

**COMPLAINT BY CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES
(AUSTRALASIA) LIMITED, WATCHTOWER BIBLE & TRACT SOCIETY OF
AUSTRALIA AND JEHOVAH'S WITNESSES CONGREGATIONS (COMPLAINANTS)**

RE: ABC FOUR CORNERS SEASON 60, EPISODE 31

Broadcaster (Serial) – Australian Broadcasting Corporation (ABC)	
Findings sought	<p>Breach of Standard 2.1 [accuracy]</p> <p>Breach of Standard 2.2 [materially mislead]</p> <p>Breach of Standard 4.1 [due impartiality]</p> <p>Breach of Standard 4.2 [diversity of perspectives]</p> <p>Breach of Standard 4.4 [misrepresenting perspectives]</p> <p>Breach of Standard 4.5 [unduly favour one perspective]</p> <p>Breach of Standard 5.3 [opportunity to respond]</p> <p>Breach of Standard 7.7 [condoning or encouraging prejudice]</p>
Program	Four Corners: 'Bearing Witness: Exposing the Secretive World of The Jehovah's Witnesses' ("Episode 31")
Date of broadcast	13 September 2021
Attachments	<p>A – Transcript of Episode 31</p> <p>B – Correspondence between ABC and Complainants</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>D – Extracts from transcript of Royal Commission into Institutional Responses to Child Sexual Abuse</p> <p>E – Complaint to ABC dated 4 March 2022</p> <p>F - ABC's response dated 1 April 2022</p> <p>G – Public Response on Social Media</p>

A. BACKGROUND

The Complainants submitted a formal editorial complaint to the ABC on 4 March 2022 in substantially the same terms as this document (**Complaint**).

The ABC responded to the Complainants on 1 April 2022 advising that it declined to accept the Complaint for investigation.

The Complainants consider that response to be inadequate in the circumstances, and therefore now make their complaint to ACMA pursuant to section 150(1)(b)(ii) of the *Broadcasting Services Act* 1992 (Cth).

The Complaint

The Complainants assert that by creating and broadcasting Episode 31, the ABC has breached its own Editorial Code of Practice and Standards resulting in harm to the Complainants. The ABC published content which made outright false representations and disproportionately represented the perspective of a small group of persons with adverse views toward Jehovah's Witnesses, thereby promoting unjustified public prejudice and hatred toward a minority religious group.

The Complainants are aware that their complaint to the ABC was made outside of the time self-prescribed by the ABC for such matters. Despite that, the Complainants requested that the Complaint be considered and determined. The detail in the Complaint took time to compile and the finalisation of the Complaint was further delayed by the holiday season. Given Episode 31 concerned each of the Complainants, which involves a number of persons, obtaining the relevant information to compile the Complaint was time consuming. Delay was also occasioned by the ongoing police investigation into the fire at the Raglan Kingdom Hall of Jehovah's Witnesses, which occurred the week Episode 31 aired, and whether this was indeed an arson attack spurred by religious hatred engendered by Episode 31.

The ABC's Response

The ABC contends that none of the above reasons for delay constitute "*satisfactory justification*". The Complainants maintain that the combination of these factors simultaneously, constitute adequate justification for delay. There is no way that the Complainants could have compiled their complaint (having regard to its size given the number of editorial breaches) within 60 days.

Having regard to the fact that the ABC itself determines the applicable deadlines for complaints, the ABC has suffered no prejudice as a result of the delay particularly given the ABC itself took at least three months to prepare the Broadcast in the first place. There does not appear to be any genuine concern, given the timeframe involved, of a loss of materials or memories such that the ABC is adversely affected in its ability to respond. It cannot be the case, or indeed the intent of the relevant legislative scheme governing the ABC as national broadcaster that it has the right to deny a significant legitimate complaint on this basis.

The ABC claims “*there was no widespread critical audience response to the program*”. However, this is emphatically contradicted by the reams of hateful, prejudicial and negative comments on social media (including on the ABC’s own sites and accounts) as well as the arson attack on the Kingdom Hall of Jehovah’s Witnesses pictured in Episode 31 the week following the Broadcast. (Refer to **Attachment C** and **Attachment G**.)

The ABC claims in its response, “*The program drew on and explored the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse*.” The ABC are attempting to hide behind the guise of the “Royal Commission” to make all manner of wide-ranging false allegations and unfair criticisms of the beliefs and practices of Jehovah’s Witnesses, all of which are made by disgruntled former adherents of the faith. The ABC only touched briefly on the Royal Commission, and where it did, its representations were substantially false as outlined further below. Moreover, the Complainants provided detailed contextual information regarding the Royal Commission’s findings and recommendations prior to the Broadcast airing. However, **none** of this information was referenced or included in the Broadcast.

The ABC states in its response, “*The issues raised in the complaint regarding compliance with accuracy standards overwhelmingly relate to opinions or perspectives presented in the program; the ABC accuracy standards are not applicable to such statements*.” That self-serving statement cannot be correct. A public broadcaster cannot be permitted to disseminate untruths under the guise of opinions or perspectives, especially when those perspectives are presented as matters of fact by persons held out to be “*experts*” or “*first-hand*” witnesses. Nor should a public broadcaster be permitted to act as a mere mouthpiece for persons who seek to denigrate a particular belief system. Furthermore, ABC reporter [REDACTED] admitted to police that the representations made by [REDACTED], a former Jehovah’s Witness interviewed in the Broadcast, were “*taken at face value*” and were not fact checked. [REDACTED] also stated that [REDACTED] provided

information and documentation regarding Jehovah's Witnesses property accumulation and charity status as featured in the Four Corner's program. This information was completely false and was never verified with Jehovah's Witnesses.

The ABC further asserts in its response: *"the program featured interviews with a range of people with relevant experience with the Jehovah's Witnesses who were well placed to speak to the issues raised."* As outlined at 4.5 below, the range of persons interviewed was confined to three categories, all of which comprised individuals who stood to benefit from publicly maligning Jehovah's Witnesses as outlined further below.

The Complainants therefore do not consider the ABC's response to be adequate in the circumstances and request that ACMA investigate the breaches outlined in this complaint.

The Episode

In summary, the Episode consisted entirely of interviews with persons who were either proactive antagonists of the religion, persons or businesses with commercial agendas served by adverse media about Jehovah's Witnesses or persons with hatred, malice or prejudice toward the religion, including:

- a. [REDACTED]
[REDACTED] – former Jehovah's Witnesses (or persons who had been raised in families of Jehovah's Witnesses), who had hostile views toward the religion. Several of these individuals proactively promote false information about Jehovah's Witnesses. Notwithstanding the ABC's claim that the program was based on findings of the Royal Commission, [REDACTED]
[REDACTED].
- b. [REDACTED] (Cult Education Institute) – purported cult expert (with no qualifications in this area) who has previously published accusations that the religion of Jehovah's Witnesses is a cult.
- c. [REDACTED] legal practitioners who have acted against Jehovah's Witnesses, who are associated with firms which proactively market themselves as specialising in institutional sexual abuse claims against Jehovah's Witnesses and have published adverse literature on Jehovah's Witnesses.

- d. [REDACTED] – Commissioner of the Australian Charities and Not-for-profit Commission, which recently attempted to revoke the charitable status of a legal entity used by the religion of Jehovah's Witnesses on unsubstantiated and irrelevant grounds.
- e. [REDACTED] – Solicitor in the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Episode also included adverse quotes from:

- a. [REDACTED] in the Royal Commission into Institutional Responses to Child Sexual Abuse, used out of their context;
- b. Protestor and active antagonist and opposer of Jehovah's Witnesses, [REDACTED]; and
- c. A patronising historical news report on Jehovah's Witnesses describing them as "gullible, even comic fundamentalists".

Brief extracts from publications and media published by Jehovah's Witnesses were juxtaposed with comments and statements which characterized the religion as 'slick' and deceptive.

B. ACCURACY

Standard 2

2.1 Make reasonable efforts to ensure that material facts are accurate and presented in context.

2.2 Do not present factual content in a way that will materially mislead the audience. In some cases, this may require appropriate labels or other explanatory information.

Finding sought

That the ABC breached Standard 2.1 and/or Standard 2.2 of the ABC Code.

Submissions

Standard 2.1 Make reasonable efforts to ensure that material facts are accurate and presented in context

To assess compliance with Standard 2.1 of the Code, the Complainants understand that the following is relevant:

- > What was the meaning conveyed to the ordinary reasonable viewer by the particular content?
- > Was the particular content complained about factual in character?
- > If so, did it convey a material fact or facts in the context of the relevant segment?
- > If so, were those facts accurate?
- > If a material fact was not accurate (or its accuracy cannot be determined), did the ABC make reasonable efforts to ensure that the material fact was accurate and presented in context?

The Complainants contend the following statements / imputations in the Episode were not accurate:

1. Jehovah's Witnesses believe that only they will be saved.

"Jehovah's Witnesses around the globe believe the end is nigh for a world that is controlled by Satan. And only they will be saved." – [REDACTED]

"Jehovah God is going to murder people who are unbelievers." – [REDACTED]

"The organisation's in-house production studio pumps out slick instructional videos that deliver its unchanged message: the end is coming for everyone except them." – [REDACTED]

(Statement 1)

This statement is inaccurate. Jehovah's Witnesses' publications and website clearly expound their belief that, while they hope to be saved, they believe it is not their job to judge who will or will not be saved. That assignment rests squarely with Christ Jesus. (John 5:22 & 27). This information was readily available to the ABC, had it made basic enquiries on the official website of Jehovah's Witnesses or in their publications. In fact, this information is so readily available that it appears on the official website of Jehovah's Witnesses under '[frequently asked questions](#).' The Complainants were not asked for comment or clarification of this belief prior to Episode 31's broadcast.

2. Jehovah's Witnesses are a dangerous cult and people who leave are subject to a harrowing experience.

"it's very difficult to help people understand just how dangerous this group is and what a harrowing experience people who leave have to go through." – [REDACTED]

(Statement 2)

There is no reliable basis to suggest that Jehovah's Witnesses are a 'dangerous group', or that people who leave suffer a "harrowing experience".

The interviewee appears to be referring to the disfellowshipping arrangement. The official website of Jehovah's Witnesses makes clear that disfellowshipping does not sever blood ties between an individual and their family, it is only their religious ties that change. Disfellowshipped individuals may attend religious services and if they wish, they may also receive spiritual assistance from congregation elders. At any time, they may apply to be recognised again as one of Jehovah's Witnesses.

Prior to broadcasting Episode 31, the ABC was advised by the Complainants:

“Jehovah’s Witnesses do not automatically disfellowship someone who breaks the Bible’s moral standards. If, however, a baptized Witness makes a practice of doing so and is unwilling to change, he or she will be disfellowshipped. This practice is based on Bible principles. All Jehovah’s Witnesses agree to live by those standards when they make a conscious decision to be baptized. Individual congregants may exercise their personal religious conscience and apply the Bible’s admonition to limit or cease their association with a disfellowshipped person.

Disfellowshipped individuals may attend our religious services and may receive spiritual assistance from congregation elders. For further information, see the following links to articles on our official website: [Do Jehovah's Witnesses Shun Those Who Used to Belong to Their Religion? \(jw.org\)](http://jw.org) and [Can a Person Resign From Being One of Jehovah's Witnesses? \(jw.org\)](http://jw.org).

