Positions of Trust:
It’s time to change the law.

The effectiveness of current definitions of ‘positions of trust’ in safeguarding young people within faith settings.

The report of the inquiry by the All-Party Parliamentary Group on Safeguarding in Faith Settings.
About the APPG

The APPG on Safeguarding in Faith Settings was established in September 2018. Its purpose is to bring focus to safeguarding concerns relevant to any community of faith, belief or religion; in order to provide an opportunity for the faith community to inform and learn from safeguarding discourse, share best practice and work together with parliamentarians and policy makers. In doing so, the APPG is attempting to raise awareness and improve policy and practice in relation to safeguarding in faith settings by encouraging both the opportunity and responsibility of those faith groups and communities towards creating safer places for all.

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Contents

Foreword from the Chair 2
Executive Summary 3

1 Background & Evidence 6
1.1 Positions of Trust and the Abuse of Trust in Faith Settings 7
1.2 About the Inquiry 8
1.3 The Written Evidence 9
   a) Faith-Based Organisations 9
   b) Professional Safeguarding Organisations 12
   c) Academics 13
1.3 The Oral Evidence 14
   a) Dr Rhind (Reader in Organisational Psychology, Loughborough University)
      and Emily Hilton (Senior Policy Officer, NSPCC) 15
   b) Jim Foy (Vice Chair of the National LADO Network) 16
   c) Jan Murphy (Safeguarding Officer, United Reformed Church, South Western Synod) 16
   d) Samuel Barker (Hugh James Solicitors, representing Ex-JW Advocates) 17

2 Findings 18
2.1 The extent of the problem and the need for change 19
2.2 The particular vulnerabilities of children and young people in faith settings 20
2.3 Victim and Survivor voices 22
2.4 The gap in the law 22

3 Conclusions and Recommendations 24
3.1 Conclusions 25
3.2 Recommendations for Policy and Legislative Change 25
3.3 Recommendations for Practice Development 26

Appendices
Appendix 1: Background to the APPG 27
Appendix 2: Acknowledgements and Glossary of Abbreviations 28
Appendix 3: Call for Evidence 29
Appendix 4: Evidence Session - Summary Notes of Business 30
Appendix 5: Statement of HTG 31
   Statement of SD 32

References 33
Foreword from the Chair

Protecting children and young people from harm and abuse should be one of society’s top priorities. However, reacting well to child abuse when it is discovered is only part of the way in which we should be attempting to tackle the issue. Prevention is often the most effective method of reducing child abuse in the long-term and it is therefore vital that we direct our efforts towards ensuring robust legislation is in place to deter offenders.

The Sexual Offences Act 2003 makes provision for the identification of professionals working with children and describes them as those in ‘positions of trust’. Under the current legislation, professionals like teachers, social workers and youth justice staff are prevented by law from developing sexual relationships with 16 and 17-year-olds under their supervision. However, the law does not extend to adults working in a variety of different settings with children and young people; most importantly for this inquiry including faith settings.

The result of this limit of definition is that young people between the ages of 16 and 18 participating in activities in faith settings are not afforded the same protections as they would be in a school, hospital or foster care placement for example. This can leave children in these environments more vulnerable to grooming and abuse.

The APPG on Safeguarding in Faith Settings was established to bring a focus to the role of faith settings and communities in safeguarding children and young people. The APPG brings an opportunity to learn and share good safeguarding practice amongst faith organisations and to provide a conduit for knowledge from faith organisations into the political and policy world.

As co-chair of the APPG I would like to thank everyone who contributed evidence to the inquiry, particularly the survivors of abuse who shared their stories with us. It is clear from the evidence that across a range of faith communities, children’s charities and safeguarding organisations there is demand for a change in the law to extend ‘positions of trust’ to any adult working with children while in a ‘position of trust’. We will work hard to safeguarding organisations there is demand for a change in the law to extend ‘positions of trust’ to any adult working with children while in a ‘position of trust’. We will work hard to ensure robust legislation is in place to deter offenders.

The report highlights that adults holding positions within faith organisations are automatically seen as having authority, power and influence. This can cause a power imbalance between those adults and the people within their congregation.

Contributions highlighted the feeling of ‘powerlessness’ that people being ministered to can feel, and the opportunity for leaders in faith settings to abuse that power and trust can be significant as a result.

Opportunities for abuse are common. Contact for faith leaders and others with children and young people can be direct, regular and intense creating significant opportunities for grooming and abuse. Such an environment can lead to young people (and their families) placing significant trust in their leaders and failing to question potential abusive behaviour and adherence to good safeguarding practices.

A number of organisations stated that the current legislation lacks clarity. Many young people and parents assume that legislation prevents leaders and workers in faith settings from engaging in sexual activity with children under their care, however this is not the case.

The limited number of roles defined in Section 21 of the Sexual Offences Act 2003 prevents the legislation from achieving its purpose across a range of non-statutory settings, many of which may be subject to less scrutiny than the settings currently covered.

Section 22 of the Sexual Offences Act 2003 describes a person as in a ‘position of trust’ if they are ‘regularly involved in caring for, training, supervising or being in sole charge of such person; however this is limited to adults working in the professions listed in Section 21.

This loophole in the law therefore allows adults who clearly meet the criteria in Section 22, such as a faith leader or sports coach who regularly care for, train, supervise or take sole charge of 16- and 17-year olds, to engage in sexual activity with them with impunity. This leaves young people at risk of grooming and sexual abuse at the hands of adults assigned power and trust.

Sarah Champion MP
(Co-chair)
The Government can close the loophole in the law by applying Section 22 to any adult ‘regularly involved in caring for, training, supervising or being in sole charge’ of a child, and not limiting this to the professions listed in Section 21. This will bring clarity to the law.

Put simply, this legal change will mean any adult working with a 16 or 17-year-old in a professional or voluntary capacity where they spend time caring for, training, or supervising that person alone will become prohibited from engaging in sexual activity with them. As this inquiry uncovered, many believe this to already be the case, but the current legislation does not presently prevent people from exploiting the system to groom and abuse children.

The Government must accompany the change in law with a clear public campaign: it is illegal to engage in sexual activity with a person under 18 if you are an adult involved in caring for, training, supervising or being in sole charge of them.

Recommendations for Policy and Legislative Change

1. The Government should amend the Sexual Offences Act 2003 so that the application of the definition of ‘positions of trust’ as an adult that is ‘regularly involved in caring for, training, supervising or being in sole charge’ of a child is not limited to the professions listed in Section 21 of that Act but instead extended to any adult to which that description applies as defined in Section 22.

2. The Government should launch a public campaign to communicate the change in legal definition so that adults working with children, organisations, parents and young people are aware that it is illegal for any adult ‘regularly involved in caring for, training, supervising or being in sole charge’ to engage in sexual activity with a child under their care.

Recommendations for Practice Development

3. The Department for Education should lead the development and implementation of guidance and training provided to LADOs and Local Safeguarding Partnerships to raise awareness of issues around child abuse and abuse of trust in faith settings.

