

ROYAL COMMISSION INTO INSTITUTIONAL  
RESPONSES TO CHILD SEXUAL ABUSE

Public Hearing - Case Study 29  
(Day 155)

Level 17, Governor Macquarie Tower  
Farrer Place, Sydney

On Friday, 14 August 2015 at 10am

Before

The Chair: Justice Peter McClellan AM  
Commissioner: Professor Helen Milroy

Counsel Assisting: Mr Angus Stewart SC

1 THE CHAIR: First of all, we need to check, Mr Stewart, is  
2 Commissioner Milroy linked in? Commissioner Milroy, can  
3 you hear and see us?  
4  
5 COMMISSIONER MILROY: I can hear you, but I can't see you  
6 on the screen at the moment. But I think that will be  
7 adjusted.  
8  
9 THE CHAIR: Is that something at the other end or at this  
10 end? We can see you now. Can you see us?  
11  
12 COMMISSIONER MILROY: Yes.  
13  
14 MR STEWART: Your Honour, as your Honour is aware, the  
15 witness this morning is Mr Geoffrey Jackson. There is an  
16 appearance to be noted on his behalf.  
17  
18 MR A BANNON SC: Could I announce my appearance on behalf  
19 of Mr Jackson. Bannon, your Honour.  
20  
21 THE CHAIR: Yes, you have leave.  
22  
23 MR BANNON: Thank you, your Honour.  
24  
25 THE CHAIR: Mr Jackson, you need to be sworn. Do you have  
26 a Bible there?  
27  
28 MR JACKSON: I certainly do.  
29  
30 <GEOFFREY WILLIAM JACKSON, sworn: [11.05am]  
31  
32 <EXAMINATION BY MR STEWART:  
33  
34 MR STEWART: Q. Mr Jackson, will you state your full  
35 name and your work address, please?  
36 A. Yes, my name is Geoffrey William Jackson, and I work  
37 at 25 Columbia Heights, but the mailing address is  
38 124 Columbia Heights, Brooklyn, New York.  
39  
40 Q. Mr Jackson, I understand you were born in Queensland,  
41 Australia, in 1955; is that right?  
42 A. That is correct.  
43  
44 Q. And you were baptised as a Jehovah's Witness in  
45 Queensland in 1968?  
46 A. That is correct.  
47

1 Q. And you left school at the age of 15 and commenced  
2 pioneering work for the Jehovah's Witnesses in Tasmania; is  
3 that right?  
4 A. That is correct.  
5  
6 Q. Thereafter, you fulfilled various roles as translator  
7 and then branch committee member, first in Fiji and then in  
8 Samoa?  
9 A. If I could correct you, Mr Stewart, please, first of  
10 all in Samoa and then in Fiji.  
11  
12 Q. Thank you. As I understand it, in 2003, you were  
13 transferred to the translation services in New York; is  
14 that right?  
15 A. Yes, in the State of New York, but in the educational  
16 facility of Jehovah's Witnesses upstate in Patterson.  
17  
18 Q. In September 2005, you were appointed as a member of  
19 the Governing Body of the Jehovah's Witnesses?  
20 A. That is correct.  
21  
22 Q. As I understand it, you have served continuously in  
23 that capacity since then?  
24 A. That is correct as well.  
25  
26 Q. On the Governing Body, I understand that you are  
27 a member of both the writing and the teaching committees;  
28 is that right?  
29 A. If I may be allowed to explain, each Governing Body  
30 member has a home committee where his office is based. So  
31 in my case, I work in the writing department under the  
32 writing committee; but then, also, I have the role of  
33 a consultant with the teaching committee, as well as the  
34 personnel committee. But I do serve on the teaching and  
35 personnel committees.  
36  
37 Q. As I understand it, you serve on the writing, teaching  
38 and personnel committees; is that right?  
39 A. That is correct.  
40  
41 Q. Could you just briefly explain what it means to be  
42 a consultant on one of the committees?  
43 A. Yes. With regard to my role, each member of the  
44 Governing Body - of course, there are seven at the moment -  
45 each brings something to the table with regard to  
46 expertise. My field is translation, and as you realise and  
47 have mentioned, it has been for quite some time. But also,

1 obviously, I was appointed on the Governing Body because of  
2 my spiritual qualifications. So my role as a consultant  
3 with the teaching committee and personnel committee  
4 involves me evaluating recommendations that are made to see  
5 if, first of all, they are scripturally accurate and  
6 correct, and, secondly, whether they are translatable.

7  
8 Q. So would that be with regard to all business and  
9 decisions of the committees on which you serve - you would  
10 fulfil that function you have just described?

11 A. That is the function that I fulfil.

12  
13 Q. So, in other words, to give guidance and ensure that  
14 the decisions and work of those committees are scripturally  
15 accurate and correct?

16 A. As well as translatable.

17  
18 Q. And by "translatable", do you mean translatable into  
19 various languages of the world?

20 A. Yes, just - you probably are aware of the fact that  
21 Jehovah's Witnesses translate their material into nearly  
22 900 languages - I think it's something like 893 translation  
23 teams that we have - and our magazine, The Watchtower, is  
24 translated into approximately 250 languages, so at times  
25 these committees need my input with regard to how things  
26 will be translated into other languages.

27  
28 Q. As I understand it, your input on those committees is  
29 not restricted to the question of translation; it would  
30 cover all the business of those committees; is that right?

31 A. It covers all the business in the aspect of me  
32 analysing the scriptural basis for decisions.

33  
34 Q. Could you explain, Mr Jackson, the committee structure  
35 and how it relates to the Governing Body, which is to say,  
36 do the committees report to and are they accountable to the  
37 Governing Body as a whole, or how does it work?

38 A. Thank you, Mr Stewart. Yes, the Governing Body, as  
39 I mentioned, has seven members. As you would realise, with  
40 8.2 million active members of Jehovah's Witnesses, with  
41 approximately 20 million associated with us, there is no  
42 way that the seven members of the Governing Body can be up  
43 to date with all aspects of every part of our work. So the  
44 Governing Body is broken up into various committees. The  
45 committees - there is a measure of trust, obviously,  
46 because the men who are appointed on those committees  
47 understand something about the operation of those various

1 aspects.

2  
3 But if I may also mention something I think the  
4 Commission hasn't noticed is that there are a roll of 30  
5 helpers and these helpers join us in not the Governing Body  
6 committee, but the various subcommittees, and they help us  
7 by making recommendations and implementing the policies.

8  
9 Q. Thank you, Mr Jackson. Is it the case that the  
10 helpers also attend the Governing Body meetings that occur  
11 weekly, but don't make decisions there?

12 A. No, they don't normally attend the one meeting the  
13 Governing Body has each Wednesday, unless, of course, we  
14 need some special input from one of them or from several,  
15 and then they may be invited as needed. But you are  
16 correct in saying they do not vote.

17  
18 Q. So is it right to say that the committees then are  
19 accountable to the Governing Body?

20 A. There is a - yes, ultimately, the Governing Body  
21 oversees the work of the committees, but there is a measure  
22 of trust, obviously, that goes on, mainly - if I could use  
23 an example, I would be the last person on earth to ask with  
24 regard to construction details, but the publishing  
25 committee handles our construction worldwide, and so those  
26 that have more familiarity with that type of expertise, we  
27 would trust them to go ahead with most of the decisions.

28  
29 Q. You have said that the Governing Body presently has  
30 seven members. How is it determined how many members there  
31 will be from time to time?

32 A. There can be any number of members on the Governing  
33 Body. In the past few decades - for example, when I was  
34 appointed on the Governing Body, there were 12 of us.  
35 I believe the number has been 18 at one stage. But the  
36 qualifications of a member for the Governing Body - it  
37 involves someone who is considered an anointed Witness, who  
38 has worked in scriptural, with a scriptural background,  
39 either as a missionary or a full-time servant for many  
40 years, and is able to fulfil the role of the Governing  
41 Body, which is, may I state, a group, a spiritual group of  
42 men who are the guardians of our doctrine, and as guardians  
43 of the doctrine, look at things that need to be decided  
44 based on our doctrines, which are based on the constitution  
45 of the Bible.

46  
47 Q. I take it if the Governing Body is to be increased in

1 size, that that will be a decision of the Governing Body  
2 itself?

3 A. That is correct. But obviously, we would get  
4 information from other fields.

5

6 Q. And is it the case that the Governing Body then  
7 appoints new members of the Governing Body?

8 A. That is correct.

9

10 Q. Does someone have a designated role, such as  
11 coordinator or chairperson or president?

12 A. You mean of the Governing Body?

13

14 Q. Yes.

15 A. Or do you mean the subcommittees?

16

17 Q. No, I mean of the Governing Body?

18 A. Yes. We rotate each year. There is a chairman of the  
19 Governing Body, but the chairman's role is merely to chair  
20 the meetings.

21

22 Q. So there is no-one who has a permanent role of  
23 coordination or designation such as president or what have  
24 you?

25 A. That is correct. Only the committees, under the  
26 direction of the Governing Body, have a coordinator for  
27 each committee.

28

29 Q. Dealing with decisions of the Governing Body itself,  
30 how are decisions made, by which I mean are they made only  
31 by consensus or by majority or is there some other system  
32 you adopt?

33 A. So if a policy or a question comes up with regard to  
34 doctrine, or something that involves a biblical stand, we  
35 will allow someone to come in and present to us all the  
36 facts concerning that - obviously the seven involved cannot  
37 be familiar with every aspect that we need to consider. So  
38 once the proposal has been given to the Governing Body,  
39 it's an agenda point. Ahead of time, each Governing Body  
40 member, with prayer, by means of prayer and reading the  
41 Bible, then tries to see how the Bible would affect any  
42 particular decision. So then, in our discussion,  
43 generally, from my experience, which has only just been the  
44 last 10 years, in most cases it's unanimous.

45

46 Q. If it's not, then it would be carried by majority; is  
47 that right?

1 A. That is the case but, as I said, it's a rare thing,  
2 because if someone - perhaps their conscience is not clear  
3 or feel comfortable with a certain decision, then more  
4 often than not, we would rely upon God's spirit by holding  
5 up on making a final decision until more research is done,  
6 and then we would meet again.

7  
8 Q. By what mechanism would you understand God's spirit to  
9 direct your decisions?

10 A. Well, what I mean by that is, by prayer and using our  
11 constitution, God's word, we would go through the  
12 scriptures and see if there was any biblical principle at  
13 all that would influence our decision - and it could be  
14 that in our initial discussions there was something that  
15 maybe we were missing and then in another discussion that  
16 would come to light. So we would view that as God's spirit  
17 motivating us because we believe the Bible is God's word  
18 and came by means of holy spirit.

19  
20 Q. And your reference to your constitution, I understand  
21 by the way in which you raised the Bible as you said that,  
22 you were referring to the Bible?

23 A. The Bible is our constitution, yes.

24  
25 Q. The Governing Body is in the literature referred to as  
26 the "faithful and discreet slave". Can you briefly explain  
27 what that means?

28 A. Thank you for the question. The scripture,  
29 your Honour, if I may use my Bible --

30  
31 THE CHAIR: Q. Yes.

32 A. I would like to turn to Matthew, chapter 24. Now,  
33 Mr Stewart, perhaps I could give you the page number to  
34 make it a little quicker.

35  
36 MR STEWART: Q. I am on it already, Mr Jackson.

37 A. Very good. So Matthew 24, verses 45 and 46. This is  
38 how the Governing Body views their role, what they try to  
39 do. It says:

40  
41 "Who really is the faithful and discreet  
42 slave whom his master appointed over his  
43 domestics, to give them their food at the  
44 proper time? Happy is that slave if his  
45 master on coming finds him doing so!

46  
47 So the goal of the Governing Body as custodians of our

1 doctrine is to publish literature that helps people in  
2 everyday life using what the Bible says. And if I may just  
3 add a second scripture, which I feel is very important, it  
4 is the one found in the book of Acts, chapter 6. It's  
5 page 1468, Mr Stewart, Acts chapter 6. Here we have  
6 perhaps something that the Commission is more interested  
7 in, rather than just our overall spiritual teachings. We  
8 had a situation in the first century where there was  
9 a practical problem where the Greek-speaking widows were  
10 not receiving food from the arrangement that was in place.  
11 So the apostles at that point were asked to try to sort out  
12 this problem, and you notice there, in verses 3 and 4, it  
13 says:

14  
15 "So, brothers, select for yourselves seven  
16 reputable men from among you, full of  
17 spirit and wisdom, that we may appoint them  
18 over this necessary matter; but we will  
19 devote ourselves to prayer and to the  
20 ministry of the word."

21  
22 So verse 4 describes the role of the Governing Body as we  
23 see it, to devote ourselves to prayer and the word of God,  
24 and that's why 30 helpers have been assigned that are  
25 involved more with the practical side of policy and  
26 implementation.

27  
28 Q. Do correct me, Mr Jackson, if I misunderstand this,  
29 but this does seem to me to suggest, in the use of the  
30 words "brothers select for yourselves seven reputable men",  
31 that a broader congregation of believers would make the  
32 selection, rather than the seven themselves?

33 A. Well, this is one of the difficulties we have when  
34 a secular Commission is trying to analyse a religious  
35 subject. I humbly would like to mention that point. Our  
36 understanding of the scriptures is these ones were  
37 appointed by means of the apostles. Your point is well  
38 taken. Let's assume, hypothetically, that others selected  
39 these seven men, but it was at the direction of the  
40 apostles.

41  
42 Q. Do you, as members of the Governing Body, regard  
43 yourselves as being appointed by Jehovah God or under the  
44 capacity or authority of Jehovah God?

45 A. What we view ourselves, as fellow workers with our  
46 brothers and sisters - we have been given a responsibility  
47 to guard or to be guardians of doctrine. So just the same



1 with elders, they are referred to as being appointed by  
2 holy spirit, as you probably are aware, we believe that  
3 means that when an elder is in harmony with what the Bible  
4 says is required of an elder, then he is appointed by the  
5 holy spirit. So the same is true with the Governing Body.  
6

7 Q. So where it is said that the faithful and discreet  
8 slave is made up of a small group of anointed brothers, are  
9 we to understand the belief behind that being that you are  
10 anointed by the holy spirit?

11 A. That is correct. But if I could just enlarge on that,  
12 there are many anointed Jehovah's Witnesses who do not  
13 serve on the Governing Body.  
14

15 Q. And that would include all the elders around the  
16 world; would that be right?

17 A. No, that is not correct. The anointing process that  
18 we are referring to is referred to in the book of Romans,  
19 chapter 8, where it speaks of a heavenly calling. So the  
20 majority of Jehovah's Witnesses hope to live in a paradise  
21 earth, whereas those who have been selected by means of  
22 holy spirit have a hope to live in heaven - to go to heaven  
23 when they die, in other words.  
24

25 Q. Mr Jackson, is that the 144,000 that is referred to?

26 A. Ultimately, in the book of Revelation, chapter 14, it  
27 refers to the total number being 144,000.  
28

29 Q. Does the Governing Body, or do the members of the  
30 Governing Body - do you see yourselves as modern-day  
31 disciples, the modern-day equivalent of Jesus's disciples?

32 A. We certainly hope to follow Jesus and be his  
33 disciples.  
34

35 Q. And do you see yourselves as Jehovah God's  
36 spokespeople on earth?

37 A. That I think would seem to be quite presumptuous to  
38 say that we are the only spokesperson that God is using.  
39 The scriptures clearly show that someone can act in harmony  
40 with God's spirit in giving comfort and help in the  
41 congregations, but if I could just clarify a little, going  
42 back to Matthew 24, clearly, Jesus said that in the last  
43 days - and Jehovah's Witnesses believe these are the last  
44 days - there would be a slave, a group of persons who would  
45 have responsibility to care for the spiritual food. So in  
46 that respect, we view ourselves as trying to fulfil that  
47 role.

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Q. Mr Jackson, I would like to refer you to a document - I believe that there is someone there to assist you. It is exhibit 29-028, and it is the Branch Organisation January 2015 manual, an in particular, at chapter 1. Would you confirm that you have the opening page of chapter 1 available to you?

A. Yes, I do, thank you, Mr Stewart.

Q. In paragraph 1 it says:

The Governing Body of Jehovah's Witnesses is made up of brothers who are anointed servants of Jehovah God.

I take it that is how you see it in the manner you have explained a few moments ago?

