IICSA and Religious Organisations

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Earlier this month saw the final week of the Independent Inquiry into Child Sexual Abuse's (IICSA) thematic review of the current child protection policies, practices and procedures in religious organisations in England and Wales. IICSA examined child protection across a wide variety of religions including: non-conformist Christian denominations, the Jehovah’s Witnesses, Baptists, Methodists, Islam, Judaism, Sikhism, Hinduism and Buddhism. The exceptions being the Anglican and Catholic Churches who were the subject of specific IICSA investigations.

The hearing closely looked at organisational culture, a key issue in safeguarding. Here in the Safeguarding Unit we have long advocated that for safeguarding to be effective, the organisation must embed a culture that sets the standards, context and expectations of all behaviour in an organisation, and that it is transparent, where concerns about the behaviour of any adult or child can be shared with the right people and acted on appropriately (see further in our ground-breaking low level concerns guidance).

IICSA considered how the culture of religious organisations may present barriers in dealing effectively with child sexual abuse. A number of victims provided evidence at the hearing and described their experiences of sexual abuse within their particular religious community. One victim said: “I think they could maybe show a little bit more compassion, as they are always preaching about compassion….When [they] were giving evidence, they made it clear that, actually, they didn’t believe that it had happened, certainly not at the times that it had happened, and certainly not in the timeframe. They made it very clear that they still didn’t believe me, even in court…”

When asked about recommendations, they said “even with mandatory reporting, however much it is imposed, there are going to be loopholes, so I think there has to be some kind of external protection for those children within the organisation because, otherwise, they’re literally just failed by everybody.”

Another victim spoke of being silenced through religious arguments based on honour and shame and said that there is a degree of cronyism or nepotism in the families involved: in her case in certain religious organisations, not to support victims.

During the course of the investigation, IICSA also looked at:

- the management of child protection within religious organisations, including their training, understanding and awareness of child sexual abuse, both by volunteers, religious leaders and others who participate in religious organisations;
- policies and procedures;
- safer recruitment and the use of the Disclosure and Barring Service;
- arrangements in place to respond to allegations of child sexual abuse, including the provision or absence of pastoral support;
• internal processes which exist within the organisation for auditing, inspection or oversight of practices and processes;

• the existing statutory framework for the protection of children from abuse and its application to religious organisations or settings; and

• the existing framework for auditing, inspection or oversight of practices and procedures by bodies other than the religious organisation itself.

A core focus of the investigation was on whether there needs to be additional and/or different practices, processes or oversight (whether by way of internal oversight or external oversight by a non-state or state body) to ensure that children are protected from child sexual abuse within religious organisations or settings.

During the course of the hearing, core participants to the inquiry made a number of observations, and raised a number of issues, including:

• the isolation and ostracisation of victims and survivors after making disclosures of abuse, including isolation from their family, community and usual sources of support who are connected to their religious community;

• poor implementation of policies, whereby policies are in place but not followed, (a practice of course that can happen in other settings too);

• the idea of protecting the reputation of the religious community as a collective as opposed to protecting the victim;

• denial and reluctance to see child sexual abuse as a problem within the religious community;

• calls for mandatory reporting to empower individuals to report allegations of abuse;

• calls for an external, independent regulatory body which would ensure that policies are fit for purpose, provide support and expertise to organisations, investigate institutional failings and impose sanctions;

• calls to involve victims and survivors in a new regulatory system; and

• calls for intervention from specialists to provide the knowledge, tools and know how to deal with child protection issues.

It is worth considering what sorts of recommendations IICSA might make and IICSA is likely to be mindful of the following recommendations made by the Australian Royal Commission into Institutional Responses to Child Sexual Abuse. Those included amongst others:

• consideration of a national register which records sufficient information to assist affiliated institutions to identify and respond to risks to children that may be posed by people in religious ministry;

• that any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated or who is convicted of an offence in relation to child sexual abuse should be permanently removed from ministry;
that religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult;

that each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety; and

that religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of, and compliance with, the Royal Commission's 10 Child Safe Standards (see page 13 of the link) in each of their affiliated institutions.

We know from our experience of acting for faith-based organisations that they face their own unique challenges, for example, striving to improve inter-agency working, having the ability to ‘have a seat at the table’ with the statutory agencies and being taken seriously by those agencies, the complexities of dealing with the management of sexual offenders in their congregations and other complex challenges.

IICSA’s findings and recommendations will be much awaited and it is hoped that IICSA will make genuinely helpful recommendations for the faith-based sector to support those organisations in their journeys to improve child protection and safeguarding.