

Final Report
of the
Independent Abuse Review Panel
Presbyterian Church (U.S. A.)

October 2010

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Foreword

This document is one of several produced by the Independent Abuse Review Panel (IARP). The others are:

February 23, 2010

Suggestions Toward Development of a Model for Risk Management for the PC (USA) regarding Allegations of Abuse on Past Mission Fields

Confidential report presented to the General Assembly Mission Council Executive Committee of the Presbyterian Church (U.S.A.) in response to the GAC Executive Committee's action 9-EC-92808, recorded in the September 28, 2008 minutes.

October 2010

Need-to-Know Report: PC(USA)

This Report is a highly confidential document with information on mission fields, accused individuals, and offenders distributed only to the PC(USA). This information is shared for the purpose of facilitating ongoing investigation as reports of abuse or additional information are received in the future.

Need-to-Know Report: Cameroon

Need-to-Know Report: Congo

Need-to-Know Report: Thailand

These three Need-to-Know Reports are highly confidential documents and may be provided only to such individuals who "can demonstrate a persuasive interest in the review of the pertinent mission field conducted by the IARP." Copies of a Need-to-Know Report for a particular mission field were furnished to witnesses who had provided information related to that mission field, and who had signed Witness Agreements with the IARP, according to provisions in the Witness Agreement. Other individuals interested in a copy of a Need-to-Know Report for a particular mission field must request the report from the General Assembly Mission Council Executive Director. A form for this purpose is included at the end of the Final Report.

December 2010

Supplement to the Final Report of the Independent Abuse Review Panel of the Presbyterian Church (U.S.A.)

This report will provide additional reference material on the Panel's Charter, method of conducting inquiries, and forms and letters used by the Panel. It will be furnished by the Panel to witnesses who signed a Witness Agreement. Others may request a copy from the PC(USA).

December 2010

Suggestions Toward Development of a Model for Prevention for the PC(USA)
regarding Allegations of Abuse on Past Mission Fields

Confidential report presented to the General Assembly Mission Council
Executive Committee of the Presbyterian Church (U.S.A.) in response to the
GAC Executive Committee's action 9-EC-92808, recorded in the September 28,
2008 minutes.

Dedication

Chapter 5 of John's gospel opens with the familiar story of Jesus and his healing on the Sabbath of a man who had been lame for 38 years. However, it is the immediate physical setting of Jesus' action that has especial relevance to the inquiry described in this report. The unidentified man is in Jerusalem, lying by the Sheep Gate where there is a pool, known as Bethesda or Bethsaida, with its five covered entrances. This was the gathering place, John tells us, for those who were blind, lame, and paralyzed. Here, they waited in anticipation of an intermittent stirring of the pool. The popular tradition was that when the water was disturbed supernaturally by an angel of God, whoever stepped into the water first would be healed. Only when the water was troubled were people made well.

The first ones who came forward to their church – adults who had been victimized while they were children of parents serving on the mission field, parents whose children had been abused, and missionaries of conscience – were the divine agents who stirred the waters to make for the possibility of wrongs being righted, of broken lives being mended. Their dignified and plaintive voices disturbed the outward calm and serenity of the denomination's pool. Their individual acts of courage collectively became the angel's opportunity for their church's leaders to step into the stirred up waters. The stepping in of those leaders eventually became this nearly seven-year inquiry. And as this inquiry stirred the waters of past mission fields, many others came forward to step in, too.

The heartening words of the driving African American spiritual capture the vision of all who would gather at the Bethesda pool: "Wade in the water. / Wade in the water, children. / Wade in the water. / God's gonna trouble the water."

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To those who came forward to the PC(USA) with reports of past abuse: Your courage and faith in approaching the Church provides the opportunity for the PC(USA)'s response.

To all of the members of the General Assembly (Mission) Council Executive Committee and PC(USA) staff, since 1999, who envisioned, established, and supported first the Independent Committee of Inquiry, then the Independent Abuse Review Panel, to engage in fact-finding in order to

pursue the truth, encourage healing, and promote justice on behalf of those making allegations and those accused.

further the integrity of the mission and witness of the Presbyterian Church (U.S.A.)¹

To all those who chose to participate in the Panel's work: Your faith in and commitment to these purposes is the foundation upon which the Panel's fact-finding rests.

The Panel is deeply grateful to all of these people: Their courage, persistence, faith, and support have made this Final Report possible.

¹ Charter for the Independent Abuse Review Panel for Allegations of Past Misconduct Related to the Staff and Dependents of the Presbyterian Church (U.S.A.) Worldwide Ministries Division and its Predecessor Bodies, herein after referred to as Charter, Section IV. Nature.

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The staff of the Presbyterian Historical Society, who provided invaluable assistance and support for the Panel's archival research.

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American Baptist Conference

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United Methodist Church

SIM

World Mission Prayer League

Private research services

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Executive Summary
Final Report of the Independent Abuse Review Panel
Presbyterian Church (U.S.A.)
October 2010

This Final Report of the Independent Abuse Review Panel (IARP) of the Presbyterian Church (U.S.A.) summarizes fact-finding inquiries conducted since 2004 into reports of past physical and sexual abuse on Presbyterian mission fields.