A number of scholars have examined disfellowshipping and shunning as practiced by Jehovah's Witnesses. One such scholar, Dr. Massimo Introvigne, founder and managing director of the Centre for Studies on New Religions, wrote: "By defending the rights of their judicial committees to remain free from state interference when they decide whether a member should be disfellowshipped or otherwise, and their right to interpret the Bible in the sense that it mandates shunning those who had been disfellowshipped, the Jehovah's Witnesses are, once again, defending the religious liberty of all, precisely in the area where today it is mostly under attack." - The Journal of CESNUR, Vol. 5, No. 1, January–February 2021, pp. 54-81 (www.cesnur.org).

Courts have upheld the right to religious freedom in this area. The European Court of Human Rights ruled: “[The State] should accept the right of such communities to react, in accordance with their own rules and interests, to any dissident movements emerging within them that might pose a threat to their cohesion, image or unity. It is therefore not the task of the national authorities to act as the arbiter between religious communities and the various dissident factions that exist or may emerge within them.”—Grand Chamber of the European Court of Human Rights, *Fernández Martínez v. Spain*, 2014.

Regarding Jehovah's Witnesses' religious practice of disfellowshipping, the High Court of England and Wales held: "[I]t is to be expected that a religious body which is guided by and which seeks to apply Scriptural principles will have the power to procure that in an appropriate

case a sinner can be expelled. Among other things, this is sensible, if not essential, because someone who is unable or unwilling to abide by Scriptural principles not only does not properly belong as a member of such a body but also, unless removed, may have an undesirable influence on the faithful.”—*Otuo v. Watch Tower Bible and Tract Society of Britain* [2019] EWHC 1349 (QB) at par. 122”.

3. Jehovah’s Witnesses are cruel, especially toward victims of abuse.

“They will rip you apart. They rip your reputation apart. They rip you apart as a person.”

— [REDACTED]

“A Royal Commission exposed the treatment of victims of child abuse within the Jehovah’s Witnesses.” — [REDACTED]

“...it’s a pretty cruel way of dealing with someone, isn’t it, who has suffered sexual abuse?”

— [REDACTED]

(Statement 3)

The juxtaposition of the statements of [REDACTED] with the Statements of [REDACTED] and [REDACTED] suggest the alleged ‘cruel’ treatment is directed toward victims of child sexual abuse.

This imputation is grossly false and offensive. Jehovah’s Witnesses strive to treat all persons with genuine love and kindness. In harmony with this, Jehovah’s Witnesses have published numerous articles on how understanding, sensitivity and compassion can be shown specifically to victims of child sexual abuse. In 2019 all congregations globally studied an article entitled, “[Providing Comfort for Victims of Abuse](#)” so that all congregants and elders could better care for fellow congregants who had previously suffered abuse.

Prior to the broadcast of Episode 31, the ABC was provided with the following information by the Complainants:

“Elders make it a priority to take a loving interest in the spiritual, emotional and physical needs of congregants, including victims of sexual abuse. One of the ways they do so is by offering pastoral support at no charge. However, they respect the victim’s choice of whether to accept the offer. Elders will determine whether the accused, if one of Jehovah’s Witnesses, should be expelled from being one of Jehovah’s Witnesses.”

Furthermore, Jehovah’s Witnesses’ Scripturally Based Position on Child Protection, point 8 (as published on their official website) states:

“Elders strive to treat victims of child abuse with compassion, understanding, and kindness. (Colossians 3:12) As spiritual counsellors, the elders endeavour to listen carefully and

empathetically to victims and to console them. (Proverbs 21:13; Isaiah 32:1, 2; 1 Thessalonians 5:14; James 1:19) Victims and their families may decide to consult a mental-health professional. This is a personal decision.”

The ABC does not appear to have made any effort to seek testimony or comment from persons who may have had a positive experience in this regard.

Furthermore, the juxtaposition of [REDACTED] Statement with [REDACTED] statement in the Royal Commission, implies that it was a finding of the Royal Commission that Jehovah’s Witnesses treat victims of abuse in a cruel manner. [REDACTED] comment is used out of context. He was here expressing an opinion, that to follow the usual ecclesiastical process for survivors of sexual abuse who wish to dissociate themselves from the religion, was cruel. He expressed the view that a different ecclesiastical process should apply to congregants who had suffered child sexual abuse. (See Annexure D – extract of Royal Commission transcript)

To be clear, Jehovah’s Witnesses do not disfellowship or shun victims of child sexual abuse because they speak out about their abuse or choose to report it. As Jehovah’s Witnesses’ Scripturally Based Position on Child Protection, point 4 (as published on their official website) states:

“...victims, their parents, or anyone else who reports such an accusation to the elders are clearly informed by the elders that they have the right to report the matter to the authorities. Elders do not criticize anyone who chooses to make such a report.”

4. Jehovah’s Witnesses cover up child sexual abuse and do not report allegations to authorities.

“to have 1800 victims over a thousand perpetrators and not a single case be reported to the authorities, to the police, it was shocking. I couldn’t believe that.” – [REDACTED] (This quote featured twice in Episode 31)

“The closed world of the Jehovah’s Witnesses was exposed in 2015 by the Australian Royal Commission into Institutional Responses to Child Sexual Abuse.” – [REDACTED]

“James Pender was part of the team that uncovered a vast cache of internal files compiled by Jehovah’s Witnesses over 60 years.” – [REDACTED]

“It was the scale of what was recorded, the strangeness of what was recorded, and the intimacy of what was recorded, and the fact that none of it had been reported. It was astounding.” – [REDACTED]

(Statement 4)

Jehovah's Witnesses **do not** condone, conceal or cover up child sexual abuse. Records of allegations of child sexual abuse are kept for internal ecclesiastical purposes, which are naturally confidential in nature. Jehovah's Witnesses willingly submitted these records in full to the Royal Commission upon request. The Royal Commission did not 'uncover' or 'expose' them as implied.

Moreover, the statement that, "1800 victims over a thousand perpetrators and not a single case be reported to the authorities, to the police" is untrue. At the time of the Royal Commission, Jehovah's Witnesses did not hold historical records of when or how specific allegations were reported to authorities. Accordingly, no such evidence could be provided to the Royal Commission upon request. The Royal Commission's report therefore noted:

"Although the position is not clear in relation to a few files, there is otherwise no evidence before the Royal Commission of the Jehovah's Witness organisation having reported to police or other secular authority a single one of the 1,006 alleged perpetrators of child sexual abuse recorded in the case files held by Watchtower Australia."

"There is no evidence before the Royal Commission that the Jehovah's Witness organisation either had or did not have a role or any involvement in bringing to the attention of secular authorities any complaint of child sexual abuse that was investigated by secular authorities."

There is a critical difference between the meaning of Royal Commission's statement that *"there was otherwise no evidence before the Royal Commission of Jehovah's Witnesses having reported"* versus the statement made in Episode 31, that "[the Royal Commission found that] *not a single one of the alleged abusers reported to the Royal Commission was reported to the police*" – purporting that there was positive evidence of that fact. The latter implies that Jehovah's Witnesses avoid reporting to secular authorities to cover up allegations of abuse, which is false.

Dr Holly Folk, Associate Professor at Western Washington University, stated:

"Of the 1,006 case files that the Jehovah's Witnesses provided to the Royal Commission, 383 had been reported to the police at the time they had happened, and 161 had resulted in convictions. The notion that the Jehovah's Witnesses had hidden information, or had not cooperated with law enforcement, or that these cases had not been brought to justice when they were reviewed and regarded as believable, is simply not true."¹

¹ [Jehovah's Witnesses and Sexual Abuse: 1. The Australian Case](http://bitterwinter.org) (bitterwinter.org)

In fact, the report of the Royal Commission on Case Study 29 (p.24) indicated that from as far back as 1992, Jehovah's Witnesses established a procedure to obtain advice in order to ensure that elders complied with mandatory reporting laws.

5. Jehovah's Witnesses allow children to be abused or facilitate abuse to an extent worse than in the Catholic Church.

"[w]hy are you letting this happen to children?" – [REDACTED]

"[i]t's worse than the Catholics!" – [REDACTED]

(Statement 5)

This statement is false and baseless.

Jehovah's Witnesses have zero tolerance for child sexual abuse. Statistically, there is no basis for comparison of institutional sexual abuse within the Catholic Church and within the religion of Jehovah's Witnesses because Jehovah's Witnesses have no institutional settings which separate children from their parents.

However, from the data that is available from the Royal Commission, it can be seen that the number of allegations of child sexual abuse committed by a person serving in a pastoral role within the religion of Jehovah's Witnesses in Australia was a small fraction of the number of allegations of institutional abuse within the Catholic Church.

6. Jehovah's Witnesses damage children.

"We expose the practices that continue to damage a new generation of children."

(Statement 6)

The religion of Jehovah's Witnesses does not 'damage' children and no cogent evidence was provided in the broadcast to support this allegation.

Family courts in Australia and internationally have repeatedly considered whether it is detrimental to the welfare or best interests of a child to be exposed to the beliefs and practices of the religion of Jehovah's Witnesses in parenting disputes. The result has been the accumulation of ample evidence and judicial authority showing that it is not. These judgments were readily available to the ABC on the internet, in particular Four Corners, which promotes itself as being a programme that specialises in investigative journalism.

In *Paisio and Paisio* (supra), the Full Court stated at 78,516:

“We cannot find any suggestion in his Honour’s judgment that the religious beliefs held by the mother and inculcated in the child were detrimental to the child or the child was in any way suffering thereby.”

Evers v. Evers (1972) 19 FLR 296 the Supreme Court of New South Wales said:

“[303] Is it reasonably necessary for the protection of the community and in the interests of social order that children be prevented from becoming Jehovah’s Witnesses? I am quite unconvinced of any such necessity. ...I have not been able to find evidence in this case which convinces me that a Jehovah’s Witness, by the practice of his [sic] religion, tends to destroy our social order.”

In *Hodak & Hodak v Newman* (1993) 17 FamLR 1 the court stated at p. 11:

“On the evidence which has been adduced in relation to the mother’s religious beliefs and practices, I am not satisfied that they are likely to impact adversely upon the welfare of M.”

The Family Court of Western Australia in *Collins and Collins* (No.PT 4907 of 1992, judgment date, 8 April 1993), stated at 12 and 13:

“... there is no basis on the evidence to conclude that the religious upbringing of this child in the Jehovah’s Witness faith will prove to be detrimental to his health or emotional status. To return to the words of *Paisio* it is my opinion that the evidence falls far short of establishing that the bringing up of this child in the Jehovah’s Witness faith will positively and from a proven objective view-point obstruct the welfare of the child. To deprive the wife in this case of custody of her young son solely because of her religious beliefs would in my view be tantamount to finding that the lifestyle espoused by non-Jehovah’s Witnesses is preferable to that of Jehovah’s Witnesses and that Jehovah’s Witnesses are therefore less suitable as parents.”

In the case of *L & O* [2005] FMCAFAM 223, the Federal Magistrates Court found:

“These considerations show that it would not be in the best interests of the children for there to be an order that the father cannot take them to Jehovah’s Witness meetings. Consequently, the wife’s application for such an order is dismissed.”