A. That's correct.

Q. Then it is said:

They have the responsibility for giving direction and impetus to the Kingdom work.

And some scriptures are given. I take it that is how you see it?

A. That is correct.

Q. It also then says:

Like its first-century counterpart, the Governing Body today looks to Jehovah, the Universal Sovereign, and to Jesus Christ, the Head of the congregation, for direction in all matters.

Would that be how you see it?

A. That is correct, yes.

Q. Then in paragraph 2, it says in the first sentence:

The Bible says: "Let all things take place decently and by arrangement." The Governing Body obeys this direction by putting in place various helpful procedures and guidelines that ensure the smooth and orderly operation of the branch offices and

1 the congregations.

2

3 Now, from that, are we to understand that the procedures  
4 and guidelines that are published by the Jehovah's  
5 Witnesses - in particular, the Watchtower Bible & Tract  
6 Society of Pennsylvania - are the procedures and guidelines  
7 referred to here?

8 A. If I understand your question correctly, Mr Stewart,  
9 if I could just explain, as it highlights here, there is  
10 a responsibility of the Governing Body - and may I remind  
11 you that you are quoting from a publication that is not  
12 a constitution, is not a legal document, is not a contract,  
13 it is an expression of the relationship and  
14 responsibilities between the Governing Body and the branch  
15 committee. So in this paragraph, we are highlighting to  
16 the branch committees the responsibility that we feel, that  
17 there is a need, yes, for certain procedures and for  
18 certain direction to be given in a spiritual nature.

19

20 Q. From the next sentence, "Responsible Christian men do  
21 their part by setting an example of obedience as they put  
22 such arrangements into effect", are we to understand that  
23 the expectation of the Governing Body is that the branches  
24 around the world will act in accordance with those  
25 procedures and guidelines?

26 A. That is the expectation. But may I put the proviso on  
27 this: you see, as paragraph 2 starts off, the second  
28 sentence, "The Governing Body obeys this direction" -  
29 Mr Stewart, what you need to understand with regard to our  
30 organisation is it is a faith-driven organisation. This is  
31 not an organisation of lawyers or those that are overly  
32 concerned with legal matters. So our primary allegiance is  
33 to Jehovah God. Now, the Governing Body realises that if  
34 we were to give some direction that is not in harmony with  
35 God's word, all of Jehovah's Witnesses worldwide who have  
36 the Bible would notice that and they would see that it was  
37 wrong direction. So we have responsibilities as guardians  
38 to make sure that everything is scripturally acceptable.  
39 So if the direction given is scripturally correct, then we  
40 would expect that these members of the branch committee,  
41 who themselves also are Christians, who accept the  
42 constitution, would follow that direction. But if I can  
43 also say, there are provisions for those branch committees  
44 to get back to us if they see that there is something that  
45 doesn't work, and then we can adjust it accordingly.

46

47 Q. Thank you, Mr Jackson. I will come to the question of

1 adjustments, and so on, in a moment, but from what you have  
2 said, am I to understand that the Governing Body seeks to  
3 obey Jehovah God?

4 A. Absolutely.

5

6 Q. And that the branches seek to obey the Governing Body?

7 A. First of all, the branches seek to obey Jehovah.  
8 We're all in the same arrangement. But because they  
9 recognise a central body of spiritual men who give  
10 spiritual direction, then we would assume that they would  
11 follow that direction or, if something is not appropriate,  
12 that they would identify that.

13

14 Q. In turn, the congregations are expected to obey the  
15 branches?

16 A. Again, first of all, they have to obey Jehovah God.  
17 That is the very first thing that they need to do. But if  
18 direction is given based on the Bible, we would expect that  
19 they would follow that because of their respect of the  
20 Bible.

21

22 Q. And the definitive interpretation of the Bible from  
23 time to time is the Governing Body; is that right?

24 A. Ultimately, as guardians of our doctrine and beliefs,  
25 yes, some central group needs to make that decision, but  
26 that doesn't mean to say that we are just on our own  
27 unilaterally making those decisions without research and  
28 input from others.

29

30 Q. Could I ask you to look now at paragraph 4 on that  
31 page? It says:

32

33 The Governing Body gives final approval for  
34 new publications as well as new audio and  
35 video programs.

36

37 I understand that comes very much under the responsibility  
38 of the writing committee; is that right?

39 A. That is correct.

40

41 Q. And in paragraph 5:

42

43 The Governing Body cares for the  
44 appointment and deletion of Branch and  
45 Country committee members and designates  
46 the brother who will serve as the  
47 coordinator of the committee.

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I take it that is the manner in which things are done?

A. That is correct.

Q. Returning to the question of publications, where it says there in paragraph 4 that the Governing Body approves publications, does that include the Awake! and Watchtower publications?

A. Yes, that does. But may I explain. You see, we have a proofreading department that obviously reads everything before it is printed and they are responsible to make sure grammatically everything is correct. We have compositors who compose the magazines. We have a lot of people working on various things. The role of the Governing Body, and my role as a member of the Governing Body, is to read each of those publications, looking to see if it does harmonise the scriptures or not. I have no idea with the Awake! magazine, it may be talking about some technical issue that involves areas that I know nothing of, but the main thing for me to read it is: is it translatable and does it match what the Bible says?

Q. Do those publications which require approval of the Governing Body include the manuals, such as Shepherd the Flock of God, Organised to do Jehovah's Work, and this Branch Organisation manual that we're looking at?

A. Yes, again, but with the proviso that we do not write those manuals. Those that are involved with that aspect of our work write them. They do the research that is necessary. Then the Governing Body finally reads it to make sure not that the policy can work in every aspect, because obviously we are not familiar with all those various aspects of the issue, but to make sure scripturally nothing is wrong.

Q. But I take it the Governing Body takes responsibility for those publications?

A. We do take spiritual responsibility for it, yes. May I just mention, if there is a printing mistake and we say that penguins are found in the middle of Australia, then, yes, it's true, we take responsibility, but it's without - not within the realms of our expertise. But we would check to see who it was that had given that wrong information.

Q. And the publications that are referred to in paragraph 4, would that include the letters to elders, or the letters to the Bodies of Elders around the world?

1 A. If it's signed on behalf of the Governing Body, yes,  
2 but there are hundreds of letters that are sent out by  
3 service departments that are not necessarily coming from  
4 the Governing Body.

5  
6 Q. Well, I should have been clearer, Mr Jackson. I'm  
7 referring to the standard letters to Bodies of Elders  
8 dealing with general matters in a normative way, not  
9 particular letters dealing, perhaps, with a specific issue  
10 that has arisen here or there?

11 A. True, Mr Stewart. But it's very rare for  
12 a congregation to receive a letter from the Governing Body  
13 signed by the Governing Body. What will happen is that  
14 a template may be approved of the basic principles, and so  
15 on, but branches are allowed in many cases to make  
16 adjustments according to their local circumstances - not  
17 adjustments to scriptural things, they would need to get  
18 back to us on that, but adjustments for local  
19 circumstances.

20  
21 Q. Those adjustments themselves, though, are adjustments  
22 which require approval of Bethel in New York; is that not  
23 right?

24 A. I would beg to differ on that with all respect.  
25 Sorry, Mr Stewart, do you need me to stop?

26  
27 Q. No, no, carry on.

28 A. Okay. You can hear me okay?

29  
30 Q. Yes, thank you.

31 A. Okay. Thank you. So again, we're talking about  
32 a wide range of letters. Letters that are signed by the  
33 Governing Body, yes, definitely, but policy letters may be  
34 adjusted locally. Would it help if I gave you an example?

35  
36 Q. Yes, Mr Jackson.

37 A. So in many countries in the world, Jehovah's  
38 Witnesses, in their preaching work, if they meet someone  
39 who is interested in hearing the message, they may note  
40 down their particulars and then return and visit them  
41 later. But in some countries that is not a legal thing  
42 that you are allowed to do, it's viewed as an invasion of  
43 privacy. So if a letter were to go out that discussed some  
44 of those aspects, we would expect the local branch would  
45 make the necessary adjustments so that it was appropriate  
46 to those countries.

47

1 Q. Perhaps I can show you an example, Mr Jackson. If you  
2 can be shown from the tender bundle tab 94.  
3 A. I have it here in front of me.  
4  
5 Q. Have you had the opportunity, Mr Jackson, to view this  
6 correspondence previously?  
7 A. No, I haven't. It's from, I believe, 1998, is it -  
8 well before my time on the Governing Body.  
9  
10 Q. I am referring to the last week, Mr Jackson. Have you  
11 had the opportunity to read this correspondence --  
12 A. I have been caring for my father. I wish I could have  
13 had time to prepare properly, but I haven't been able to,  
14 and I assumed the Commission was wanting to know what  
15 I could contribute personally from my experience. So, no,  
16 I haven't had a chance to read all these.  
17  
18 Q. Well, I will take you through it, Mr Jackson.  
19 A. Thank you.  
20  
21 Q. You will see this is a letter in April 1998 from the  
22 Australia branch to the Governing Body's service committee.  
23 I understand, of course, you are not on the service  
24 committee, but you will see that the Australia branch says:  
25  
26 We are replying now to your letter ...  
27  
28 And it is referenced --  
29  
30 concerning the possibility of putting  
31 something in writing on the subject of  
32 confidentiality and the law in relation to  
33 child abuse matters. We appreciate the  
34 opinion of the Writing and Service  
35 Committees and we thank you for the  
36 opportunity to comment further. We are  
37 sorry to be so long in replying ...  
38  
39 And so on. Then in the next paragraph:  
40  
41 Up till now the brothers generally expect  
42 that the elders will keep all matters  
43 confidential, since this has been stressed  
44 a number of times. In Australia it has  
45 happened that some elders have been  
46 prepared to accept punishment for contempt  
47 of court rather than disclose confidential

1 information. However, we are now saying  
2 that elders should comply with the law  
3 where mandatory reporting is required if  
4 there is no exemption available to them.

5  
6 Then in the next paragraph:

7  
8 It has been suggested that the following be  
9 printed in a Question Box in Our Kingdom  
10 Ministry. It would be necessary to  
11 schedule it as part of the service meeting  
12 program, unless we simply ask the Presiding  
13 Overseer or another elder simply to read  
14 the question and answer in the  
15 Announcements part of the meeting.

16  
17 Then what is proposed is set out. Do you see that?

18 A. Yes, I see that.

19  
20 Q. Then you will see there is a reply to that letter at  
21 tab 96.

22 A. Tab 96.

23  
24 Q. On 24 July 1998.

25 A. Okay, mmm-hmm. I see that.

26  
27 Q. You will see at the foot of the page, it is from the  
28 Watchtower Bible & Tract Society of Pennsylvania for the  
29 service committee, and it references the letter of 28 April  
30 1998 referring to the suggestion for a possible question  
31 box in the edition of Our Kingdom Ministry. Then it says:

32  
33 After carefully considering the matter it  
34 has been concluded that if the Branch  
35 Committee in Australia continues to  
36 recommend publishing the suggested  
37 material, then it would be appropriate for  
38 the branch to feature the suggested  
39 question and answer as outlined in your  
40 letter ... It will not be necessary to  
41 schedule the information to be considered  
42 on a service meeting program ... We will  
43 leave it to the brothers to read the  
44 information presented ...

45  
46 Now, what that suggests - and I am providing you with the  
47 opportunity to comment on this or answer it, Mr Jackson -



1 is that even matters of that detail are firstly, as  
2 a matter of practice, put to Bethel in New York for  
3 approval, and, secondly, require such approval or consent?  
4 A. In this particular instance, obviously, the brothers  
5 in Australia wrote to the service committee. But if  
6 I could just mention, the importance of this to us is that  
7 the Governing Body gives direction with regard to the  
8 church services or the congregation meetings of Jehovah's  
9 Witnesses, and this, I assume - and this is the first time  
10 I've seen the document - is asking if they can include this  
11 in the actual program at the Kingdom Halls, and I assume  
12 from what is said here that the Governing Body, or the  
13 service committee of the Governing Body, has given  
14 direction on that. But if I could highlight, the reason  
15 for that is it involves our spiritual programs.

16  
17 Q. In making decisions on the publications, I understand  
18 from what you say that you are guided by the scriptures?

19 A. That is correct.

20  
21 Q. And that involves, obviously, interpreting the  
22 scriptures from time to time?

23 A. That is the role of the Governing Body.

24  
25 Q. Am I right in understanding that the Governing Body's  
26 interpretation of the scriptures on any particular point  
27 might change or develop from time to time?

28 A. That is correct as well.

29  
30 Q. So I think some examples might be, for example,  
31 firstly, the question of blood fractions and whether that  
32 is or isn't covered by the prohibition for the receipt of  
33 blood transfusions.

34 A. That is correct as well, but if I could just mention,  
35 when blood transfusions were first introduced, there wasn't  
36 a lot of options with regard to blood fractions.

37  
38 Q. Yes, but my point is, or what I am seeking to  
39 understand is, there was an interpretation at one point  
40 which said that members of the Jehovah's Witnesses should  
41 not receive blood fractions, but in more recent times it  
42 has been accepted, as I understand it, that there is no  
43 specific scriptural direction on that - on blood fractions,  
44 that is - so that is a matter for the individual conscience  
45 of Jehovah's Witnesses?

46 A. That is right. And Mr Stewart, if I may mention, this  
47 is an example of the desire of the Governing Body not to go

1 beyond the scriptures. Clearly, we have the direction in  
2 Acts chapter 15, 28 and 29 against blood. But if I could  
3 also mention, you see, as with anything in the community,  
4 more and more knowledge becomes available medically, it can  
5 be very overwhelming trying to see all the latest medical  
6 research, and so on. But the Governing Body tries to make  
7 sure that they don't go beyond what is written. If we see  
8 that a direction from the scriptures has perhaps been used  
9 too broadly, then we are the first ones to try to correct  
10 that.

11

12 Q. I take it, too, that the state of knowledge about the  
13 scriptures and, in particular, historical knowledge about  
14 scriptures, also improves or increases from time to time?

15 A. That is correct. But there are some basic things in  
16 the Bible that have not changed right from the beginnings  
17 of the Jehovah's Witness religion, and I won't take your  
18 time, obviously, going through those, but it is important  
19 to realise what are basic things in the Bible. For  
20 example, is the Bible from God? There is no possibility of  
21 us changing our viewpoint on that.

22

23 THE CHAIR: Q. Mr Jackson, you probably know that we  
24 have discussed with some of your members earlier in this  
25 hearing the relationship of the Bible, being written at  
26 a time of particular political and social structure, and  
27 its literal relevance in today's social and political  
28 context. Are you familiar with those discussions?

29 A. I am. I did hear your question, your Honour, and I at  
30 the time was quite frustrated that I didn't have an  
31 opportunity to answer, so it appears this opportunity is  
32 now coming.

33

34 Q. I am going to give you an opportunity. Now, it is  
35 plain that over time, in relation to matters of relevance  
36 to this Commission, our understanding, both medical, social  
37 and of the political issues that arise, has changed, and  
38 you are aware of that?

39 A. I am aware of that, your Honour.

40

41 Q. Now, one of the characteristics that we have  
42 identified, and I've spoken about it, and I'm sure you  
43 would know this, that is manifest in the area of sexual  
44 abuse of children within institutions is the child's  
45 incapacity to tell an adult about what has been happening  
46 to them. Are you familiar with that problem?

47 A. That is correct. I am familiar with that problem,

1 yes.  
2  
3 Q. I've described it by reference to the admonition that  
4 was certainly prevalent when I was a child that children  
5 are to be seen but not heard - you understand?  
6 A. Mmm-hmm, I do understand.  
7  
8 Q. You are familiar with that concept?  
9 A. Yes. Yes.  
10  
11 Q. Is it relevant to Jehovah's Witnesses?  
12 A. Your Honour, in our publications - obviously I can't  
13 give you examples now, but we would be very happy to do  
14 that - one of the key things we try to help parents to do  
15 is to encourage their children to communicate with them.  
16 As a missionary in the South Pacific, the cultures in the  
17 South Pacific definitely follow what your Honour just said.  
18 If children are being disciplined or counselled, they are  
19 not supposed to speak at all. And over and over again, we  
20 encourage parents, "No, children need to express  
21 themselves, they need to feel the love so that they can do  
22 that."  
23  
24 Q. You have the Bible there. If you go to 1 Timothy  
25 chapter 3 --  
26 A. Yes.  
27  
28 Q. -- verse 4, there is a discussion of a man presiding  
29 over his household having his children in subjection. Now,  
30 what does that mean?  
31 A. That's a very good question, your Honour. Biblically  
32 speaking, the word "subjection" infers respect and  
33 a willingness to comply with direction. It does not --  
34  
35 Q. Your Bible then provides a reference back to Ephesians  
36 chapter 6 verse 4?  
37 A. That is correct.  
38  
39 Q. Which imposes the obligation on fathers to bring their  
40 children up in the discipline and admonition of Jehovah.  
41 What is the "discipline of Jehovah"?  
42 A. Your Honour, the original language, discipline,  
43 indicates a process of teaching, educating, making  
44 a disciple.  
45  
46 Q. Well, from that reference in Ephesians, your Bible  
47 takes us back to Proverbs chapter 13, verse 34?