The reports received by the IARP were varied, and complex. They spanned a 40-year period of time and 10 different mission fields. Thorough investigation of the reports required, at various times, the effort of multiple groups of people, both within and outside of the Presbyterian Church:

- Victims weighing the personal costs of coming forward;
- Those accused of abuse debating risk in deciding whether or not to participate;
- Families of these individuals facing immediate stresses and longer- term uncertainties;
- Church communities providing sustenance and support for people struggling with unspoken, yet deeply personal issues and painful effects;
- Mission administrators, some looking back over the past choices and others looking to present and future challenges;
- Current Church staff, negotiating the Panel's independence even while offering support, cooperation, and assistance whenever possible;
- Other denominations re-discovering cooperative mission ties and commitments from the past in the form of joint sponsoring of facilities for missionary kids (MKs); and,
- The Presbyterian family of faith as it becomes aware of and reacts to the efforts of their national entity to wrestle with uncomfortable truths and frightening realities.

The Final Report, then, mirrors the past 7 years in all of these ways. The pages that follow form a whole that is complex, and nuanced, with interlocking components. It requires a careful reading of the whole in order to appreciate the full context of the parts.

* Past, Present and Future:

The Final Report addresses reports of past abuse.

The Final Report represents a slice of the present; the IARP is still a functional entity and will be over the next three months as the Panel transitions its ongoing investigative work to the PC(USA) and completes some of the tasks outlined in the Charter.

The issues discussed in detail here have real and serious implications for the future. The Church will no longer be able to say they do not know how abuse happens to children on the mission field. It will not be possible for Presbyterians to claim ignorance of the far-reaching effects of abuse in the lives of individuals, families, and mission communities.

* What happened then and what to do now:

The Final Report contains information on the 131 reports the Panel received, the decisions made, and the Panel actions that flowed from those decisions.

Even with the changes in the world, in the Church, and in mission service over the past 40 years, there are direct and important lessons for now and the future to learn from the breadth and depth of the Panel's inquiries. The Final Report includes recommendations for improvement and prevention.

* Who is responsible for what:

The Final Report addresses past actions and inactions, current effects and consequences, and future choices for individuals and collective entities, adults and children, those who committed abuse and those who were in possession of information and could have intervened, or intervened more effectively.

The Final Report contains public information on reports. The Panel has authored Need-to-Know Reports for three mission fields, Cameroon, Congo, and Thailand, which are available only to members of those mission communities who are directly affected by events reported to the Panel. The Panel has also authored a more detailed PC(USA) Need-to-Know Report containing information helpful to the Church as it moves forward with investigations and support of those affected.

The Final Report is divided into two Parts, which will offer opportunities for readers to pursue various interests at different times. Readers will begin in different places – for some, chronological order; for others, specific section of interest. The Panel hopes, however, that this Final Report will offer the opportunity to return for further reflection using other styles and approaches over time.

Part 1 contains information on the Panel and the process of investigation:

Introduction: Orientation to the issue of child abuse and the Final Report.

Panel: The Panel's structure, scriptural and faith foundation, membership, and processes.

Investigative process: Underlying principles, outreach as a critical part of inquiry, and the Panel's investigative methods.

Resources: Information from witnesses and archives in the fact-finding process.

Decision-making: Panel protocols for notification of third parties, finding of fact, and naming those responsible where the Panel has concluded that abuse occurred.

Part 2 contains information on the Panel's conclusions:

Context for the reports: Contextual features from investigation, Church, missionary, and missionary kid (MKs) perspectives that are important to understand before reading specific conclusions and recommendations.

Summary: Overall information on reports, parties to the reports, and Panel activity and decisions.

Mission fields: Reports from and conclusions pertinent to specific mission fields:

Cameroon
Congo
Egypt
Ethiopia
India
Kenya
Mexico
Pakistan
Thailand
Zambia

Themes: Issues that transcended individual mission fields – Third Culture Kids (TCKs), MKs, boarding schools, the effects of abuse, and offender patterns.

Concluding comments and afterword

Recommendations: Those offered by witnesses and those offered by the Panel.

The IARP offers this Final Report with deep respect for each person and entity touched by the difficult issues discussed here. The purpose of gathering and reporting this information at this time is to move each of us and all of us forward toward the fullness and richness of life given to us and promised for us by God.

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Glossary and terms

Denominations:

PC(USA): Presbyterian Church (U.S.A.)
Current Presbyterian entity chartering this inquiry

Predecessor denominations:

PCUSA: Presbyterian Church in the United States of America
UPCNA: United Presbyterian Church in North America

The PCUSA and UPCNA merged in 1958 to form the UPCUSA.

UPCUSA: United Presbyterian Church in the United States of America
PCUS: Presbyterian Church in the United States

The UPCUSA and the PCUS merged in 1983 to form the PC(USA).

PC(USA) investigating bodies:

ICI: Independent Committee of Inquiry, which preceded the IARP.

IARP or Panel: Independent Abuse Review Panel, the author of this Final Report.

PC(USA) entities:

PHS:
Presbyterian Historical Society, official Presbyterian archives.
The Panel reviewed files in Montreat, former location, and Philadelphia,
current location of all PHS archives.

Mission fields:

Congo:
Congo was known as Zaire from 1965-1997. For simplicity's sake the Panel has referred to this mission field as Congo throughout the entire period of time of our inquiry, even though Congo was Zaire for part of this time.