In the English Court of Appeal decision of *Re T (minors)* (unreported, December 10, 1975), at p. 11c, Scarman LJ made the following comments:

“There is no reason at all why the mother should not espouse the beliefs and practice of Jehovah’s Witnesses. It is conceded that there is nothing immoral or socially obnoxious in the beliefs and practice of this sect. Indeed, I would echo the words of Lord Justice Stamp in an unreported case, *T. v. T.* ... ‘Many families bring up their children as Jehovah’s Witnesses and the children are good members of the community, although perhaps a little isolated from other children in certain respects. They are different, but the same thing could be said of Presbyterians, Catholics and indeed any other religious faith.’

.. It does not follow, however, that it is wrong, or contrary to the welfare of children, that life should be in a narrower sphere, subject to a stricter religious discipline, and without the parties on birthdays and Christmas that seem so important to the rest of us. These are factors that must be considered, but I think it is essential in a case of this sort to appreciate that the mother's teaching, once it is accepted as reasonable, is teaching that has got to be considered against the whole background of the case and not as in itself so full of danger for the children that it alone could justify making an order which otherwise the court would not make." [underline added]

The English Court of Appeal in *Re C (minors)* [1978] 2 All ER 230, at 239f, stated:

"My conclusion would be that it would be quite wrong to say, or for any court to say, that because the parents were Jehovah's Witnesses, this represented a 'detriment' ..."

Supreme Court of the State of Washington, in *Stone v. Stone*, 16 Wash. 2d 315, 133 P.2d 526 (1943) at p. 6 said:

"We do not doubt the right of the state to suppress religious practices dangerous to morals, and presumably those also which are inimical to public safety, health and good order, but so far as appears from the testimony in this case, the teachings of Jehovah's Witnesses cannot, in our opinion, be classed in any one of these categories."

In *Koerner v. Koerner*, No.002793 (Conn. Superior Court, October 2, 1979), the Court said:

"There can be no basis on the evidence to conclude that the religious upbringing of the two children in the Jehovah's Witness [faith] has proven to be detrimental to their health or emotional status."

In *M.J.S. v S.B.M.* 2017 BCSC 313, Justice Bracken stated:

"...there was no evidence presented at the trial of the action, which took place over three days...to suggest that exposure to Mr.S's religious beliefs or his religious activities would in any way be harmful to C."

In *Ayers v. Ayers*, (Provincial Court of British Columbia, Canada, Family Division, April 8, 1986), the Court stated:

"To deprive Mrs. Ayers of custody ... would be tantamount to finding that the life style espoused by non-Jehovah's Witnesses is preferable to that of Jehovah's Witnesses; that Jehovah's Witnesses are not proper parents. Such a suggestion is patently preposterous."

7. Jehovah's Witnesses use psychological warfare on former members.

"We show how psychological warfare is used against former members. And we reveal how its bitter fight to protect its reputation and assets retraumatizes those who dare to stand up to it." – [REDACTED]

(Statement 7)

Jehovah's Witnesses do not practice so-called 'psychological warfare' on former members. Disfellowshipping is a Bible-based practice of Jehovah's Witnesses (and many other religions), of which congregants are aware prior to baptism. Disfellowshipping is not intended to be a cruel punishment. It indicates a person no longer qualifies to be one of Jehovah's Witnesses, and is intended to protect the congregation and uphold the religion's moral standards.

Also, please see response to Statement 2.

8. Jehovah's Witnesses cruelly cast out and shun congregants for no reason.

"The organisation controlled all aspects of her [REDACTED] life until it cast her out, severing her from everyone she was close to." – [REDACTED]

(Statement 8)

The religion of Jehovah's Witnesses does not control the lives of congregants. Individuals who make a conscious and informed decision to be baptized (infant baptism is not practiced), regularly study and endeavour to apply Bible principles. These principles naturally have application in most aspects of life.

Congregants are not told what to do by elders. Congregants have the responsibility to make their own decisions based on their own consideration and application of Bible principles. Each individual is personally accountable to God (not the elders or the religion) for decisions that they make.

9. Jehovah's Witnesses' Governing Body of eight men are absolute leaders with absolute power over the organisation and all Witnesses are expected to obey their instructions that influence every aspect of life.

"Rules are set by a US-based Governing Body of eight men who sit at the pinnacle of the Jehovah's Witnesses organisation, called the Watchtower Bible and Tract Society. All Witnesses are expected to obey their instructions and doctrines, that influence every aspect of life. Jehovah's Witnesses believe these men are anointed as the voice of God on Earth." – [REDACTED]

"So it is through that conduit of the Governing Body that Jehovah speaks. So whatever they say is to be accepted as the Word of God, and not to be confused with the speaking of an opinion of men. They are absolute leaders with absolute power over the organisation." – [REDACTED]

(Statement 9)

The Governing Body are not “absolute leaders with absolute power” as stated by [REDACTED]. Information which is easily located on the official website of Jehovah’s Witnesses emphasises that the members of the Governing Body are not the leaders of the religion of Jehovah’s Witnesses.

“The Governing Body is a small group of mature Christians who provide direction for Jehovah’s Witnesses worldwide. Their work is twofold:

- They oversee the preparation of Bible-based instruction through the publications, meetings, and schools of Jehovah’s Witnesses.—[Luke 12:42](#).
- They supervise the worldwide work of Jehovah’s Witnesses by [directing our public ministry](#) and overseeing the [use of donated assets](#).

The Governing Body follows the pattern set by “the apostles and elders in Jerusalem” in the first century, who made important decisions on behalf of the entire Christian congregation. ([Acts 15:2](#)) Like those faithful men, the members of the Governing Body are not the leaders of our organization. They look to the Bible for guidance, acknowledging that Jehovah God has appointed Jesus Christ as the Head of the congregation.—[1 Corinthians 11:3; Ephesians 5:23](#).”

10. Jehovah’s Witnesses are an isolated cult-like society.

“Outside of having to live in the real world, work in the real world, go to school in the real world, they isolate themselves. They see that associating with people, what they call the worldly people is bad association.” — [REDACTED]

(Statement 10)

Jehovah’s Witnesses are not separated or isolated from society. They are law-abiding citizens who are involved in and contribute to the communities in which they live. Jehovah’s Witnesses pattern their worship after that of the first-century Christians, whose example and teachings were recorded in the Bible. ([2 Timothy 3:16, 17](#)) They believe that the Holy Scriptures should be the authority on what is orthodox in matters of worship.

Jehovah’s Witnesses do not look to any human as their leader. Rather, they adhere to the standard that Jesus set for his followers when he stated: “Your Leader is one, the Christ.”—[Matthew 23:10](#).

Jehovah’s Witnesses are not a ‘dangerous cult’. They work hard to have a positive impact on others, just as Jesus commanded his followers to do and they practice a religion that benefits themselves and others in the community. For example, the public ministry of Jehovah’s Witnesses has helped many people to overcome harmful addictions, such as the

abuse of drugs and alcohol. They conduct literacy classes around the world, helping thousands to learn to read and write, and they are actively involved in disaster relief.

11. Jehovah's Witnesses are a big multi-billion-dollar business from which certain individuals are profiting.

"They're a big multi-billion dollar asset business, multi-billion dollar properties..." – [REDACTED]

(Statement 11)

The religion of Jehovah's Witnesses is not a business. Unsolicited donations are used to support religious and humanitarian activities. Donations are never used to enrich any individual.

Jehovah's Witnesses have no paid elders or clergy, and Jehovah's Witnesses are not paid to go from door to door. Those who serve at branch offices and the World Headquarters (including the Governing Body), are unsalaried members of a religious order. The official website of Jehovah's Witnesses provides information about its charitable work: [How Do Jehovah's Witnesses Use Donations and Donated Funds? \(jw.org\)](http://How Do Jehovah's Witnesses Use Donations and Donated Funds? (jw.org))

The role of former 'Congregation Accounts Servant' did not make [REDACTED] (a former Jehovah's Witness) privy to any information beyond what is publicly available, regarding assets and donations received by entities used by the religion of Jehovah's Witnesses in Australia, let alone worldwide.

12. Representations regarding assets and income of the Australian Branch Office.

"The Australian Branch owns at least 440 properties and last year reported an income of over 32-million dollars" – [REDACTED]

(Statement 12)

This statement is untrue. The Australasia Branch Office of Jehovah's Witnesses is not a separate legal entity, does not own a single property, hold any assets or receive income.

13. Jehovah's Witnesses are hostile to gay people.

"The hostility in the congregations for gay people is, is quite extreme." – [REDACTED]

(Statement 13)

Jehovah's Witnesses do not promote hostility toward gay people. They follow the Bible's admonition to show love and respect for all people. Although the Bible's moral code does not approve of homosexual acts, it does not condone hatred or hostility toward homosexuals.

The position of Jehovah's Witnesses is easily located on its official website which states:

"Jehovah's Witnesses believe that the Bible's moral code is the best standard for living, and they choose to abide by that code. ([Isaiah 48:17](#)). This means that Jehovah's Witnesses reject all sexual misconduct, including homosexuality. ([1 Corinthians 6:18](#)) That is the Witnesses' lifestyle choice, and they have a right to it.

Jehovah's Witnesses strive to follow the Golden Rule by treating others the way they themselves would like to be treated... Jehovah's Witnesses strive to "pursue peace with all people." ([Hebrews 12:14](#)) While they reject homosexual acts, Jehovah's Witnesses do not force their view on others, nor do they participate in homophobic hate crimes or rejoice when they hear of them. Jehovah's Witnesses strive to follow the Golden Rule by treating others the way they themselves would like to be treated.—[Matthew 7:12](#).

"The Bible says: "Honour men of all sorts" or, as Today's English Version renders it, "Respect everyone." ([1 Peter 2:17](#)) Therefore, Christians are not homophobic. They show kindness to all people, including those who are gay.—[Matthew 7:12](#)."

14. Jehovah's Witnesses discourage higher education and critical analysis to prevent people questioning their baseless doctrines.

"In my opinion they discourage people because, in higher education, people are encouraged to critically analyse things, to look at historical facts, objectively, to look at the evidence. And this is seen by Jehovah's Witnesses as threatening, because much of their history and their beliefs, are not predicated on things that are that strong foundationally." – [REDACTED]

(Statement 14)

Jehovah's Witnesses do not discourage critical analysis and thought. On the contrary, they discourage blind faith and encourage ongoing, careful and diligent study of the Bible and thorough examination of verifiable facts and evidence.

The May 2021 issue of *The Watchtower*, stated:

"People need to examine the facts. That is what the Gospel writer Luke was determined to do. He made it a point to trace "all things from the start with accuracy." He wanted his readers to "know fully the certainty of the things" they had heard about Jesus. (Luke 1:1-4) The Jewish people in ancient Beroea were like Luke. When they first heard the good news about Jesus, they consulted the Hebrew Scriptures to confirm what they were being told. (**Read Acts 17:11.**) In a similar way, people today need to examine the facts. They must compare what they are taught by God's people with what the Scriptures say. They also need to study the record of Jehovah's people in modern times. If they do a proper "background check," they will not allow prejudice or hearsay to blind them."