1 A. Yes.  
2  
3 Q. And the exact quote is:  
4  
5 Whoever holds back his rod hates his son.  
6  
7 What does that mean?  
8 A. So, your Honour, you will notice there is an asterisk  
9 there on the term "rod", and you see the footnote.  
10  
11 Q. Yes.  
12 A. "Discipline or punishment". So in the application of  
13 this, the term "rod" is used as a symbol or a metaphor to  
14 indicate the authority to give some punishment. For  
15 example, in a modern-day setting, my father could say to me  
16 I don't go to the movies because I had broken some of the  
17 rules of the home.  
18  
19 Q. So it's not about inflicting corporal punishment,  
20 then?  
21 A. It absolutely is not about inflicting corporal  
22 punishment.  
23  
24 Q. It would have been when first written, wouldn't it?  
25 A. How people applied it back then, at that time, of  
26 course is open to question.  
27  
28 Q. Well, what you are telling me, as I understand it, is  
29 that your religion, your church, is prepared to interpret  
30 the Bible having regard to contemporary social attitudes  
31 and standards; is that right?  
32 A. Obviously, your Honour, we need to take that into  
33 consideration, but the primary responsibility we have is to  
34 think what does Jehovah God mean by this, and we look at  
35 other scriptures. One of the problems that many folk have  
36 when they read the Bible is they take one verse and they  
37 assume it means something out of context or not in  
38 reference to other scriptures. So for our understanding,  
39 Jehovah has said that children should be raised in a loving  
40 environment. Jesus was raised in such an environment.  
41  
42 Q. Well, I have taken you to the way your own church  
43 constructs the biblical references, which, as we have  
44 noticed, takes us back to Proverbs; correct?  
45 A. That is correct.  
46  
47 Q. But what you have given us is the understanding which

1 your church now has about how that is to apply in  
2 contemporary society; is that right?  
3 A. That's a good question. Obviously, I can only speak  
4 about what we understand this to mean now, but I would  
5 argue the case that even back in ancient times God did not  
6 have in mind for children to be beaten up in a bad way.  
7  
8 Q. Does your church accept corporal punishment of  
9 children?  
10 A. Our church accepts the family arrangement and expects  
11 that parents have the responsibility to discipline and  
12 raise their children.  
13  
14 Q. That doesn't answer my question. Do you accept  
15 corporal punishment?  
16 A. I see. In our literature, I think you will see time  
17 and time again we've endeavoured to explain that here  
18 "discipline" is referring to more a mental point of view,  
19 not corporal punishment.  
20  
21 Q. I am going to tell you, you are still not answering my  
22 question.  
23 A. Oh, sorry.  
24  
25 Q. Do you accept corporal punishment?  
26 A. No.  
27  
28 Q. You don't?  
29 A. Not - not personally, no, and not as an organisation -  
30 we don't encourage it.  
31  
32 Q. But do you prohibit it?  
33 A. Our literature has pointed out that the true way to  
34 discipline children is by educating them, not giving  
35 corporal punishment. Your Honour, I can only tell you the  
36 spirit behind our writings.  
37  
38 Q. Now, I'm sure you know that one of the problems for  
39 survivors, revealed by their evidence in this very hearing,  
40 is their concern about having to approach men within the  
41 church to tell their story and then have that story  
42 assessed and judged by men alone; do you understand?  
43 A. I do understand that, your Honour.  
44  
45 Q. Now, in the society in which you live, and in which  
46 I live, we have seen significant change, although perhaps  
47 not yet complete, in the role which women play in the

1 decision-making and government of our society, haven't we?  
2 A. We certainly have.  
3  
4 Q. That is a reflection of a contemporary understanding  
5 of the role and contribution which everyone in our society  
6 can make to the common good, isn't it?  
7 A. Yes.  
8  
9 Q. Now, I am sure you know of the concerns expressed by  
10 the women who have given evidence in this hearing about the  
11 confrontation and difficulty in that confrontation which  
12 they found in approaching a male-dominant structure; you  
13 understand that?  
14 A. I do understand that, your Honour.  
15  
16 Q. Is there room for the church to change that?  
17 A. That's a very good question, and I'm glad you asked  
18 it. Is there a chance to make elders women or make women  
19 elders? No. There is no leeway there. But,  
20 your Honour --  
21  
22 Q. Why is that? Can you tell me why that is?  
23 A. Sure, yes. If we turn to --  
24  
25 Q. Is it because of a literal application of the Bible?  
26 A. Your Honour, it goes back to the theme of the  
27 scriptures right from the creation of Adam, right through  
28 Israelite times, to the Christian era. But, in all  
29 fairness, may I just say something with regard to that?  
30  
31 Q. Most certainly.  
32 A. You see, the role of women in the Jehovah's Witness  
33 religion is a very dignified role. We don't make women -  
34 well, we certainly do not want women to feel like  
35 second-rate citizens. In God's view, men and women are  
36 equal. But even people who fly aeroplanes realise you  
37 can't fly an aeroplane by committee - there has to be  
38 a pilot and a copilot. And that's the Bible arrangement.  
39 It's not because of any lack of intelligence or lack of  
40 ability on the part of women; it is an arrangement that has  
41 stood the test of time.  
42  
43 Now, within that arrangement, the Bible clearly states  
44 that a man does not have absolute authority over a woman,  
45 and a woman is a co-worker, a complement - the Bible refers  
46 to her as. So I think in the context of understanding how  
47 women are treated among Jehovah's Witnesses, I think if you

1 investigated it further, you would see there are very many  
2 happy women in the marital arrangement.  
3  
4 Q. It used to be the case that all of our pilots were  
5 women [sic], wasn't it, and we changed that.  
6 A. All of our pilots were?  
7  
8 Q. Were men?  
9 A. All men?  
10  
11 Q. Yes, that's right?  
12 A. Oh, were men, yes.  
13  
14 Q. Were men and we've changed that now and we have women  
15 who are pilots.  
16 A. That's right. And that's because --  
17  
18 Q. Why couldn't the church accept that women can  
19 contribute to the decision-making processes, particularly  
20 in relation to allegations of sexual abuse brought forward  
21 by women?  
22 A. The answer, your Honour, is that we expect women to be  
23 involved in that. But in the actual role as elders within  
24 the Christian congregation there is a very firm standard  
25 set there. There is no leeway whatsoever for that in the  
26 belief of Jehovah's Witnesses. But if I could mention,  
27 some of the reports that you have considered are from 25  
28 years ago, and if I understand correctly, from what little  
29 I heard of the Commission in the last few days, Mr Spinks  
30 very accurately described that there has been more of an  
31 awareness of Jehovah's Witnesses to make sure that any  
32 victim who has been a victim of a horrible crime is not  
33 required to actually go before three men. We've made  
34 changes, your Honour, because those changes in the actual  
35 technicalities of the policies don't change - they are not  
36 affected by the actual Bible principles, except the very  
37 important principle of showing love, empathy and concern  
38 and trying to avoid any form of trauma. And that is our  
39 desire. If it wasn't perfect before, which it wasn't,  
40 we've tried to change that, and we will make further  
41 changes when we consider the recommendations of the  
42 Commission.  
43  
44 Q. Well, we will come back to your processes later on.  
45 I will leave you now with Mr Stewart.  
46 A. Thank you, your Honour.  
47

1 MR STEWART: Q. Just on the last point, Mr Jackson, with  
2 regard to a survivor of sexual abuse having to make the  
3 allegation directly to the accused, do you agree that - in  
4 those circumstances, should a survivor have to make the  
5 allegation in the presence of the accused?

6 A. I agree that it would be better for them not to do  
7 that unless the victim wants to do that.  
8

9 Q. Yes. That's why I phrased my question in the way that  
10 I did. So I will repeat it. Do you agree that in those  
11 circumstances the survivor should have to make the  
12 allegation in the presence of the accused?

13 A. Sorry, I don't understand your question. Could you  
14 rephrase it?  
15

16 Q. Do you agree that there are no circumstances in which  
17 the survivor of a sexual assault should have to make her  
18 allegation in the presence of the person whom she accuses  
19 of having assaulted her?

20 A. I agree that that is the case.  
21

22 Q. And as I understand you, you are saying on your  
23 understanding that is not required by your rules - in other  
24 words, your rules do not require the survivor of a sexual  
25 assault to have to make her allegation in the presence of  
26 the person whom she accuses as having assaulted her?

27 A. If I understand your question correctly, from what  
28 I have heard from Mr Spinks' testimony, that is not  
29 something that we require now. I preface this in the fact  
30 that it is not my field that I work with every day.  
31 Mr Spinks and those who work in the service department work  
32 with these matters, but that is my understanding.  
33

34 Q. So do you accept, then, that that should be made clear  
35 in your documents, manuals and instructions - in other  
36 words, that it should be made clear that a survivor of  
37 a sexual assault should not have to make her allegation in  
38 the presence of the person whom she accuses as having  
39 assaulted her?

40 A. Absolutely.  
41

42 Q. Mr Jackson, can a branch committee publish its own  
43 manuals and guidelines in respect of judicial committee  
44 procedures for responding to allegations of child sexual  
45 abuse?

46 A. I would think it would be unusual for that to happen.  
47 Seeing it is not my field per se, I couldn't give an



1 inclusive answer with regard to that, but as far as  
2 the general principle goes, I would expect that they would  
3 get back to the service committee on it.  
4

5 Q. What we see in the documents that we have, that govern  
6 this issue currently, is that they are documents which  
7 originate under the auspices of or with the approval of the  
8 Governing Body. So I'm referring to --

9 A. That --

10  
11 Q. Sorry, Mr Jackson?

12 A. Sorry. My apologies.  
13

14 Q. So I'm referring to Organised to Do Jehovah's Will,  
15 Shepherd the Flock of God, and the guidelines that are  
16 published to the branch committees.

17 A. Thank you. That is a rather long question, but if  
18 I've understood it correctly, we would expect the general  
19 framework of what we do to be published as approved by the  
20 Governing Body. But, you see, when we say "published",  
21 letters are published by the local branches that indicate  
22 any variance that may need to take place with regard to  
23 those policies. So that's why I was just hesitant to say  
24 that it's all-inclusive.  
25

26 Q. Well, if the Australia branch, for example, was to  
27 decide that the investigative step which precedes the  
28 appointment of the judicial committee need not be done by  
29 two elders but can, in Australia, be done by a woman acting  
30 on their behalf, would that be something that would be open  
31 to the Australia committee to follow or to adopt?

32 A. Mr Stewart, I certainly would hope that the Australia  
33 branch committee would get back to the service committee  
34 with the reasons why that is needed and then, eventually,  
35 I would hope they would get to the Governing Body so that  
36 we could approve whatever changes are needed worldwide.  
37

38 Q. But it may be that the branch committee in Australia  
39 has a different view on these matters than the branch  
40 committee in some other country. We will take one close to  
41 home - New Zealand, for example. Or let me do one further  
42 afield, anywhere, if you like, the Philippines may take  
43 a different view. Is there space for the branch committees  
44 to have different investigative procedures in different  
45 parts of the world?

46 A. To answer your question, the answer is yes, that is  
47 possible, but if the reason for doing so is to avoid

1 trauma, then that is something the Governing Body is  
2 interested in. We want to see how we can encourage all the  
3 countries to avoid that. But if it is a matter of  
4 technicality that they need to do it a certain way, then  
5 yes, we would expect they would at least notify us and  
6 there could be differences.

7  
8 THE CHAIR: Q. Mr Jackson, is there any biblical  
9 impediment to a woman being appointed to investigate an  
10 allegation?

11 A. There is no biblical impediment to a woman being  
12 involved with the investigation. In fact, I think - oh,  
13 sorry. I am sorry, your Honour.

14  
15 Q. No, you continue.

16 A. And I think that is one of the benefits of the  
17 Royal Commission, what has been brought to light is that  
18 certainly it is good for a woman to be involved with  
19 particularly some of the sensitive areas. But if I could  
20 just mention, many of our publications are very broad in  
21 aspects. We're not just talking about this one aspect of  
22 child abuse, which is a horrific crime, but it can also -  
23 the same principles are used for other sins, such as  
24 drunkenness and other things the Bible mentions. But in  
25 this sensitive area, yes, I think the Commission has  
26 clearly shown that it would be good for women to be  
27 involved.

28  
29 Q. Is there any biblical impediment to a determination,  
30 a judicial determination, being made by a body which  
31 includes women, although the elders thereafter may respond  
32 as the decision-maker in relation to what happens to  
33 someone after a decision has been made as to the truth or  
34 not of an allegation?

35 A. That's a good question. Could I just mention first,  
36 your Honour, something - please bear with me on this. The  
37 judicial system that Jehovah's Witnesses use is not in  
38 competition with the criminal justice system. We respect  
39 that and we feel that that is something that the community  
40 needs to make use of. But also, if I can just highlight,  
41 any victim is not viewed as someone that needs to stand  
42 before a judicial committee. They did not do anything  
43 wrong. They are the ones that have been victimised. They  
44 need the help.

45  
46 Now, to answer your question directly, women can be  
47 involved in this very sensitive area, but biblically

1 speaking, the role of the judges in the congregation lays  
2 with men. That's what the Bible says and that's what we  
3 endeavour to follow.

4  
5 Q. Can you give me the reference for that?

6 A. Yes. In the scriptures --

7  
8 Q. That is, judges being only men - not elders, but  
9 judges being only men?

10 A. Okay. I would have to check - I think Deuteronomy is  
11 one of them, but with regard to 1 Timothy, chapter 3 - and  
12 I'm sure, your Honour, you are very familiar with this, in  
13 verse 1:

14  
15 This statement is trustworthy: If a man is  
16 reaching out to be an overseer, he is  
17 desirous of a fine work. The overseer  
18 should therefore be irreprehensible, a  
19 husband of one wife, moderate in habits,  
20 sound in mind, orderly, hospitable,  
21 qualified to teach, not a drunkard, not  
22 violent, but reasonable, not quarrelsome,  
23 not a lover of money, a man presiding over  
24 his own household in a fine manner, having  
25 his children in subjection with all  
26 seriousness.

27  
28 In biblical times, the same expression that is used for  
29 "elder" is also used for "older man". And when we are  
30 translating - of course, that is my field - sometimes it is  
31 hard to decide whether it means "elder" as in a position or  
32 "older man". But definitely, when it speaks of judges at  
33 the gates of Israel, we are talking about older men. But  
34 I apologise, your Honour, seeing you asked this question,  
35 I cannot give you the exact scriptural reference but will  
36 be happy to do that.

37  
38 Q. We would appreciate it, because one possible  
39 modification to meet this issue of the lack of women as  
40 judges of allegations brought forward by women against men  
41 may be a modification of your process to include women in  
42 the judicial determination step. You understand?

43 A. I do understand, your Honour, and we will make sure  
44 you get those references.

45  
46 Q. Can you understand how a woman, a young woman - any  
47 woman - might feel when allegations which she makes of

1 having been sexually assaulted by a male are determined  
2 exclusively by men?

3 A. In the context of a police station, I can understand  
4 that, your Honour. But, please, may I also mention, the  
5 role of these elders, they are friends of those in the  
6 congregation. Their role is to shepherd, help, care for,  
7 and so although perhaps a young person may feel that way,  
8 and we would do everything we can within the Bible  
9 parameters to make sure that that is eased so that a person  
10 isn't put in that very difficult situation. But still,  
11 ultimately the decision maybe without that person would be  
12 made, and the decision is not concerning the criminality -  
13 that is the criminal system. The decision is concerning  
14 the spiritual cleanliness of our congregation and the  
15 rehabilitation of those that commit sins.