Cameroon:
The Panel has used this current spelling of this country throughout the entire period of time of our inquiry, even though there have been different spellings and different nomenclature for parts of the country during this time.

Chiang Mai:

The Panel has used the current spelling of this city in Thailand, although it is spelled numerous ways in the archival records.

Roles:

Victim:

When referring to those who experienced abuse, the Panel has used the word *victim*. We have not used the word *survivor*. Individuals who have experienced abuse vary in their preferences about how they should be described, and one person may change their preferences over time. For this reason, we have used *victim* as descriptive of a role. This allows individuals to decide for themselves if another word is more appropriate.

Offender:

Many words are used to describe those who have abused others: *perpetrator*, *molester*, and *abuser* are some of the other designations. The Panel chose to use *offender*, because it is consistent with professional literature.

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PART 1: How the PC(USA) and the IARP addressed reports of and questions about child abuse on past mission fields.

A. Introduction: Receiving reports and questions.

Reality of child abuse

Child sexual and physical abuse is a sad reality in our world. It is far too prevalent, enough so in the United States that the Centers for Disease Control considers child abuse a public health problem.¹ Overall, about 20% of females and 5-10% of males experience childhood sexual victimization.² Churches and their mission fields are not immune from this problem. The fact that the World Health Organization includes research on child abuse and neglect in its studies on violence and health attests to the universality of child maltreatment.

The reality of child abuse has its own particular characteristics that interact with the processes on mission fields. At its heart, child abuse, from the child's perspective, is a betrayal of trust and dependency. Children are born undeveloped, immature, and dependent. Children need safe, stable, and nurturing relationships to learn, develop, and grow.³ Disruptions in any of these dimensions – safety, stability, and nurture – can hamper development. Safety, as opposed to neglect or violence, represents freedom from fear and harm. Stability, as opposed to chaos, represents predictability and consistency in care-giving. Nurture, as opposed to hostility, coldness, or rejection, represents warm, accepting, availability, and appropriate responses to needs.⁴ Together, these allow

¹ See, for example, Understanding Child Maltreatment Fact Sheet 2010, Center for Disease Control and Prevention, National Center for Injury Prevention and Control, available at www.cdc.gov/violenceprevention.

² World Report on Violence and Health, World Health Organization, Geneva, 2002, page 64. [Original citation: Finkelhor, D. The international epidemiology of child sexual abuse. *Child Abuse & Neglect*, 1994, 18:409-417. Finkelhor, D. Current information on the scope and nature of child sexual abuse. *The Future of Children*. 1994, 4:31-53.]

³ Preventing Child Maltreatment through the Promotion of Safe, Stable, and Nurturing Relationships between Children and Caregivers, Center for Disease Control and Prevention, n.d., page 3.

⁴ *Ibid*, page 3-4.

children to learn to trust other people, within which children can appropriately turn their attention to learning and developmental tasks rather than having to focus on their own physical survival. Betrayal leads to mistrust, which, in turn, forces a child to focus on what they think they need to do to survive.

Providing safety, stability, and nurture are challenges for all parents wherever they live. The isolation present on a mission field, however, presents special challenges and some unique resources for missionary parents. The family's social isolation from extended family and other sources of support as well as the stress of living in a foreign culture are risk factors for child maltreatment. However, the social network of other missionaries and other MKs, and the presence of other caring adults to serve as role models and mentors can also represent protective factors.⁵ The overlap of call and employment can make parental decision-making in any particular instance more difficult: Who has the responsibility to act or provide – God, the church, the missionary parent?

Investigating reports of abuse

People who approach the church to report child abuse on a mission field may come from any part of the indigenous church / church of missionary parent / missionary parent / MK system. In fact, the Independent Abuse Review Panel (IARP) received reports of abuse from individuals in indigenous churches, former denominational mission officials, missionary parents, and MKs. Each reporter brought similar questions. And, because abuse is a relational act involving two people and their roles, the questions reporters bring have implications for others in the system.

The common questions and concerns that reporters have are these:

1. Is the abuse still occurring? Reporting is often motivated by a desire to keep an offender from harming any other children.

⁵ Child Maltreatment: Risk and Protective Factors, Injury Prevention and Control: Violence Prevention, Center for Disease Control and Prevention, available online at: <http://www.cdc.gov/ViolencePrevention/childmaltreatment/riskprotectivefactors.html>.

2. Was there really abuse? Reporting often reflects a desire to have the church acknowledge the reality of what happened.
3. How many people were harmed by this offender? Reporting allows determination of the extent of the abuse.
4. How can abuse be prevented? Reporting may be prompted by the desire that no other child have an abusive experience. Prevention has two facets: the church and missionary parents. Both parties' decisions determine the mission field conditions under which children live, so both parties can learn from the past what to improve for children now and in the future.
5. How can the offender be held accountable? Reporting may be motivated by a desire that the offender recognize the extent and nature of the damage they have caused, be held accountable for this damage, and have the opportunity for repentance based on this full understanding and accounting of their actions and their consequences.

