

CHILD PROTECTION GUIDELINES FOR BRANCH OFFICE SERVICE DESKS

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1. The August 1, 2016, letter to all bodies of elders provides direction in connection with protecting children from abuse. The Service Desks should be thoroughly familiar with that letter and pertinent information in the *Shepherding* textbook.

2. These guidelines assist Service Desks to provide direction to the elders. While references to the accused are in the masculine gender and those to the victim are in the feminine gender, these guidelines apply equally when the genders are different. Similarly, references to parents apply equally to legal guardians. Service Desks should consider each case prayerfully and carefully so that direction given to the field will reflect divine wisdom and discernment as well as love and concern for Jehovah's sheep, especially those who are victims of child abuse.—Isa. 32:1, 2; Acts 20:28; 1 Pet. 5:2, 3.

3. Since congregation elders are spiritual shepherds, Service Desks should remind them of the importance of being empathetic and compassionate in dealing with victims of child sexual abuse and their families. (John 21:15-17; 1 Pet. 3:8) The elders should provide ongoing shepherding to comfort both the victim and her family. The elders should be reminded of the direction in paragraphs 11 and 12 of the August 1, 2016, letter to all bodies of elders.

4. In all cases, the victim and her parents have the absolute right to report an allegation to the authorities. The victim or her family may need assistance that most elders are not qualified to give. For example, the victim or her family may decide to consult a mental-health professional. Neither the branch office nor the elders should discourage a victim or her family from seeking such assistance.

5. **Reports of Child Sexual Abuse:** *If the caller is not an elder*, the Service Desk should listen carefully to the caller's concerns and offer Scriptural comfort. This is especially important when the caller is emotionally distressed. If the caller indicates that she is a member of the congregation, she should be encouraged to talk with her elders or the circuit overseer if she has not done so already. If she objects because she is not comfortable talking with these elders, she can be encouraged to write to the Service Department. In all cases, the Service Desk should determine if this is the first time the branch office has been informed of the allegation. If so, the Service Desk should telephone the caller's local elders to confirm they are aware of the matter and to direct them to contact the Legal Department if they have not done so previously. The Service Desk should never dis-

courage individuals from reporting matters to the secular authorities. These principles also apply if an allegation is received in writing.

6. When *elders* report a matter involving child sexual abuse, the Service Desk should first confirm that they have previously contacted the Legal Department for legal advice. The Service Desk should instruct the elders to investigate the matter. If the investigating elders need to obtain pertinent details from elders in other congregations, there is usually no objection to their doing so. The Service Desk should inform the elders that if they have questions during the course of the investigation, they are welcome to call for further assistance. In their investigation, the elders should provide answers to the following questions:

- **Regarding each alleged victim:** What is the date of birth? What was the age of the victim at the time of the abuse? If baptized, what is the date of baptism? What is the impact of the wrongdoing on the well-being of the victim? What is the impact on the family of the victim and others who may be aware of what occurred? In conducting their investigation, there is usually no need for the elders to meet with a minor who is a victim of child sexual abuse. The Service Desk should remind the elders that in the *exceptional* circumstance that they believe there is such a need, they should first seek direction from the Service Department.—See Appendix A.
- **Regarding the accused:** Who made the accusation? How did the elders learn of the accusation? Did the accused confess to or deny the accusation? When did the alleged abuse take place? What is the date of birth of the accused, and what was his age at the time of the alleged abuse? If baptized, what is the baptism date of the accused? If so, was he dealt with judicially and what was the outcome? Describe what took place. Was it a single incident, or was it repeated? What were the circumstances? Was he serving as a pioneer, ministerial servant, or elder at the time of the alleged abuse? Has he gone on record before the elders and Jehovah regarding whether as an adult he has been involved in the sexual abuse of any other minor? How do the victim and the victim's relatives view him now? How does the congregation view him? Were the secular authorities informed? If so, what action did they take? Do they categorize him as a sex offender? To what degree is there notoriety? How is he viewed in the community? For example, does his name appear on a public list of sex offenders?

7. **Evaluating the Facts:** Once the Service Desk has obtained the facts regarding an allegation of child sexual abuse, the following must be determined: (1) whether serious wrongdoing was Scripturally established, (2) whether the congregation will view the wrongdoing as child sexual abuse, and (3) what restrictions will be imposed by the branch office.

8. For an accusation of serious wrongdoing to be established from a Scriptural standpoint, there must be sufficient Scriptural evidence, either a confession or testimony from two credible witnesses. (*ks10* chap. 5 pars. 37-39) Suspicions do not constitute sufficient evidence.