16

17 Q. That's to concentrate on the abuser, but what I'm  
18 talking about is the position of the person who has been  
19 abused. Do you understand?

20 A. I do understand that, your Honour, and the women --

21

22 Q. All that you have just said is talking about it from  
23 only one perspective; do you see?

24 A. Mmm-hmm. So, from the other perspective, with  
25 a victim, the main thing for us is helping, supporting and  
26 guiding, and women will be involved with that. You see,  
27 the judicial committee is not judging the victim. The  
28 elders in the congregation and the women in the  
29 congregation have the obligation to give full support to  
30 any victim.

31

32 Q. That may be so, but the point that I was seeking to  
33 have you address was can you understand how a woman might  
34 feel when allegations which she brings forward against  
35 a man in the congregation are considered and judged  
36 entirely by men?

37 A. Obviously I'm not a woman, so I wouldn't like to speak  
38 on their behalf, but the two of us, I am sure, could  
39 understand from what has been expressed and believe that  
40 perhaps there would be a hesitancy there.

41

42 Q. Can I add this to the question, because it's one of  
43 the factual circumstances we face in this hearing: can you  
44 understand the circumstance for a woman who brings an  
45 allegation against an elder, who is a friend of the others  
46 who must judge the truth or otherwise of the allegation?  
47 Can you understand how that person must feel?

1 A. I can try to understand it, your Honour, yes. But,  
2 again, could I ask - and again, this is not my field of  
3 activity, but as far as I understand, we have a process in  
4 place whereby a neutral member, like a circuit overseer,  
5 would be involved with such a case.

6  
7 Q. It would be the case, would it not, that even  
8 a circuit overseer is going to know an elder well?

9 A. They should be familiar, but they also know the victim  
10 well. You see, it's not taking consideration of the  
11 spiritual responsibility - you see, these elders are not  
12 paid to do their job. They do it because of love and  
13 concern and wanting to shepherd the flock. And so I think  
14 what we're missing is the spiritual element to this whole  
15 thing, where people are comfortable talking to one another.

16  
17 Q. I don't know whether you have heard the evidence of  
18 the survivors here - did you hear that evidence?

19 A. No, unfortunately that was a bad time for me caring  
20 for my father. I apologise, but I will look forward to  
21 hearing a summary of it.

22  
23 THE CHAIR: Yes, Mr Stewart.

24  
25 MR STEWART: Q. Mr Jackson, for example, the elders who  
26 hear these allegations, one of the things they have to do  
27 is to measure the credibility of the person who says that  
28 she suffered abuse; is that not right?

29 A. Yes, as a prosecutor would also measure the evidence  
30 that he has before he goes to a case.

31  
32 Q. Well, not so much the prosecutor, perhaps you are  
33 thinking of the judge?

34 A. Sorry, no. If I understand correctly - well, I'm  
35 going way out of my field because I'm not a lawyer, but  
36 I thought any case that would go to the police and be  
37 brought to the prosecution, you would have to at least  
38 establish there was some validity. Maybe that's not the  
39 case in Australia.

40  
41 Q. Well, the point is this, Mr Jackson, isn't it: you  
42 have appreciated, I think, that an elderly man may be in a  
43 difficult position to understand just how a young woman,  
44 for example, making an accusation or an allegation of child  
45 sexual abuse feels in having to make that allegation?

46 A. That is true, but at the same time, perhaps someone  
47 who has never experienced the trauma that these victims

1 have felt, even a woman may find that very hard as well  
2 because it's such a personal experience.

3  
4 Q. But you will accept, I'm sure, that in many instances  
5 where a woman or young woman makes such an allegation, she  
6 would feel a lot more comfortable having to make the  
7 allegation and explain the circumstances to another woman?

8 A. I can't say that I would give a comment on that,  
9 Mr Stewart, because you see, again, it takes away the  
10 consideration of the relationships in our congregations.  
11 It's not like your churches where people just go to church  
12 and don't talk to one another. The congregations do become  
13 familiar and there can be a friendship. So I agree that  
14 the point you are trying to get at, we need to know what  
15 the victim is comfortable in doing with regard to who they  
16 speak to.

17  
18 Q. You gave us a scripture, 1 Timothy, 3 verse 1, which,  
19 as I understood it, was the authority for the principle  
20 that as it is put there, an overseer, but I think in modern  
21 language an elder, must be a man; is that right?

22 A. That's correct.

23  
24 Q. And is there a scriptural reference - perhaps this is  
25 the one you said you would need to come back to us on -  
26 which says that the investigation of allegations of serious  
27 misconduct must be done by an elder?

28 A. If I could just clarify your question a little,  
29 Mr Stewart, you see, what I think you have heard in the  
30 Commission is that we have said that women can be involved  
31 in all these various aspects leading up to the actual  
32 decision-making whether or not someone is spiritually  
33 qualified to remain in the congregation. So just that one  
34 aspect, the actual judicial committee itself, is where we  
35 believe that men would be involved.

36  
37 THE CHAIR: Q. Mr Jackson, that's the question I was  
38 putting to you, you see. I was wondering whether you could  
39 have a structure which meant that the judicial decision as  
40 to whether or not the allegation was true could be  
41 determined by a body capable of having women represented on  
42 it, and that body's decision would then be taken to the  
43 elders in relation to decisions to disfellowship; do you  
44 understand?

45 A. I understand that, your Honour.

46  
47 Q. Well, is it possible to make that change?

1 A. It is possible to make sure that elders are fully  
2 aware of the whole story. But for women to be elders in  
3 the congregation, that is not possible.  
4

5 Q. No, Mr Jackson, I wasn't asking you that. I was  
6 asking you --

7 A. Okay, sorry.  
8

9 Q. -- to consider whether the process may involve  
10 a determination, which we outside the church would call  
11 a judicial determination - that is, is the allegation true  
12 or false - and then, that decision having been made, the  
13 elders would then make a decision as to the consequence,  
14 being disfellowship or otherwise; do you understand?

15 A. I do understand.  
16

17 Q. Could women be involved in the determination of  
18 whether or not the allegation is true?

19 A. Well, your Honour, if I could say, I think they  
20 already are involved, in the sense --  
21

22 Q. Not in the decision, Mr Jackson. Please address my  
23 question.

24 A. Okay. But yes, in - well, please, could I just use an  
25 example. If an underage child says that something has  
26 happened and then two women are involved with helping that  
27 person, surely they have to decide whether or not the facts  
28 are true. They then present those to the elders.  
29 Otherwise, how would the elders know what the facts are?  
30

31 Q. Mr Jackson, you are not dealing with my question.

32 A. I am sorry. I apologise humbly, your Honour.  
33

34 Q. Would you like me to put it again?

35 A. If you would, please.  
36

37 Q. Your process at the moment has a judicial  
38 determination which is made by the elders, and that is the  
39 point at which a decision is made as to whether the  
40 allegation is true or false; do you understand that?

41 A. Mmm-hmm.  
42

43 Q. You do?

44 A. I do understand that, your Honour.  
45

46 Q. Is it possible for the process to be modified so that  
47 that decision can be made by a body which could include

1 women - that is, the decision as to whether or not the  
2 allegation is true or false, made by a body which could  
3 include women, and that decision would thereafter be acted  
4 upon and a decision made as to whether or not to  
5 disfellowship by the elders? Do you understand?

6 A. I do understand, and I apologise, your Honour, for not  
7 answering directly. I didn't understand fully what you  
8 were saying. The answer, your Honour, is such a situation  
9 would be worthy of us considering and doing research and  
10 checking the scriptures, yes. The possibility of  
11 considering that is there.

12

13 Q. Thank you.

14 A. Thank you, and I apologise again.

15

16 MR STEWART: Q. Mr Jackson, I would like to refer you to  
17 Shepherd the Flock of God, which is tab 120, at page 71,  
18 Ringtail 72. This is the manual for elders, and it has  
19 been applicable since, as I understand it, 2010; is that  
20 right?

21 A. This is - yes. That appears to be the case.

22

23 Q. Would it be the case that this manual came through the  
24 processes of the writing committee?

25 A. This manual would have been prepared with the help of  
26 the service departments and the service committee would  
27 have prepared this information and, yes, the writing  
28 committee would have needed to read everything and check to  
29 see if scripturally it was applicable.

30

31 Q. I'm showing you page 71, but that is in chapter 5,  
32 which is headed "Determining whether a judicial committee  
33 should be formed", and it starts out by setting out various  
34 wrongdoings, serious ones including manslaughter, attempted  
35 suicide, porneia, and so on. So that is the context. But  
36 you will see at paragraph 37 it says:

37

38 Even though a Christian has been accused of  
39 wrongdoing serious enough to require  
40 a judicial action, a judicial committee  
41 should not be formed unless the wrongdoing  
42 has been established.

43

44 And the word "established" is in italics. So my question  
45 is who is it who decides whether the wrongdoing has been  
46 established?

47 A. It is my understanding that two elders normally would



1 investigate the matter to see if there is some substance to  
2 the accusation, having in mind, as you mentioned, this  
3 could be ranging from someone getting drunk to someone  
4 committing immorality, and so on. So those two elders  
5 would at least see if there was some basis of the  
6 accusation and they would get back to the Body of Elders,  
7 who then would appoint the judicial committee.  
8

9 Q. So then the question is, is it scripturally necessary  
10 that that role is performed by two elders, as opposed to,  
11 for example, a woman appointed for them?

12 A. May I ask, Mr Stewart, is this the same question that  
13 his Honour asked, or is there a difference? Are you just  
14 emphasising the point?  
15

16 Q. Well, I'm trying to understand your answer,  
17 Mr Jackson. So if you can just address yourself to my  
18 question, what I've sought to do is to identify a very  
19 specific decision in the process. It's the decision as to  
20 is the wrongdoing established. You have said that that is  
21 done by two elders who then report back to the Body of  
22 Elders, which then appoints a judicial committee. So I am  
23 asking scripturally is there room for that decision as to  
24 whether the wrongdoing has been established to be anyone  
25 other than elders?

26 A. Good, I understand your question, Mr Stewart. Could  
27 we take the case of where the two elders cannot speak to  
28 the victim, that perhaps they don't want to traumatise the  
29 victim, and maybe two women that are very close to the  
30 victim are able to speak to them. In a setting such as  
31 that, all the elders would have is the testimony of the two  
32 women with regard to the testimony of the victim. So in  
33 that way, the women are saying whether they feel that it is  
34 a valid case or not. So the answer to your question is  
35 yes, women can be involved scripturally.  
36

37 Q. But you know, Mr Jackson, my question had nothing to  
38 do with involvement. It had to do with who makes the  
39 decision. The person who makes the tea is involved, in a  
40 sense, if they bring the tea in when the decision is being  
41 considered. I'm not talking about involvement. I'm  
42 talking about who makes the decision. Am I to understand  
43 your evidence is that it must be elders who make the  
44 decision?

45 A. That is my understanding.  
46

47 Q. And are you able to furnish a scriptural reference for

1 that - in other words, where it is that it is provided in  
2 the scripture that that is necessarily so?  
3 A. The principle that we were discussing before is the  
4 headship principle found in 1 Corinthians chapter 11, and  
5 I am sure, Mr Stewart, you have already referred to this in  
6 the Commission, but bear with me please as I look at it. 1  
7 Corinthians chapter 11 and verse 3 - do you have it there  
8 already?  
9  
10 Q. This time I will be grateful for the page number,  
11 Mr Jackson.  
12 A. Okay. So 1536.  
13  
14 Q. I have it.  
15 A. So verse 3 of chapter 11:  
16  
17 But I want you to know that the head of  
18 every man is the Christ; in turn, the head  
19 of a woman is the man; in turn, the head of  
20 the Christ is God.  
21  
22 So in the church decision-making arrangement, it is based  
23 on the headship principle that we have in the family and in  
24 the Jehovah's Witnesses community as a whole that  
25 scripturally the men make the final decisions. But that  
26 does not mean that there is no input from the women.  
27  
28 Q. Thank you, Mr Jackson. While you are in  
29 1 Corinthians, perhaps you would take a look at  
30 1 Corinthians 14, verses 33 to 35?  
31 A. I have it already, yes.  
32  
33 Q. Which says:  
34  
35 For God is a God not of disorder but of  
36 peace. As in all the congregations of the  
37 holy ones, let the women keep silent in the  
38 congregations, for it is not permitted for  
39 them to speak. Rather, let them be in  
40 subjection, as the Law also says. If they  
41 want to learn something, let them ask their  
42 husbands at home, for it is disgraceful for  
43 a woman to speak in the congregation.  
44  
45 Now, as I understand it, that is not applied in the  
46 Jehovah's Witnesses organisation - in other words, you do  
47 allow women to speak in the congregation?

1 A. I'm sorry, you have two questions there. Can I answer  
2 the first one first. Jehovah's Witnesses do follow what is  
3 stated here. I can explain. The second one is, yes, women  
4 are allowed to speak in the congregation. May I explain to  
5 you the reason why I feel we do follow what is here?

6  
7 Q. Yes, of course.

8 A. So you notice in verse 34, that's where it says "keep  
9 silent", but if you look at verse 28, there it says:

10  
11 But if there is no interpreter, he must  
12 keep silent.

13  
14 So the expression "keep silent" is referred to a male, and  
15 then verse 30, where it is talking about prophets, and in  
16 verse 30 it says:

17  
18 If another one receives a revelation whilst  
19 sitting there, let the first speaker keep  
20 silent.

21  
22 So this chapter is talking about orderly conduct in the  
23 church meetings or in the congregation meetings. So verse  
24 28, if someone starts speaking in another language but  
25 there is no interpreter, the scripture says "let him keep  
26 silent". Now, it appears that in the congregation there  
27 was a problem because some women were actually challenging,  
28 arguing, debating with the men who were taking the lead in  
29 giving teaching. Now, you may not feel that that is the  
30 case, but that's the context of what is said here, and in  
31 chapter 11, it refers to the fact that a woman could speak  
32 with a head covering. So I think a very literal  
33 interpretation of verse 34 and verse 35 is not appropriate  
34 in the context.

35  
36 Q. Are you able to give an overarching explanation as to  
37 when it is that what is said in the Bible should be taken  
38 literally and when it should be given an expansive  
39 interpretation as in this instance?

40 A. Very good. The answer is Jehovah's Witnesses - you  
41 see, it is not a matter of seven men in the Governing Body  
42 taking one verse and saying, "What do you think it means?  
43 What do you think it means?" Jehovah's Witnesses try to use  
44 the Bible to explain itself. So here, in 1 Corinthians  
45 chapter 4, if we were to take the viewpoint that this  
46 literally means that a woman cannot speak, then we would be  
47 not going in accordance with the context. So the answer to

1 your question is you have to have the whole picture, and  
2 that is something that, for yourself - and this is  
3 obviously said in all due respect - someone who reads the  
4 Bible their whole life should understand the whole picture.  
5 And perhaps by means of helping you with regard to that,  
6 there are two other scriptures. One is in 1 Timothy  
7 chapter 2, which I believe his Honour referred to in the  
8 Commission, page 1588, and there it says, verses 11 and 12:

9  
10 Let a woman learn in silence with full  
11 submissiveness. I do not permit a woman to  
12 teach or to exercise authority over a man,  
13 but she is to remain silent.  
14

15 Now, you will notice the asterisk gives the alternative to  
16 that "to remain calm, remain quiet". So obviously, this is  
17 talking about the role of women not jumping up, excitedly  
18 arguing with others. And it's similar to what 1 Peter -  
19 and, please, bear with me - chapter 3 says with regard to  
20 a woman who is married to a non-Christian. In 1 Peter  
21 chapter 3, that's page 1623, Mr Stewart - have you got it?  
22

23 Q. No, I haven't, but I am sure you will read it to me,  
24 Mr Jackson?

25 A. Okay. Verse 1 of 1 Peter, chapter 3:

26  
27 In the same way, you wives, be in  
28 subjection to your husbands, so that if any  
29 are not obedient to the word, they may be  
30 won without a word through the conduct of  
31 their wives ...  
32

33 Now, to take the position that the expression "without  
34 a word" means they would never, ever, ever speak to their  
35 husband would be a misapplication of scripture. So the  
36 Governing Body, when we consider these things, is very much  
37 aware of trying to get the whole context of things.  
38 Otherwise it's like asking two people for an opinion on  
39 something and getting three different opinions. If someone  
40 just takes one verse, they could have all sorts of opinions  
41 about it, but the work of Jehovah's Witnesses is to try to  
42 understand the whole Bible as one message from God. Now,  
43 I don't expect that you would have the same viewpoint, but  
44 I thank you for at least letting me express our viewpoint.  
45

46 Q. Mr Jackson, let's make it a little more concrete,  
47 then, in a very specific example. You will know that one

1 of the things that has emerged in the last couple of weeks  
2 is that in Australia at least, in the Jehovah's Witness  
3 organisation, there is a practice of not reporting child  
4 sexual abuse allegations to the authorities unless required  
5 by law to do so. Do you accept that?