A report of past child abuse on a mission field to the church raises questions for those receiving the report. These questions are very similar to the questions that reporters bring. Hearing a report may also elicit other common reactions or questions: How could this have happened? How can trusted members of a mission community abuse children in their care? How can people representing God and interpreting Christ to others abuse children?

Reporters who approach the church or others who react to reports with questions like these see the abuse as a problem to be acknowledged and solved. From this perspective, reports are helpful and necessary; they provide information for a more complete understanding of a problem that will then allow a better solution.

Fact-finding investigative committees or panels, like the IARP, are formed in response to problem-solving questions like these. Fact-finding investigations are not the same as investigation for disciplinary or adjudicative purposes. Fact-finding panels seek information from individuals and archives as a way of answering questions; their role is not to evaluate civil, criminal, or ecclesiastical responsibility.

In this way, fact-finding is an alternative to other approaches to reports of abuse. It is possible to ignore reports. This leaves the reporter to bear the burden of the information

they wish to share and the questions they have. The church does not learn how to improve, and the presence of unexamined reports undermines the integrity and credibility of the church's mission.

It is also possible to view reports only from a legalistic perspective, one designed to determine civil, criminal, or ecclesiastical responsibility. This mechanism, when employed, may not provide satisfactory answers to questions, and it may not lead to effective problem-solving. The emphasis is on defense, not learning.

Fact-finding panels are a legitimate, useful means for addressing reports of child abuse shared with the goal of problem-solving. The PC(USA) now has ten years of experience with fact-finding panels, and they have proven useful in addressing questions in a manner that is productive for both individuals and the church. This experience is discussed in more detail later in this report (Section B, the Panel, and its background).

The ultimate goal of a fact-finding inquiry is the truth: To seek and report full information answers questions, allowing resolution for the parties who raise the questions. With facts in hand, victims can engage healing more fully, while offenders can become more justly accountable, potentially allowing each to experience the rich benefit of deeper, more firmly rooted, relationships with family members, with MKs, with adult missionaries, with faith communities. With factual information, churches can better prevent current or future abuse.

The Independent Abuse Review Panel of the Presbyterian Church (U.S.A.) was created to be just such a fact-finding body to investigate reports of child abuse from past Presbyterian mission fields. This is our final public report of facts as we have found them. While we have not answered all of the questions brought to us, we present what we have learned in order “to pursue the truth, encourage healing, and promote justice on behalf of those making allegations and those accused,” and “to further the integrity of the mission and witness of the Presbyterian Church (U.S.A.).”⁶

⁶ Charter for the Independent Abuse Review Panel for Allegations of Past Misconduct Related to the Staff and Dependents of the Presbyterian Church (U.S.A.) Worldwide Ministries Division and its Predecessor Bodies, adopted June 27, 2003, Section IV. Nature. (Hereafter, referred to simply as Charter of the IARP.)

Readers of this report

There are several audiences for this final report:

- MKs
- Missionary parents
- Other missionaries
- Mission officials
- Presbyterians
- Members of the general public

Individuals in these groups may have different kinds of overlapping relationships to the Panel. People fall into more than one of these categories:

- Aware of the Panel's existence and work or not
- Supportive of the Panel's existence and work or not
- Participant or not
- Reporter or not
- Victim or not
- Offender or not
- Person supportive of victim
- Person supportive of offender
- Person providing general background or contextual information

The Panel's hope is that each of the groups, regardless of their relationship to the Panel, will find information of value in this report. The report is written such that each chapter builds on issues discussed previously. The chapters may be informative read on their own, but it is the Panel's hope that readers will eventually return to read previous material, as it provides the context for what follows.

While the chapter on the Panel's conclusions may be an initial draw to read the report, we hope all readers will read on to the chapters on overall conclusions and discussions. These chapters are designed to be educational in nature for anyone encountering child abuse.

To MKs who have been abused, missionary parents, and the mission community for a particular mission field, the Panel recommends reading the conclusions for mission

fields other than your own. This broader view of issues and findings in other places may further your understanding of your own or other's experiences.

To Presbyterians and members of the general public, the Panel hopes that this report furthers your understanding of child abuse, regardless of its setting.

B. Panel: The people and type of entity charged with addressing the reports and questions.

Relationship to the PC(USA)

The IARP was chartered by the General Assembly (Mission) Council Executive Committee on June 27, 2003 in response to a recommendation in the Final Report of the Independent Committee of Inquiry (ICI).⁷

In the structure of the Presbyterian Church (U.S.A.), PC(USA), the IARP is extra-constitutional, which means that the Panel is not found in the Book of Order, the Constitution of the Presbyterian Church (U.S.A.). The Panel is an independent body with an establishing document entitled "Charter for the Independent Abuse Review Panel for Allegations of Past Misconduct Related to the Staff and Dependents of the Presbyterian Church (U.S.A.) Worldwide Ministries Division and its Predecessor Bodies," known more simply as the Charter.

The Panel was created by the General Assembly Council Executive Committee (GACXC), now known as the General Assembly Mission Council Executive Committee (GAMCXC), which is the highest "executive branch" entity of the PC(USA). The GAMC, with the Executive Director, directs the programs of the PC(USA); the Executive Committee of the GAMC directs the affairs of the GAMC between meetings. The GAMCXC handles ongoing issues, including personnel matters, so chartering the Panel is in keeping with its regular responsibilities.