9. In some situations, an accusation of serious wrongdoing cannot be Scripturally established. However, depending on the nature of the allegation, the local elders may need to be instructed to remain vigilant with regard to the conduct and activity of the accused during congregation activities, even when there is not enough evidence to form a judicial committee. In some cases, a member of the congregation may adamantly deny an accusation of child sexual abuse. Even so, he may be convicted by the secular authorities and, as a result, be viewed by the community as a threat to children. In such cases, the branch office may impose restrictions.

10. After the matter is concluded, the Service Department should send a letter to the body of elders explaining how the individual will be viewed by the congregation and whether restrictions will be imposed.

11. **Child Sexual Abuse From a Scriptural Standpoint:** In addition to what is stated in the August 1, 2016, letter to all bodies of elders, the following factors should be considered:

- **Sexual misconduct involving only minors:** Such conduct is not generally considered by the congregation as child sexual abuse. However, cases in which one minor is significantly older than the other or in which the younger minor was not a willing participant or in which one minor has been involved with multiple minors must be carefully evaluated. In certain cases, branch-imposed restrictions may still be warranted.
- **Age of the accused and age of the victim:** The Service Desk needs to consider the ages of both the accused and the victim. From a legal standpoint, the definition of adult varies according to the country or area in which one lives. In some countries, one is viewed as an adult when he reaches 18 years of age. The Bible does not specify an age when one reaches adulthood. From a Scriptural standpoint, cases in which the minor and the adult are close in age and the minor was a willing participant may be viewed differently than cases in which the adult is significantly older than the minor.
- **Child pornography:** Showing pornography to a minor is considered to be child sexual abuse. Although *viewing* child pornography is not considered to be child sexual abuse, it is still a serious violation of Jehovah's standards. A person involved in viewing child pornography should be strongly counseled. Depending on the frequency and the extent of his viewing, he could be subject to congregation judicial action. In such cases, the Service Department may decide that branch-imposed restrictions are warranted.—See the April 10, 2012, letter to all bodies of elders.

12. **Branch-Imposed Restrictions:** When it is established that an individual is guilty of child sexual abuse, the Service Desk communicates in writing what restrictions will be imposed on his activity in the congregation and in the field ministry. Such branch-imposed restrictions serve to protect children. The restrictions may also assist the individual to avoid compromising or tempting situations. These branch-imposed restrictions should not be confused with those imposed by a congregation judicial committee. Branch-imposed restrictions remain in effect unless the body of elders is informed otherwise by the Service Department. Service Department oversight should review and approve any letter that imposes or lifts branch-imposed restrictions. The Service Department should retain indefinitely a copy of any such letter sent to a body of elders.

13. Restrictions are imposed when (1) a congregation judicial committee determines that one guilty of child sexual abuse is repentant and will remain in the congregation, (2) one disfellowshipped for child sexual abuse is reinstated, (3) when an unbaptized publisher or a baptized member of the congregation who denies an accusation of child sexual abuse is convicted by the secular authorities, or (4) one viewed as a child molester by the community or the congregation becomes a publisher or becomes a baptized member of the congregation. In all of these situations, as long as he is viewed negatively by the victim, the victim's family, the congregation, the elders, or the community, the branch office must impose restrictions on his activity in the congregation and in the field ministry.—Gal. 6:7.

14. The elders may learn that a member of the congregation, perhaps one currently in an appointed position, was guilty of child sexual abuse **many years ago**. In such an exceptional case, the branch office should weigh all of the facts before determining whether branch-imposed restrictions are warranted. If restrictions are imposed, the individual would not continue to serve in any appointed position. The following questions serve as a guide to assist the branch office in determining whether restrictions are warranted: How did the elders learn of the matter? Did the wrongdoing take place decades ago? What were the circumstances? What was his age and the age

of the victim at the time? Was he in an appointed position when he committed the wrongdoing? Did he seek the assistance of the elders at the time? Is there a cry of complaint from the victim, the victim's family, or from others who know of the wrongdoing? How widely known is the matter? How do the community and the secular authorities view him? For example, does his name appear on a public list of sex offenders? Has he gone on record before the elders that he has not been involved with any other minors? Has he established a pattern of fine works that demonstrates that he can be trusted? There may be other relevant factors unique to the case under consideration.

15. In all cases when the branch office imposes restrictions, the individual **would not qualify for privileges, even seemingly minor privileges, for decades, if ever.** In such cases, he could not be considered as exemplary or as one who is "free from accusation," "irreprehensible," 'having a fine testimony from people on the outside.'—1 Tim. 3:1-7, 10; 5:22; Titus 1:7.