4. In consultation with the National LADO Network and other appropriate professional groups, the Department for Education should research and develop detailed guidance on recording of cases using agreed standardised categories for positions of trust in faith settings.

5. The Department for Education should urgently revise ‘Working Together to Safeguard Children’ to take better account of the role and extent of faith group activity in safeguarding children and young people, to include a focus on a broader application of position of trust. ‘Recruiting Safely: helping keep children and young people safe’ should be revised and revised to address the broader issues of position of trust within settings and contexts that are currently not included.

Organisations supporting a change in the law

The National Local Authority Designated Officers Network.
Background & Evidence

1.1 Positions of Trust and the Abuse of Trust in Faith Settings

Many children and young people face daily challenges in terms of keeping themselves safe from harm and abuse. The current arrangements for ‘position of trust’ as identified within the SOA 2003, would seem to be inadequate to protect young people in the widest range of settings if we cannot have confidence in how consistently they are able to be applied to those that work with children and young people.

If you asked most parents and carers whether they thought it was against the law for a teacher to enter a sexual relationship with a 16 or 17 year old, most are likely to confirm that they would expect this to be the case. If you asked the same question regarding youth workers and ministers in religious settings, the same would be the case. What those parents and carers would probably be amazed to learn is that the latter do not currently fall under the law in this respect. This directly undermines the young person’s right to freedom from violence and abuse in those settings.

Together with thirtyone:eight who provide the secretariat to the APPG, we have sought to address this issue directly. Justin Humphreys (CEO at thirtyone:eight and the current Chair of the Christian Forum for Safeguarding) has been leading discussions on the topic of positions of trust within the Christian community and its various denominations for the past 18 months, with general support for timely exploration and a potential change in the current provisions expressed around the table. However, this is not just an area of interest for the Christian community. Similar concerns exist within other faith groups. This Inquiry therefore seeks to address this issue with the broadest possible representation from across the faith community where engagement with children and young people is a regular feature.

Later in this report, we will highlight the perspectives of those from within the faith community, but also those of professional safeguarding bodies and academics active in this area of concern with young people.

Claims that there is insufficient appetite to warrant a review and refresh of the law relating to positions of trust are now superseded by the myriad of information indicating widespread issues relating to the abuse of children and young people in settings across the faith community and elsewhere.
1.2 About the Inquiry
This inquiry into The Effectiveness of 'Positions of Trust' in Safeguarding Young People within Faith Settings was launched by the APPG in August 2019 and explores the extent to which the current provisions within the SOA 2003 for ‘positions of trust’ (s16-20) and the offence of ‘abuse of a position of trust’ (s21-24) adequately enable the safeguarding of young people receiving services and support in the wide variety of faith settings that exist across the country.

The objective of this Inquiry was to discover and document current knowledge relating to law and practice concerning ‘Positions of Trust’ within the SOA 2003, to ensure faith settings are sufficiently within scope to allow young people to be better protected from harm within the variety of such settings. This report will be submitted to the Ministry of Justice to assist in the completion of a review of this legislation.

The Inquiry’s call for evidence (see appendix 3) was promoted via a range of channels, including social media and information was sent out directly to over 50 key individuals and agencies within the faith and statutory sectors as well as academic institutions and professional bodies. Evidence was requested in response to the following questions, whether there is:

1. The need for a change in legislation underpinned by specific knowledge, research and/or case examples from work within a faith or religious community.
2. The need for a change in legislation underpinned by specific knowledge, research and/or case examples from working alongside faith or religious communities (statutory and voluntary sector organisations and others).
3. The need for a change in legislation underpinned by specific knowledge, research and/or case examples from those working in other sectors (outside faith) where transferable learning might benefit the findings of the inquiry.
4. Evidence to support no change to the existing legislation around Positions of Trust.

Evidence has been received from a wide variety of individuals (survivors of abuse within faith settings) and organisations, including faith groups/denominations and communities, professional safeguarding agencies, law firms and academics. This has been received in both written form in response to a call for evidence in August 2019 and in oral evidence provided by a range of respondents invited to attend an evidence session of the APPG in parliament on October 22nd 2019.

1.3 The Written Evidence
The APPG received a total of 13 detailed written submissions in response to our call for evidence. These broadly fell into three main categories; faith-based organisations, professional safeguarding organisations, and academics and institutions. Within each category a range of respondents provided submissions detailing contextual information about their organisation and the settings with which they operate and without exception gave support for changes to the current law. Extracts from these submissions are as follows:

a) Faith-Based Organisations

The Baptist Union of Great Britain, expressed strong support for extending the definition of ‘Position of Trust’, stating: We support the work currently underway to extend the positions of trust legislation to include those in leadership roles in religious organisations. Specifically, we see great value in extending the definitions to those in ministry roles, church leadership, regional and national structures, chaplaincy, church leadership and a wide range of leaders who work with children and young people. Important to this view was the self-governing nature of individual local churches and the consequent limitations of a ‘top down’ approach to driving forward change. We recognise that ministers, elders, deacons, church leaders and many senior church staff will automatically be seen as having authority, power and influence. We also believe that the ability to automatically refer cases involving adults in a position of trust within the church to the police would assist in the effective handling of investigations, and therefore the safeguarding of children and young people. The submission cautioned that much work will need to be done to ensure that the definitions of ‘leaders’ and ‘positions of trust’ appropriately reflect the ways that churches and religious organisations operate but stated: It is our view that the position of trust legislation should be extended to cover the work of all ministers and paid church workers who hold positions of authority or leadership.

The written submission from The National Catholic Safeguarding Commission (NCSC) and the Catholic Safeguarding Advisory Service (CSAS) surveyed a range of respondents and expressed by all the faith-based respondents: The categories to which the Abuse of Trust legislation applies are too narrow, meaning that sexual activity with 16 and 17 year olds, by those in roles of responsibility within the Church where they are trusted by young people and adults, cannot be prosecuted. Current measures are insufficient to give children and young people the protection they deserve when in a vulnerable position because of the nature of their relationship with somebody working in the name of the church. In commenting specifically upon the nature of the relationship between a priest and parishioner; they spoke of the ‘powerlessness’ that is often felt by those being ministered to by a priest, such that the ability to abuse the power and trust placed in the priest is significant. Contact with children and young people can be direct, regular and intense affording significant opportunity for grooming and the creation of an environment where the significant amount of responsibility, influence and authority bestowed on those in trusted roles within the Church, can be misused for the purpose of abusing others.

The Archbishop’s Council of The Church of England expressed its full support for changing the law and noted that IICSA’s report on the Diocese of Chichester and the case of Peter Ball recommended that the Sexual Offences Act 2003 be extended to include clergy. In responding to this recommendation, the Archbishop’s Council have asked the government to consider a broader definition to include church officers (employed and volunteers) in regulated activity as well as clergy. In support of the need for a change in the law, the Archbishop’s Council informed this Inquiry that approximately a quarter of all cases of safeguarding concerns reported to them during 2017 (totalling approximately 600) involved either clergy or church officers (others appointed to and holding a particular role within the life of a church), stating: Evidence given to IICSA has given very personal testimony to how those with wish to misuse power and authority in the Church can groom children and adults into being abused and to not disclosing this for many years. Such abuse can have a devastating impact on physical, emotional, spiritual and psychological wellbeing. Trust in the Church has also been irreversibly damaged with some victims and survivors.