The Charter was approved on June 27, 2003, and the Panel was staffed and began its work in 2004. The current Charter is in Appendix A. The Charter outlines the

⁷ ICI Report, p. 114, Recommendation #13

structure and function of the Panel, and directs the performance of specific activities. The Charter is the referent, authority, and guide for all of the Panel's work.

More detailed background information on this recommendation, and the formation of the Panel is in the Charter Sections I. Background, and II. Action of the Charter (see Appendix A), and in Appendix B, PC(USA)'s Response to Recommendations in the Final Report of the ICI.

Framework of Scripture and faith for the Panel's work

Throughout this inquiry, members of the Panel were challenged by disturbing stories of harms to children, whether committed knowingly or unintentionally, across different continents, mission fields, and decades. The stressful nature of the reports required Panel members to discover ways to cope, both individually and collectively.

Time and again, two primary sources emerged. First, as people of faith, scripture was the most frequent and effective foundation for the Panel's internal reflections about the meaning and significance of these alarming reports from witnesses. The strongest, continuing scriptural theme, flowing like a strong river, was that children are an unequivocal gift from God, and are to be cherished and protected consistent with their worth in God's eyes.

Secondly, the faith of many persons coming forward as witnesses, especially those who survived the wounds of abusive acts, to report incidents and express concern for others was inspiring. Witnesses in this inquiry demonstrated remarkable trust and hope. This framework of scripture and faith honors those two sources as informing the Panel's work.

I. Children from perspective of scripture

Children as God's blessing and gift, and sign of God's covenant

The role and place of children within the missionary community was a topic the Panel actively pursued in witness interviews and archival searches. While there is no explicit theology of children in the Hebrew Scriptures or the New Testament, a survey of scripture reveals a consistent and compelling pattern of God's vision of children:

- The call of God to Abraham and Sarah, and the beginning of a covenant between God and the people of Israel, Genesis 12, begins with God’s promise of blessing (verses 1-3) and is extended with a promise of heirs (verse 7). Although Abraham and Sarah are childless (Genesis 15:1-3), God’s covenant contains the promise of an heir and descendants as numerous as the stars (verses 4-5). The moving words of God in Genesis 17 reinforce the essential role of children as a sign of the covenant through Abraham and Sarah: “I [God] will establish my covenant between me and you, and your offspring after you throughout their generations, for an everlasting covenant, to be God to you and to your offspring after you.” (verse 7, New Revised Standard Version).
- God personalizes the covenant for Abraham and Sarah, childless at 100-years-old and 90-years-old, respectively, by the promise of a blessing in the form of their own child (Genesis 17:16). The birth of Isaac (Genesis 21:1-3) personifies and makes manifest God’s promise that Abraham and Sarah shall be blessed and that God’s covenant will endure from generation to generation.

The Panel’s scriptural framework for this report begins with this foundational truth: children are a blessing and a gift from God, and a sign of God’s covenant with the people whom God has called.

God’s standard of cherishing children

As the Panel sought to trace the status of children within a series of missionary communities and one religious community, i.e., a church denomination, questions emerged about the status of children within the communities described in scripture. Again, a consistent and compelling pattern of God’s vision emerges, that children are not derogated as a means to an end, but are precious in themselves and in their own right:

- The vulnerability of certain categories of people is explicitly acknowledged in the hospitality code of the people of Israel, catalogued in the laws of the covenant. Their God protects those who are defenseless under the law, including resident aliens, or sojourners, the widows, and the poor (Exodus 22:21-27). This listing includes orphans (verse 22). The theme is reflected in Psalm 10, a prayer for deliverance from enemies, in which God is ascribed as one who will “do justice for the orphan and the

oppressed” (verse 18, New Revised Standard Version). The theme continues in Psalm 82 in which God’s voice commands, ““Give justice to the weak and the orphan; maintain the right of the lowly and the destitute.”” (verse 3).

- Deuteronomy 6:1-25 is the teaching of Moses to the people of Israel about the first commandment regarding God. The commandment, statutes, and ordinances exist not solely for the people, but also for their children and their children’s children (verse 2). This portion, which includes the prominent *shema* (hear) at verses 4-9, is to be recited to their children (verse 7). The requirements for faithfulness include teaching the children the story of the people’s deliverance by God and to observe the covenant (verse 20). Vulnerability warrants children God’s protection.
- The healing miracles of Jesus are not limited to adults who could articulate their faith in him as the son of God. The daughter of a Syrophenician woman, a Gentile, is not even physically present when Jesus is approached by her mother. Without ever encountering Jesus, the child directly receives the benefit of his love in the form of her being healed (Mark 7:24-30). The feeding of the 5,000 with five loaves of bread and two fish is recorded as extending to children (Matthew 14:15-21). Just as this is repeated a chapter later in the feeding of 4,000 with seven loaves and a few small fish (Matthew 15:32-38), the miracle again extends to children.
- It is the nature of children that Jesus cites as the model to which the disciples are cautioned to emulate when he critiques their aspiration to be great in the kingdom of heaven (Matthew 18:1-4).
- Jesus teaches the disciples to welcome, or receive, children, and to do so in his name (Luke 9:46-48). He goes on to say that in doing this, they are also welcoming him, and also welcoming God who has sent him (verse 48). When the disciples interfere with parents who bring their children to Jesus that they might touch him, Jesus affirms their presence by taking the children in his arms, laying hands on them, and blessing them (Mark 10:13-16).
- In John’s gospel, Jesus uses the term “children” as one of endearment to address the disciples in the intimate setting of the last supper (13:33), and follows by giving them a new commandment, to love one another as he has loved them.