16. *Appropriate cautions:* Two elders should be assigned to talk kindly but frankly to the individual, **strongly cautioning him to avoid compromising situations** in his interaction with children. For example, he should refrain from displays of affection for children, such as hugging or holding them on his lap. It would be wise for him never to be alone with a child (other than his own), not to allow children to spend the night in his home, and not to cultivate friendships with children. This would include his refraining from communicating with a child electronically, such as by e-mail or text message.

17. *Congregation activity:* Since the individual is not exemplary, he should **not be given any responsibility** that could be viewed as an assigned duty or task, even though some assignments might be considered minor. He may present student assignments on the midweek meeting provided that his doing so will not be offensive to those in the congregation who know of his past wrongdoing. If the part requires an assistant, the assistant should always be an adult. He should not be used to assist with accounts, literature, magazines, or territories. He should not be used to serve as an attendant, to carry or adjust microphones, or to operate audio/video equipment. He should not represent the congregation in prayer, nor would he be used as the reader at the Congregation Bible Study or *Watchtower* Study or to conduct a meeting for field service. He does not qualify to auxiliary pioneer or regular pioneer. His home should not be used for congregation meetings or meetings for field service. Although he could assist with the cleaning and general care of the Kingdom Hall where he attends meetings, he should not be approved to work on other Kingdom Halls or Assembly Halls. He cannot use the Kingdom Hall for his wedding.

18. *Field service activity:* He may not qualify to share in the field ministry for a period of time. If he qualifies, he should be informed that **each time he shares in the ministry he is required to be in the company of an elder.** (In the rare circumstance that a congregation has no elders, the individual is required to be in the company of a ministerial servant who has been made aware of the individual's past abuse of a minor.) The individual is never to share in the ministry alone nor is he to work alone with his own minor children. He should never be left alone with a child. The individual should let the elders know ahead of time of his desire to share in the ministry so that arrangements can be coordinated. He should be willing to adjust his schedule in order to comply with this requirement, since the elders may not always be able to accommodate his request. He should also be informed that he should not use the telephone, Internet, or any other electronic media to share in the ministry. Neither should he share in letter writing.

19. An elder should conduct the meeting for service where the individual attends. He should not be included in a group that includes minor children other than his own. The conductor should keep in mind that the individual is always *required* to be in the company of an elder.

20. *Alerting parents:* Parents have the Scriptural responsibility to protect their children. When the branch office determines that restrictions should be imposed on an individual who has

been guilty of child sexual abuse, the Service Desk should also direct the elders to **provide appropriate cautions to parents of minor children**. At the same time that parents are being alerted, two elders should explain to the individual that parents in the congregation are being informed. When informing parents, the elders should not reveal confidential details. Two elders should alert the parents of a minor of the need for caution. Depending on the number of elders, it may not be necessary for the same two elders to inform all family heads. This should not be a group meeting. Two elders should meet with each family head. The elders should adhere closely to the following wording: “The elders want to assist you to care for your Scriptural responsibility to protect your children. (Deut. 6:6, 7; Eph. 6:4) Thus, please review with your children the information found on pages 170-171 in the book *Learn From the Great Teacher*. With that counsel in mind, we encourage you to ensure that your child is never alone with [Name of Person]. (Prov. 22:3) Other parents of minor children who are in the congregation are receiving this same information by means of a visit from the elders. Thus, there should be no need for you to discuss this matter outside of your immediate family. Please remember that [Name of Person] is a member of the congregation and should be treated in a Christian manner.”

21. After each visit to parents, the two elders should prepare and sign a brief statement that includes the name of the individual, the names of the parents who were informed, and the date they were informed. The elders should be alert to inform the parents of any new family with minor children. Each statement should be placed in the envelope labeled with the individual’s name and marked “Do Not Destroy.” This envelope should be kept indefinitely in the congregation’s confidential file.

22. *Informing a marriage mate or fiancée:* An individual who is guilty of child sexual abuse has a **responsibility to share this critical information with his mate or fiancée** if he has not already done so. The same would apply to an individual who is courting. (Heb. 13:18; *fy* p. 25) If she is the parent or guardian of a minor child, the elders should inform her as directed in paragraphs 20 and 21.

23. **If an Individual Does Not Adhere to Branch-Imposed Restrictions:** All congregation elders should be advised to be vigilant in monitoring the individual’s conduct at the Kingdom Hall, in the field ministry, and during any other congregation activities. The body of elders should be informed that if the individual does not comply with branch-imposed restrictions, two elders should immediately call the Service Department, since there may be a Scriptural basis to deal with him judicially.

