



INDEPENDENT INQUIRY CHILD SEXUAL ABUSE

Private & Confidential

Simon Achonu
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By email to: [REDACTED]

14 August 2020

Dear Mr Achonu

Independent Inquiry into Child Sexual Abuse - Child Protection in Religious Organisations and Settings investigation

Thank you for your letter dated 13 August 2020 addressed to the Inquiry Chair, Professor Alexis Jay OBE. The Chair has seen your letter and asked me to respond on her behalf. No discourtesy is intended, it is simply not appropriate or the Inquiry's practice for Panel Members to engage in correspondence with core participants and their legal representatives.

It is correct to say that at the conclusion of Mr Gillies' evidence on 11 August 2020, Panel Member Ivor Frank asked a number of questions relating to the retention and deletion of records relating to allegations of child sexual abuse. Mr Frank's interest in this topic arose on either 10 or 11 August during the course of Mr Gillies' evidence from his reading paragraph 88 of HHJ Globe's judgment in the case of *A v The Trustees of the Watchtower Bible and Tract Society and others*. This was a document disclosed to all core participants in the investigation.

HHJ Globe indicated that Mr Gillies had made a witness statement in the case of PR-A5 (from whom the Inquiry heard on 10 August 2020), in which Mr Gillies stated that prior to 31 August 1990 there are no filed documents in existence showing Peter Stewart had either been appointed or deleted as a ministerial servant at any congregation of the Jehovah's Witnesses. Conscious of the Inquiry's previous correspondence with the CCJW on the question of document retention and the reassurances that the CCJW had given in relation to preservation of documentation, Mr Frank undertook his own internet research outside the hearing. In doing so, he came across an [article in The Philadelphia Inquirer](#) entitled: "Watch: Jehovah's Witness official says to destroy documents because 'Satan is coming after us'".

No one brought this article to Mr Frank's attention. He found it through his own background research of open sources available to everyone. He did not discuss it with the Inquiry's legal



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team, his fellow Panel members, or anyone else. The Inquiry does not have a copy of the video recording of the seminar in question, though following Mr Frank's question it has sought to identify whether and in what respects the recording to which he referred is publicly available.

The Inquiry accepts that Mr Gillies was given no prior notice of this particular question topic and apologises that its usual processes failed in this respect. The matter arose during the course of evidence, in the sense that Mr Gillies gave evidence on both 10 and 11 August, and arising from it. Mr Frank is entitled to ask a witness questions. He is, however, sorry to hear that the question came as a surprise to Mr Gillies and apologises for this.

By section 18(1) of the Inquiries Act 2005, the Chair must take such steps as she considers reasonable to ensure that members of the public may attend the Inquiry or see a simultaneous transmission of its proceedings, and may obtain or view a record of evidence and documents given, produced or provided to the Panel. The Chair complies with this obligation when hearings are held virtually by ensuring proceedings are live streamed over a YouTube Channel linked to its website, and that a transcript is taken. The video recording of proceedings, and the resulting transcripts and documents adduced in evidence, are published on the Inquiry's website.

The transcript and video recording of proceedings stands as the public record of what happened in the Inquiry's hearing. The Inquiry does not agree to edit or remove these from its website, as doing so would distort the public record and fail to comply with the obligation contained in section 18. However, to assist in ensuring that a fair picture of Mr Gillies' evidence is presented, it will of course publish any response he gives to the questions that Mr Frank asked alongside the video and transcript of the relevant day's proceedings. It would also be willing to adduce in evidence any witness statement that Mr Shawn Bartlett also wishes to provide.

Accordingly, please treat this letter as a formal request under rule 9 of the Inquiry Rules 2006, for Mr Gillies to provide a further witness statement addressing the questions posed by Mr Frank within 14 days. On receipt, the Inquiry will prepare this additional statement for disclosure to core participants in the usual way, and then adduce it in evidence by publishing it alongside the recording and transcript of Mr Gillies' evidence. In providing his statement, Mr Gillies should please respond specifically to the article in *The Philadelphia Inquirer* and exhibit a copy of the seminar in question, and any notes he took when attending the seminar, or make clear if these are no longer available.

Yours sincerely



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Martin Smith
Solicitor to the Inquiry