The Archdiocese of York, stated: We also believe that the ability to automatically refer cases involving adults in a position of trust within the church to the police would assist in the effective handling of investigations, and therefore the safeguarding of children and young people.
In cases where the perceived wrongdoing is of a sexual nature, elders will routinely interrogate the accused with extremely invasive questions of a sexual nature in order to determine the extent of the wrongdoing. I would submit that irrespective of whether these instances constitute a sexual offense of any kind, this practice amounts to an abuse of power. Both responses relating to the Jehovah’s Witnesses community include detailed information about the type of authority exercised by leaders within the JW community and give examples of young people who experienced sexual abuse, whilst aged 16-18, by religious leaders. Given the context, understanding and practices, both Hugh James Solicitors and Lloyd Evans advocate strongly for a change in the law.

The Methodist Church provided a detailed written statement expressing their strong support for extending Positions of Trust Legislation. In holding a view that the current legislation makes the boundaries within a ‘professional’ and young persons’ relationships clear enough to work with, they stated that there was insufficient clarity as to which roles this might apply to: The extent of roles included in the legislation limits the potential impact and there is a perception that the concept of a ‘position of trust’ already extends beyond those currently specified in law. They reported on a past cases review carried out by the Methodist church into safeguarding concerns known to ministers during the last 10 years and found that, where these safeguarding concerns related to ministers, 27% of the cases related to sexual behaviour towards young people under 18. In the church’s submission to ICOSA they reviewed cases of child sexual abuse over the last 10 years and there were found to have been 174 cases in total, of which 20% were perpetrated by those in ministry roles, 28% by volunteer or employed youth workers and 6% in music role. Their submission makes the point that working with children and young people is at the heart of Methodist community interaction and a priority area for mission and as such believe that inclusion of ministers and others who work with children and young people in the Church would signal a positive message to all survivors of clergy and church based abuse that churches were determined to support the strongest action in responding to abuse.

The Quakers (also known as the Religious Society of Friends) provided a written statement expressing qualified support for changing the law whilst acknowledging the complexities of applying the law within informal religious settings. The legislation currently sets out various settings and roles and it does not seem inappropriate to extend settings where similar activities are being provided – a youth group being run by an appointed worker runs the same risk in a variety of settings beyond those currently in legislation. Further to this, the Quaker submission usefully highlighted some of the challenges they would face when considering how a change in legislation might be implemented in an environment where many if not most people holding positions in the local context are volunteers rather than paid staff. While I recognize that some of our roles may be seen to have author煌, in a community, they are made on a voluntary and time-limited basis and responsibilities are shared across several or more role holders in each meeting.

Within their written submission, The United Reformed Church gave two examples of young people abused by those in positions of trust and say they are strongly in favour of changing the law. One of these cases was described as follows:

In April 2014, allegations were made that he [a church elder and volunteer youth worker] was inappropriately touching young males under the age of 18yrs who attended the church youth group. The case was reported to the police and Local Authority Designated Officer (LADO), which eventually resulted in neither agency taking any further action. We would argue that this person was in a position of trust and abused that trust as a leader of the church (elder) and as a volunteer involved in youth activities. This case highlights the role of church elders and how the trust can be breached by someone being in a position of authority and trust in the local church. The fact that neither the role nor the setting is included in the Sexual Offences Act 2003 could have shielded the Police from taking action that they may well have been able to do if the legislation were different.

Commenting on the above case, the URC believe that …future change in legislation would need to include religious leaders and therefore recognise their role in faith-settings and the risk that leaders pose in abusing their positions of trust when working with children and young people.
b) Professional Safeguarding Organisations

The NSPCC provided a detailed submission outlining its support for a change in the law. It said that the current Position of Trust definition is partial and doesn’t cover a broad range of positions that give adults the power, influence and opportunity to groom children for abuse. NSPCC’s ‘Close the Loophole Campaign’ has, to date, focused primarily on sports settings, although they acknowledge that faith settings face many similar challenges in safeguarding children and young people. In their submission, NSPCC highlighted the difficulty in establishing the true scale of the issue caused by the current narrow definition of position of trust or influence in the Sexual Offences Act, as it is this definition that determines which cases are reported and identified as such, rather than all cases in settings outside of the scope of the current law that in every other respect contain the same factors: it is challenging to gather evidence on the extend of the problem of this legal loophole as, at present, it is not illegal for adults outside the statutory roles defined in s. 21 of the England and Wales Sexual Offence Act to engage in sexual activity with 16 and 17 year olds in their care. The submission also highlighted some of the difficulties caused by the current law relating to position of trust and that relating to regulated activity and the inclusion of individuals on the DBS ‘barred lists’. This is particularly relevant to positions within faith settings, as many may not be regulated activity (and therefore demand fewer recruitment checks), yet still have significant opportunity to have contact with young people through which inappropriate relationships can be established. The NSPCC state: ‘The lack of a consistency between the definition of regulated activity and the definition of position of trust has created a situation where an adult must be checked to assess their suitability to working with 16 and 17 year olds, and can be barred from doing so, but are legally free to pursue a sexual relationship with the 16 and 17 year olds in their care. Even if disciplined by an organisation they would not be placed on the barred list, nor would any information appear on any subsequent DBS check.

Association of Child Protection Professionals (formerly BASPCAN) responded to our call for evidence with a letter giving examples of young people who have experienced alleged extremists’ being performed on them by religious leaders, resulting in physical and mental trauma. They also express their concerns about faith leaders within the Jehovah’s Witnesses who reportedly told alleged victims of abuse not to tell the police and questioned the alleged victims themselves. Although such examples do not necessarily relate directly to cases where a broader definition of position of trust could have been applied, they speak to the unfettered access that some religious leaders have to young people and the challenges that this may create in certain environments where their position of trust or influence heightens risk. They fully support changing the law relating to Positions of Trust to include leaders within faith settings. In their submission, they state: ‘The lack of a consistency between the definition of regulated activity and the definition of position of trust that was not currently covered within the Act, despite the enormous power differential between young people and faith leaders.

The National LADO Network (NLN) responded to the call for evidence as one of the groups of professionals most concerned with application of the current law relating to positions of trust. LADO’s are responsible for managing and overseeing cases where an allegation is made against a person working with children and young people. They therefore have an overview of this subject, and the greatest concentration of practice experience in dealing with cases, which is invaluable to this Inquiry. The NLN provided a written submission, which was strongly supportive of change to the current law. In the submission, it states: ‘It is my view and that of NLN that because of the vulnerability of young people and the power imbalance that exists between adults and children they work with, the current definition of ‘Position of Trust’ within the Sexual Offences Act, 2003, should be extended to include any adult that has regular and direct contact with children and are also in a position of authority over them’.

c) Academics

Dr Daniel Rhind (Reader in Organisational Psychology at Loughborough University) has a particular interest in both organisational psychology and safeguarding in sports settings. He was commissioned by the NSPCC to undertake research in this area to contribute to their ‘Close the Loophole’ campaign as there is little evidence currently available.