The Watchtower of May 1, 1958 stated:

“But what is faith—the kind that is pleasing to God? One definition of faith given in Webster’s Collegiate Dictionary expresses the commonly accepted idea: It is “complete confidence, especially in someone or something open to question or suspicion.” On that basis, whenever a religious practice or teaching is called into question, the adherent says, “But you must have faith.” And with such “faith” those who are a part of the religious system are swept along in unquestioning submission to the whims of religious leaders. Is it safe? “A blind man cannot guide a blind man, can he? Both will tumble into a ditch, will they not?” ([Luke 6:39](#)) Luke commended those who did not follow a course of “blind faith” when he said: “Now the latter [Beroeans] were more noble-minded than those in Thessalonica, for they received the word with the greatest readiness of mind, carefully examining the Scriptures daily as to whether these things were so.” ([Acts 17:11](#)) The faith that one must have in order to win God’s approval is clearly defined in [Hebrews 11:1](#): “Faith is the assured expectation of things hoped for, the evident demonstration of realities though not beheld.”

The New World Translation of the Holy Scriptures Study Bible states at Romans 12:1 “Therefore, I appeal to you by the compassions of God, brothers, to present your bodies+ as a living sacrifice, holy and acceptable to God, a sacred service with your power of reason. The expression ‘power of reason’ is translated from the Greek word *lo-gi-kos*’. In this context, it conveys the idea of sacred service rendered in a ‘logical,’ ‘rational,’ or ‘intelligent,’ manner. One lexicon defines it as ‘pert[aining] to being carefully thought through, thoughtful’. Christians are often called on to weigh Bible principles carefully. They need to understand how Bible principles relate to one another and to decisions under consideration. They can use their God-given power of reason, or thinking abilities, to make balanced decisions that will have Jehovah’s approval and blessing. This way of worship was a change for many Jews who had become Christians. They had previously lived their life following the many rules dictated by tradition.”

██████████ is not qualified to provide an opinion that the history and beliefs of Jehovah’s Witnesses “are not predicated on things that are that strong foundationally”. He is a self-styled ‘cult expert’, and Jehovah’s Witnesses are not a cult, either by conventional definitions or ██████████ own definition. Moreover, it appears ██████████ has no relevant qualifications in the field of religion or psychology.²

15. Elders conduct hundreds of judicial committees on victims of abuse to cruelly humiliate them.

██████████ was an elder for 15 years and sat on hundreds of these committees [Judicial]” – ██████████

“these men would interrogate them to really find whether they were truly repentant. So the questions were really, really exhausting and humiliating for the victim” – ██████████

(Statement 15)

² See the seven-part series [The Anti-Cult Movement. 1. “Cults” or “Sects”? \(bitterwinter.org\)](#)

Referring to the subject of an ecclesiastical judicial committee as the “victim”, in the context of Episode 31 in which victims of child sexual abuse had already been discussed, insinuates that when child sexual abuse is reported, the victim is subjected to an ecclesiastical judicial committee meeting. This is **not** the case. Victims are never blamed or subjected to an ecclesiastical judicial committee for reporting abuse. Rather, **it is the abuser**, should they be one of Jehovah’s Witnesses, who is the subject of an ecclesiastical judicial committee meeting.

A misleading assumption has been perpetuated that victims of child abuse and those who report such matters are disfellowshipped to conceal the allegations. This is **not** the case. Victims of child abuse and those who report such abuse to congregation elders or secular authorities are **never** subjected to an ecclesiastical judicial committee or disfellowshipped for doing so. Elders in the congregation do not criticise anyone who chooses to report an allegation of child abuse, let alone sanction them for doing so.³

On the contrary, elders are directed to treat victims of child abuse with compassion, understanding and kindness.⁴ One paper addressing this question found the following:

“We have also examined witness statements by religious ministers of Jehovah’s Witnesses who reported allegations of child sexual abuse to secular authorities from 2006 to 2018. Not only were they not disfellowshipped for reporting that abuse to the authorities, but were actually praised and supported by their congregations for making the reports. While we omit the details for reasons of privacy, we have no doubt that these statements reflect the truth.”⁵

An ecclesiastical judicial committee will be formed only when a baptized Jehovah’s Witness has committed a serious sin. Only a baptized individual who unrepentantly practices serious wrongdoing, according to the Bible’s Scriptural standards, will be disfellowshipped.

When this does occur, congregation elders are instructed to treat the person with love and kindness. *Shepherd the Flock of God* (handbook for elders) states at chapter 16:

“In imitation of Jehovah, the elders will convey their desire to be helpful and will treat the accused with kindness. (Ezek. 34:11,12) They should listen patiently and not draw conclusions before they have heard all the evidence. Even if the accused is belligerent, they should treat him kindly and respectfully, never harshly...The committee should first seek to establish the

³ *Remain in God’s Love*, Endnote 8; *Jehovah’s Witnesses’ Scripturally Based Position on Child Protection*, Point. 8.

⁴ *The Watchtower* May 2019, Study article 19, para 10; *Jehovah’s Witnesses’ Scripturally Based Position on Child Protection*, Point. 8; *Shepherd the Flock of God*, Chapter 14, para 12.

⁵ *A White Paper: The New Gnomes of Zurich: The Jehovah’s Witnesses, the Spiess Case, and Its Manipulation by Anti-Cult and Russian Propaganda* – by Massimo Introvigne and Alessandro Amicarelli (page 39).

facts and ascertain the attitude of the accused. This requires skilful and discreet questions. The judicial committee should be thorough but not inquire about needless details, especially in regard to sexual misconduct.”

16. Congregants are interrogated in a cruel manner against their will.

“It was basically three men who were in an interview panel with me. I was not allowed to bring a support person in and I was interviewed, or I would say interrogated over several sittings. And the questions got extremely intimate and personal as to what I’d done so that they could then just use the holy spirit to determine whether I was still worthy and clean enough to remain in the congregation.” – [REDACTED]

“Aged just 21, [REDACTED] was judged to be unrepentant and issued with a ‘Notification of Disfellowshipping’. She was cast out into a world she was completely unprepared for.” – [REDACTED]

(Statement 16)

The imputation that congregants are cruelly interrogated against their will is false. An ecclesiastical judicial committee is only formed if a baptized congregant confesses to a serious sin, or there is corroborated evidence they have committed a serious sin. Furthermore, the formation of an ecclesiastical judicial committee does not mean the congregant will necessarily be disfellowshipped. Its purpose is to determine repentance.

The Complainants were not afforded an opportunity to respond to this specific imputation, however the official website of Jehovah’s Witnesses clearly states:

“We do not automatically disfellowship someone who commits a serious sin. If, however, a baptized Witness makes a practice of breaking the Bible’s moral code and does not repent, he or she will be shunned or disfellowshipped. The Bible clearly states: “Remove the wicked man from among yourselves.”—[1 Corinthians 5:13](#).”

The [official website](#) of Jehovah’s Witnesses also states:

“Two factors—which must coincide—result in the disfellowshipping of one of Jehovah’s Witnesses. First, a baptized Witness commits a serious sin. Second, he does not repent of his sin.

Although Jehovah does not demand perfection from us, he does have a standard of holiness that he expects his servants to meet. For example, Jehovah insists that we avoid such serious sins as sexual immorality, idolatry, thievery, extortion, murder, and spiritism.—[1 Cor. 6:9, 10; Rev. 21:8](#).”

Furthermore, if a congregant no longer wishes to associate with Jehovah’s Witnesses, they can choose not to attend the ecclesiastical judicial committee. In this case, the committee

will make a decision in their absence. Where the congregant does attend, elders are instructed to treat them with love and kindness.

As quoted earlier, Shepherd the Flock of God (manual for elders) states at Chapter 16:

“In imitation of Jehovah, the elders will convey their desire to be helpful and will treat the accused with kindness. (Ezek. 34:11,12) They should listen patiently and not draw conclusions before they have heard all the evidence. Even if the accused is belligerent, they should treat him kindly and respectfully, never harshly...The committee should first seek to establish the facts and ascertain the attitude of the accused. This requires skilful and discreet questions. The judicial committee should be thorough but not inquire about needless details, especially in regard to sexual misconduct.”

17. Jehovah’s Witnesses’ practice of disfellowshipping is inhumane.

“Disfellowshipping is accompanied by total social exclusion known as ‘shunning’.” – [REDACTED]

“Actually, to me, it’s inhumane to the point of the complete shunning of not having anybody in your life, talking to anyone, everyone being completely removed from your life that you’ve ever known, especially when you’ve been born and raised in an organisation.” – [REDACTED]

“She shunned her brother [REDACTED] when he came out as gay.” – [REDACTED]

(Statement 17)

The Complainants were not afforded an opportunity to respond to the specific allegation that disfellowshipping is inhumane, however in response to other allegations, they provided the ABC with a link to the article [Do Jehovah’s Witnesses Shun Those Who Used to Belong to Their Religion? \(jw.org\)](#) published on the official website of Jehovah’s Witnesses. It states:

“Those who were baptized as Jehovah’s Witnesses but no longer preach to others, perhaps even drifting away from association with fellow believers, are not shunned. In fact, we reach out to them and try to rekindle their spiritual interest.

We do not automatically disfellowship someone who commits a serious sin. If, however, a baptized Witness makes a practice of breaking the Bible’s moral code and does not repent, he or she will be shunned or disfellowshipped. The Bible clearly states: “Remove the wicked man from among yourselves.”—[1 Corinthians 5:13](#).

What of a man who is disfellowshipped but whose wife and children are still Jehovah’s Witnesses? The religious ties he had with his family change, but blood ties remain. The marriage relationship and normal family affections and dealings continue.

Disfellowshipped individuals may attend our religious services. If they wish, they may also receive spiritual counsel from congregation elders. The goal is to help each individual once

more to qualify to be one of Jehovah's Witnesses. Disfellowshipped people who reject improper conduct and demonstrate a sincere desire to live by the Bible's standards are always welcome to become Jehovah's Witnesses again."

This article clearly demonstrates that disfellowshipping only occurs when a baptized Witness intentionally rejects the way of life of Jehovah's Witnesses, making a practice of breaking the Bible's moral code and does not repent.

The ABC was also provided with a link to Associate Professor Holly Folk's January 12, 2021 article, *'Jehovah's Witnesses and Sexual Abuse: 1. The Australian Case'* which states:

"When we talk about the issue of shunning, this needs to be understood more precisely. It is not applied to all members who leave the religion, but to those individuals who have either formally disassociated or who have been expelled for serious wrongdoing...But I also think that it is not the place of a government to intervene in the choices that consenting adults make. Again, many religious have the standard of no longer maintaining ties with people who have left their tradition."

18. Thousands of people know of a former Jehovah's Witness who has killed themselves because they were disfellowshipped. .

"I have had hundreds, if not thousands of people reach out to me saying that they have experienced almost the exact same thing that [REDACTED] has gone through, or they know someone that has. And the vast majority of them have either attempted, or they know that someone has killed themselves for the same reasons." – [REDACTED]

(Statement 18)

There is no evidence or basis provided in support of this shocking and outrageous allegation by [REDACTED]. Before publishing this statement, the ABC was under an obligation to make reasonable enquiries to determine its accuracy.

19. The scale of child sexual abuse within the religion of Jehovah's Witnesses is staggering compared with other religions.