6 A. I am not familiar with the statistics or the general  
7 practice, but I can tell you why there is a spiritual  
8 dilemma because of this question.

9  
10 Q. Well, that's what I'm driving at. Perhaps you can  
11 address that question specifically, which is this: is  
12 there a scriptural basis to that policy or practice, being  
13 not to report child sexual abuse allegations to the  
14 authorities unless required by law to do so?

15 A. Thank you for the opportunity to explain this.  
16 I think very clearly Mr Toole pointed out that if the  
17 Australian Government, in all the States, was to make  
18 mandatory reporting, it would make it so much easier for  
19 us. But, let's say, the spiritual dilemma that an elder  
20 has is to consider how did he get the information that he  
21 has been told? Now, there is a scriptural principle in the  
22 book of Proverbs, chapter 25 - and I'm not saying,  
23 Mr Stewart, that any one of these principles takes  
24 precedence, but it is something that the elder would need  
25 to take into consideration. So Proverbs 25 verses 8  
26 through 10. That's on page 905:

27  
28 Do not rush into a legal dispute,  
29 for what will you do later if your  
30 neighbour humiliates you? Plead your case  
31 with your neighbour, but do not reveal what  
32 you were told confidentially, so that the  
33 one listening will not put you to shame and  
34 you spread a bad report that cannot be  
35 recalled.

36  
37 Now, I'm not saying, Mr Stewart, this is the only factor,  
38 but it is one factor that all ministers of religion have  
39 grappled with when it comes to an issue such as this.

40  
41 The second issue is that elders are told, as is  
42 mentioned in 1 Peter, chapter 5, page 1625, verses 2 and  
43 3 - do you have that, Mr Stewart?

44  
45 Q. I do?

46 A. Yes:

47

1 Shepherd the flock of God under your care,  
2 serving as overseers, not under compulsion,  
3 but willingly before God; not for love of  
4 dishonest gain, but eagerly --

5  
6 and then this is the point --

7  
8 not lording it over those who are God's  
9 inheritance, but becoming examples to the  
10 flock.

11  
12 The point being, here, another aspect that an elder needs  
13 to consider is he does not have the authority to lord it  
14 over or take over control of a family arrangement, where  
15 a person - let's say it is a victim who is 24 or 25 years  
16 of age - has a right to decide whether or not they will  
17 report that incident.

18  
19 They also respect the family arrangement that the  
20 appointed guardian, who is not the perpetrator, has  
21 a certain right, too. So this is the spiritual dilemma  
22 that we have, because at the same time, we want to make  
23 sure that children are cared for.

24  
25 So if the government does happen to make mandatory  
26 reporting, that will make this dilemma so much easier for  
27 us, because we all want the same goal, that children will  
28 be cared for properly.

29  
30 Q. Let's take the situation in a family where one of the  
31 children, let's say the eldest, reports having been abused  
32 by her father.

33 A. Yes, sorry, sir, a question?

34

35 Q. Yes, if that report is accepted as having validity,  
36 you would accept that the potential is that the other  
37 children in the family remain at risk?

38 A. That is correct.

39

40 Q. And by not reporting to the authorities, is the case  
41 not that the confidentiality of the one who reported is  
42 regarded as being more important than to protect those who  
43 are still at risk?

44 A. No, Mr Stewart, if I could just - what I'm trying to  
45 highlight is there are several factors that make it hard  
46 for a minister of religion to make a clear-cut or quick  
47 decision on this matter. Obviously, I think, again, what

1 has been highlighted to the Commission, the elders should  
2 encourage the guardian of the child, or whoever is in that  
3 family arrangement that is not the perpetrator, to notify  
4 the authorities.

5  
6 Q. Leaving aside the question of overriding mandatory law  
7 from the civil authorities, do you see the possibility  
8 within the scriptures as you have identified them for  
9 a change in the practice of Jehovah's Witnesses? In other  
10 words, would it be within the scriptures for the Jehovah's  
11 Witnesses organisation to adopt a policy which says that in  
12 cases where there are others at risk, a report must be made  
13 to the authorities?

14 A. That is a possible thing for us to consider, and  
15 I think, already, the assumption is there, that if any  
16 elder was to see that there was some definite risk, that  
17 their conscience should move them to do that.

18  
19 But the point I was trying to make, Mr Stewart, is  
20 there are other scriptural factors that maybe make that a  
21 little complicated, and it would certainly be a lot easier  
22 if we had mandatory laws on that.

23  
24 Q. Turning to another aspect that we have dealt with,  
25 which is the question of the two-witness rule, you will be  
26 aware that if there is no confession, then two witnesses to  
27 serious wrongdoing are required, or to two similar events  
28 of serious wrongdoing, in order that there is sufficient  
29 evidence to establish a judicial committee. Do you  
30 understand that?

31 A. I do understand that.

32  
33 Q. Is there a scriptural basis to that?

34 A. The two-witness testimony? Is that what you are  
35 asking, Mr Stewart?

36  
37 Q. That's right.

38 A. Absolutely. If I could take you to the book of  
39 Matthew, chapter 18, that is on page 1330, here are the  
40 words of our Lord - verse 16 - the words of our Lord Jesus  
41 Christ. This is talking in the sense of a judicial  
42 setting:

43  
44 But if he does not listen, take along with  
45 you one or two more, so that on the  
46 testimony of two or three witnesses every  
47 matter may be established.

1  
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47

So from this - and I can give you a list of several other scriptures, but I don't want to test your patience and take you to all these verses, but basically, this is a theme right through the Christian Greek scriptures, the New Testament, that the rules of evidence for a judicial hearing involve two witnesses.

But please allow me to say further: this is only talking about setting up a judicial committee. It doesn't mean to say that Jehovah's Witnesses would feel that someone is totally, a hundred per cent squeaky clean, just because there was only one witness to the crime.

Q. I'm not sure what you mean by "a hundred per cent squeaky clean". I mean, the reality is if there is only one witness, in the case of child sexual abuse, then it cannot be taken further by the elders and, as it is put in the literature, it is left in the hands of Jehovah?

A. Yes, but please may I correct your comment on that, with all due respect. You see, by "squeaky clean", I'm meaning that it's not like someone being exonerated by judicial hearing, whereby there's double jeopardy and they can't be taken before the judicial hearing again.

Our literature has said, and we agree, that in most cases with children, with child abuse, they are telling the truth. That is an established thing. They are not making up these stories. So, immediately, the elders would put into place protection measures to help, to make sure that the family cares for the child and that due steps are taken to protect the child.

Q. So I take it you say that that is what elders around the world should definitely do?

A. They should do, because Christian principles indicate that if they realise a child is in a dangerous situation, action should be taken.

The judicial hearing is simply us determining whether a person, the perpetrator, has committed a sin that would warrant them being put out of the congregation. But that doesn't mean to say we are stupid and that we think that someone hasn't done something.

Q. I want to take you back, then, to the scriptural basis for that. So you have referred to Matthew 18, verse 16.



1 As I understand it - and correct me if I am wrong - that,  
2 in turn, really, is a reference back to Deuteronomy, 19  
3 verse 15. In other words, what Jesus Christ was doing is  
4 referring back to that aspect of Mosaic law dealing with  
5 evidence?

6 A. He did quote, as he often did, from the Mosaic law,  
7 but he gave it Christian application.

8  
9 Q. But that is an element to be found in the Mosaic law,  
10 as set out in Deuteronomy 19:15; is that right?

11 A. It is, an element that is found in both the Old  
12 Testament and the New Testament.

13  
14 Q. What I am interested in, and perhaps you can help me  
15 on this, is why that applies to a case of sexual assault,  
16 when clearly what was being addressed in the reference in  
17 Matthew that you gave us was not a question of sexual  
18 assault?

19 A. Yes, if I can just clarify that a little further,  
20 then, there are basic principles that the Bible  
21 highlights - and I can give you 2 Corinthians 13, verse 1.  
22 Sorry, Mr Stewart, can you hear me okay?

23  
24 Q. Yes, carry on?

25 A. 1 Timothy chapter 5 verse 19 is not just a one-off  
26 verse. This is a basic principle for rules of evidence as  
27 found in the Bible. But if I can just emphasise again,  
28 this is only referring to a church-appointed committee that  
29 determines whether a person should remain in the  
30 congregation or not.

31  
32 The judicial system - and if I can save the  
33 Commission's time, I'm sure you are going to want to refer  
34 me back to Deuteronomy where it mentions the penalty of  
35 stoning. But what we need to remember is the laws that  
36 were given back in the nation of Israel, you had the  
37 judiciary, you had the punishment system, everything  
38 combined together.

39  
40 When the Christian arrangement came about, with our  
41 Lord Jesus Christ giving us direction, the Christian church  
42 does not have the authority to throw people into prison, to  
43 execute or to do anything to them. So the judicial system  
44 in the Christian arrangement involves the spiritual  
45 cleanliness of the congregation, and the rules of evidence  
46 remain the same all the way through.

47

1 Q. Mr Jackson, that is exactly the point I want to get  
2 to. You will be familiar - and perhaps we can go to it -  
3 with Deuteronomy 22:23-27?

4 A. Deuteronomy 22:23-27.

5  
6 Q. That's at page 304, where it is said:

7  
8 If a man is found lying down with a woman  
9 who is the wife of another man, both of  
10 them must die together ...

11  
12 Now, let me preface this: I'm not addressing the question  
13 of the stoning, I am addressing the question of evidence.

14  
15 ... both of them must die together, the man  
16 who lay down with the woman as well as the  
17 woman. So you must remove what is bad out  
18 of Israel.

19  
20 Then it says:

21  
22 If a virgin is engaged to a man, and  
23 another man happens to meet her in the city  
24 and lies down with her, you should bring  
25 them both out to the gate of that city and  
26 stone them to death, the girl because she  
27 did not scream in the city and the man  
28 because he humiliated the wife of his  
29 fellow man. So you must remove what is  
30 evil from your midst.

31  
32 And then the next example is the one I am particularly  
33 interested in:

34  
35 If, however, the man happened to meet the  
36 engaged girl in the field and the man  
37 overpowered her and lay down with her, the  
38 man who lay down with her is to die by  
39 himself, and you must do nothing to the  
40 girl. The girl has not committed a sin  
41 deserving of death. This case is the same  
42 as when a man attacks his fellow man and  
43 murders him. For he happened to meet her  
44 in the field, and the engaged girl  
45 screamed, but there was no one to rescue  
46 her.

1 So the point of this last example is that there's no second  
2 witness, is there, because the woman is in the field, she  
3 screamed, but there was no-one to rescue her; do you accept  
4 that?  
5 A. Could I explain, Mr Stewart, that - you see, I think  
6 already under testimony some of Jehovah's Witnesses have  
7 explained that the two-witnesses needed can be, in some  
8 cases, the circumstances. I think there was an example  
9 given --  
10  
11 Q. I will come to that, Mr Jackson. We will get through  
12 this a lot quicker and easier if we just address it one  
13 step at a time?  
14 A. Okay. So the answer to your question --  
15  
16 Q. The present step is this: in that example, you accept  
17 it is a case where there was no other witness beyond the  
18 woman herself?  
19 A. There was no other witness except the woman herself,  
20 but added to that were the circumstances.  
21  
22 Q. Yes. Well, the circumstances were that she was raped  
23 in the field?  
24 A. Mmm-hmm. Yes, they were the circumstances.  
25  
26 Q. There being only one witness, it was nevertheless  
27 sufficient for the conclusion that the man should be stoned  
28 to death.  
29 A. Mmm-hmm. Yes.  
30  
31 Q. Now, is it --  
32 A. I think we're agreeing on the point.  
33  
34 Q. Is it not the case that had Jesus been asked about  
35 a case of sexual abuse, he may have referred back to this  
36 part of Deuteronomy and said that it's not required to have  
37 two witnesses?  
38 A. I certainly would like to ask Jesus that, and I can't  
39 at the moment, I hope to in the future. But that's  
40 a hypothetical question which, if we had an answer, then we  
41 could support what you said.  
42  
43 Q. Well, it is hypothetical in a sense, but really what  
44 I'm driving at is, is the scriptural basis - and you are  
45 the scholar, I'm not - to the two-witness rule really so  
46 solid or is there not space for your Governing Body to  
47 recognise that in cases of sexual abuse it need not apply?

1 A. Again, if I could just mention the fact that we've  
2 already acknowledged that circumstances can also be one of  
3 the witnesses.

4  
5 Q. Well, I will come to that, but my question is  
6 a different one. It's whether the scriptural basis to the  
7 two-witness rule in relation to cases of sexual abuse has  
8 a proper foundation?

9 A. We believe it does because of the number of times that  
10 that principle is emphasised in the scriptures.

11  
12 Q. You will be aware, of course, in the case of adultery,  
13 so long as there are two witnesses to the circumstances of  
14 opportunity, that will be sufficient?

15 A. Yes.

16  
17 Q. So, in other words, there need not be two witnesses to  
18 the act of adultery itself, but only to the circumstances  
19 of opportunity?

20 A. Sorry, you would need to walk me through that a little  
21 further. I'm not quite sure.

22  
23 Q. I was trying to do it by a shortcut, but I will take  
24 you to the document. It is in the same Shepherd the Flock  
25 book, which is tab 120, at page 61. So you will see in -  
26 do you have paragraph 11 there?

27 A. Paragraph 11 - yes, I do.

28  
29 Q. This is also in the chapter dealing with determining  
30 whether a judicial committee should be formed:

31  
32 Evidence (testified to by at least two  
33 witnesses) that the accused stayed all  
34 night in the same house with a person of  
35 the opposite sex (or in the same house as a  
36 known homosexual) under improper  
37 circumstances.

38  
39 That's the heading. Then it goes on to say:

40  
41 Elders should use good judgment in  
42 assessing the situation before forming  
43 a judicial committee.

44  
45 And in the second dot point it says:

46  
47 If there are no extenuating circumstances,

1 a judicial committee would be formed on the  
2 basis of strong circumstantial evidence of  
3 porneia.

4  
5 A. Mmm-hmm.

6  
7 Q. You will see at the foot of the page there is an  
8 example of a married brother spending an inordinate amount  
9 of time with his female secretary, and two lines from the  
10 bottom it says:

11  
12 Later, when he claims to be leaving  
13 overnight for a "business trip", his  
14 suspicious wife and a relative follow him  
15 to the secretary's home.

16  
17 They observe the opportunity for adultery to have taken  
18 place. Then those two witnesses will be sufficient to  
19 establish the case. Do you see that?

20 A. I do see that.

21  
22 Q. So now, in the case of child sexual abuse, it should  
23 be, should it not, that a witness to an opportunity for the  
24 sexual abuse to have taken place would be the sufficient  
25 second witness?

26 A. Yes, if it's - if there is no - what does it say here?

27  
28 Q. "Extenuating circumstances"?

29 A. Under improper circumstances.

30  
31 Q. So a second witness to circumstantial or corroborating  
32 evidence would be sufficient to fulfil the second witness  
33 requirement?

34 A. That's a very large question and I think it's  
35 something that we would need to consider carefully.

36  
37 Q. Well, it's just important as to whether the second  
38 witness has to be a witness to the abuse itself or to what  
39 extent he or she can be a witness to circumstantial or  
40 corroborating evidence. So let me use an example. What  
41 about the trauma, evident trauma of the survivor - would  
42 that be able to be taken into account as corroborating  
43 evidence?