Within his submission Dr Rhind detailed the Freedom of Information request that was sent to all LADOs in England and Wales (172 Councils, of which 161 provided data), to try to find out the number of cases in which sexual activity with a 16 or 17 year old had been reported that involved a person who was potentially in a Position of Trust that was not currently covered by the legislation. The headline findings were that a total of 653 cases were recorded over the four year period 2014-2018. Where the individual’s role was recorded (% of total cases), sport was the largest category (30%) followed by faith (14%). Looking at trends over time, the overall number of cases recorded increased over the four year period, as did the percentage of cases in faith settings.

Dr James Mullen (postgraduate researcher at the University of Newcastle upon Tyne) provided a lengthy submission based on casework that he has undertaken for an MEP in relation to the Justice Committee Inquiry into the disclosure of evidence in criminal cases. The casework and research that he drew on relates to student-teacher relationships in educational settings. In his submission, Dr Mullen supports the case for a change in the law stating: ‘It is self-evident that there are many roles not currently included within the provisions of SOA 2003 ss 21-22, which nevertheless demand regular direct, often unsupervised, contact and establish a position of authority between adult and child. The list of those roles which might be considered to establish a position of trust is therefore extensive but sports coaches, driving instructors and faith group leaders are frequently cited as being of particular concern.'
1.4 The Oral Evidence

The APPG held an oral evidence session at the House of Commons on 22nd October 2019 (see appendix 4). The meeting heard evidence from four representatives who had been selected based upon their different perspectives and involvement in working with the law relating to position of trust, to speak in support of their submitted written evidence to the inquiry.

a) Dr Rhind (Reader in Organisational Psychology, Loughborough University) and Emily Hilton (Senior Policy Officer, NSPCC)

Dr Rhind told the APPG that he is a psychologist by background from Loughborough University and his main area of research and teaching is in sports psychology, with a focus on safeguarding children and young people in sport. The research which informed the NSPCC’s ‘Close the Loophole’ campaign was commissioned to try to strengthen the evidence base because of a lack of research in this field.

The methodology used in the research was that a Freedom of Information request was sent to all LADOs in England and Wales to find out how many cases were known about which related to sexual activity by a person who was potentially in a Position of Trust with a 16 or 17 year old. Over the four year period (2014-2018) a total of 653 cases were recorded, of which 495 recorded the position concerned. Where the individual’s role was recorded (about three quarters of total), the largest category (31%) was sport, followed by faith (14%). Both the total of cases recorded and the percentage of cases relating to faith settings have increased over the past four years. The table below shows the most prevalent categories:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sport</td>
<td>155</td>
</tr>
<tr>
<td>Religion/Faith</td>
<td>67</td>
</tr>
<tr>
<td>Transport</td>
<td>24</td>
</tr>
<tr>
<td>Youth Work</td>
<td>27</td>
</tr>
<tr>
<td>Scouts</td>
<td>56</td>
</tr>
<tr>
<td>Cadets</td>
<td>58</td>
</tr>
<tr>
<td>Charity</td>
<td>17</td>
</tr>
<tr>
<td>Performing Arts</td>
<td>24</td>
</tr>
</tbody>
</table>

Dr Rhind reminded the APPG that there are significant problems in interpreting this raw data because of the lack of standardisation in reporting and recording practices between different authorities and because of complications around perceptions of abuse of trust (Dr Rhind talked about the ‘halo effect’ in faith settings where the person in a position of trust is viewed in an idealised way). Nevertheless, the available evidence does demonstrate that there is a problem and the safeguarding of children and young people in these settings needs to be improved.

Emily Hilton then talked about the NSPCC’s ‘Close the Loophole’ Campaign which has been running for over two years now and has garnered the support of 30 cross-party MPs and some 3500-4000 members of the public campaigning for a change in the law. The campaign was initially triggered by revelations, in 2016, about sexual abuse in football (the Andy Woodward case) quickly followed by other sports. Extensive campaigning activity brought a promise from the then Sports Minister, Tracey Crouch, that the law would be extended to include sports coaches. Unfortunately, this has not happened although the Ministry of Justice says it is reviewing the legislation. There is some caution within the sector about the potential criminalisation of sexual activity between young people over the age of consent.
b) Jim Foy (Vice Chair of the National LADO Network)

As a LADO, Mr Foy is responsible for the management of allegations of harm, or posing a risk of harm, against a child, involving anyone who works with children, whether in a paid or voluntary capacity. He reported that, at the LADOs national conference in 2018, a brief survey was conducted in order to gauge the opinion of LADOs across the country about this subject. Of the 101 LADOs who attended the conference and completed the survey, the vast majority strongly agreed that there were difficulties in effectively managing allegations against workers in positions of trust in a variety of settings and also strongly agreed with the proposition that the definition of ‘position of trust’ needs to be broadened to all adults working with children. The tables below show the results of the survey to two questions relating to position of trust:

Current position of trust provision does not enable the effective management of allegations against adult workers not currently covered in current arrangements

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>25%</td>
<td>5%</td>
<td>0%</td>
<td>12%</td>
</tr>
</tbody>
</table>

The current definition of position of trust should be broadened to include all adults who work with children

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>71%</td>
<td>14%</td>
<td>2%</td>
<td>0%</td>
<td>1%</td>
</tr>
</tbody>
</table>

Mr Foy said that in his own practice he has come across a number of cases involving adults, who are seen by children as being in a trusted position, who are not covered by the current definition, such as driving instructors, choir leaders, leaders of classes set up by faith leaders etc. He believes that any position in which an adult has authority over a child needs to be considered as the question of trust and authority may be perceived differently by a child. Mr Foy said he was familiar with the argument about teenagers ‘consenting’ to sex with older people in the context of child sexual exploitation. There has been some progress in this area and now there is a clear professional consensus, within the safeguarding community, that the onus and responsibility is on the adult, in these contexts, not the young person.

c) Jan Murphy (Safeguarding Officer, United Reformed Church, South Western Synod)

Ms Murphy attended the APPG evidence session as a representative of the URC. She also chairs the South West Ecumenical Safeguarding Forum (a forum of safeguarding representatives from a range of Christian denominations and traditions in the south west region). Having previously worked in the statutory sector, Ms Murphy can see a clear difference between the way that churches deal with safeguarding concerns and the way that they are dealt with in the statutory sector. Churches are informal organisations where ‘professional’ boundaries are often blurred and where there is less of a support structure for workers and volunteers.