"The scale of abuse staggered [REDACTED] who was a Jehovah's Witness elder in the U.S." – [REDACTED]

(Statement 19)

This imputation is false and misleading. Jehovah's Witnesses have a very low incidence of child sexual abuse compared with other religions. This imputation has been perpetrated as a result of the misinterpretation and misrepresentation of statistics.

The Royal Commission into institutional Responses to Child Sexual Abuse (“**the Royal Commission**”) treated every one of the 1006 files produced by Jehovah’s Witnesses spanning the previous 65 years as being within its Terms of Reference, notwithstanding that the vast majority of those files concerned allegations that arose in a familial context and did not involve allegations of so-called “institutional abuse” (i.e. abuse allegedly perpetrated by individuals serving in a leadership or pastoral role).

The allegations investigated within other religious institutions were strictly confined to abuse perpetrated by a person in a pastoral role. The Royal Commission recognised that other religious organisations “*limit their engagement with, and response to allegations of child sexual abuse to those against people who hold or held positions of authority within the organisation*”. The vast majority of religious institutions do not keep records of allegations made against parishioners or other parties. Accordingly, it is misleading to compare the number of files produced to the Royal Commission by Jehovah’s Witnesses to those of other religions. Had the Royal Commission included familial abuse and abuse perpetrated by lay members into its investigation of other religious institutions, there would be valid basis for a statistical comparison. However, there is not.

The only figure which might serve as a basis for comparison with other religious organisations, is evidence accepted by the Royal Commission that 18 of the case files produced, involved allegations that were non-familial and against an individual serving in a pastoral role at the time of the alleged abuse. Jehovah’s Witnesses therefore have a **very low incidence** of institutional child sexual abuse when compared with other religious institutions.

In the 10 years prior to the Royal Commission, the number of accusations of non-familial child sexual abuse alleged to have been perpetrated by an elder during that period was two (2). Both of those allegations were reported to the relevant authorities.

Associate Professor Holly Folk stated in her article, ‘Jehovah’s Witnesses and Sexual Abuse:

1. The Australian Case’:

“In other words, over a period of many decades, it appears there was less than one allegation per year that may or may not have involved institutional abuse committed by Jehovah’s Witnesses in Australia. The Jehovah’s Witnesses organisation in Australia maintains that right now, they receive two to three calls a month concerning family sexual abuse. Considering the size of the Jehovah’s Witnesses organisation in Australia (About 70,000) this is unfortunately within the general rates of abuse in modern society.”

Similarly, Professor Patrick Parkinson remarked regarding Jehovah's Witnesses:

[43] "Without in any way minimising the seriousness of all child sexual abuse, looking at the risk profile of JWs in comparison with other faith communities who provided equivalent data over the same reporting period (1950 onwards), there were only 18 cases in which JWs are aware that an elder was accused of extra-familial abuse at a time when he was an elder, and the minor discrepancy between the JW figures and the Royal Commission's analysis is insignificant at this level of granularity. An elder in the JW community is in a reasonably comparable position to a priest, religious brother or sister, pastor or youth leader, in mainline Christian denominations. Ministerial servants are equivalent to volunteers who fulfil practical tasks and do not have leadership roles in mainline Christian denominations.

[44]. It is not possible to know how many of the 18 gained the opportunity to abuse the child in a way connected to the congregational life of JWs. So for example, a JW elder who was also a schoolteacher might have abused a child in the school, unrelated to the congregation's life or his work as an elder. JWs are just like everyone else. They have jobs, engage in community sports, volunteer in community organisations and have contact with children in their neighbourhoods.

[45] This data, such as it is, would seem to confirm my assessment that JWs are a low-risk organisation when it comes to child sexual abuse in the context of, or facilitated by, their congregational life."

20. The 'two-witness rule' is dangerous because Jehovah's Witnesses will not accept that an allegation occurred and will not take any action without two witnesses.

"If there isn't a second witness then likely that allegation is not considered to be justified ... so no action would be taken by the congregation in relation to that abuse." – [REDACTED]

"So that's a very dangerous practise that they won't accept that an allegation has occurred without two witnesses." – [REDACTED]

(Statement 20)

This is untrue. Jehovah's Witnesses accept all allegations of abuse, notwithstanding there being no second witness or a confession by the alleged abuser. In all cases, Jehovah's Witnesses will immediately take action to report an allegation of child sexual abuse to authorities when required by law or where a minor is in danger of abuse.

Professor Patrick Parkinson observed regarding the so-called "two-witness rule":

"What is important to recognise is that no other faith community that I am aware of has a similar process of formal investigation and determination of allegations of wrongdoing by members. In other faith groups, formal disciplinary processes are typically confined to priests, pastors and other paid employees engaged in ministry. The "two-witness rule", as it is known, does not have any connection to whether the elders will encourage a police report, or make one themselves. It is a disciplinary process to do with continuing membership of JWs, and does not in any way substitute for a police investigation."

The ABC was specifically informed by the Complainants, in response to the ABC's request for comment on this subject:

"The so-called "two-witness rule" has nothing to do with whether elders will report an allegation of child sexual abuse to the statutory authorities. The Bible requirement of two witnesses is related solely to a religious determination whether an ecclesiastical judicial committee can be formed to determine whether the accused should be expelled from being one of Jehovah's Witnesses. Elders will report an allegation of abuse to the statutory authorities as required by law, or in the absence of a mandatory reporting law, whenever it appears the victim or any other minor is in danger of abuse from the accused. The elders will make that report even if there is only one witness. The report of the Royal Commission on Case Study 29 indicated that from 1992, Jehovah's Witnesses established a procedure to obtain advice in order to ensure that elders complied with mandatory reporting laws.

The "two witness rule" has no bearing on this procedure. It bears mentioning that, unlike Jehovah's Witnesses, most religions do not have any ecclesiastical process to determine whether an adherent accused of child abuse should remain in the congregation. Therefore, criticisms of Jehovah's Witnesses' ecclesiastical process are all the more unfounded and unfair."

None of these comments were featured in the episode.

21. Jehovah's Witnesses lie to avoid liability for child sexual abuse.

"The argument that the Jehovah's Witnesses unlike other religious organisations, have no custodial care of children. So they don't have schools, they don't have after school programs, they don't have catechisms or those kinds of programs where they take custodial care of children. And so, you can't hold them to the same standards that you would other religious institutions that do have custodial care. That's a lie." — [REDACTED]

"The view of the Commission was that because the Jehovah's Witness rules and regulations determine how all aspects of a member of the Jehovah's Witness should live their life, that actually there was no distinction between the life of the family and the institutional context of the church. And that the institutional context did actually include the families." — [REDACTED]

(Statement 21)

The suggestion that Jehovah's Witnesses are lying is baseless and malicious. Jehovah's Witnesses strive to uphold the highest standards of truth and honesty, guided by principles such as *"we trust we have an honest conscience, as we wish to conduct ourselves honestly in all things."*—Hebrews 13:18

An article entitled "Lying – Is it Ever Justified" on the official website of Jehovah's Witnesses explains:

“The Bible roundly condemns all sorts of lying. “[God] will destroy those speaking a lie,” declares the psalmist. ([Psalm 5:6](#); see [Revelation 22:15](#).) At [Proverbs 6:16-19](#), the Bible lists seven things that Jehovah detests. “A false tongue” and “a false witness that launches forth lies” are prominently included in this list. Why? Because Jehovah hates the harm falsehood causes. That is one reason why Jesus called Satan a liar and a manslayer. His lies plunged humanity into misery and death.—[Genesis 3:4, 5](#); [John 8:44](#); [Romans 5:12](#).

Just how seriously Jehovah views lying is highlighted by what happened to Ananias and Sapphira. These two deliberately lied to the apostles in an apparent attempt to appear more generous than they really were. Their action was deliberate and premeditated. The apostle Peter thus declared: “You have played false, not to men, but to God.” For this, they both died at God’s hand.—[Acts 5:1-10](#).

Years later the apostle Paul admonished Christians: “Do not be lying to one another.” ([Colossians 3:9](#)) This exhortation is particularly vital in the Christian congregation. Jesus said that principled love would be the identifying mark of his true followers. ([John 13:34, 35](#)) Such unhypocritical love can only grow and flourish in an environment of complete honesty and trust. It is difficult to love someone if we cannot be confident that he will always tell us the truth.”

Furthermore, the position taken by Jehovah’s Witnesses that they should not be compared with other religions that assume custodial care of children, given their lack of any institutional settings that separate children from their parents, is confirmed by both legal experts and religious academics.

Associate Professor Holly Folk states in her Article, ‘Jehovah’s Witnesses and Sexual Abuse: 1. The Australian Case’:

“There is actually no evidence that the Jehovah’s Witnesses are guilty of what is typically considered institutional abuse, which we see in many other religious organisations, and which was the focus of Australia’s Royal Commission. For one thing, the Jehovah’s Witnesses do not have a set clergy in the same way that the Catholic Church has a bureaucracy of lifelong people whose entire vocation is religious work. They do not have institutional programs for children. They basically operate as lay organisation. There are no cases of children who are participating in Sunday School being abused by Sunday School teachers, nor pastors victimizing adolescents in summer camps or retreats, simply because Jehovah’s Witnesses do not operate Sunday Schools, summer camps or retreats for teenagers. When the Royal Commission was reviewing the file and the information received from the Jehovah’s Witnesses, they elected to convert over to ‘institutional abuse’ any cases of sexual abuse that had happened within the family that were reported to the elders. This was a mistake, since ‘institutional’ abuse and domestic abuse are different phenomena....Abuse can happen quite separately from how any individual religion or other social institution is operating, because it is not the beliefs of the organisation that are driving the behaviour.”

Similarly, Dr David Bennett AC QC in his independent review of the Royal Commission’s findings dated 14 November 2018 stated:

"In our opinion the Commission's rejection of what the Commission itself termed were two "key submissions" made by Jehovah's Witnesses led the Commission to conflate impermissibly, and contrary to its Terms of Reference, familial and institutional sexual abuse."

22. Jehovah's Witnesses instruct elders to call the Legal Department, instead of contacting the authorities, so that they can cover up allegations.

"Jehovah's Witness elders are bound by the rules set out in their most important guidebook - 'Shepherd the Flock of God'...It advises that when an allegation is made, 'two Jehovah's Witness elders should immediately call the Legal Department' and await instruction." - [REDACTED]

"The book doesn't give any direction about reporting anything to the authorities. Its more so about dealing with the Jehovah's Witness branch legal department. Nothing about the authorities at all." - [REDACTED]

(Statement 22)

The imputation that elders are not encouraged to report allegations of child sexual abuse to the authorities is false. Shepherd the Flock of God, in the same chapter as quoted by [REDACTED], expressly states:

"From the Bible's standpoint, child sexual abuse is a gross sin. (Deut. 23:17, 18; Gal. 5:19-21; w97 2/1 p. 29) Jehovah's Witnesses abhor child sexual abuse. (Rom. 12:9) Thus, the congregation will not shield any perpetrator of such repugnant acts from the consequences of his sin. The congregation's handling of an accusation of child sexual abuse is not intended to replace the secular authority's handling of the matter. (Rom. 13:1-4) Therefore, the victim, her parents, or anyone else who reports such an allegation to the elders should be clearly informed that they have the right to report the matter to the secular authorities. Elders do not criticize anyone who chooses to make such a report. - Gal. 6:5... To ensure that elders comply with child-abuse reporting laws, two elders should immediately call the Legal Department for legal advice when the elders learn of an accusation of child abuse. A call should be made even when both persons involved are minors."

