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**ANNEXURE 2 - SUMMATION OF BRANCH OFFICE HANDLING OF CHILD ABUSE MATTERS****1. ALLEGATION PROCEDURE**

- 1.1 An allegation is made to an elder of child sexual abuse [October 1, 2012 letter, para. 4 (WAT.0001.004.0066)] or that an individual has viewed child pornography [October 1, 2012 letter, para. 14 (WAT.0001.004.0069)].
- 1.2 Every such allegation of child sexual abuse is spiritually investigated [October 1, 2012 letter, para. 11 (WAT.0001.004.0068)]. Elders are to act promptly when they receive a report of serious wrongdoing so as to spiritually safeguard the congregation and provide spiritual assistance to the wrongdoer [October 1, 2012 letter, para. 4 (WAT.0001.004.0066); Elders' Handbook Chapter 12, para. 18 (WAT.0003.001.0132)].
- 1.3 The elder to whom an allegation of child abuse is made contacts another elder.
- 1.4 All elders have been informed that they should never suggest to anyone that they should *not* report an allegation of child abuse to the police or other authorities [Elders' Handbook Chapter 12, para. 19 (WAT.0003.001.0132)]. This decision is "a personal one" for each individual to make and "there are no congregational sanctions for either decision" [Elders' Handbook Chapter 12, para. 19 (WAT.0003.001.0132-0133)].

*Legal Department*

- 1.5 The two elders who learn of the allegation of child abuse "should immediately" contact the Legal Department [October 1, 2012 letter para. 4 (WAT.0001.004.0066). The Elders' Handbook [Chapter 12, para. 18 (WAT.0003.001.0132)] states that "You should **immediately call the branch office**".
- 1.6 The Legal Department gives advice only about legal issues, such as mandatory reporting requirements: "*We have long instructed elders to report allegations of child abuse to the authorities where required by law to do so, even where there is only one witness*" [Letter read to all Congregations in Australia August 28, 2002 (WAT.0004.001.0002)].
- 1.7 It is the Branch Office approach to encourage the elders to fully co-operate with the authorities. Congregation elders are instructed to abide by any request from the authorities to not investigate the matter until they have completed their investigation.
- 1.8 Regardless of legal requirements, the Branch Office informs congregation elders that steps need to be taken to protect the child – "whatever the cost" [October 1, 2012 letter, para. 10 (WAT.0001.004.0068) and January 22, 1985, *The Awake!* (WAT.0001.004.0210)].

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*Service Department*

- 1.9 The two elders who called the Branch Office are then directed by the Legal Department to the Service Department "regarding theocratic or judicial aspects of the case or regarding how to protect children"[October 1, 2012 letter para. 5 (WAT.0001.004.0067)].

## 2. SPIRITUAL INVESTIGATION

- 2.1 When "elders first hear reports of serious wrongdoing on the part of a baptized member of the congregation, an initial investigation will be made by two elders" [Organized to Do Jehovah's Will book pg. 151, para. 2 (WAT.0003.001.0446)]. The Elders' Handbook states that "If wrongdoing has not been established but serious questions have been raised the body of elders should appoint two elders to investigate the matter promptly" [Elders' Handbook Chapter 5, para. 38 (WAT.0003.001.0073)].

*Evidence*

- 2.2 For internal congregational purposes, regard is to be had to Biblical direction, and thus there is no authorisation to take "congregational action" unless:
- (a) "there are two credible witnesses" to the incident or two persons are witnesses to two separate incidents of the same kind [October 1, 2012 letter para. 11 (WAT.0001.004.0068); Elders' Handbook Chapter 5, para. 37, bullet point 3 (WAT.0003.001.0072-0073)]; or
  - (b) the accused confesses [October 1, 2012 letter para. 11 (WAT.0001.004.0068)]; or
  - (c) there is strong circumstantial evidence "testified to by at least two witnesses [Elders' Handbook Chapter 5, para. 11 (WAT.0003.001.0062)]; or
  - (d) in some instances a combination of the above criteria may be used as a basis for taking congregational action.

## 3. CHILD ABUSE ALLEGATION NOT SCRIPTURALLY ESTABLISHED

- 3.1 If the elders are not Scripturally authorised to take judicial action because there was insufficient evidence, elders are directed to "remain vigilant with regard to the conduct and activity of the accused" [October 1, 2012 letter, para. 11 (WAT.0001.004.0068)].
- 3.2 If such an individual moves congregations, elders are to consult the Branch Office before sending any information regarding the accusation that has not been Scripturally established to the elders in the new congregation [Elders' Handbook, Chapter 12, para. 21 (WAT.0003.001.0133)].
- 3.3 The elders are to provide to the Branch Office "a detailed summary of the matter" [Elders' Handbook, Chapter 12, para. 21 (WAT.0003.001.0133)].

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3.4 After consideration the Branch Office will provide direction as to what information about the allegation (that has not been Scripturally established) should be shared, if any, with the elders of the new congregation [Elders' Handbook, Chapter 12, para. 21 (WAT.0003.001.0133)].

4. SCRIPTURALLY ESTABLISHED CHILD ABUSE ALLEGATION

4.1 If sufficient evidence is discovered by the investigating elders, the information is presented to the body of elders in the local congregation. [Elders' Handbook Chapter 6, para. 1 (WAT.0003.001.0082)].

4.2 A decision is then made by the body of elders to determine whether a disfellowshipping offence has actually been committed and whether or not to form a judicial committee [Organized To Do Jehovah's Will book pg. 151, para. 2 (WAT.0003.001.0446)].