Ms Murphy attended the APPG evidence session as a representative of the URC. She has observed that many of the cases that come before the church courts involve adults who have had a background of abuse. She believes that the current definition of ‘position of trust’ needs to be broadened to all adults who work with children.

Ms Murphy reflected on the fact that the Australian Royal Commission and IICSA have picked up on the church as an environment of unquestioning trust and therefore children and young people are vulnerable to adults who may groom them for abuse. Supporting the view that there should be a change in the law, Ms Murphy gave two examples from her own experience in the church setting where a change in the law would have made the church’s safeguarding practice more effective. One related to a person who posed a risk of harm working in church and conducting private lessons, where resistance was met both from church and parents when instructed to shut the activity down. The other example was of a church elder who was also a volunteer youth worker inappropriately touching young people under 18. This was reported to the police and the LADO but no action was taken.


d) Samuel Barker (Hugh James Solicitors, representing Ex-JW Advocates)

Mr Barker presented oral evidence on behalf of Hugh James Solicitors who represent the Ex-Jehovah’s Witnesses Crimes Against Children Group, named ‘the group’ which is made up of some former Elders and some survivors of sexual abuse from within the Jehovah’s Witnesses community.

Mr Barker explained to the APPG that the law in the UK covers different settings, but notably not faith settings. An inter-departmental working group on positions of trust published an interim report in 1999 with four principals set out which underpin proposals on ‘abuse of trust’ offences. These are:

1. Vulnerability of young people
2. Location
3. Special influence of the adult
4. Lack of access to other adults.

Mr Barker contended that this last principle is particularly pertinent in inward facing organisations such as Jehovah’s Witnesses, whose adherents have a deep distrust of the secular world, and where adults are put in high positions of trust, with limited access for children to the outside world.

The Jehovah’s Witnesses’ governing body is based in the USA and is very hierarchical and secretive. People in positions of trust would be Circuit Overseers, Elders and Ministerial Servants. They are communicated as being appointed by God’s Holy Spirit. Children believe their leaders are appointed by God. Everyone must obey and be submissive to them, even if they are seen to be doing wrong, which demonstrates how much power they have.

Activities where children and young people may be present include Elders going to homes, mentoring the fatherless, Bible studies, baptism preparation interviews and field service – i.e. door knocking. All these situations could allow for children to be alone with adults in vulnerable situations. These scenarios are little different to the teacher and student relationship, although they probably involve a higher level of vulnerability for the child or young person.

The power imbalance is substantial and affects the child’s decision making capacity.

The Australian Royal Commission inquiry in Victoria in 2016 changed the definition of care to include faith settings and may be an example for our jurisdiction to follow. Ex-JW Advocates think that there needs to be further consultation with the Ministry of Justice, but certainly believes there is a reason for faith settings to be included, which would not be at odds with the original intent behind the law.

“Children see faith leaders as trusted adults and it is very difficult for them to challenge them, so where does the victim go?”
Findings

2.1 The extent of the problem and the need for change

Although the remit for this Inquiry is relatively narrow and specific—teenagers between the ages of 16-18 being at risk of abuse from those adults who work with them in faith settings—the APPG was presented with a wide range of written and oral evidence on this subject. A clear consensus has emerged through the Inquiry process that there is a real problem here and young people need better protection within faith settings. It is acknowledged that there is a lack of solid research evidence on this and it seems likely that the more we find out about the subject the stronger the argument will be for change. This has been the case in other contexts where young people are at risk, such as child sexual exploitation, criminal exploitation and county lines, radicalisation and child abuse in the context of faith and belief (the subject of this APPG’s first and current Inquiry).

During this Inquiry the APPG was presented with some ‘hard data’ from academic research and numerous examples of anecdotal evidence from professionals working in this field, both from those working in the state sector and in faith settings. Dr Rhind’s study, based on a Freedom of Information request to LADOs in England and Wales, identified a total of 653 cases, of which 67 were in faith settings. These numbers, although small relative to the total number of cases covered by the current law, are not insignificant. The numbers are almost certainly an under-estimate because we know from experience of abuse of trust in other contexts, how difficult it is for victims and survivors to come forward—this being especially the case in some religious/faith settings and communities, considering the levels of power and influence afforded to leaders in these environments. Moreover, the numbers of cases from the faith sector appears to be rising which may well be a function of LADO’s growing awareness of the problem.

LADOs are the safeguarding professionals charged with responding to abuse of trust within our community, and policy makers, if they want our laws to be fit for purpose, need to heed the voices of professionals in the field. There appears to be a growing groundswell of opinion within the LADO community that this is a problem that needs attention. At the national conference of the National LADO Network, held in 2018, there was near unanimous support for extending the abuse of trust provisions in the law. This opinion is most significant and requires specific attention coming from this group of professionals whose responsibility is to manage allegations against the very individuals in roles about whom this Inquiry relates.

All respondents to this Inquiry agreed that the definition of Position of Trust is currently too narrow in scope and needs to be extended. Although different perspectives offered slightly varying factors to be considered, there was not a single respondent to this Inquiry who took the view that the current law was adequate to protect the welfare of children in what are primarily institutional settings within the faith community. When considering the main focus of regulation and legislative reform, we cannot afford for the faith sector to be overlooked or neglected. It is already clear that there is a significant number of adults who look after children and who are seen as trusted adults by those children, who are not covered by the existing definition. Respondents argued that Position of Trust should be extended to include any adult that has regular and direct contact with children and is also in a position of authority over them. Changing the law in this way would be thoroughly in line with the original intent of the legislators who drafted it.
2.2 The particular vulnerabilities of children and young people in faith settings

All abuse involves the misuse of power and trust in interpersonal relationships and the unique nature of faith communities, the centrality of trusting relationships within these communities, and the high level of trust accorded to faith leaders, means that children may be particularly vulnerable in these settings. That is not to say that there is not great importance in the ability of children and young people to be able to develop relationships with trusted adults, as recently supported by work undertaken by the Early Intervention Forum. Understanding the parameters and boundaries within professional adult to child interactions is essential to a “trusted relationship” and would support the need for clearer guidance and legislation to embed safer practice in this regard where positions of trust play a part.

Several respondents made the point that sex offenders may target children and young people in faith and voluntary settings. They may groom parents and guardians in order to gain access to their children and the high degree of trust afforded to adults within this setting makes children more vulnerable. The Gloucestershire Sisters stated: “Where there is power, one is sure to find abuse of it too”. In faith settings potential perpetrators “do not have to build trust with parents and guardians, they already have it”. This is a view that has very much been highlighted through government inquiries, such as the Australian Royal Commission and our own Independent Inquiry into Child Sexual Abuse, in that the deference and trust afforded to faith and religious leaders can create significant risks to those who are vulnerable.

Those involved in ministry or religious teaching in faith settings act as leaders, teachers, mentors and confidants in a range of different environments and their contact with children and young people can be direct, regular and intense “affording significant opportunity for grooming where the significant amount of responsibility, influence and authority bestowed on those in trusted roles within the Church, can be misused for the purpose of abusing others” (CSAS). As the Quakers, quoting their Good Practice Guide, said: “Power is present in all relationships. We have the important duty of exercising that power wisely.”