24. When two elders telephone the Service Department because an individual is not adhering to branch-imposed restrictions, the Service Desk should obtain the facts by asking such questions as the following: What is the individual doing that is raising concern? How often has he been counseled? What is his attitude? If the individual displays a defiant attitude and has failed to respond positively to repeated counsel regarding his association with minors, judicial action may be warranted on the basis of “brazen conduct.”—Gal. 5:19; 2 Pet. 2:7, 10-12.

25. **Whether to Remove Branch-Imposed Restrictions:** If the body of elders recommends that branch-imposed restrictions be removed, the Service Desk should first gather the facts, considering the same factors that were reviewed when restrictions were imposed. What has changed since restrictions were first imposed? How much time has passed since the wrongdoing occurred? Has it been decades? Was there one victim or multiple victims? Was it a single incident, or was it repeated? What were the circumstances? What was his age and the age of the victim at the time? Is there no longer a cry of complaint about him? How is this evident? Was he prosecuted by the secular authorities? If his name appeared on a public list of sex offenders, has his name been removed from the list? How do the community and the secular authorities view him now? How do the victim and the victim’s relatives view him now? How do members of the congregation view him? (There is

no need for elders to conduct interviews to determine what the current feeling is toward the individual. Doing so might bring up painful memories and cause further harm. Rather, from their own observation, the elders are to describe the current relationship between the victim and the individual, if possible.) What convinces the body of elders that the accused has rejected his former course and does not pose a danger to minors? Has he stated explicitly to the elders that he has not abused any other minors? Has he been cooperative with the restrictions that have been imposed on him? Has he established a convincing record of righteous conduct that merits trust?

26. If decades have passed since the wrongdoing, there is no outcry from the victim or the victim's relatives, and the individual continues to manifest a good attitude and qualifies in every other way, a letter approved by the Service Department oversight will be sent confirming that minor privileges may be extended gradually. This will allow the elders to see more clearly how the congregation and perhaps the community view him.

27. When a Person With Branch-Imposed Restrictions Moves to Another Congregation: When two elders call the Legal Department to report that a person who is under branch-imposed restrictions has *moved to another congregation*, the Legal Department will provide legal advice and then transfer the call to the Service Department. The Service Desk should inform the elders what material needs to accompany their letter of introduction to the new body of elders. This material should include the person's *Congregation's Publisher Record* (S-21) cards and the letter from the branch office outlining the branch-imposed restrictions. Any records of congregation judicial action taken for acts of child sexual abuse should also be sent to the new body of elders. In the case of an individual who was disfellowshipped for child sexual abuse and later reinstated, this would include *Notification of Disfellowshipping or Disassociation* (S-77) forms. In the case of an individual who was reprovved for child sexual abuse, this would include the report of judicial reproof. No copies of this material should be retained in the previous congregation's file. The letter of introduction should include the statement: "[Name of Person] is under branch-imposed restrictions. If you have not done so already, two elders should call the Legal Department for advice regarding this individual as soon as you receive this letter."

28. The elders should take care that confidential correspondence between congregations is sent securely. If the new congregation is *within the branch territory*, the elders should be instructed to send the letter of introduction and other material to the new body of elders within one week. The material should not be sent electronically. Neither should the elders send to the branch office a copy of the letter of introduction or any other material. If the new congregation is *outside the branch territory*, see paragraph 34.

29. When the elders call the Legal Department to report that a person under branch-imposed restrictions has *moved into the congregation*, the Legal Department will provide legal advice and then transfer the call to the Service Department. The Service Desk should then send a letter to the new body of elders conveying the branch-imposed restrictions. The letter should include the direction outlined in paragraphs 20 and 21 about informing parents of minor children.

30. When an Accused Not Under Branch-Imposed Restrictions Moves to Another Congregation: In some cases, an individual may have been accused of child sexual abuse, but the charge was not Scripturally established and the branch office did not impose restrictions. (See paragraph 10.) When two elders call the Legal Department to report that such a person has *moved out of the congregation*, the Legal Department will provide legal advice and then transfer the call to the Service Department. The Service Department will then assist the elders in determining whether any information regarding the accusation should be sent to the new congregation. The following factors should be considered: How long has it been since the accusation was made? Did the secular authorities investigate the accusation? If so, what was their finding? Has anything changed since the original accusation was investigated? A consideration of these and other factors relevant to the case will

help the Service Department determine what, if any, information regarding the uncorroborated accusation should be sent to the new congregation. If in the collective judgment of the elders and the Service Department there is reason to believe that the individual poses a threat to children, the new body of elders should be informed of the accusation. If the new congregation is *outside the branch territory*, see paragraph 34.

