and a fight to prevent the Charity Commission examining its records of abuse claims.

Last month a judge upheld a ruling against the UK's leading Jehovah's Witnesses charity, the Watch Tower Bible & Tract Society of Britain (WTBTS), that the Jehovah's Witnesses had failed to protect a woman, known in proceedings as A, from sexual abuse starting when she was four years old.

Now the supreme court has rejected a highly unusual attempt by the WTBTS to block a Charity Commission inquiry into how the Jehovah's Witnesses charity handles allegations of abuse.

The extent of the charity's challenges and the length of time they have gone on for are unprecedented in recent times, a spokesman for the Charity Commission said.

In A's case the high court awarded damages and the WTBTS have been left facing legal fees totalling about £1m after attempting to appeal against the judgement three times.

The decision in A's case sets a precedent that could expose the organisation to further claims. It continues to fight Charity Commission orders to provide documents on sexual abuse allegations, as well as other aspects of the inquiry, in lower courts.

Fay Maxted, chief executive of the Survivors Trust, a national sexual assault charity, said: "These are cases where someone has been sexually violated and had their whole trust in the safety of their religious community blown away.

"It's deeply disappointing that a faith-based organisation appears to be so determined to try and avoid answering questions about its own behaviour ...

"This is something the Catholics and Church of England have also had to deal with - these big institutions will fight and fight every step of the way."

The ways in which large institutions - from the BBC to the Church of England - respond to allegations of sexual abuse has been under intense scrutiny in recent years. But the governmental investigation into the issue, the independent inquiry into child sexual abuse (IICSA), was thrown into turmoil following the unexpected resignation of its chair, Lowell Goddard, last week. The home secretary on Thursday appointed Prof Alexis Jay as the new chair.

The Guardian understands that some survivors of sexual abuse by members of the Jehovah's Witnesses are considering making submissions to the inquiry's truth project, a strand gathering survivors' testimony.

A, the woman at the centre of the civil case, was abused by a senior member of her congregation for five years from the age of four. It emerged during court proceedings that he had confessed to a different attack and was removed from a senior role, but had "repented" and was allowed to continue within the congregation.

The police were not told and her mother said in court that she had no recollection of being warned about him.

A said her mother told leading members, known as "elders", about the abuse when she was about 14. Her attacker had been released from jail for other sex attacks and was asking to return to the congregation, she said.

"All the while I had it hanging over my head that if I wanted to raise any allegations ... I would be forced into a judicial committee, I would have to confront him face to face," she told the Guardian.

Although the church can "disfellowship" - expel - people for minor offences, A says her abuser was allowed to remain. "Had they discovered he was playing the lottery, he would have been disfellowshipped without question, but he admitted to them he had abused children, and he still wasn't disfellowshipped," A said.

She finally reported the abuse to the police after the elders did nothing. "I came to the view that I would either try and kill myself again, run away or just go to the police."

He died before the police could question him about the allegation.

The judge ruled the congregation was "either not warned at all or not adequately warned" about the risk posed by A's abuser.

A spokesman for the Jehovah's Witnesses said: "Anyone who commits the sin of child abuse faces expulsion from the congregation ... Any suggestion that Jehovah's Witnesses cover up child abuse is absolutely false."

He added: "Congregation elders do not discourage [reports to the authorities] or shield abusers from the authorities or from the consequences of their actions."

Another woman, Jane\*, who is also suing the organisation after she was raped by a member as an adult in 1990, said she was urged to face her rapist at a private hearing known as a judicial committee. It left her “completely traumatised” and led to the breakup of her marriage, she said.

Her attacker was eventually jailed in 2014, and she decided to sue after watching elders on the witness stand. “I thought, nobody’s taken responsibility for this. You could have held up your hands and said, ‘I’m sorry, we were in the wrong’,” Jane said.

The Charity Commission launched statutory inquiries into Jehovah’s Witnesses charities in May 2014. This was shortly after claims emerged that elders in the Manchester New Moston congregation held a meeting at which three adult survivors of child sex abuse were brought face to face with their abuser, shortly after his release from prison for their abuse.

A spokesman for the Jehovah’s Witnesses said: “We are in no position to, and neither would we wish to, force any victim of abuse to confront their attacker.”

The commission, which has the power to investigate how charity trustees handle safeguarding, launched separate inquiries into the Manchester New Moston congregation and the WTBTs, which oversees the nation’s 1,500 congregations and is believed to play a significant role in handling allegations of abuse.

The Jehovah’s Witnesses challenged both inquiries in the courts, arguing that they would breach the trustees’ human right to religious freedom. They also challenged orders to produce documents on how they had handled allegations of sexual abuse in recent years.

Chris Willis Pickup, head of litigation at the Charity Commission, said: “Following two years of legal proceedings in five different courts and tribunals, the supreme court has finally brought Watch Tower’s challenge to our inquiry decision to an end.”

The commission had received only “limited information” from the Jehovah’s Witnesses, he said. The Charity Commission is encouraging anyone with similar complaints to come forward.

While a small number of charities launch legal appeals against the commission’s decisions, the extent of the Jehovah’s Witnesses’ challenges and the length of time they have gone on for are unprecedented in recent times, a spokesman for the Charity Commission confirmed.

A’s solicitor, Thomas Beale, said: “Sadly, given our experience of the Jehovah’s Witnesses’ approach to litigation in cases involving survivors of child abuse, it comes as no surprise that WTBTs has at every stage relentlessly challenged the legal basis and scope of the Charity Commission’s inquiry.

“In our case ... they adopted similar tactics, dragging our client through years of painful and distressing litigation ... We have always maintained that this is a time for apologies, not appeals.”

The Jehovah’s Witnesses said in a statement: “Jehovah’s Witnesses abhor child abuse, a crime that sadly occurs in all sectors of society ... We are committed to doing all we can to prevent child abuse and to provide spiritual comfort to any who have suffered from this terrible sin and crime.

“We also see a need to protect the confidentiality of those who seek spiritual comfort. Nevertheless, we shall diligently abide by court judgments.”

*Name has been changed at the individual’s request*

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