- John’s gospel uses the imagery of children to describe the purpose and significance of the impending death of Jesus for all people: “to gather into one the dispersed children of God.” (11:52).

The Panel’s scriptural framework for this report embraces this principle:

God’s standard is that children are cherished and deserving of care.

God’s standard of protecting children

The many reports of harms experienced by the children of missionaries raised a poignant question: Where was God when these children were harmed? It led the Panel to search scripture for signs of God’s intent. Among many that were instructive, these clearly demonstrate that the harm of children is not God’s will, and when they are harmed, it is a violation:

- One of the dramatic stories in the life of Abraham is the test of his faith on a mountain in the land of Moriah. God has instructed him to go there and offer Isaac as a burnt offering (Genesis 21:1-2), a ritual act of consecrating the firstborn child that was typical of many ancient Middle Eastern observances required by many deities of the time. However, this God, the one and true God, the God of Abraham and Sarah, the God of the covenant with the people Israel, is unique among the gods – the rite is transformed to spare the sacrifice of Abraham’s son (verses 11-13).
- During the bondage of the people of Israel in Egypt, the pharaoh of Egypt fears the growth in numbers of the Israelites (Exodus 1:12). He orders Shiphrah and Puah, the Hebrew midwives, to kill all males at their birth (verses 15-16). However, because the midwives choose to act in obedience to God rather than in obedience to the pharaoh, they cleverly circumvent the order of infanticide, and ensure the survival of Hebrew boys (verses 17-19). A conspiracy of love to preserve children equates to faithfulness to God.
- That incident is immediately followed by the story of the birth of Moses. The actions by his mother, his sister, Miriam, and the daughter of the pharaoh, each taken independently, combine to protect him as an infant from the pharaoh’s edict to kill the

Hebrew boys (Exodus 2:1-9). In preserving the life of a child, the potential of God's life-giving covenant to be established through Moses is preserved.

- The prophet Jeremiah speaks to the apostasy of the people who have turned against God, and their violations of the covenant which results in deleterious consequences. The lament and grief over the losses is manifest in the figure of a mother, Rachel, wife of Jacob and the mother of Joseph and Benjamin: "Thus says the Lord: A voice is heard in Ramah, lamentation and bitter weeping. Rachel is weeping for her children; she refuses to be comforted for her children, because they are no more." (Jeremiah 31:15).
- When the disciples interfere with parents who bring their children to Jesus so that they can touch him, Jesus sternly directs the disciples not to deny the children his presence (Mark 10:13-16).
- The warning of Jesus to the disciples about impeding the faith in Jesus is pointed and direct: "If any one of you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea." (Matthew 18:6, New Revised Standard Version). In Jesus' warning, no distinction is made between the types of stumbling blocks, whether actions or failures to act, that could impede faith. [Some scholars regard the use of "little ones" in verse 6 as referring to any believer, regardless of age, and not a literal reference to children. If accurate, it is nevertheless important that a term invoking children is the subject of the warning, its usage being an implicit sign of value.]

The Panel's scriptural framework for this report embraces this precept: God's standard is that children are to be protected from harm.

Concluding commentary

A useful document for further reflection is "On Being a Child: An Inquiry into the Needs and Rights of Children and the Commission of the Church." The paper was prepared by the Program Agency of the United Presbyterian Church in the United States of America, and was adopted by the 189th General Assembly (1977). The report is in the minutes of that General Assembly, Part I, Journal, 579-605. Section II is a theological framework and includes scriptural references. It reflects theologically on the needs and

rights of children, stating: “A Christian theology about children dignifies them, delights in them and defends them... To so accept, enjoy, and enable children to be as God intended stresses high hope for the best for each child, rather than settling for the least which is mere survival.” (583). A select bibliography is included.

Another very useful resource for considering what it means to value children is the gentle memoir and manifesto by Wess Stafford, Too Small to Ignore: Why the Least of These Matters Most, published in 2007. Written from a Christian perspective that is rooted in scripture, Stafford asks his readers to rethink the status and place of children in our societies, families, and churches. A son of missionary parents, his strong convictions about the importance of children clearly derive from the loving indigenous community in which he was raised. Particularly notable is his invitation to imagine “a world where kids count.” He offers numerous practical, achievable suggestions for how to nurture people and communities that implicitly critique and challenge contemporary thinking and values.

2. The faith of witnesses

Faith as an act of trust

Many times in religious communities, faith is referred to as a set of beliefs or convictions that one affirms as true. Faith expressed this way is often measured by how these cognitive beliefs conform to doctrines, tenets, teachings, or formally adopted statements, like confessions, e.g., the Apostles Creed.