44 A. Yes, it would need to be taken into account, and if  
45 I could mention, Mr Stewart, these are the things that  
46 we're interested in following up on after the  
47 Royal Commission, just to make sure that everything is in

1 place, because certainly these are the things we are  
2 interested in.  
3  
4 Q. But you will understand, Mr Jackson, what we are  
5 interested in is how much room you have to move, as it  
6 were, to what extent you are bound by the scriptures and to  
7 what extent you have flexibility to change your processes.  
8 A. That's right. Well, may I mention - I'm sorry.  
9  
10 MR STEWART: I was going to say to his Honour, would that  
11 be a convenient time for a luncheon adjournment.  
12  
13 THE CHAIR: Q. Mr Jackson, what did you want to say?  
14 A. I was just going to say, I thought that that had  
15 already been established in the hearings, but, if not,  
16 certainly that is something that we need to follow up on.  
17  
18 THE CHAIR: Very well. Mr Jackson, it's appropriate that  
19 we now take a break for lunch here. We will come back at  
20 2 o'clock Sydney time.  
21  
22 LUNCHEON ADJOURNMENT  
23  
24 MR STEWART: Q. Mr Jackson, I just briefly want to deal  
25 with a couple of principles, or guiding beliefs, of the  
26 Jehovah's Witness organisation. Firstly, do you consider  
27 Jehovah God to be a loving God?  
28 A. Absolutely, plus 1 John 4:8 says so.  
29  
30 Q. Do you consider Jehovah God to be a compassionate God?  
31 A. Yes, I do.  
32  
33 Q. Does Jehovah God recognise the worth and dignity of  
34 all human beings?  
35 A. Absolutely.  
36  
37 Q. So, in other words, not restricted only to those who  
38 are members of Jehovah's Witnesses?  
39 A. No. That's why Jesus was sent into the world, for all  
40 mankind.  
41  
42 Q. And obviously that includes women and children?  
43 A. Women and children as well.  
44  
45 Q. Does the Jehovah's Witness organisation then recognise  
46 an individual's freedom to make religious choices?  
47 A. Yes, we do.

1  
2 Q. As I understand it, your organisation does recognise  
3 an individual's freedom to report crimes to the  
4 authorities?  
5 A. Absolutely.  
6  
7 Q. As I understand it, people who no longer want to be  
8 known as one of Jehovah's Witnesses, but who have been,  
9 must then dissociate; is that right?  
10 A. No, not necessarily. I meet many people in my travels  
11 that perhaps were Jehovah's Witnesses at one stage but then  
12 have decided no longer to be active. So they haven't gone  
13 through a formal process.  
14  
15 Q. Well, I have chosen my words deliberately, Mr Jackson.  
16 A. Okay.  
17  
18 Q. If someone no longer wants to be known as one of  
19 Jehovah's Witnesses, they must then disassociate; is that  
20 right?  
21 A. Again, please, if they want to take the action of  
22 doing that. But, of course, they have total freedom. If  
23 they don't want to apply to officially be removed as one of  
24 Jehovah's Witnesses, they can tell anyone they want that  
25 they are no longer a Jehovah's Witness.  
26  
27 Q. I will come back to that, but perhaps I can take you  
28 to tab 109, page 155. This is the manual Organised to Do  
29 Jehovah's Will?  
30 A. Is this the section on disassociation?  
31  
32 Q. Yes, that's right. This is a manual which is issued  
33 to all baptised Jehovah's Witnesses; is that right?  
34 A. That is correct, or - no, let me clarify. Sorry, let  
35 me be precise: those who are approved to go from door to  
36 door. So someone who is preparing for baptism and is an  
37 unbaptised publisher would be allowed to have a copy.  
38  
39 Q. So all baptised Jehovah's Witnesses would be guided by  
40 this, but, in addition, you say some who are not yet  
41 baptised may also have a copy of this?  
42 A. That is correct.  
43  
44 Q. Thank you. And this is the current edition, 2005.  
45 There isn't a more recent edition, is there?  
46 A. No, there isn't one available.  
47

1 Q. So if we have a look, in the first sentence, it says:  
2  
3 The term disassociation applies to the  
4 action taken by a person who, although  
5 a baptised member of the congregation,  
6 deliberately repudiates his Christian  
7 standing, rejecting the congregation by his  
8 actions or by stating that he no longer  
9 wants to be recognised as or known as one  
10 of Jehovah's Witnesses.

11  
12 So is it the case, then, that someone who no longer wants  
13 to be recognised as or known as one of Jehovah's Witnesses  
14 must then disassociate?

15 A. No, it doesn't say they must do anything. If you read  
16 on, you will see there is a process. This gives the person  
17 the right to officially have an announcement made that they  
18 are no longer one of Jehovah's Witnesses. But, as  
19 I already said, if they decide they don't want to exercise  
20 that right, they don't automatically come under this  
21 provision.

22  
23 Q. But then people who don't exercise that right are  
24 then - in other words, they are, as you described,  
25 inactive - still subject to the rules and discipline of the  
26 organisation, aren't they?

27 A. I would have to check on that, because personally  
28 that's not my field. But my understanding is, if a person  
29 has made it known by their actions in the community over  
30 a period of years that they are not witnesses, we would  
31 only hold any reports in abeyance until they decided they  
32 wanted to return.

33  
34 Q. Mr Jackson, I have to say that my understanding is if  
35 someone in that position is caught transgressing one of the  
36 rules, they would still be subject to the disciplinary  
37 proceedings, including possibly disfellowshipping; is that  
38 not right?

39 A. That is a possibility, but in all fairness to your  
40 question, I think there are circumstances, but I couldn't  
41 make a definitive comment on that.

42  
43 Q. So, for example, if they had become inactive or sought  
44 to fade without formally disassociating, and the elders  
45 came to visit and found them celebrating Christmas or  
46 a birthday, they would be found to be in transgression of  
47 the rules, would they not?



1 A. That is not my understanding. But again, as I said,  
2 it is not my field, that goes into policy with regard to  
3 those type of things, but from my personal experience,  
4 that's not the case.

5

6 Q. Mr Jackson, you say it's not your field, but you are  
7 a member of the Governing Body which is responsible, as you  
8 have said, for the whole field, and you have been a member  
9 for 10 years, and all the committees are responsible to and  
10 accountable to the Governing Body.

11 A. That is correct.

12

13 Q. So it is your field, isn't it?

14 A. Only as far as approving the basic scriptural  
15 principles. So is there a scriptural principle that you  
16 have in mind you want to ask me about, or are you talking  
17 about policies and implementation of policies? There is  
18 a difference there.

19

20 Q. Yes. And the policies are all subject to the  
21 scriptural principles, aren't they?

22 A. Yes, and if you have a question on the scriptural  
23 principle, I'm very happy to try and explain it.

24

25 Q. And, for that reason, the policies have to be approved  
26 by the Governing Body to ensure that they are in keeping  
27 with scriptural principles?

28 A. That's correct. But the fact that the policies at  
29 times need to be changed shows that there is leeway there.

30

31 Q. And if it is not the case, as you seem to suggest  
32 might be a possibility, although you say you don't know,  
33 that someone who has not actively disassociated but merely  
34 sought to fade or become inactive is not governed by the  
35 rules, then where is the line drawn between those who are  
36 subject to the rules and those who aren't?

37 A. That's a good question, and that's where judgment  
38 comes in. By "judgment", I mean using a person's nous as  
39 to whether someone is still perceived as one of Jehovah's  
40 Witnesses in the community.

41

42 Q. Isn't that the point, that if someone is perceived as  
43 one of Jehovah's Witnesses in the community, that's because  
44 they have not disassociated or been disfellowshipped?

45 A. Well, it has to do with what the person is telling  
46 other persons.

47

1 Q. Well, there's no middle road, is there? I mean, you  
2 are either a member and subject to the organisation or you  
3 are not - isn't that the case?  
4 A. Yes, but I thought you were asking me about  
5 disassociation.  
6  
7 Q. Well, I am, indeed. So if someone hasn't  
8 disassociated but has sought merely to become inactive or  
9 to fade, they are then still subject to the organisation's  
10 discipline and rules?  
11 A. If they acknowledge being one of Jehovah's Witnesses.  
12  
13 Q. And if they do the contrary - which is to say they are  
14 not one of Jehovah's Witnesses - the effect of that is  
15 disassociation?  
16 A. That's if they decide to go down that course.  
17  
18 Q. And if they don't actively disassociate, then they  
19 will be disfellowshipped as apostate?  
20 A. No, an apostate is someone who actively goes against  
21 what the Bible teaches.  
22  
23 Q. Well, if the elders come and knock on the door to  
24 a member who has been inactive and sought to fade away and  
25 says, "Well, are you still a Jehovah's Witness or not?",  
26 and the person says, "Well, no, I don't want to be  
27 a Jehovah's Witness", the consequence of that will be  
28 either disfellowshipping or disassociation, won't it?  
29 A. No, I don't agree with that, not from what I have  
30 seen. Can I just say, this hypothetical situation, which  
31 is probably one that could happen - two elders call at the  
32 door of someone, they are not going to come out and say,  
33 "Hello, I'm celebrating Christmas". It presupposes that  
34 Jehovah's Witnesses have some sort of spy network to  
35 monitor these people, which we don't. But if that person  
36 says, "Look, I was baptised as one of Jehovah's Witnesses,  
37 but I'm no longer active", no doubt the elders will say,  
38 "Well, we would encourage you to return. Is there anything  
39 we can do to help you?" Now, in that process of them  
40 returning, if they feel prompted to say that they have been  
41 living a lifestyle that is contrary to what Jehovah's  
42 Witnesses would live, then certainly we would handle that.  
43  
44 Q. Let's take that hypothesis. Say they visit this  
45 household. Mr Jackson, can you hear me?  
46 A. I can, yes. Sorry, you started - I didn't hear  
47 a question.

1  
2 Q. Yes, it was echoing back at me, but it seems to have  
3 been resolved. Mr Jackson, let's take that hypothesis of  
4 the two elders visiting the household of someone who has  
5 been inactive for some time, and seek to explore whether  
6 that person would come back to the active fold and  
7 encourage them to do so, in the process of which, in  
8 visiting that household, they find that that person is, in  
9 the eyes of a Jehovah's Witness, living in sin. That  
10 person would then be subject to the discipline of the  
11 organisation, wouldn't they?

12 A. In a case such as that, yes.

13  
14 Q. And the only way to avoid that would be to  
15 disassociate?

16 A. If they didn't want to go through the process. But  
17 might I mention in your hypothetical situation, the person  
18 has indicated that they want to come back, and many, many  
19 people in that situation do want to come back.

20  
21 Q. No, Mr Jackson, my hypothetical had nothing to do with  
22 anyone wanting to come back. My hypothetical was premised  
23 on the basis that someone wants to leave or not be  
24 involved, and I'm exploring the possibility which you put  
25 out there of them being able to just become inactive and  
26 not actually end up outside the organisation or not end up  
27 disassociating. Do you understand?

28 A. I do, sorry. I had misunderstood the fact that you  
29 said that they had indicated they wanted to come back. I'm  
30 sorry.

31  
32 Q. So the point we've got to, then, is that, as  
33 I understand it, a person who has become inactive and  
34 wishes merely to remain inactive is still subject to the  
35 organisation's rules and discipline - not so?

36 A. If they want to come back. But we don't - we don't  
37 run a police state where we go and try and force people to  
38 follow our beliefs.

39  
40 Q. Leaving that to one side, the point is, for example,  
41 if the elders visited and found the person to be living in  
42 sin in the eyes of the Jehovah's Witnesses, then the elders  
43 would, following the process and procedures, discipline  
44 that person under the rules of the organisation - not so?

45 A. Yes, like, in a situation where it was found that  
46 someone who claimed to be one of Jehovah's Witnesses was  
47 living in sin, then the elders would try to ascertain,

1 well, what needs to be done? We obviously want to help the  
2 person, so the first step would be to ascertain, do they  
3 want to come back, are they willing to change what they are  
4 doing? And if, ultimately, the person is willing to talk  
5 to us, then, yes, that would be involved with the judicial  
6 process.

7

8 Q. But if they are not, then either they must  
9 disassociate or they will be disfellowshipped?

10 A. That would be in that particular case, but I can think  
11 of many scenarios where it wouldn't be.

12

13 Q. It's right, isn't it, that in the case of both  
14 disassociation and disfellowshipping, the remaining members  
15 of the Jehovah's Witnesses cannot associate with the  
16 disassociated or disfellowshipped person?

17 A. Yes, that's according to the Bible principles, which  
18 I'm sure you have already read.

19

20 Q. And that includes even family members not living in  
21 the same household?

22 A. That is correct.

23

24 Q. So someone who wants to leave the organisation must  
25 choose, you accept, between freedom from the organisation  
26 on the one hand and friends, family and social network on  
27 the other?

28 A. I thought I made it quite clear that I don't agree  
29 with that supposition. Are you talking about a gross sin  
30 that has been committed or someone who just wants to leave  
31 Jehovah's Witnesses? Let me clarify it. If someone no  
32 longer wants to be an active Jehovah's Witness and they are  
33 not in the community viewed as a Jehovah's Witness, we do  
34 not have a so-called spiritual police force to go and  
35 handle that.

36

37 Q. Mr Jackson, the reality of the situation is that  
38 a person who has been baptised a Jehovah's Witness is  
39 thereafter either in the organisation or out of it; is that  
40 not right?

41 A. I think perhaps you have got your facts a little wrong  
42 there.

43

44 Q. I don't think that's correct, because you have  
45 accepted already, Mr Jackson, that a person in the  
46 situation you have postulated of merely becoming inactive  
47 is still subject to the rules of the organisation?

1 A. Yes, but if I could mention, Mr Stewart, your first  
2 proposition you put forward, that they meet someone who is  
3 celebrating Christmas - you know, this person is not  
4 associating with other Jehovah's Witnesses, not actively  
5 trying to change other people, and so on - a person such as  
6 that is not going to be handled judicially, as far as  
7 I understand. So, sorry, I have to disagree with you, but  
8 I hope you can see --

9

10 Q. Mr Jackson, you are agreeing on the example of what  
11 they do wrong. That's not my point. My point is they may  
12 do nothing wrong, but they are still subject to the rules  
13 of the organisation in the event that at some point they do  
14 do something wrong?

15 A. I will agree with that. But I don't agree with the  
16 sweeping statement that they only have the two choices.  
17 That was the point I was disagreeing with.

18

19 Q. Well, it's right, then, isn't it, because if they  
20 don't want to be subject to the discipline and rules of the  
21 organisation, then they have to leave by actively  
22 dissociating; isn't that the truth?

23 A. That's if they definitely don't want to be, yes.

24

25 Q. Yes.

26 A. But there are some that do not want to make that  
27 active move.

28

29 Q. Well, the result, then, is that they are faced with  
30 the choice between freedom from the organisation on the one  
31 hand and having to lose their family and friends and social  
32 network on the other?

33 A. That's how you would like to put it, Mr Stewart, but  
34 I thought I'm trying to say that there are those, some of  
35 whom I have heard of, that just fade away and they are not  
36 actively Jehovah's Witnesses.

37

38 Q. And, Mr Jackson, you have put it that they have  
39 a choice to leave or not to leave. For someone who wants  
40 to leave, perhaps because they have suffered abuse by  
41 someone in the organisation and don't feel that it has been  
42 treated properly or adequately, it's a very difficult  
43 choice, isn't it, because they must choose --

44 A. I agree, yes.

45

46 Q. And it can be a very cruel choice for them - not so?

47 A. I agree, it's a difficult choice.

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Q. And it can be personally devastating, because they can lose their whole social network and their families?

A. That can be the case, yes.

Q. Would you accept, then, that putting people to that choice, through this system of disassociating from them or shunning, as it is sometimes referred to, is contrary to the Jehovah's Witness belief in freedom of religious choice?

A. No, I don't accept that. I think you are jumping to a conclusion there, but I understand that you have that opinion.

Q. Well, on what basis do you not accept that?

A. Because right throughout the arrangement with Jehovah's Witnesses, people have to make choices based on their own free will. For example, to be baptised - if someone walks up to us and says, "I want to get baptised", we're not going to allow them to be baptised. They have to first of all understand the arrangement of Christian living. Usually, it takes one or two years for them to go through both the publications that we have, so that they personally can make that commitment. So that is the choice that they make. Now, we are not forcing them in any way to remain in our organisation. But a point to remember is that the ultimate standard that we believe in is the Bible, and we feel it's good for people to live by the Bible. The fact that many who have been disfellowshipped return of their own free will is an indication that they, likewise, still believe that it is a good lifestyle.