It is clear that the ABC had access to this publication, and were in a position to determine that the comments made by [REDACTED] were inaccurate and misleading, still they chose to publish them regardless.

23. Jehovah's Witnesses have only recently amended their policy to allow victims the right to report abuse.

"The organisation has also updated their worldwide child abuse guidelines to say that victims and their parents have the 'right to report' to authorities." - [REDACTED]

(Statement 23)

The imputation that a victim's 'right to report' has only recently become the policy of Jehovah's Witnesses is false. It has long been the policy and practice of Jehovah's Witnesses.

The *Awake!* magazine October 8, 1993 stated on page 9:

"If Your Child Is Abused: "Some legal experts advise reporting the abuse to the authorities as soon as possible. In some lands the legal system may require this."

Similarly, *The Watchtower* January 1, 1997 stated on page 28:

"What if a baptized adult Christian sexually molests a child? ... Depending on the law of the land where he lives, the molester may well have to serve a prison term or face other sanctions from the State. The congregation will not protect him from this."

The *Awake!* magazine April 8, 1997 stated on page 14:

"[C]hildren should also be warned about—and urged to report to the authorities—any person making improper advances toward them, including people they know."

24. Jehovah's Witnesses illegally destroy evidence crucial to criminal and civil child sexual abuse cases.

"Two years after the Royal Commission, elders investigating the sins of congregants in Australia were advised against making notes of conversations... And any personal notes 'should be destroyed once a summation of the hearing has been prepared'" – [REDACTED]

"To knowingly destroy documents that are related to a case involving child sexual abuse, that would be crucial and critical evidence to either a criminal prosecution or a civil case, would be against the law in many of the jurisdictions" – [REDACTED]

(Statement 24)

Jehovah's Witnesses do not illegally destroy evidence, nor do they conceal or cover up abuse. This is evident by the fact that Jehovah's Witnesses tendered some of the most comprehensive records of child sexual abuse allegations spanning 65 years out of all religious organisations involved with the Royal Commission.

The letter quoted by [REDACTED] which informed elders that, *"any personal notes should be destroyed once a summation of the hearing has been prepared"* must be read in the context of its entirety. The general document retention policy of Jehovah's Witnesses (like most other organisations) requires that only certain documents be retained and only for a limited period of time. This is in harmony with data protection legislation. That general document retention policy does not apply to information concerning allegations of child

sexual abuse. It has long been the policy of Jehovah's Witnesses that information concerning individuals associated with a congregation and accused of child sexual abuse (established or not) is placed in a sealed envelope marked "Do Not Destroy", and retained indefinitely in the congregation's confidential file.

The letter quoted does not derogate from this policy. It discussed the general document retention policy of Jehovah's Witnesses only and was not referring to material relating to allegations of child sexual abuse. This is made clear on page two, paragraph two of that letter under the heading: "Review of Current Records", which directs elders to "adhere to the direction" in Shepherd the Flock of God (the handbook for congregation elders), chapter 22, paragraph 26, the relevant part of which reads: "If the person has been reinstated a full five years or has died, usually the file should be destroyed unless the case involved an accusation of child sexual abuse...". [emphasis added]

Shepherd the Flock of God, chapter 14, paragraph 25 goes on to provide the following specific direction to congregation elders concerning allegations of child sexual abuse:

"Information concerning individuals associated with the Congregation and accused of child sexual abuse (established or not) including letters of introduction, should be placed in an envelope labelled with the individual's name and marked 'Do Not Destroy'. This envelope should be kept in the congregation's confidential file."

After conducting an independent analysis of the child safety policies and procedures of Jehovah's Witnesses, Professor Patrick Parkinson remarked:

"[35] ...What JW's do have is a level of record keeping concerning such cases which is unique, so far as I know. They record all cases that come to the attention of the elders whether or not the abuse occurred within the family or had some connection to their congregational life. The only limitation is that the alleged perpetrator must have been associated with a congregation of JW's.

[36] The reason why they have such records of all known cases has to do with the way in which JW's seek to monitor compliance with their moral code of conduct by all members, and not only those in positions of leadership. JW's insist that all "gross sins" (which include fornication, adultery, blasphemy, apostasy, idolatry, homosexuality and child sexual abuse) be reported to the elders. These sins are then investigated to determine whether the relevant person should be 'disfellowshipped' – that is, expelled from the congregation. Records of all such matters are kept. These records focus on the perpetrator, so as to inform any decision about whether someone should be appointed as an elder or ministerial servant. The records also specify any "branch-imposed restrictions" that may be in place. Given the purpose of the record-keeping, limited information is kept about the victims, but elders are instructed not to destroy any records concerning child sexual abuse in the files."

25. Jehovah's Witnesses have a global problem with child abuse and they abuse judicial processes by intentionally delaying claims.

"Lawyers who have battled the Jehovah's Witnesses in the US and UK say the organisation has a global problem with both child abuse and the way it responds to victims." – [REDACTED]

"Overseas, lawyers say the organisation drags cases out until the last possible moment, and then settles to avoid courtroom examination of its practices." – [REDACTED]

"They certainly are taking the position of denying, defending, delaying these claims. And all of those things that continuous denial the continuous delays certainly has a significant impact on our clients." – [REDACTED]

(Statement 25)

Jehovah's Witnesses do not have a 'global problem' with child abuse. In fact, the prevalence of child abuse within the religion of Jehovah's Witnesses is low.

Associate Professor Holly Folk stated in her article, 'Jehovah's Witnesses and Sexual Abuse:

1. The Australian Case':

"In 2019, the Atlantic Monthly reported on what they called "the secret database of child abuse" kept by the Jehovah's Witnesses. In the past few years, there have been many reports in tabloids on this topic, but the prestige of the Atlantic article prompted the BBC and other major media outlets to take up the story. Consequently, they have given respectability to a meme that had circulated in tabloid media for a number of years, that the Jehovah's Witnesses organization is maintaining a secret database that protects paedophiles. I regard this as very unfortunate, because there is an awful lot here that is very deliberately misleading... We can now clarify the '1,006 perpetrator' statistic. It reflects the sum of all disciplinary reports and referrals, proven and unproven, that had been submitted to the Jehovah's Witnesses organisation in Australia over a 65 year period. Half of those cases dealt with incest within the family household, committed by parents or siblings. Additional cases within that statistic concerned relatives other than parents or siblings, and others reported on abuse by friends of the victim's family. In other words, the vast majority of these 1,006 disciplinary reports concerned family sexual abuse and not "institutional" abuse, done by anybody who could be considered clergy or a religious worker for the Jehovah's Witnesses organization.

The accusation that there was a cover-up is also not true. Of the 1,006 case files that the Jehovah's Witnesses provided to the Royal Commission, 383 had been reported to the police at the time they had happened, and 161 had resulted in convictions. The notion that the Jehovah's Witnesses had hidden information, or had not cooperated with law enforcement, or that these cases had not been brought to justice when they were reviewed and regarded as believable, is simply not true. Over 65 years, the Jehovah's Witnesses have had few cases of institutional perpetrators. 902 of the 1,006 case files in Australia did not concern a Jehovah's Witness official, and 54 of the remaining 104 allegations involved familial abuse committed by elders or ministerial servants. These alleged incidents did not happen at Kingdom Halls or other official premises, and they were not in a context where Jehovah's Witnesses were officially responsible for children. In other words, over a period of many decades, it appears

there was less than one allegation per year that may or may not have involved institutional abuse committed by Jehovah's Witnesses in Australia."

Professor Patrick Parkinson stated in his independent study of Jehovah's Witnesses

"The overall evidence from their publications is that JWs have a very strong commitment to the protection of children from sexual abuse and to help them know what to do if molested. The educational materials put out by JWs to their members seek to educate their congregants about the problem of child sexual abuse to a greater extent than most faith-based organisations in Australia, in my experience. This is because those materials are studied by all members, whereas the educational programs of the major Christian denominations are only directed towards those who work with children, such as Sunday School teachers and youth group leaders. Because JWs have no creches, Sunday Schools or other children's and youth programs, and circumstances do not arise in which children are separated from their parents in the shared life of their congregations, JWs have a very limited exposure to the risk of child sexual abuse occurring within their congregational activities. There is some risk arising from the opportunities that elders and other respected persons within the JW community may have to abuse children. These risks are similar to those in all faith communities and in schools and sports organisations where teachers or sports coaches may be trusted adults. Of course, there is a risk of intrafamilial sexual abuse in JW families as there is in all families, but this risk may to some extent be mitigated by the explicit instruction that children and parents are given to raise their awareness of that risk. This includes some effort made to teach children protective behaviours."

[34] "In my view, overall, JWs have a relatively low level of risk of extrafamilial child sexual abuse within the life of the congregations. Critical to that assessment is that their congregational activities give no opportunity for perpetrators to be alone with children and they have no especial vulnerability or propensity risk"

[35] "I am not aware of any evidence that either in the past or the present, children have been at any greater risk of sexual abuse in JW families or communities than children in any other faith group, or indeed in families that do not have a faith..."

26. Jehovah's Witnesses instruct congregants that it is their responsibility to spy on each other.

"People spy on each other, you're told its your responsibility" – [REDACTED]

(Statement 26)

This is untrue. For example, the book *Questions Young People Ask—Answers That Work*, Volume 2 published by Jehovah's Witnesses states:

"Do you want good relations with others, peace of mind, and, most important of all, a good standing with God? Then follow the inspired counsel of God's Word: "Make it your aim to live quietly and to mind your own business."

Standard 2.2 Omission of information leading to materially misleading presentation

2.2 Do not present factual content in a way that will materially mislead the audience. In some cases, this may require appropriate labels or other explanatory information.

To assess compliance with Standard 2.2 of the Code, the Complainants understand that the following is relevant:

- > Was the particular content complained about factual in character?
- > If so, was the factual content presented in a way that would materially (that is, to a significant extent) mislead the audience?

The Complainants contend that, on a number of occasions during Episode 31, the ABC materially misled the audience by failing to provide key contextualising information which resulted in the audience being misled:

1. Episode 31 incorporated the following quote by [REDACTED] from a public hearing of the Royal Commission into Institutional Responses to Child Sexual Abuse: *“...it’s a pretty cruel way of dealing with someone, isn’t it, who has suffered sexual abuse?”*

This quote appeared directly after a statement by [REDACTED] that: *“A Royal Commission exposed the treatment of victims of child abuse within the Jehovah’s Witnesses”*

(Statement 3)

The juxtaposition of these statements implies that it was a finding of the Royal Commission (or at least that it was the expressed opinion of [REDACTED]) that Jehovah’s Witnesses treat *victims of abuse* in a cruel manner. [REDACTED]’s comment is used out of context. He was here expressing an opinion, that to follow the usual ecclesiastical process for survivors of sexual abuse who wish to dissociate themselves from the religion, was cruel. He expressed the view that a different ecclesiastical process should apply discriminately to congregants who had suffered child sexual abuse. To be clear, Jehovah’s Witnesses **do not** disfellowship or shun victims of child sexual abuse because they speak out about their abuse or choose to report it.