A quote from the Methodist Church’s submission sums up the situation very succinctly:

In every case whether ordained, employed or volunteer, those that lead activities are already deemed by parents to be in position of trust, whether the law currently recognises this or not. The designation of an activity as being run by the Methodist Church should, and does, provide an additional bond of trust between the parent and the organisation based on shared values and trust. This is particularly important where the Church can offer those from disadvantaged backgrounds stability and access to activities that are so important for development.

Some respondents, like the Baptists, Quakers and URC, talked about the unique nature of protestant churches as grassroots organisations, lacking a central coordinating hierarchy and being highly dependent on autonomous local leadership. Another overarching theme, in almost all of the responses, was the way in which religious or spiritual authority adds a further layer of vulnerability for those who are at the receiving end of religious ministry. The responses from Ex-Jehovah Witnesses were particularly explicit in detailing the way in which power and authority is exercised within their community. They point out that, from childhood, the mindset is developed that JW leaders are entitled to honour, respect and submission. Leaders are believed to be appointed by the Holy Spirit and they are compared with Jesus himself, so the role of the adult male leader is paramount and his authority unquestioned. In the face of such a power imbalance, the decision-making ability of a child is impaired, and they are susceptible to being manipulated and deceived.

Examples were offered of a wide range of roles where adults have sexually abused children with whom they have first had contact through the community of which they are a part. Children who have attempted to speak out have been silenced and the crimes committed against them minimised and dismissed by those in positions within faith settings. Some of these adults are employed in ministry or youth work but many are volunteers in a variety of settings, such as church youth clubs, scout leaders, leader in charge of altar boys, elders, pastoral workers etc. Examples are also given of concerns around extremism, radicalisation and FGM.
Reflecting on the data identified by Dr Daniel Rhind, showing faith groups as the second largest group from where those holding positions of trust and influence were operating, it wouldn’t be a leap to suggest that the numbers from within faith contexts may be higher. If the remaining groups within his study are considered, there are numerous examples where the activity may also be taking place under the auspices of a faith group; whether youth work, charity, performing arts and even sport. Indeed, as long ago as 2004, it was recognised that the Church had become the single largest employer of youth workers in the country; employing in excess of twice the number employed by local authorities.

Since austerity has further cut public services since that time, we can only expect this to be a further embedded reality today. None of these youth workers are currently in scope of the current ‘position of trust’ legislation – how can this be a sustainable position?

2.3 Victim and survivor voices

This Inquiry was privileged to have the involvement of a number of survivors of abuse from within the faith community. Whilst it should be recognised that not all said survivors will have been abused by those who might be described as in a ‘position of trust’, the abuse they suffered and the manner in which it was dealt with at the time speaks primarily to the extent of the power held by leaders within the faith communities to which they belonged. Two such examples from within the Jehovah’s Witness community have been provided with permission within this report (at appendix 5) to illustrate this point. The Inquiry is deeply grateful to them for allowing us to hear their story for this purpose. Of course, these examples are far from lonely voices. The Independent Inquiry currently underway has heard many such stories and has catalogued these within its Truth Project and provided details within the reports they have already published. Common in so many accounts is the manner in which leaders in some faith communities are not to be questioned, revered at all times and offered unwavering commitment, loyalty and obedience. In the hands of the wrong people, such demands only compound the risk and be questioned, revered at all times and offered unwavering commitment, loyalty and obedience. In the hands of the wrong people, such demands only compound the risk and reinforce what appears to be a consensual relationship if in broadening the application of the SOA 2003 is not accompanied by careful scrutiny of the associated contextual challenges such as these. However, what is also clear is that relationships of this type that preclude the adult–child relationship within the context of a setting where a person is in a defined ‘position of trust’ are excluded from these provisions within the SOA 2003. So, it is without question a complex area, but it is one that desperately requires more attention and clearer legislation to provide the greatest and most consistent protection to vulnerable young people in these circumstances.

The law in the UK, as it relates to children and young people, acknowledges that children have rights, such as the right to a family life, the right to privacy and the right to have a say in what happens to their lives. It is important, therefore, that in these situations involving teenagers (16–17) that their voices are heard and that allegations of abuse of trust in these contexts are dealt with in a sensitive and young person-centred way. In doing so, we must not unwindingly create an imbalance or inconsistency in the robustness of how children and young people are afforded the right to protection from harm and abuse, resulting in a postcode lottery based upon setting and role. Changing the law is only part of the solution as regulatory change needs to be supplemented by culture change. We need to acknowledge the importance, within the wider social and cultural context, of trusting relationships between young people (particularly vulnerable young people) and unrelated responsible adults who can get alongside them and offer much needed guidance and support. To be disproportionately focused on the risks inherent in any relationship of trust between an adult and a child has the potential to undermine the substantial benefits of relationship-based practice which has such strong support among practitioners working in the field. Faith-based organisations need to be pioneering ways of working with young people that are both protective and empowering, that respect and promote young people’s right to protection from violence, abuse and neglect, whilst at the same time according them age-appropriate rights to agency and self-determination.
3.1 Conclusions
This Inquiry has started from the premise that the safeguards and protections afforded to young people when in relationships with those holding positions of power, influence and trust should not vary from one setting to another. From the evidence submitted to the Inquiry from survivors, faith and religious organisations, the voluntary and public sector, there is a clear consensus that the definition of ‘positions of trust’ needs revising in order to allow better protection for young people in all settings.

A number of organisations stated that the current legislation lacks clarity. Many young people and parents assume that legislation prevents leaders and workers in faith settings from engaging in sexual activity with children under their care, however this is not the case.

This gap in the law therefore allows adults who clearly meet the criteria in Section 22 (Sexual Offences Act 2003), such as a faith leader or sports coach who regularly care for, train, supervise or take sole charge of 16 and 17-year olds, to engage in sexual activity with them with impunity. This leaves young people at risk of grooming and sexual abuse at the hands of adults assigned with power and trust.

The Government can bridge this gap in the law by applying Section 22 to any adult ‘regularly involved in caring for, training, supervising or being in sole charge’ of a child, and not limiting this to the professions listed in Section 21.

Put simply, this legal change will mean any adult working with a 16 or 17-year-old in a professional or voluntary capacity where they spend time caring for, training, or supervising that person alone will become prohibited from engaging in sexual activity with them.

3.2 Recommendations for Policy and Legislative Change
Recommendation 1:
The Government should amend the Sexual Offences Act 2003 so that the application of the definition of ‘positions of trust’ as an adult that is ‘regularly involved in caring for, training, supervising or being in sole charge’ of a child is not limited to the professions listed in Section 21 of that Act but instead extended to any adult to which that description applies.