People who voluntarily came forward as witnesses in this inquiry expressed faith in a different way. They risked working with an unknown set of procedures and protocols, and an unknown set of people serving as Panel members. They risked not knowing the true motivation of the Presbyterian Church (U.S.A.) in establishing the inquiry. They incurred the possibility that something of very deep personal value they were bringing – the truth as they had experienced it – would either be rejected, mishandled, or misunderstood. Coming forward as a witness was a profound act of faith that required trusting one’s self and others in the face of many unknowns.

Through faith as an act of trust, witnesses embodied courage. In the face of understandable fears, doubts, and anxieties, many people mobilized a resiliency that allowed them to transcend that which intensified the stresses of their participation.

Challenged, but undeterred, they were able to accomplish their purpose for coming forward.

Faith as an act of hope

The coming forward of witnesses was also an act of faith that expressed deep hope. For many, especially survivors of harm, the hope was a simple, fervent, forthright yearning that no child would ever be hurt again in the church's mission. They wanted the church to learn from the past sins, and commit to corrective measures that ensured child safety in the future.

Hope could also be guarded and tentative. If the person had sought help at the time the harm was inflicted, and the response from family or mission community or church staff was disappointing, fears of the past being repeated dampened expectations that this coming forward would be different. And yet, witnesses still came to present their statements and documents in the faithful hope that this time, outcomes of truth, justice, and healing could be achieved.

Many waited for decades for the sins of the past to be addressed. Some waited for years to learn the results of the inquiry. Faith as an act of hope is a waiting in expectation. Some in waiting hoped for closure, that suffering shall end, and they shall be set free in a new beginning. Some in waiting hoped in expectation that their families, the missionary community, and the church may be made more whole. This waiting in hope is an act of faith that attests to an abiding hunger and thirst for righteousness.

Concluding commentary

The Panel is grateful to each witness who took part in this inquiry. Being thankful for their contributions requires concurrent acknowledgment of the risks and challenges they incurred. This gratitude and acknowledgment, however, should not be interpreted as judgment or criticism to denigrate those who did not participate as witnesses. Better circumstances may one day make possible their ability to come forward, too.

Basic structure and functions of the Panel

The basic structure of the IARP and its functions were designed to address the questions raised by those reporting abuse. Table 1., Panel activities, outlines how Panel activities or actions, as directed by the Charter, relate to questions raised by those reporting abuse.

Investigations can be conducted through different types of organizational structures. The PC(USA) had prior experience with some of these different forms. Table 2., Types of investigative structures, outlines the types of structures according to two dimensions: the employment status of the personnel and the degree of independence from the PC(USA).

Table 1. Panel activities

Questions raised by those reporting abuse	Panel activity or action as directed by the Charter
Was there abuse?	<ul style="list-style-type: none"> • Investigate allegations⁸ • Determine if abuse occurred⁹
Is abuse occurring now?	<ul style="list-style-type: none"> • Mandatory reporting to civil authorities¹⁰ • Name in public final report¹¹
What was the extent of the abuse?	<ul style="list-style-type: none"> • Outreach¹²
How can the church prevent abuse?	<ul style="list-style-type: none"> • Investigation into actions and inactions of WMD staff¹³
How can the mission community prevent abuse?	<ul style="list-style-type: none"> • Recommendations in public final report¹⁴
How can the offender be held accountable?	<ul style="list-style-type: none"> • Referral to religious entities for ecclesiastical discipline¹⁵ • Inform other organizations¹⁶
How can the church have integrity and credibility?	<ul style="list-style-type: none"> • Public final report of the IARP's investigations¹⁷

⁸ Charter, Sections III. Scope, IV. Nature, VI. Confidentiality, and XI. Process outline features of the Panel's investigative functions.

⁹ Charter, Section XI. Process, #2 directs the Panel to report findings.

¹⁰ Charter, Section IV. Nature, #5 directs the Panel to make mandatory reports as needed.

¹¹ Charter, Section XI. Process, #3 discusses the Panel's naming options.

¹² Charter, Section VII. Independence directs the Panel to communicate with the mission community and others where necessary.

¹³ Charter, Sections III. Scope, and XI. Process #4 direct the Panel to address and report findings about the actions and inactions of WMD staff.

¹⁴ Charter, Sections III. Scope, and XI. Process #5 direct the Panel to address recommendations for improvement to WMD processes.

¹⁵ Charter, Sections VI. Confidentiality, and Section XI. Process address referrals to religious bodies.

¹⁶ Charter, Section XI. Process, addresses informing other organizations.

¹⁷ Charter, Sections IV. Nature, IX. Annual Report, and XI. Process note the public availability of the Panel's final report, accountability to the GAC Executive Committee

Table 2. Types of organizational structures

<u>Degree of Independence</u>	<u>Status of Personnel</u>		
	<u>Fully paid</u>	<u>Paid / volunteer</u>	<u>Volunteer</u>
Within PCUSA	STAFF	STAFF / COMM	COMMITTEE
Chartered	ICI	IARP	COMMISSION
Contracted out	e.g. consultants or firms providing investigative services		
Other variables: Whether personnel are Presbyterian or not			

Under Chartered and fully paid, ICI refers to the Independent Committee of Inquiry (ICI), the PC(USA) entity that preceded the IARP, and upon whose recommendation the IARP was formed. The IARP falls under Chartered and Paid / Volunteer in the above scheme. Panel members are paid, but also volunteer a significant amount of time above and beyond what is provided for by contract.¹⁸ The flexibility in this model allowed the Panel to accommodate a large, complex set of allegations from geographically and chronologically diverse mission fields.

and the purpose of the Panel to work to further the integrity of the mission and witness of the PC(USA).