Q. Mr Jackson, you were baptised at age 13, am I right?

A. I certainly was, yes.

Q. And in fact many Jehovah's Witnesses are baptised at an age even younger than that?

A. There have been some I have met that have been baptised younger.

Q. Do you consider that at that age someone is old enough and mature enough to make a decision affecting the rest of their lives?

A. Yes, I do in some cases. Obviously there are some children that wouldn't be able to make that decision, and perhaps some question whether I could make that decision at 13 years of age, but I work with people that have been

1 baptised when they were 11 and they have stuck by that  
2 determination their whole life.  
3  
4 Q. That may be because they can't leave the organisation  
5 without leaving behind everyone whom they know.  
6 A. Anything is possible.  
7  
8 Q. You see, let's take someone who is baptised at a young  
9 age and then, as a young adult, decides that actually their  
10 beliefs lie elsewhere and they want to choose some other  
11 system of belief. They then are still going to be faced  
12 with the stark choice that we have identified, aren't they?  
13 A. That's true.  
14  
15 Q. And it's on that basis, I suggest to you, that that  
16 policy and practice of the organisation is in conflict with  
17 the Jehovah's Witnesses' belief, as you have said it is, in  
18 freedom of religious choice?  
19 A. No, we don't see it that way, but you are entitled to  
20 your opinion.  
21  
22 Q. I suggest also that it is in conflict with the idea of  
23 a loving and a compassionate God.  
24 A. Certainly that wouldn't be in harmony with what the  
25 Bible says, because at times Jehovah disciplined his people  
26 by having them go into exile and come back. So Jehovah is  
27 someone who believes in the ultimate overall benefit of  
28 good for persons, and sometimes that includes some form of  
29 discipline.  
30  
31 Q. Do you accept that putting people to that choice makes  
32 your organisation in many respects a captive organisation?  
33 A. I do not accept that at all.  
34  
35 Q. Is there a scriptural basis to this policy of  
36 shunning?  
37 A. Yes. Thank you very much for the opportunity to  
38 express it. 1 Corinthians is the scripture - no doubt you  
39 have seen it already. 1 Corinthians, page 1530 --  
40  
41 Q. Can you just identify it --  
42 A. 1 Corinthians, chapter 5, starting at verse 1, it  
43 speaks of a situation where there was sexual immorality in  
44 the congregation in Corinth --  
45  
46 Q. Sorry, Mr Jackson, I am really just asking is there  
47 a scriptural basis, and you have identified what it is,

1 because my next question is can it change? In other words,  
2 is there a basis upon which you foresee that your  
3 organisation might be able to change that policy?

4 A. No.

5

6 Q. Do you recognise, Mr Jackson - and in asking this  
7 question, let me make it clear, I'm not suggesting it is  
8 peculiar to the Jehovah's Witness organisation, there are  
9 many, many organisations in this position - but do you  
10 accept that the Jehovah's Witness organisation has  
11 a problem with child abuse amongst its members?

12 A. I accept that child abuse is a problem right  
13 throughout the community and it's something that we've had  
14 to deal with as well.

15

16 Q. Do you accept that the manner in which your  
17 organisation has dealt with allegations of child sexual  
18 abuse has also presented problems?

19 A. There have been changes in policies over the last 20  
20 or 30 years, where we've tried to address some of those  
21 problem areas, and by the fact that they have changed the  
22 policy would indicate that the original policies weren't  
23 perfect.

24

25 Q. And you accept, of course, that your organisation,  
26 including people in positions of responsibility, like  
27 elders, is not immune from the problem of child sexual  
28 abuse?

29 A. That appears to be the case.

30

31 Q. Do you accept, Mr Jackson, that many of the efforts  
32 that are being made by different people and organisations  
33 to highlight the issue of child sexual abuse and try and  
34 find solutions are genuine efforts to improve the  
35 situation?

36 A. I do accept that, and that's why I'm happy to testify.

37

38 Q. And that such efforts are not necessarily an attack on  
39 your organisation or its system of beliefs?

40 A. We understand that, too.

41

42 Q. You described earlier in your testimony that the work  
43 of this Royal Commission is beneficial. Do you accept,  
44 then, that the Royal Commission's efforts are genuine and  
45 well-intentioned?

46 A. I certainly do. And that's why we came in to the  
47 Royal Commission hoping that collectively something would



1 come forward that would help us as well as everybody else.

2  
3 Q. Would you disagree, then, with anyone who said that  
4 the efforts to highlight and deal with child sexual abuse  
5 in the Jehovah's Witness church are engaging in apostate  
6 lies?

7 A. I guess that's a broad question, because sometimes  
8 those who make these accusations make many other  
9 accusations as well. But let me assure you, the person  
10 making the accusation is not the main thing. The main  
11 thing is: is there some basis to the accusation. And if  
12 there is some way that we could improve, the Governing Body  
13 is always interested in seeing how we can refine our  
14 policies.

15  
16 You see, Mr Stewart, could I just emphasise, as  
17 a religion, two very strong things we feel. One is, we try  
18 to keep a high moral standard. Secondly, there is love  
19 among the organisation. So we want to treat victims in a  
20 loving way.

21  
22 Q. Just on that point, Mr Jackson, has the Governing Body  
23 considered apologising to survivors of child sexual abuse  
24 at the hands of elders within the organisation?

25 A. I haven't been in any discussions with regard to that.

26  
27 Q. Is that something that you foresee might happen - in  
28 other words, that an apology at least be considered?

29 A. The Governing Body has apologised on other matters, so  
30 for me to say - I can't speak collectively for everybody,  
31 but we have apologised on things in the past, in other  
32 areas, so it is perceivable.

33  
34 Q. Has the Governing Body considered the introduction of  
35 a scheme of paying compensation to people within the  
36 organisation who have suffered child sexual abuse at the  
37 hands of elders?

38 A. Well, let me say, there are many schemes that we've  
39 had with regard to humanitarian areas, like flood victims,  
40 and so on. I know this is not related, I'm just  
41 explaining. The Governing Body is happy for our  
42 organisation to spend money helping persons - how much more  
43 so someone who has been traumatised or affected in a bad  
44 way.

45  
46 MR STEWART: Those are my questions for Mr Jackson,  
47 your Honour.

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THE CHAIR: Q. You know, I suspect, Mr Jackson, that the Commission is considering a redress scheme for survivors. Are you aware of that?

A. I did hear it mentioned, your Honour, but I have no idea of the details.

Q. One of the suggestions is that there should be a scheme, national or otherwise, in which all of the institutions in which people were abused come together and provide for an independent decision-making process which would enable a fair distribution of compensation for those who were abused. Do you understand?

A. I do understand, your Honour.

Q. Would the Jehovah's Witnesses be prepared to cooperate in a joint scheme with other institutions where people were abused?

A. Your Honour, the answer is we would need to see the details. But the possibility of us making sure help is given to those that have been victims - certainly, that is a possibility.

Q. Does that mean that the Jehovah's Witnesses would not, as a matter of principle, decline to join with other institutions in a coordinated redress scheme?

A. Your Honour, we would need to see that nothing was scripturally against us doing that. But there are many times when we have to deal with others with regard to financial matters, so per se, it's not something that is totally out of the option pool.

Q. I want to ask you a question about a different matter.

A. Yes.

Q. Mr Stewart raised with you the difficulty of your adherence to the biblical references that require two witnesses before an allegation can be accepted. You understand?

A. I do understand that.

Q. We had evidence - and, indeed, this will, I'm sure, be your experience - that you hear from a person who alleges that something wrong has happened, and you, yourself, are entirely convinced of what they are saying to you and are satisfied that it is correct. Do you understand?

A. I do understand.

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Q. And you can be in that position when there is no other witness to the event?

A. That is correct.

Q. What does the church do in the circumstance where the allegation may be against a father or someone who otherwise has close contact with a family, but there is only the allegation of the child, perhaps a girl, teenage girl, so the allegation can't be established? What does the church do about helping that child and/or that family?

A. That's a very good question. First of all, the elders should let the responsible adult or the victim, if possible, know that they have a right to take this to the criminal authorities, the judicial system. But that's just a matter of notifying them of that. But because we are concerned about the actual physical welfare of someone in a situation like that, we would make sure that there are provisions made that - of course, if it is in the family, we can't take the child out of the family physically, but at least make sure that things are put into place so that this person gets the best possible care and protection.

Q. What would you put in place?

A. So, first of all, we would notify or allow the - say it is the guardian of this victim, what they need to do. Of course, if it goes to the police, then it goes right into that whole government-type arrangement, whereby the government has authority to perhaps come in and separate families and so on.

Q. But, Mr Jackson, many of these people don't want to go to the police because that involves potentially a public process, trial, and so on. It's very common that people don't want to go to the police. But in the assumptions that I've put to you, the young person has acknowledged the church's obligation imposed upon them to report the misbehaviour to the church - you understand?

A. That's correct.

Q. And then they find that the church won't determine the allegation to be true and act accordingly, because there's only one witness - that is, the young person. What does the church do to help that person or that family in those circumstances?

A. Well, as I mentioned, first of all, we would let them know that they should go to the police and try - because

1 this is beyond the parameters of --

2

3 Q. Mr Jackson, we covered that. This is a person, and  
4 there are many of them, who don't want to go to the police,  
5 but they've come to your organisation because they are  
6 required to, to report misbehaviour. Underlying my  
7 proposition is, of course, that they would expect your  
8 organisation to help them.

9 A. Yes.

10

11 Q. What do you do?

12 A. And the help that is - well, can I just mention first  
13 of all, your Honour, our organisation, people come to our  
14 Christian meetings twice a week and they go on the  
15 preaching work, but what happens in the home is beyond the  
16 actual jurisdiction of the elders to tell the parents how  
17 they should organise these things with their children. And  
18 the point that I'd just like to make is, you see, then  
19 everyone is put on alert. Once the accusation is made, now  
20 we are aware. Could it be that the father, in an improper  
21 situation, another time, is seen by the mother and then she  
22 brings this forward - then we have two witnesses.

23

24 Q. Yes, but I'm putting to you the proposition that you  
25 have one witness who you absolutely believe.

26 A. Yes.

27

28 Q. What do you do?

29 A. Well, for the ultimate protection of that child,  
30 I could - if they feel that child, and other children, are  
31 in danger, I can - well, I would hope that the conscience  
32 of the elders would notify the police if the parent is not  
33 willing to do that.

34

35 Q. So you would hope that the elders would act in that  
36 way. Is there any --

37 A. Yes.

38

39 Q. -- instruction that they are to act in that way?

40 A. You know, your Honour, this is not my field. I can't  
41 tell you all the sections where we've said that, but that  
42 is my understanding, but if that instruction isn't given,  
43 that's perhaps something that we need to look at.

44

45 Q. And if the girl says, "No, I don't want the matter to  
46 go to the police. I don't want the prospect of a criminal  
47 trial, but please can the church help me", what do you do?

1 A. So, then, scriptural help would be given. But we  
2 can't go in and take a child away from parents.

3  
4 Q. What do you mean by scriptural help? What would that  
5 be?

6 A. Well, perhaps one of the scriptural things that we  
7 could show is, you know, the God's Love book that was  
8 referred to in this Commission I think. I don't think you  
9 have the last couple of pages of that book for me to refer  
10 to. But there is a footnote there that talks about secular  
11 action with regard to other witnesses, and there is a very  
12 clear footnote that says there, "If someone does something  
13 like rape or a serious crime, definitely that should not  
14 stop a witness from reporting it to the authorities". So  
15 we would try to spiritually help them to become aware of  
16 their rights and the need, because mainly it is their  
17 decision, but if this affects other children, neighbours  
18 and so on, surely they need to think a little beyond just  
19 the one person.

20  
21 Then the scriptural help that we would give is similar  
22 to other situations where people have experienced horrific  
23 travesties in their lives and their hope and trust in the  
24 Bible will give them some comfort. We found at 9/11 when  
25 the Twin Towers went down, Jehovah's Witnesses were invited  
26 actually to go in and help persons by sharing scriptures  
27 with them.

28  
29 Q. Now, if the circumstance is that the young person  
30 alleges that they were abused by a member of the  
31 congregation but not a member of their own family, and  
32 again you, as the elder, are persuaded, totally persuaded,  
33 that the person is telling the truth, what do you do then?

34 A. Yes --

35  
36 Q. The assumption behind it, of course, is that the  
37 alleged abuser is a risk to others. What do you do?

38 A. That's correct, yes. So there is a process - and  
39 I think at the moment we are in the process of adjusting  
40 some of our policies, so that's why it is a good time for  
41 this Royal Commission. But definitely it becomes obvious  
42 that we need to inform some, we need to put restrictions on  
43 that person as to any type of association with minors, and  
44 if a person is genuinely innocent, they are not doing this,  
45 they should not mind the fact that they can clear their  
46 name by not being involved at all with dealing with  
47 children.

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Your Honour, could I just mention as a reminder, you see, Jehovah's Witnesses, because we respect the family unit, we don't have separate Sunday schools, we don't run youth camps separately, so we believe that things should be done within the family. But the spiritual help that we can give, and trying to protect, avoiding contact with someone who is accused with minors, is a little easier for us because we don't have those youth group, separate type arrangements.

THE CHAIR: Does anyone else have any questions?

MS DAVID: Yes, your Honour.

<EXAMINATION BY MS DAVID:

MS DAVID: Q. Thank you, Mr Jackson. I am Ms David and I represent [BCG]. Are you familiar with [BCG]'s case?

A. I am sorry, I am not, no. I haven't lived in Australia for 36 years, and I haven't certainly had a chance to look through the files.

Q. [BCG] was one of the witness statements, she gave evidence at this Commission. Have you had the opportunity to read her evidence or to look at her statement?

A. I haven't, I'm sorry. The reason I came here was to care for my ailing father, and that has taken a lot of my time. Plus, I wasn't aware of the fact that I would be called before the Commission.

Q. I understand that, Mr Jackson, but do you not think that it is important - and I appreciate your own personal circumstances, and it is not a criticism. Do you appreciate that it is very important for people in such senior positions as yours to really have a good understanding of the perspective of a survivor of abuse as [BCG] is?

A. I agree with that comment, and let me say, I empathise. I don't know the details of what happened to the person you represent, but I certainly empathise with whatever tragedy he or she has had to face.

Q. But you agree that unless your organisation organises some research or study into the plight of people such as [BCG], you will never really understand how the processes you have in place affect them?

1 A. That is a valid comment.  
2  
3 Q. At this stage, would you agree that you have not  
4 really undertaken, or organised to undertake, any such  
5 research or studies into the experience of people, young  
6 people or people of any age, that have been abused within  
7 the organisation?  
8 A. That is a little hard for me to say, to give  
9 a definitive answer. Within the parameters of how we  
10 normally do research for our publications, and so on, and  
11 the fact that our service departments are handling cases  
12 such as your client, they have considered a lot of the  
13 approaches that we've taken, and that's why we have changed  
14 things, and I'm sure the policies have changed since the  
15 time the person you are representing was actually helped or  
16 handled.  
17  
18 Q. Just remaining on that point, you are aware that  
19 Dr Monica Applewhite gave evidence before the Commission?  
20 A. I am aware, but I certainly didn't get a chance to see  
21 it. I apologise.  
22  
23 Q. Are you aware that she was provided with some  
24 documentation, or some witness statements, from the  
25 Jehovah's Witness elders, but she was not provided with any  
26 witness statements from the survivors of abuse that have  
27 been provided during the course of this proceedings?  
28 A. I'm sorry, I really am not in a position to say  
29 anything about it, because - could I just explain? As  
30 empathetic as I am to the case, what I would hope for is  
31 that at the end of this Commission, those who have had far  
32 more experience than I have in this subject will be giving  
33 recommendations to the Governing Body.  
34  
35 Q. I appreciate that, and I certainly have noted what you  
36 have said in your evidence today. I just want to make the  
37 point: can you understand how people like [BCG], who have  
38 had nothing but just really very traumatic experiences,  
39 feel very concerned when they feel that their voices are  
40 not being listened to at all by the senior members of your  
41 organisation?  
42 A. I would be very disappointed if that's the case, and  
43 certainly I would hate for that impression to be given to  
44 the person you are representing.  
45  
46 Q. And so in your effort to ensure that in the future the  
47 processes will be reviewed to ensure that the perspective

1 of the abused person is given proper heed, do you think it  
2 would be a good idea for your organisation to actually  
3 conduct some sort of research?