The inquiry highlighted the inadequacy of the current definition of positions of trust under the Sexual Offences Act 2003. Evidence submitted demonstrated the opportunities faith leaders and workers within faith settings have to groom young people for inappropriate sexual activity, the power balance that exists between faith leaders and the congregation and the loophole that the current law provides which prevents oversight of sexual offenders looking to groom young people. Further evidence from children’s charities and safeguarding organisations demonstrated the need for the definition to be extended to include all adults working with 16 and 17-year olds.
Recommendation 2:
The Government should launch a public campaign to communicate the change in legal definition so that adults working with children, organisations, parents and young people are aware that it is illegal for any adult ‘regularly involved in caring for, training, supervising or being in sole charge’ to have engage in sexual activity with a child under their care.

The inquiry heard that there is a distinct lack of clarity about the current law amongst the public. Many are unaware which roles are legally defined as a ‘position of trust’, thereby prohibiting sexual activity with 16- and 17-year olds and which are not. The Government should launch a public campaign which may, in turn, drive behaviour changes through new norm-setting. A change in the law as recommended replaces ambiguity for any adult working with a 16 or 17-year old with a clear message engaging in sexual activity with that young person is against the law. It should work closely with faith, sports and safeguarding organisations to ensure messages are clear and consistent.

3.3 Recommendations for Practice Development

Recommendation 3:
The Department for Education should lead the development and implementation of guidance and training provided to LADOs and Local Safeguarding Partnerships to raise awareness of issues around child abuse and abuse of trust in faith settings.

Good, professional working relationships between statutory agencies and local faith-based settings are essential to maximising both the opportunity of faith groups to contribute effectively to safeguarding within the communities they serve and to raising awareness of the collective responsibility to contribute in a manner that promotes the welfare of individuals above their institutions. In building such relationships, better understanding of the nature of faith settings and their underpinning beliefs and practices will assist statutory agencies to work more effectively with those settings, in particular in relation to managing allegations against workers.

Recommendation 4:

In consultation with the National LADO Network and other appropriate professional groups, the Department for Education should research and develop detailed guidance on recording of cases using agreed standardised categories for positions of trust in faith settings.

One of the great difficulties to date in identifying the full prevalence of cases where a position of trust, power or influence has been exploited or abused within a faith context has been the inconsistent manner in which such cases have been recorded. This is no criticism of professionals such as LADOs as there has been no identified need to improve consistency in this respect until now. To some extent, this problem would be rectified by a change in law and definitions, bringing such cases into clearer focus. However, in the meantime, identifying a standard range of categories that can be applied broadly across faith groups (and other sectors) would help hugely in quantifying and analysing the data gathered for practice improvement and policy development purposes.

Recommendation 5:

The Department for Education should urgently revise ‘Working Together to Safeguard Children’ to take better account of the role and extent of faith group activity in safeguarding children and young people, to include a focus on a broader application of position of trust. ‘Recruiting Safely: helping keep children and young people safe’ (CWDG, 2009) should be revisited and revised to address the broader issues of position of trust within settings and contexts that are currently not included.

It is of concern that despite the significant contribution made to the lives of young people in communities by faith groups, there is still such little attention afforded to them in statutory guidance (such as ‘Working Together to Safeguard Children’). Furthermore, opportunities to ensure that issues related to the management of those within positions of trust, power and influence within the wider children’s workforce remain completely inadequate. This could be addressed within a revisited and revised edition of ‘Recruiting Safely: helping keep children and young people safe’ that focuses on both recruitment and workforce management involving those working with children and young people outside of education settings.
A list of participants is as follows:

- The Church of England, Archbishop’s Council, National Safeguarding Team
- The National Catholic Safeguarding Commission (NCSC) and the Catholic Safeguarding Advisory Service (CSAS)
- The Methodist Church of Great Britain
- The Baptist Union of Great Britain (BUGB)
- The Quakers in Great Britain
- Hugh James Solicitors (representing Ex-JW Advocates)
- The National Local Authority Designated Officers Network (NLN)
- Association of Child Protection Professionals (AcCPP)
- Association of Child Protection Professionals (AcCPP)
- The Baptist Union of Great Britain (BUGB)
- The United Reformed Church of Great Britain (URC)
- Dr Daniel Rhind (Loughborough University)
- Dr James Mullen (University of Newcastle upon Tyne)
- Gloucestershire Sisters
- James Lloyd Evans (JWsurvey.org)

Appendix 2: Acknowledgements

The APPG on Safeguarding in Faith Settings would like to thank the individuals and organisations that contributed to this inquiry by providing written and oral evidence, participating in the compilation of this report and responding to information requests (see below). Special thanks go to the survivors of abuse who have courageously offered their stories and helpful perspective to this inquiry. Thanks to Justin Humphreys, Jackie Mills and Bill Stone at Thirtyone:eight, who provide the Secretariat of the APPG and who have been instrumental in the production of this report.

Appendix 3: Call for Evidence

The All-Party Parliamentary Group on Safeguarding in Faith Settings has issued a call for evidence as it launches its second Inquiry, which will focus on whether there should be a change in legislation relating to ‘Positions of Trust’ within faith settings. This Inquiry comes as the Ministry of Justice undertakes a review of the current government legislation.

The intended objective of the Inquiry is to publish a report detailing current knowledge on whether there is a need for changes to be made to ‘Positions of Trust’ within the Sexual Offences Act, 2003 to ensure faith settings are sufficiently within scope to allow young people to be better protected from harm. The report will be published in November 2019.

Under the current legislation, it is currently illegal for groups of professionals such as teachers, care workers and youth justice staff to be involved in sexual activity with a 16 or 17-year-old under their supervision. However, other adults who hold similar positions of power within settings such as faith and religious organisations and sports teams, are not covered by the current provisions.

The inquiry, which is the second of the APPG, includes a call for evidence inviting individuals and organisations to submit evidence in order to assess the need for any change in current legislation and its application. The APPG are calling for organisations, professionals and others who are able to contribute towards establishing a fuller picture of the issue.

Evidence submitted will need to address one or more of the following:

- The need for a change in legislation underpinned by specific knowledge, research and/or case examples from work within a faith or religious community
- The need for a change in legislation underpinned by specific knowledge, research and/or case examples from working alongside faith or religious communities (statutory and voluntary sector organisations and others)
- The need for a change in legislation underpinned by specific knowledge, research and/or case examples from those working in other sectors (outside faith) where transferable learning might benefit the findings of the inquiry.
- Evidence to support no change to the existing legislation around Positions of Trust.

In the first instance, the APPG is inviting written submissions addressing the above. A limited number of those submitting written evidence will then be invited to attend an open session of the group to give oral evidence to support their written submission. The evidence session will be held at the Houses of Parliament on Tuesday 22 October. Those submitting evidence will be advised if their evidence is to be used within the report prior to publication.

Written evidence should be submitted prior to the meeting by email to appg@thirtyoneeight.org no later than 5pm on Friday 20 September so that submissions can be collated and invitations for oral evidence can be made. Please contact Jackie at appg@thirtyoneeight.org should you have any queries in relation to this inquiry or the call for evidence.