2. Use of the ‘1006 perpetrators and 1800 victims’ statistics of the Royal Commission to suggest Jehovah’s Witnesses have a disproportionately high rate of child sexual abuse, takes

the statistics out of context and therefore misrepresents the true situation, which is that Jehovah's Witnesses have a low incidence of child sexual abuse when compared to other religions, as explained above with respect to Statements 4 and 19.

3. The comments of [REDACTED] are presented in the absence of context as to what leads to a person being disfellowshipped. This creates the misleading impression that she was a victim that was cast out and shunned from the organisation through no fault of her own, as explained in response to Statement 8.
4. [REDACTED] states, *"Two years after the Royal Commission, elders investigating the sins of congregants in Australia were advised against making notes of conversations. If the so called 'wild talk [of a member] is recorded in detail, it may not be accurately assessed when reviewed out of context.' And any personal notes 'should be destroyed once a summation of the hearing has been prepared'."*

These statements are taken out of the context of the 'advice' to elders which was contained in a letter dated 28 August 2019. Elders would have interpreted the letter in its entirety and in the context of what they already understood from the Shepherd the Flock of God book, as described above regarding Statement 22. The ABC had notice of this context, but chose to highlight these statements in isolation to create a false impression.

5. The statement is made that Jehovah's Witnesses have a *"practice of bitterly contesting efforts to seek compensation for abuse committed by congregation members"*. The statement creates a misleading impression that Jehovah's Witnesses do not have legal grounds to contest the claims because they are vicariously liable at law. No context is provided to assist the viewer to evaluate whether Jehovah's Witnesses have a legal right to contest vicarious liability claims or whether the plaintiffs' claims lack legal basis. There has been no judicial decision in Australia holding any entity used by the religion Jehovah's Witnesses vicariously liable for child sexual abuse and currently there is no case law in Australia which strongly supports a religious institution bearing vicarious liability for abuse perpetrated by a lay congregant.

C. IMPARTIALITY AND DIVERSITY OF PERSPECTIVES

Standard 4.1 Gather and present news and information with due impartiality.

To assess compliance with Standard 4.1 of the Code, the Complainants understand that the following is relevant:

- > Its objective is to equip audiences to make up their own minds. A broadcaster operating under statute with public funds, is legitimately expected to contribute in ways that may differ from commercial media, which are free to be partial to private interests;
- > The hallmarks of impartiality, being:
 - a balance that follows the weight of evidence,
 - fair treatment,
 - open-mindedness; and
 - opportunities over time for principal relevant perspectives on matters of contention to be expressed;
- > The type subject and nature of the content;
- > Circumstances in which the content is made and presented;
- > The likely audience expectations of the content;
- > The contentiousness of the matter to which the content relates;
- > The range of principal relevant perspectives on the matter of contention; and
- > The time frame within which it would be appropriate for the ABC to provide opportunities for the relevant perspectives to be expressed, having regard to the public importance of the matter of contention and the extent to which it is the subject of current debate.

The Complainants contend that the following matters in Episode 31 were not presented with due impartiality:

1. Beliefs, doctrines and ecclesiastical procedures of Jehovah's Witnesses;

2. The honesty, sincerity, motives and moral and ethical character of Jehovah's Witnesses and in particular, congregation elders;
3. The reality of life as one of Jehovah's Witnesses, and
4. Treatment of victims of child abuse within the religion of Jehovah's Witnesses.

Standard 4.2 Present a diversity of perspectives so that, over time, no significant strand of thought or belief within the community is knowingly excluded or disproportionately represented.

To assess compliance with Standard 4.2 of the Code, the Complainants are aware that the following enquiries are relevant:

- > What are the relevant or significant perspectives?
- > What are the contentious issues being discussed?
- > How much time and space do they deserve?
- > When and where should they be included?
- > What are the audience expectations?
- > What is the audience composition?
- > What is the level of topicality and contentiousness?
- > What is the program format?

The Guidance Notes state that, *"For scripted content, generally the longer the story, the greater the expectation that more perspectives will be covered within one work. A Four Corners program examining a major public policy issue should seek to present principal relevant perspectives within the story."*

The Complainants contend that a diversity of perspectives was warranted in Episode 31, given that contentious issues were being discussed. The length of the program warranted relevant perspectives be presented and the perspective of Jehovah's Witnesses was principal to the story.

Perspectives of Jehovah's Witnesses were given little, if any, credible reference in Episode 31.

Standard 4.4: Do not misrepresent perspectives

To assess compliance with Standard 4.4 of the Code, the Complainants understand that the following is relevant:

- > Whether a wide range of views have been accurately represented and contextualised.
- > Whether a perspective has been deliberately misrepresented (a clear sign of bias).
- > Whether there has been a failure to take proper care to accurately present a perspective.

The Complainants contend that the following perspectives were misrepresented in Episode 31:

- > Extracts of publications and media produced by Jehovah's Witnesses, available on their website jw.org were featured in Episode 31 in isolation and out of their proper context. The extracts were featured alongside narration by [REDACTED] and interviewees, in an attempt to give credence to the allegations made.
- > Jehovah's Witnesses perspective on a wife's role in marriage. At 9 minutes and 20 seconds into Episode 31, a media clip produced by Jehovah's Witnesses is combined with a voice over by [REDACTED] from another media clip produced by Jehovah's Witnesses, regarding the respective roles of a husband and wife in a marriage. Both are thereby taken out of their proper context. The visual media clip portrays a common problem arising in a marriage. The second part of that media clip demonstrates how the situation can be handled better by both the husband and wife, however, used in isolation with the accompanying narration it depicts an unhappy and frustrated wife being ignored by her husband. The imputation which arises is that Jehovah's Witnesses teach that wives are in a frustrating position of subjection to their husbands in which they are treated disrespectfully and are unable to have their say, or even have the right to be heard. The Bible's teaching on this perspective is completely misrepresented in Episode 31.
- > The perspective of [REDACTED] is misrepresented. A clip from the Royal Commission hearing is juxtaposed with statements by [REDACTED] creating the imputation that the Royal Commission found that Jehovah's Witnesses treat victims of child sexual abuse cruelly, which is not the case.

- > Jehovah's Witnesses' perspective on the so-called 'two-witness rule'.
- > Jehovah's Witnesses' perspective on the "end of the world".
- > Jehovah's Witnesses' perspective on the "Governing Body".
- > Jehovah's Witnesses' perspective on its use of assets and donations.
- > Jehovah's Witnesses' perspective on treatment of homosexual persons.
- > Jehovah's Witnesses' perspective on critical analysis and thought.
- > Jehovah's Witnesses' perspective on disfellowshipping and shunning.
- > Jehovah's Witnesses' perspective on how an accused is dealt with in a judicial committee.
- > Jehovah's Witnesses' perspective on the Royal Commission's findings and statistics.
- > Jehovah's Witnesses' perspective on reporting allegations of child sexual abuse to the authorities.
- > Perspective of Jehovah's Witnesses who were satisfied with how allegations of abuse were handled and the support they received from their elders and congregation.

Standard 4.5 Do not unduly favour one perspective over another

To assess compliance with Standard 4.5 of the Code, the Complainants understand that the following matters are relevant:

- > The type of content;
- > Availability of spokespeople;
- > Audience expectations; and
- > The proximity of other perspectives in related content.

The Complainants contend that the following perspectives were unduly favoured in Episode 31:

1. Perspectives of former disgruntled Jehovah's Witnesses with a personal or commercial agenda served by publicly maligning and vilifying Jehovah's Witnesses;

2. Perspectives of legal firms profiting from acting for plaintiffs against Jehovah's Witnesses with a commercial agenda served by maligning and vilifying Jehovah's Witnesses, and
3. Perspectives of 'cult' expert(s) with a commercial agenda served by labelling Jehovah's Witnesses a 'cult' and otherwise maligning and vilifying them.

Finding sought

That the ABC breached Standard 4.1, Standard 4.2, Standard 4.4 and Standard 4.5 of the Code.

Submissions

The ABC is intended to be guided by these hallmarks of impartiality:

- > a balance that follows the weight of evidence;
- > fair treatment;
- > open-mindedness, and
- > opportunities over time for principal relevant perspectives on matters of contention to be expressed.

The ABC has a statutory duty to ensure that the gathering and presentation of news and information is impartial according to the recognised standards of objective journalism.

The Complainants assert that the themes in Episode 31, the editorial comment, the overall presentation of the story, and the circumstances in which the programme was prepared and broadcast, lacked impartiality.

This lack of impartiality was demonstrated by:

- > The questioning style of the reporter and his use of language;
- > A failure to provide adequate contextualising information;
- > A failure to present a diversity of views;
- > The Episode presented interviews and opinions as unchallenged assertions for which no evidence was presented, or it used unjustified superlatives;

- > The persons selected to be interviewed, including reliance on persons who had no personal knowledge of events as witnesses of truth;
- > ██████████ admitted failure to even attempt to verify the controversial allegations made by former Jehovah's Witnesses.
- > The failure to include the material provided by the Complainants to the ABC prior to broadcast which contradicted claims made in the Episode, and
- > The promotional material used to advertise Episode 31.

Style of the reporter and the use of language

Episode 31 has been summarised above. The assertions of fact made by the reporter, the music and editing of the interviews with emotive footage was all designed to impugn the Complainants.

Little, if any, attempt was made by the reporter to temper his language or tone whilst making serious, broad-ranging allegations for which there was no basis. Emotive language and unnecessary adjectives were used throughout each of the Episode for no other purpose than to mock and condemn the Complainants and portray them as negatively as possible to the viewing audience.

Omission of contextualising information / Failure to include material

This is discussed above.

No contextualising information was included by the ABC, despite having such information in its possession or it being readily and publicly available. The omission of key material provided by the Complainants to the ABC prior to broadcast is objectively inexplicable. It can be inferred that the reason it was excluded is because Four Corners had no interest in accurately reporting the facts. Such conduct falls squarely outside the realm of investigative journalism and outside the standards imposed on the ABC.

Presentation of a diversity of views

The views provided were wholly one-sided. Interviewees all had an agenda that was served by defaming the Complainants. The ABC sought and aired a wide range of interviewees from this adverse perspective, but apparently sought few, and aired no interviews with persons that might provide a contrasting perspective.

The ABC Editorial Policies Guidance Notes state: *“It is fundamentally important that the ABC’s content is not improperly influenced by political, sectional, commercial or personal interests.”*

It is acknowledged that: *“Due impartiality will be what is adequate and appropriate in each individual circumstance”* and the ABC *“is not required to deliver equal treatment or equal time to all perspectives on all occasions”*.

However, accuracy and contextual accuracy are strong indicators a journalist has approached the story with impartiality, which as discussed above, was lacking.

The Editorial Guidance Notes identify certain hallmarks of impartiality:

i. Balance that follows the weight of evidence

This “informs judgements of how much prominence to give to different facts and theories. The assessment of the creditability and authority of experts and sources is an important consideration in weighing the balance of evidence.”

It is “not a licence to ignore credible evidence or exclude significant perspectives that do not conform with your conclusions. The audience should be informed as much as possible of relevant evidence and of the principal relevant perspectives in the community.”