4 A. I think the more information we can get, the better,  
5 because all of us are trying to deal with a very horrific  
6 problem, and any amount of information we can get would be  
7 beneficial.

8  
9 Q. I just want to make the point here, it's a very  
10 horrific problem, but the problems that [BCG] and others  
11 like her have experienced are compounded by their  
12 experiences having to go through the processes within your  
13 own congregation. So what I'm saying is, it is a universal  
14 problem, but there are specific issues that clearly just  
15 relate to how the Jehovah's Witnesses have been dealing  
16 with it. I guess what I'm suggesting, how important it is  
17 that it be a review that has specific regard to your  
18 processes.

19 A. I take your point. It is a valid point.

20  
21 Q. On the issue of [BCG], I know you are not aware of her  
22 case, but I will just very briefly give an overview, having  
23 regard to trying not to take too much time. She made  
24 a complaint. Initially, because of the one-witness rule,  
25 it was not accepted. Ultimately, on an appeal and with  
26 a confession, there was an acceptance of her complaint.  
27 She essentially did not make a full complaint to the  
28 authorities until after she left the congregation, I think  
29 approximately 15 years later. The abuse was by her father.

30  
31 In the interim, approximately seven years after she  
32 was initially abused, she learned that her father, [BCH],  
33 had been reinstated back into the church. That is a very  
34 short history, but upon that event, she wrote an  
35 impassioned, five-page letter to the head office in  
36 Australia about her position and sought help. What she  
37 also sought was an assurance that the matter would be  
38 handled. She was leaving it absolutely - her issue was  
39 entirely - this is a devout young Jehovah's Witness woman.  
40 She was leaving it in the care of the Jehovah's Witness  
41 Church to do something. She wrote a letter. She said,  
42 "Now, I can only leave the matter in your hands and pray  
43 Jehovah directs the outcome, whatever it may be", but she  
44 implored head office, to Bethel, not to ignore the letter  
45 and to do something about the terrible situation. She  
46 explained about her suicide attempt. She explained the  
47 devastation to her and to her sisters, who were also



1 abused.

2

3 What was sent back to her was a letter, and if we  
4 could look, please, at tender bundle tab 30 --

5 A. Yes, I have that here.

6

7 Q. This was after seven years. [BCG] has given evidence  
8 that after she made the complaint, she did not receive any  
9 assistance or certainly sufficient support, or even  
10 scriptural support. But if you could look at that letter,  
11 you can see that it says, firstly:

12

13 "Always Throw Your Burden on Jehovah."

14

15 Can you see that in the second paragraph?

16 A. In the second paragraph, yes, I can.

17

18 Q. She was also told "The heart warming prayer of David  
19 is appropriate where he entreated Jehovah to preserve his  
20 tears in his 'skin bottle'."

21 A. I can see that.

22

23 Q. She has given evidence to the effect that she felt  
24 silenced by what she was told. And she also said - she was  
25 essentially advised, if you go to the third paragraph:

26

27 With Jehovah's help and your own efforts,  
28 you can look forward to the new world of  
29 peace.

30

31 She was really given no solace to deal with what was going  
32 to continue to be very painful for her in this world; do  
33 you agree with that? Read through that letter.

34 A. Yes, and this is the first time I've seen the letter.  
35 My apologies. But I would agree with you that if this is  
36 the only help she got, certainly, that is not enough. But,  
37 as I said, I don't know the case. What help did the elders  
38 give her personally? What are the circumstances? But  
39 I agree with you, something far more than a letter like  
40 this would be required to help her.

41

42 Q. Do you also appreciate that strict reliance on just  
43 giving scriptural guidance to someone who has suffered  
44 extreme trauma can in fact result in an even more damaging  
45 outcome for that particular person? Do you accept that?

46 A. What I accept is that sometimes when a letter is  
47 written, it is very hard to convey the spirit behind the

1 letter. I certainly would expect, as a member of the  
2 Governing Body, that anyone writing a letter from a branch  
3 would do so in the spirit of love and concern. So  
4 perhaps - but I do admit that if someone read this, they  
5 perhaps could not see that love and concern.  
6

7 Q. Would you accept that by what she has said in her  
8 letter, which was "now I can only leave the matter in your  
9 hands" - and it is a five-page letter that there is not  
10 enough time to go through clearly here now, but throughout  
11 that letter she is seeking assistance, guidance, help. She  
12 has told you about the trauma she has experienced. But  
13 there is a real duty, isn't there, to do something about  
14 the overall wellbeing of a person such as [BCG]?

15 A. I agree with what you said. They need far more than  
16 just one letter.  
17

18 Q. And do you agree that given the special nature of the  
19 congregation, as I think you have said before, that it is  
20 not just a case of a congregation where people turn up and  
21 go to church, it is a family - there is, therefore, an even  
22 greater duty within that family to ensure that people like  
23 [BCG] are cared for in a comprehensive way?

24 A. I agree totally with you, probably more so than you  
25 realise. Each sheep in the congregation is someone that  
26 needs to be cared for and loved. I find it very, very hard  
27 to believe that this is the only help that was given to  
28 her, and if, in fact, that was the case, my heart goes out  
29 to her and certainly we need to make sure that more help is  
30 given than this.  
31

32 Q. I just want to come back to the point I made before,  
33 or the questions that I asked you before, in relation to  
34 ensuring that there was some research done - for example,  
35 Dr Applewhite came here to really say that the education  
36 program was a good one and perhaps better than some others,  
37 but there was no research to demonstrate how effective, in  
38 fact, the Jehovah's Witness program was. And again,  
39 I apologise for the length of my question, but I'm trying  
40 to get to a point, which is that it is really disheartening  
41 for the survivors that evidence from people such as  
42 Dr Applewhite, without any reference whatsoever to the  
43 victims 'experience, suggests to them that the reason for  
44 engaging experts is to in fact rather, if I can say - it is  
45 more to do with the reputation of the Jehovah's Witnesses  
46 than any real attempt to get to a deep understanding of  
47 their experience.

1 A. I certainly hope that is not the case, and that  
2 certainly was not the intent of it. So please, be assured  
3 that we are interested in the individuals such as the  
4 client that you are representing. And may I take this  
5 opportunity, I don't know your client, but please, could  
6 you convey an expression of my love and concern and  
7 reassure her that obviously she has had an opportunity to  
8 speak about how she feels, and hopefully this will help the  
9 policies and procedures to improve.

10

11 Q. I just want to now go to something a little bit more  
12 technical. If we can go to tender bundle tab 120 at  
13 page 72. I just want to ask you, it refers there to the  
14 "testimony of youths", under paragraph 37, where we're  
15 looking at evidence to establish wrongdoing, and just how  
16 the Jehovah's Witnesses would view the testimony of  
17 a youth.

18 A. Mmm-hmm.

19

20 Q. I note that it says here:

21

22 The testimony of youths may be considered;  
23 it is up to the elders to determine whether  
24 the testimony has the ring of truth.

25

26 In relation to that, firstly, how would you define a youth?

27 A. Mmm-hmm.

28

29 Q. Are you able to assist?

30 A. As someone still in the family arrangement under the  
31 legal age, but perhaps, in this context, I'm sure it means  
32 probably someone younger.

33

34 Q. Is there some doubt about the testimony of youth, that  
35 you wouldn't accept that, it would carry less weight,  
36 perhaps, than the testimony of an adult? I'm just trying  
37 to understand what the basis for that is.

38 A. Thank you very much for asking the question. It is  
39 a very good question. May I just mention, this is in the  
40 context of general disputes or things that may be handled.  
41 Could I give you an example that is not related to the  
42 Commission. It could be, say, for example, a mother and  
43 a father decide to separate, there is a divorce, and now  
44 the children - maybe the mother has primed the children to  
45 say certain things about the father in order to get custody  
46 of the child. Now, of course, Jehovah's Witnesses are not  
47 involved with deciding if parents - how they do divorce,

1 and so on, but, you see, in a case like that, in the  
2 testimony of a child, you would have to take into  
3 consideration in that situation whether or not they were  
4 influenced by one of the parents or otherwise. It's just  
5 only a caution to make sure that the evidence is credible.  
6 But may I stress, this is a general principle across all  
7 the types of things that we're handling.

8  
9 THE CHAIR: Q. Can I just understand - I'm not quite  
10 sure I'm understanding. Wouldn't it be the case that you  
11 would have to consider the evidence of anyone to determine  
12 whether it had the ring of truth, whether they were  
13 a youth, child or adult? What's the difference?

14 A. That is true, your Honour. That is true.

15  
16 Q. Well, why are youths singled out in the document?

17 A. Well, for a start, could I just say, with regard to  
18 sexual abuse, we've already made this statement that the  
19 child would be believed. But in these general principles  
20 that I tried to highlight with regard to a divorce or some  
21 other things, perhaps a child who is dependent upon  
22 a parent may be influenced in some way by them.

23  
24 Q. So this is here to mark out the risk that someone's  
25 evidence might be influenced by another person, including  
26 an adult; is that --

27 A. That's correct, your Honour, yes. And it's only  
28 a reminder. It's in no way designed to say that children  
29 cannot give evidence.

30  
31 THE CHAIR: Very well.

32  
33 MS DAVID: Q. Given that you have categorised the  
34 testimony of youths, the testimony of children - the  
35 testimony of children is not mentioned at all there, so  
36 I am just concerned as to whether the testimony of children  
37 would have even lesser weight because of the age of a child  
38 and perhaps their vulnerability to influence.

39 A. I'm not quite sure of your question, I'm sorry. This  
40 is just in the context of - like you will see in the next  
41 bullet point, it mentions the testimony of unbelievers and  
42 disfellowshipped or disassociated ones, it says "may also  
43 be considered". So, again, if someone has disassociated  
44 themselves, perhaps they have a grudge against someone in  
45 the organisation, but if this person is credible and giving  
46 a witness, they could give a testimony. So it is just  
47 giving some general guidelines, commonsense, nous type

1 things, to those who are handling these cases. But in no  
2 way is it designed to stop --

3  
4 THE CHAIR: Q. I was going to ask you about that next  
5 bullet point, but you took us to it. It separates out the  
6 testimony of unbelievers and disfellowshipped or  
7 disassociated ones. It says "it may be considered but it  
8 must be weighed carefully". It suggests to an outsider  
9 that what the document is doing is expressing a need for  
10 extra caution when it's the evidence of an unbeliever as  
11 opposed to a believer that is being considered. Is that  
12 a correct reading of the document?

13 A. The reading of the document is saying that someone who  
14 doesn't agree with or feel the same way we do about the  
15 scriptures perhaps may take a different viewpoint on  
16 certain things - for example, the matter of lying. You  
17 see, Jehovah's Witnesses endeavour to be truthful and  
18 present facts in a truthful manner. Someone who is not a  
19 Witness may have no difficulties at all about telling  
20 a lie. I'm not saying, your Honour, that Jehovah's  
21 Witnesses are perfect, but that's a reminder that these  
22 ones perhaps could make a false statement.

23  
24 Q. So my assumption is correct, that the document is  
25 saying, "Be more careful with the evidence of unbelievers  
26 than you would be with the evidence of believers"; is that  
27 right?

28 A. That's what it says, yes, your Honour.

29  
30 MS DAVID: Q. To be clear on the issue of the testimony  
31 of a child, again, is there an age that you might define  
32 a child compared with a youth - does it make that  
33 distinction? Is there any age category or some criteria  
34 that you would use?

35 A. I'm sorry, I wish I could answer your question, but  
36 I think that goes to people more qualified than I am.

37  
38 Q. Just coming to that, would that be an area that you  
39 would review in the context - or in relation to any  
40 wrongdoing, but particularly in relation to obviously the  
41 matters in issue here, in relation to the testimony of  
42 youths, because do you agree that that could very much  
43 confuse an elder who took that literally to begin with  
44 a level of scepticism about the testimony of youth?

45 A. Your point is well taken, and that is why we update  
46 this book from time to time when we see, perhaps,  
47 inadequacies in it.

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Q. And that, read as a whole, it might, by omitting reference to a child, make the reader consider, well, what is the status of the evidence of a child, does it have any value at all?

A. Mmm-hmm, they are all valid points.

Q. Just going to the previous page of that same document, when you were answering questions earlier to counsel assisting and his Honour, you clearly seemed open to the idea that perhaps prior to the judicial committee it might be an opportunity for women to be involved in that preliminary, if I could say, investigative stage. I'm just coming down to the point where it says there must be two or three eyewitnesses, not just people repeating hearsay - I just see that if you look at that point there, that there must be two or three eyewitnesses, not just people repeating hearsay, you would really have to formalise a process whereby if an abused person spoke to, for example, a couple of female sisters, that that wouldn't then just take on the character of hearsay evidence. Do you understand the point I'm making there?

A. I understand your point, and - yes.

Q. I guess what I am saying is that when you are looking at policies, do you agree that it would be worthy of ensuring that that did not perhaps confuse an elder attempting to interpret this policy that in fact it would diminish the value of involving women at that point?

A. It is a good point, and let me say, we're always interested in trying to improve whatever we can.

Q. Just coming back to the scriptures, clearly, as [BCG] was a very devout young Jehovah's Witness, the importance of ensuring that whatever scriptural guidance a devout Jehovah's Witness survivor is given, it just can't come from a one-size-fits-all scriptural package?

A. Mmm-hmm.

Q. Do you agree?

A. I agree totally. I do agree totally.

Q. That it must be tempered by having real experts consider how a young person, like [BCG], might internalise certain scriptures in a way that is ultimately quite destructive?

A. Mmm-hmm, yes, I agree.

1  
2 MS DAVID: Thank you.  
3  
4 THE CHAIR: Does anyone else have any questions?  
5  
6 MR TOKLEY: No.  
7  
8 MR BANNON: No, your Honour.  
9  
10 THE CHAIR: Mr Stewart, do you have any questions?  
11  
12 MR STEWART: No, I don't, your Honour.  
13  
14 THE CHAIR: Very well. That completes your evidence, sir.  
15 Thank you very much for your time today. You are now  
16 formally excused from your summons.  
17  
18 THE WITNESS: Thank you.  
19  
20 <THE WITNESS WITHDREW  
21  
22 THE CHAIR: Mr Stewart, I think we have made directions in  
23 relation to submissions; is that right.  
24  
25 MR STEWART: Yes, your Honour. Two things. One, in  
26 relation to the directions, those were made a week ago on  
27 the basis of four weeks for submissions and four weeks  
28 thereafter. Given that we have had this evidence today,  
29 a week later, and that --  
30  
31 THE CHAIR: No.  
32  
33 MR STEWART: -- Dr Applewhite's report is still to come --  
34  
35 THE CHAIR: No.  
36  
37 MR STEWART: I was going to ask whether --  
38  
39 THE CHAIR: No, we will leave the directions in place. It  
40 is important, like it is with all matters, that we ensure  
41 that we dispose of them as efficiently as possible. I'm  
42 not prepared today, by reason of the fact that we have had  
43 this further evidence, to vary the directions.  
44  
45 MR STEWART: As your Honour pleases.  
46  
47 THE CHAIR: If, however, there are circumstances that

1 emerge down the track, then I won't be so hard as to say  
2 there can never be an application, but not today.

3  
4 MR STEWART: As your Honour pleases.

5  
6 THE CHAIR: Very well.

7  
8 MR STEWART: Then the only remaining issue, in the  
9 intervening week, a further document has come to light  
10 which really just sits in the sequence of correspondence  
11 relating to correspondence to All Bodies of Elders and  
12 I would like to have leave to tender it.

13  
14 THE CHAIR: Should I mark it separately?

15  
16 MR STEWART: It should be marked separately, your Honour.

17  
18 THE CHAIR: I will mark it exhibit 29-034.

19  
20 MR STEWART: It is a letter dated 10 October 2002 from  
21 Watchtower Bible & Tract Society of Australia to All Bodies  
22 of Elders in Australia.

23  
24 EXHIBIT #29-034 LETTER DATED 10/10/2002 FROM WATCHTOWER  
25 BIBLE & TRACT SOCIETY OF AUSTRALIA TO ALL BODIES OF ELDERS  
26 IN AUSTRALIA

27  
28 MR STEWART: That is all I have.

29  
30 THE CHAIR: If there is nothing further, I will adjourn.

31  
32 AT 3.13PM THE COMMISSION WAS ADJOURNED ACCORDINGLY

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