31. **Disfellowshipped and Disassociated Individuals:** When two elders call the Legal Department to report that a disfellowshipped or disassociated person who engaged in or has been accused of child sexual abuse has *moved to another congregation's territory*, the Legal Department will provide legal advice and then transfer the call to the Service Department. The Service Department should inform the elders what information needs to be included in their letter to the new congregation. There generally is no need for the letter to provide specific information on the details of the wrongdoing. However, the letter should inform the new congregation that a disfellowshipped or disassociated person who has engaged in or has been accused of child sexual abuse has moved into their territory. The elders should also provide his address, if known. This will help the elders of the new congregation to be vigilant if the disfellowshipped or disassociated person attends Christian meetings. In all cases, the congregation where the disfellowshipping or disassociation occurred will retain the confidential file until the person is reinstated. After reinstatement, the records should be forwarded to the person's present congregation.—*ks10* chap. 10 par. 2.

32. If the new congregation is *within the branch territory*, the elders should be instructed to send the letter to the new body of elders within one week. The letter should not be sent electronically. Neither should the elders send to the branch office a copy of the letter. If the new congregation is *outside the branch territory*, see paragraph 34.

33. When the elders call the Legal Department to report that a disfellowshipped or disassociated person who engaged in or was accused of child sexual abuse has *moved into the congregation*, the Legal Department will provide legal advice and then transfer the call to the Service Department. The Service Desk will confirm whether the elders in the new congregation have received a letter from his previous congregation.

34. **Communication With Other Branch Offices:** If the individual has moved to another congregation *outside the branch territory*, the elders should be instructed to send the letter and any other material to the Service Department of their branch within one week. The Service Department should immediately forward that letter along with any information regarding branch-imposed restrictions to the new branch office. The Service Department of the new branch should immediately forward that information to the new body of elders. The same procedure should be followed when a disfellowshipped or disassociated person who has moved to a congregation in another branch territory requests reinstatement.

35. **Communication With the WHQ Legal Department:** At times, a branch office may have questions or concerns about an individual accused of child sexual abuse beyond simply forwarding a letter of introduction to another branch office. These questions or concerns also have legal implications. In all such cases, the branch office should send a memorandum with its questions, concerns, and request for a legal opinion and assistance directly to the WHQ Legal Department, without copying any other party. This will allow the WHQ Legal Department to assess the legal implications and provide its legal opinion and assistance in response to the branch office.

Appendix A—Meeting With a Mature Minor Who Is a Victim of Sexual Abuse

1. Elders should be able to obtain necessary information from the parents. Thus, there is usually no need for the elders to meet with a minor who is a *victim* of child sexual abuse. Has the accused already confessed to the wrongdoing? Is there more than one alleged victim and, thus, already sufficient evidence? In such cases, there is no need to meet with the minor.—*ks10* chap. 5 pars. 37-39.

2. If the elders believe there is an exceptional need to meet with a *mature* minor who is a *victim* of child sexual abuse, the Service Desk should consider the following factors with the elders: (1) What would be the purpose of such a meeting? (2) Is the minor baptized? (3) Does the minor wish to speak with the elders? (4) How do the parents view the accusation? (5) Are the parents agreeable to such a meeting? If, after considering these and other relevant factors, the Service Department agrees there is an exceptional need to meet with the mature minor, the meeting should include two elders and another adult member of the congregation. In most cases, this would be the parent(s). If the minor expresses discomfort to the elders in discussing the matter in the presence of a parent or guardian (for example, if the parent is the accused), then the minor may choose an adult confidante other than a parent or guardian to be present during the discussion.

3. In all cases where it is determined that there is a need for two elders to meet with a minor and another adult member of the congregation, the elders should be reminded of the following:

- Seek to imitate Jesus' tenderness.—*w15* 2/15 pp. 7-9 pars. 11-17.
- Be kind and unhurried.—Ps. 34:18; 1 Thess. 5:14.
- Invite the minor to explain what happened. Listen without interrupting.—Isa. 32:2; Jas. 1:19; *w05* 6/1 p. 32.
- Avoid inadvertently intimidating the minor.—John 15:15; 1 Pet. 5:3.
- If at any time the parents, the minor, or the minor's confidante determine that the meeting should conclude, be respectful of their wishes.—Phil. 4:5.