4.3 The judicial committee is a special shepherding arrangement comprised of three or more elders to determine if the individual is guilty or not and to determine whether he or she is repentant [Organized To Do Jehovah's Will book pg. 151, para. 2 (WAT.0003.001.0446); Elders' Handbook Chapter 8, para. 9 (WAT.0003.001.0107)]. "An elder who is a close relative or has been in business with the accused or has had a special friendship with him would not normally serve on the committee" [Elders' Handbook Chapter 6, para. 2 (WAT.0003.001.0082)].

4.4 If a judicial committee is formed in relation to child abuse, the circuit overseer responsible for the congregation appoints an experienced elder from the congregations in his circuit to act as chairman on the judicial committee [October 1, 2012 letter para. 11 (WAT.0001.004.0068)].

4.5 Firstly, the judicial committee of three or more elders assesses the available evidence in accordance with the Elders' Handbook Chapters 5, 6 and 7 (WAT.0003.001.0059 - WAT.0003.001.0103) and the October 1, 2012 letter, para. 11 (WAT.0001.004.0068) to confirm that a disfellowshipping offence has taken place. Denial of an established disfellowshipping offence or a failure to accept responsibility will result in disfellowshipping [Elders' Handbook Chapter 7, para. 10, bullet point 8 (WAT.0003.001.0094)].

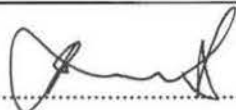
4.6 Secondly, the judicial committee must also determine whether there is genuine repentance "commensurate with the degree of deviation" [Elders' Handbook Chapter 7, para. 8 (WAT.0003.001.0092)].

4.7 If the accused is unrepentant then disfellowshipping is warranted [October 1, 2012 letter para. 11 (WAT.0001.004.0068); Elders' Handbook Chapter 7, para. 26 (WAT.0003.001.0101)].

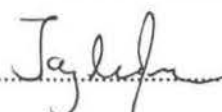
4.8 In the case of a practice of child abuse, the individual would unlikely "be able to demonstrate sufficient repentance to the judicial committee at the time of the hearing. If so, he must be disfellowshipped" [Elders' Handbook Chapter 7, para. 9 (WAT.0003.001.0093)].

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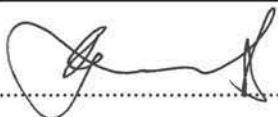
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- 4.9 If the judicial committee is convinced that there is genuine repentance of past sins, a judicial reproof will be administered [October 1, 2012 letter para. 11 (WAT.0001.004.0068); Elders' Handbook Chapter 7, para. 18 (WAT.0003.001.0097 – WAT.0003.001.0098)].
- 4.10 In the case of child abuse, a reproof must be announced to the congregation, which "serves as a protection to the congregation" [October 1, 2012 letter para. 11 (WAT.0001.004.0068)].
- 4.11 Sometime after the public reproof, a warning lecture is generally given to the entire congregation as to the wrongness of the conduct and how to avoid it [Elders' Handbook Chapter 7, para. 23 (WAT.0003.001.0100)].
- 4.12 The record of child abuse, proved or otherwise, is marked "Do Not Destroy" and kept indefinitely in congregation confidential files. This includes any "*Notification of Disfellowshipping or Disassociation (S-77)*" notice [October 1, 2012 letter para. 11 (WAT.0001.004.0068)].
- 4.13 Steps are taken to protect children when a judicial committee determines that a former child abuser should be judicially reproofed [October 1, 2012 letter para. 12 (WAT.0001.004.0068)].
- 4.14 Steps are taken to protect children if a disfellowshipped person is later reinstated [October 1, 2012 letter para. 12 (WAT.0001.004.0068)].
- 4.15 These steps include ensuring newly appointed elders know of a person's past wrongdoing, cautioning the person not to cultivate friendships with children (other than their own), not to allow children to stay alone in their house and not to work alone in field service (ie. he must always to be accompanied by an adult) [October 1, 2012 letter, para. 12 (WAT.0001.004.0068-WAT.0001.004.0069)].
- 4.16 In all cases of judicial reproof and reinstatement restrictions are imposed [Elders' Handbook Chapter 7, para. 19 (WAT.0003.001.0098); October 1, 2012 letter para. 12 (WAT.0001.004.0068 – WAT.0001.004.0069)].
- 4.17 If an individual does not follow the elders' directions in relation to these restrictions, the Service Department is immediately called by the elders [October 1, 2012 letter para. 13 (WAT.0001.004.0069)].
- 4.18 The Service Department is also called if the elders believe that the individual is acting in a predatory manner [October 1, 2012 letter, para. 13 (WAT.0001.004.0069)].
- 4.19 The Branch Office determines whether a person is considered a predator [October 1, 2012 letter para. 13 (WAT.0001.004.0069)].
- 4.20 If a determination that the individual is a predator is made by the Branch Office, two elders inform and warn all parents with minors in the congregation. At the same time, the elders also inform the individual that this is occurring [October 1, 2012 letter para. 13

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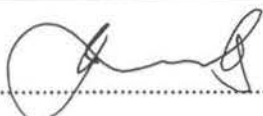
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(WAT.0001.004.0069)] Where there is no response to the further strong caution the individual will face further judicial action for the disfellowshipping offence of 'brazen conduct' [Elders' Handbook Chapter 5, para. 9 (WAT.0003.001.0061)].

- 4.21 If a former child abuser moves to another congregation, the elders "send a letter of introduction with full and complete information about his background and current situation" [Elders' Handbook, Chapter 12, para. 20 (WAT.0003.001.0133)].

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