The balance of evidence demonstrated in Episode 31 clearly favoured views which were adverse to Jehovah’s Witnesses. This indicates the journalist deemed Jehovah’s Witnesses to be neither credible nor authoritative sources on the matters of which they have first-hand knowledge, namely their own religious beliefs, practices, and motives. Evidence on numerous issues raised in Episode 31 was not sought from Jehovah’s Witnesses and much of the evidence that was sought, and subsequently provided by Jehovah’s Witnesses, was not used.

ii. Fair treatment

Examples of unfair treatment may include, treating people without respect, failing to provide sufficient context to explain points of view or inaccurately summarising those views, misrepresenting a person’s or an organisation’s views, using language or music that is emotive or unduly colours perception of the issues or individuals that are the subject of the story.

Jehovah's Witness were mocked and maligned with quotes calling them, "gullible, even comic fundamentalists" referring to their "slick instructional videos that deliver its unchanged message: the End is coming for everyone except them" and describing their beliefs as "not predicated on things that are that strong foundationally". Selected clips of media and publications produced by Jehovah's Witnesses were used to convey a prejudicial stereotype.

Comments provided to the ABC by Jehovah's Witnesses were either not included, or included but not afforded credibility or respect when featured. The views and beliefs of Jehovah's Witnesses were inaccurately summarised and represented.

Emotive language was used by [REDACTED] frequently throughout the Episode to convey the idea that Jehovah's Witnesses were a dangerous, deceptive cult with malicious leaders and gullible followers.

iii. *Open-mindedness*

The guidelines state: *"Perhaps the greatest danger to achieving impartiality is starting with a conclusion and then seeking to prove it without considering contrary evidence, different interpretations and inconvenient perspectives on issues. This is called 'confirmation bias'."*

Episode 31 is heavily tainted with confirmation bias, evident from the choice of interviewees, lack of critical analysis of their 'testimony' or the credibility of interviewees, the lack of contrary perspectives included and the short timeframe afforded to Jehovah's Witnesses for comment when it is clear that the ABC had been talking with other interviewees for months prior.

Interviewees with no personal knowledge

Some interviewees who purported to provide evidence on the religious beliefs and practices of Jehovah's Witnesses have never been baptized as one of Jehovah's Witnesses or even associated with the religion of Jehovah's Witnesses. Yet, they were portrayed as "insiders" when that was plainly not the case. Elevating interviewees to this status was for the sole purpose of lending credibility to their claims - which were, on nearly every occasion, asserted as fact and not opinion.

Some of the interviewees were lawyers or so-called 'legal experts' who had a commercial interest in maligning Jehovah's Witnesses.

1. [REDACTED], labelled 'expert legal witness' by Four Corners, is held out to be an expert on Jehovah's Witnesses. However, [REDACTED] has never been one of Jehovah's Witnesses neither has he been associated with the religion of Jehovah's Witnesses. In the United States, [REDACTED] is a self-marketed 'deprogrammer' and 'cult specialist', although it appears he has not completed any recognised study or achieved any qualification in the field of religion or psychology which might qualify him for such a title. In any case, Jehovah's Witnesses do not fit the definition of a cult, including the definition relied on by [REDACTED].
2. Credibility to comment on financial matters is purportedly conferred on [REDACTED] (former Jehovah's Witness) by introducing him as "*his congregation's treasurer, known as the Accounts Servant*". However, this congregation role would not have made [REDACTED] privy to information beyond the donations of his own congregation (information publicly announced each month in congregations of Jehovah's Witnesses) and that which is publicly available on the Australian Charities and Not-for-profits Commission register. He had no special insight into assets and donations received by entities used by the religion of Jehovah's Witnesses in Australia, let alone worldwide. Furthermore, [REDACTED] was portrayed as a victim of shunning who claims he realised he was in a cult and decided to leave. [REDACTED]
[REDACTED]
[REDACTED]
3. [REDACTED] is held out to be an expert on the "*staggering*" rates of child abuse. Nevertheless, his comments concerned the same misrepresented statistical comparison from the Royal Commission which were available to everyone else. His position as a former elder confers no inside knowledge or understanding on that matter, in fact his statements demonstrated the opposite. As already pointed out above, the figure of 1800 abuse victims does not represent '*institutional abuse*' victims.

Promotional material

The promos for Episode 31 painted a picture of guilt in so far as the Complainants were concerned. The ABC did not even attempt to engage in the pretense of objectivity in promoting the Episode.

D. FAIR & HONEST DEALING

Standard 5.3 Where allegations are made about a person or organisation, make reasonable efforts in the circumstances to provide a fair opportunity to respond.

Finding sought

That the ABC breached Standard 5.3 of the ABC Code.

Submissions

The Editorial Guidance Note to this standard describes its purpose as necessary in fulfilling the ABC's statutory duty to provide independent news and information and also one of the recognised standards of journalism which is fundamental to fairness. It is not sufficient to merely seek a response - that response should be fairly and adequately included in the publication.

The Complainants contend that there was a comprehensive disregard for this standard in the promotion and preparation of Episode 31, in which the following allegations were made:

1. Jehovah's Witnesses have a 'global problem' with child abuse;
2. Jehovah's Witnesses damage children;
3. Jehovah's Witnesses cover up child abuse;
4. Jehovah's Witnesses allow or facilitate abuse to an extent worse than the Catholic Church;
5. Jehovah's Witnesses lie to avoid liability for child sexual abuse;
6. Jehovah's Witnesses do not accept that an allegation of sexual abuse occurred without two witnesses;
7. Thousands of people commit suicide because they are disfellowshipped;
8. Judicial committees interrogate congregants in a cruel manner against their will.
9. Jehovah's Witnesses discourage higher education and critical analysis.
10. Jehovah's Witnesses are a business.

The prior correspondence between the ABC and the Complainants is set out in Attachment D to this document. It contains **no notice** of these allegations.

In addition, the Complainants were provided with only 10 days within which to provide a response to 7 questions on complex issues, of which it previously did not have notice.

The Editorial Guidance Notes state, *“Once obtained, a response should be treated fairly and accurately. The manner in which the response is conveyed to the audience is a matter of editorial discretion. If the person provides a response, it is usually necessary for that response to be in the initial story and any other story reporting the same matters. A response should be reported in such a way that a reasonable audience member would understand how the response that was received by the ABC addressed the allegations that were put to the subject of the allegations. A response needs to be included in the story in appropriate detail and presented reasonably. Simply stating that the person ‘denies the allegations’ may not be sufficient if the person provided a more detailed response.*

If a story contains an ‘attack’ on a person and the person’s response is reduced to one or two seemingly ‘obligatory’ or ‘throw away’ statements, or the response is presented sarcastically, it may appear that the audience is being led to give little or no weight to the person’s response. That may result in a court or complaints-handling body concluding that the person’s response has not been adequately and fairly presented. It is not advisable to present a person’s response and follow it with further material that throws doubt on the veracity of the person’s response.”

As discussed above, comments provided to the ABC by Jehovah’s Witnesses were not included, not included in sufficient detail or were not presented as credible when featured in Episode 31. Despite comprehensive explanations of the ecclesiastical policy referred to as the ‘two-witness rule’, disfellowshipping and why Jehovah’s Witnesses did not initially signal their intention to join the National Redress Scheme, the comments published were ‘throw away’ statements, presented alongside criticisms in a manner that afforded them no weight.

E. HARM & OFFENCE

Standard 7.7 Condoning or encouraging prejudice

Finding sought

That the ABC Standard 7.7 of the ABC Code.

Submissions

The relevant Editorial Guidance Note states:

“If we reinforce stereotypes or encourage prejudice, we cause harm to groups within the community. For that reason, discrimination and stereotypes are only acceptable in our content if they’re justified by context. What types of discrimination are subject to the standard? Any and all, including discrimination on the basis of Religious belief or activity.”

...Even if there’s a reason to include it in our content, doing so can normalise it, convey that it’s acceptable, or bring it to the attention of audience members who might not have been familiar with it.”

Episode 31 unashamedly condones and encourages prejudice within the community toward the religious minority of Jehovah’s Witnesses, by giving credence to lies by active opposers of the religion and former members, and otherwise publishing misrepresentations about the religion of Jehovah’s Witnesses to the Australian community. Disgruntled former members of a religious faith are neither a reliable nor unbiased source of information. This is something which journalists of Four Corners should have been well aware and guided by in selecting interviewees. Bryan Wilson, former professor of sociology at Oxford University and President of the International Society of the Sociology of Religion, has concluded in his research that a disgruntled former member: (1) “is likely to be suggestible and ready to enlarge or embellish his grievances to satisfy that species of journalist whose interest is more in sensational copy than in an objective statement of the truth”; (2) cannot be considered “a creditable or reliable source of evidence,” neither for “the objective sociological researcher nor the court of law”; (3) is likely to hold a “bias with respect to both his previous religious commitment and affiliations”; and (4) is likely to have “a personal motivation to vindicate

himself and to regain his self-esteem, by showing himself to have been first a victim but subsequently to have become a redeemed crusader”.⁶

Episode 31 publicly mocked Jehovah’s Witnesses, suggesting that they are gullible members of a dangerous cult with beliefs that not based on strong foundations. As discussed above, clips of media from the official website of Jehovah’s Witnesses were described as “*slick instructional videos*” and were followed by purported contradicting statements designed to discredit them and label them as deceitful.

The content and tone of Episode 31 is inflammatory. It incites unjustified anger and hatred toward individuals who identify with the religion, based on false allegations that Jehovah’s Witnesses:

- are malicious people who treat victims of abuse with contempt;
- damage children;
- have a high prevalence child sexual abuse, and
- cover up child sexual abuse and lie about it.

As a minority religion, Jehovah’s Witnesses already face appreciable prejudice in the community and Episode 31 encouraged and condoned such prejudice based on defamatory statements and misrepresentations.

Evidence of this is the fact that on 18 September 2021, the Raglan Kingdom Hall of Jehovah’s Witnesses, footage of which was featured in Episode 31 and an online ABC News article published on [13 September 2021](#), was burnt to the ground as a result of what police believe to be an arson attack in the week Episode 31 aired. See [REDACTED]

F. CONCLUSIONS

The ABC is the publicly funded national broadcaster which is required to adhere to its own Act and Code. That Code effectively restates basic standards of journalistic fairness, particularly in relation to the delivery of news and current affairs.

⁶ (Wilson 1994 - Apostates and New Religious Movements)

Four Corners is promoted by the ABC as a specialist programme in investigative journalism. The standards to which this programme should be held must be higher than others. Regrettably, in this instance, it has failed to meet even the most basic standards that one would expect a commercial current affairs programme to adhere to.

Episode 31 was a biased and unfair attack on Jehovah's Witnesses that failed to observe and comply with the most basic journalistic standards. The utter failure to draw from relevant material which was easily accessible online and the disregard for any fairness towards the Complainants, points to the obvious conclusion that the producers of Episode 31 had no intention to "*investigate*" impartially. Rather, the purpose of Episode 31 was to defame and malign - the result being an adverse view of the Complainants, irrespective of the facts.

The ACMA should accept that the ABC has grossly contravened its own Editorial Code and make public findings to that effect. The Complainants submit that they are entitled to public apology from the ABC and that Episode 31 should be removed from any website on which it appears and never be rebroadcast.

[REDACTED]

[REDACTED]

[REDACTED] Peake Legal

[REDACTED]

[REDACTED]

[REDACTED]

9 May 2022