

IICSA - Child Protection in Religious Organisations Investigation

Maria Strauss and Shehna Amin | 22 January 2020

The following note is a summary of key issues arising from the recent preliminary hearing (on 14 January 2020) held in relation to IICSA's investigation into "Child protection in religious organisations and settings". The full transcript running to 18 pages can be found [here](#).

1. Alexis Jay, Chair of the IICSA, opened the hearing by introducing herself and the other panel members, which comprised of Professor Sir Malcolm Evans, Ivor Frank and Drusilla Sharpling.
2. Alexis Jay explained that the investigation is thematic which will review the current child protection policies, practices and procedures in religious institutions in England and Wales.
3. There will not be a detailed investigation into any individual religious organisation.
4. The purpose of today's preliminary hearing is to:
 - (a) Update the core participants about the work which has been done to date and the work which will be done over the coming months.
 - (b) Hear the practicalities for the public hearing in March 2020.
 - (c) Hear submissions about applications for restriction orders on behalf of witnesses to this investigation.
 - (d) Consider any other issues that core participants wish to raise.
5. Lead counsel in the investigation, Fiona Scolding QC, then gave the date for public hearing, which is scheduled to begin on 16 March 2020.
6. The following have been identified as core participants:
 - (a) Methodist Church of Great Britain.
 - (b) Shema Koli – an organisation that provides advice to members of the orthodox Jewish community who have been affected by sexual, physical or emotional abuse.

If you require further information on anything covered in this briefing please contact:

[Maria Strauss](mailto:maria.strauss@farrer.co.uk)
maria.strauss@farrer.co.uk
02033757259

[Shehna Amin](mailto:shehna.amin@farrer.co.uk)
shehna.amin@farrer.co.uk
02033757901

Alternatively, please contact the firm on 020 3375 7000. Further information can also be found on our [website](#).

This publication is a general summary of the law. It should not replace legal advice tailored to your specific circumstances.

© Farrer & Co LLP,
January 2020

- (c) Kol v'Oz – an organisation that provides advocacy services to Jewish victims and survivors of sexual abuse worldwide.
- (d) Lloyd Evans – provides advocacy services for ex-members of the Jehovah's Witnesses.
- (e) Evangelical Alliance.

7. Fiona Scolding then turned to the evidence being collated by the inquiry:

- (a) Over 120 witness statements requested with approximately 90 received in draft form.
- (b) The Inquiry hopes to have the remaining witness statements by the end of January. The Chair may be required to exercise her powers to ensure individuals can provide adequate evidence.
- (c) 51 witness statements have currently been disclosed, and the aim is to have disclosed the majority of evidence by the beginning of February 2020.

8. The evidence sought has aimed to explore topics including:

- (a) The community, religious activities and education that organisations undertake.
- (b) The culture which underpins religious organisations and the values they have with respect to the approach to child protection.
- (c) How allegations of sexual assault have been disbelieved, belittled or ignored, along with a desire not to report abuse and deal with matters internally.
- (d) How individuals find it difficult to believe abuse could occur within their organisations.
- (e) Policies on reporting abuse and whistleblowing practices.
- (f) The resources provided to religious organisations to manage child protection.
- (g) The need for a monitoring, auditing, reviewing or assurance process, either internally or externally.

9. A number of government departments have been asked for evidence to try and build a picture of who, on behalf of the state, is responsible for ensuring adequate child protection within religious organisations and settings. Current guidance available from the Department of Education in England and the Welsh Government will be examined to evaluate its adequacy in providing information to religious organisations.



-
10. The investigation has also asked the Charity Commission about its oversight of child protection practices and processes.
11. The consensus from the evidence examined so far reveals the following issues:
- (a) Those working in religious organisations want to ensure there are robust child protection procedures in place.
 - (b) The use of volunteers causes practical problems, including ensuring everyone has received training and that the systems in place are implemented properly and work effectively.
 - (c) Any guidance into best practice for child protection would be welcomed.
 - (d) Some organisations would welcome auditing from an external body, providing that the religious context is understood and there is no intention to impinge on any religious freedoms.
 - (e) Some organisations consider that some form of state body should regulate them, others feel strongly that this should be voluntary.
12. The public hearings will focus on:
- (a) The effectiveness of structures currently in place to manage child protection concerns.
 - (b) The existence and implementation of child protection policies.
 - (c) Within an organisation with more than one location, if there are relevant offices to oversee child protection work at a local, regional or national level.
 - (d) The role of elders, faith leaders or senior members of organisations with respect to child protection.
 - (e) The possibility of a common set of basic standards across religious organisations, along with common policies, training materials and/or qualifications for those working in religious organisations to provide practical assistance and guidance in managing child protection.
 - (f) The possibility of a registration scheme or other form of regulation for bodies who run activities for children.
 - (g) The possibility of some form of inspection, either internally or by an external body.
 - (h) What “good” practice looks like.



13. Fiona Scolding then turned to more administrative matters. The inquiry will be held for two weeks from 16 March 2020 to March 2020 inclusive. Normal sitting hours will be from 10am to 4.15pm.
14. Fiona Scolding reiterated that the investigation will focus on examining general themes rather than an in-depth investigation into individual complaints of sexual abuse or a review of all the aspects of a religious organisation's practices.
15. A draft timetable is expected to be provided by early February 2020.
16. Fiona Scolding then addressed applications for restriction orders by three anonymised individuals who are, or were, members of the Jehovah's Witnesses.
17. Finally, a number of submissions were heard which the Chair will consider.