Glossary of Abbreviations

- APPG – All Party Parliamentary Group
- BUGB – Baptist Union of Great Britain
- CSAS – Catholic Safeguarding Advisory Service
- IICSA – Independent Inquiry into Child Sexual Abuse
- LADO – Local Authority Designated Officer
- NCSC – National Catholic Safeguarding Commission
- NST – National Safeguarding Team (Church of England)
- PoT – Position of Trust
- SOA – Sexual Offences Act, 2003
- URC – United Reformed Church in Great Britain
Appendix 4: Evidence Session - Summary Notes of Business
All Party Parliamentary Group on Safeguarding in Faith Settings Inquiry into Positions of Trust within Faith Settings – Evidence Session
Tuesday 22nd October 2019, 5–7.30pm
Committee Room, Houses of Parliament

Officers present:
Sarah Champion MP (Chair)
Baroness Sheila Hollins (Vice-Chair)
Tim Farron MP (Secretary)

Secretariat Represented by:
Justin Humphreys (CEO, thirtyoneeight)
Jackie Mills (Executive Assistant to CEO)

The All Party Parliamentary Group on Safeguarding in Faith Settings met on Tuesday 22nd October to hear the evidence for its inquiry into ‘positions of trust within faith settings’ and whether or not the definitions included in the Sexual Offences Act 2003 should be extended to include roles within faith settings.

A number of individuals presented their evidence at the meeting:
- Dr Daniel Rhind (Loughborough University) and Emily Hilton (NSPCC)
- Jim Foy (National LADO Network)
- Jan Murphy (United Reformed Church in Great Britain)
- Samuel Barker (Hugh James Solicitors, Representing ex-JW Advocates)

A number of questions were raised by officers of the group present, and comments made about the potential benefits or concerns about extending the positions of trust. Questions and comments were also received from other attendees observing the session, including survivors of abuse within faith settings.

Overall, the evidence given supported the need for a change in the law in order to provide further protection for 16 & 17 yr olds, whilst also protecting their rights. The oral evidence given, together with other written evidence, supports the need for a change in the law in order to provide further protection for other attendees observing the session, including survivors of abuse within faith settings.

Appendix 5: Survivor Testimonies.

Statement of HTG

1. I, HTG make this short statement in support of the submissions made by the EX-JW Advocates Opposing Crimes Against Children for the All Party Parliamentary Group’s hearing into faith settings.

2. I make this statement as a child who grew up in the Jehovah’s Witnesses, a child who was totally indoctrinated into the faith and the teachings of Jehovah’s Witnesses and as a survivor of childhood sexual abuse committed by a current member and former elder of the Jehovah’s Witnesses here in the United Kingdom.

3. Like many children within the Jehovah’s Witnesses, I grew up to respect all elders and ministerial servants as well as any other senior members of the Jehovah’s Witness organisation such as circuit overseers.

4. Those men were almost revered amongst us; myself and other children simply did not question their authority. How I saw it was those men had worked their way up into positions of authority, based on their experience and ability to lead the congregation. Really anyone, whether male or female, who had been a witness for more years than I was old looked upon with respect. In fact, we called them “aunt” and “uncle” and we were taught that they could discipline us if required, even though they were not our parents or relatives. This is a lifestyle not known to many in the secular world and the trust placed in those individuals is immense.

5. I feared doing anything that might mean I would be brought in front of the elders. I respected them but I feared them too; I viewed their primary role as being there to keep the congregation in order and make sure we were following the rules of the faith.

6. My own abuser was at a time an elder in a congregation and was at many stages in my life a senior member of the Jehovah’s Witnesses. The way I viewed him was very much informed by the status and seniority associated with older men within the Jehovah’s Witnesses.

7. In my personal experience around reporting the sexual abuse I suffered, at the time I felt the body of elders were supporting me and there to help me. Having said that, they were largely consulting with my dad and step-mum about the abuse rather than myself. On the couple of occasions I did speak with the elders I just remember feeling absolute dread in the run up to it and horribly uncomfortable and desperate to not be in the room with them when I was. It’s very intimidating as a young adult to be asked to speak about such things as the intricacies of sexual abuse in front of a group of men who I was taught were appointed by God.

8. Ultimately, the counsel given to me by the elders in relation to the sexual abuse was to put “my tears in a purse” (or words to that effect) and to leave it with Jehovah to sort out. Of course, as they were the elders, I trusted and followed their instruction. After that the sexual abuse was never mentioned by the elders again.

9. Because I trusted the elders and because I believed they were there looking out for me I buried the sexual abuse away, “leaving it with Jehovah” as counselled. For the last 30 years I haven’t questioned that counsel even though I left the Jehovah’s Witnesses 25 years ago. I think the emotional impact of dismissing the severity of the abuse meant I never thought to question it until now, I thought the elders were sincere in the help offered. However, this was not the case.

10. It should not be lost on the APPG that the God like authority afforded to the elders within a congregation had such a lasting effect on me, as it was so ingrained at a young age, that I trusted the advice of those unqualified men until adulthood. It has affected my health greatly.

11. This should inform the APPG’s understanding of the trust, power and authority which is bestowed upon elders and ministerial servants, as well as any older man in the Jehovah’s Witnesses.

12. I am advised to maintain my anonymity as I have an ongoing civil case.

HTG 25.09.2019
Appendix 5: Survivor Testimonies.

Statement of SD

1. I, SD, make this short statement in support of the submissions made by the EX-JW Advocates Opposing Crimes Against Children for the All Party Parliamentary Group’s hearing into faith settings.

2. I make this statement as a child who grew up in the Jehovah’s Witnesses, a child who was totally indoctrinated into the faith and the teachings of Jehovah’s Witnesses and as a survivor of childhood sexual abuse committed by a current member and former elder of the Jehovah’s Witnesses here in the United Kingdom.

3. I was brought up within the Jehovah’s Witnesses and my father was an elder. Children are taught that these men have been appointed by the Holy Spirit, effectively direct from Jehovah himself.

4. Therefore to ignore any instruction, direction or counselling from them would mean you are not doing what Jehovah wants, so you certainly would not question their direction or counsel. This is what I was taught as a child, and what I believed as a result.

5. The elders and ministerial servants are also termed as being ‘spiritually mature’, in ‘good standing’ within the congregation and the spiritual well-being of the congregation is in their hands. Moreover, they are also termed as ‘shepherds’ alluding to the fact that any spiritual direction, guidance or counselling they are giving is leading the congregation members in the way that leads to everlasting life. The impact of this on a child who grew up in the faith should not be lost on the APPG - these men are said to be leading us to everlasting life. In such a circumstance, it goes ‘further’ than simply trust which is placed in these men - it is your life. In turn, this subconsciously makes you believe you have to do what they say if you want to take advantage of that prospect.

6. I hope this short statement can provide some context to the submissions provided and assist the APPG in the upcoming hearings.

SD 25.09.2019

References

7. ‘Close the Loophole’ Campaign, NSPCC. See: https://www.nspcc.org.uk/what-we-do/campaigns/close-the-loophole/