¹⁸ Panel members are contracted to work for 25 hours per month at a rate of \$1,000 or \$40 per hour. The ICI committee members were paid \$100 per hour for as many hours as they worked. Typically, on the Panel, the paid time (25 hours) constitutes monthly in-person meetings, usually a Thursday – Sunday long weekend. The time spent between meetings on assigned tasks (reading files, contacting witnesses, analyzing information) exceeded contracted time, and constituted the volunteer hours of Panel members.

Features of the Panel’s Charter: Purpose, Nature and Scope

The primary purposes of the Panel are set out in Section IV of the Charter,

Nature:

1. the IARP is established to pursue the truth, encourage healing, and promote justice on behalf of those making allegations and those accused. To achieve these ends, the means by which the IARP accomplishes its work shall be pastoral. 2. The IARP will work to further the integrity of the mission and witness of the Presbyterian Church (U.S.A.) on behalf of the General Assembly Council (GAC), the GAC Executive Committee and WMD.

Section IV, Nature, goes on to state clearly that the IARP is not a disciplinary entity, and will not evaluate or reach conclusions about civil legal liability. Section XI. Process establishes the IARP as a “fact-finding body.”¹⁹

The scope of the Panel’s work is set forth in Section III., Scope:

The IARP will receive allegations of physical or sexual abuse. It will inquire into allegations where either 1) the accused was formerly under appointment by WMD and is not currently under appointment; or, 2) the abused individual (adult or child) was formerly in the mission field because of a WMD appointment. In relation to the above, the IARP will also address the actions and inactions of WMD and its staff members, as well as recommendations for improvement to WMD processes.²⁰

There are two specific limitations to the scope of the Panel’s work: 1) the Panel will not investigate allegations where both the alleged victim and the accused are deceased; and, 2) allegations against current WMD employees will be handled within the PC(USA)’s current policies.

In practical terms, the scope of the Panel’s work includes allegations arising from any PCUSA, or predecessor denomination’s, mission field where either the alleged perpetrator or the abused individual was present in the mission field because of an appointment by the Presbyterian church.

¹⁹ Charter, Sections IV. Nature and XI. Process.

²⁰ Charter. Section III. Scope

The Panel was given two other responsibilities: a) examine the “actions and inactions” of WMD and its staff members, and b) provide recommendations for improvement to WMD processes.

Features of the Panel’s Charter: Membership

The Charter specifies that the Panel will consist of 3-5 members, a majority of whom will be Presbyterian, and a majority of whom will not be employed by or elected to serve any General Assembly level entity.²¹ This latter requirement essentially ensures that the Panel will be independent of the organization from which the allegations ultimately arise.

Members will contribute individual expertise such that “[t]he members of the IARP will, among them, reflect knowledge of or experience in: Presbyterian Church polity, church processes, investigations of sexual abuse, the effect of sexual abuse on survivors, and the overseas mission field.”²²

During its tenure from 2003 – 2010, the Panel has had a total of 7 members, who have served as follows:

Table 3. IARP Members

Member	Start date	End date
Lois Edmunds	January 1, 2004	December 31, 2004
Ann Thomas	January 1, 2004	April 28, 2006
Nancy Poling	January 1, 2004	December 31, 2006
Sarah Rieth	July 25, 2006	September 1, 2007
Jim Evinger	January 1, 2005	December 31, 2010
Carolyn Whitfield	June 22, 2006	December 31, 2010
Judith Rhea Wiley	June 1, 2007	December 31, 2010

²¹ See Charter, Section V. Membership

²² See Charter, Section V. Membership

Appendix C contains summary background information on the three current Panel members: James Evinger, Carolyn Whitfield, Judith Rhea Wiley.

The Panel utilized two Charter provisions addressing membership: provisions in Section VIII. Staff and Budget allowing the Panel to request additional staff in response to the magnitude of the work, and provisions in Section V. Membership anticipating the need for special expertise.²³ The Panel began with three members, and added a fourth position in 2006. In 2007, after membership changes brought the Panel back to three members, the Panel decided to utilize the fourth position to hire consultants to provide special expertise. The Panel used the services of a clinical consultant, a legal consultant, and a private research firm.

Features of the Panel's Charter: Processes

The Charter identified the Panel's basic methodology in Section XI. Processes: In its fact-finding role, the IARP will hear, review, and request testimony, files, reports, and affidavits from all appropriate sources. It will have access to all WMD files not restricted by law. It will conduct interviews and other appropriate activities. It will issues a final report to the GAC Executive Committee.²⁴

The Charter also addresses the ongoing relationships between the IARP and the PC(USA). On the PC(USA)'s part, GAC and WMD are directed to provide historical information, records, and staff support to the IARP. The GAC is responsible for providing "appropriate communication with the denomination, the mission community, and other interested parties."²⁵ GAC and WMD staff are directed to cooperate with the IARP. The GAC Executive Director's Office establishes the IARP's annual budget, and provides a liaison person.²⁶

²³ Charter, Sections VIII. Staff and Membership, and V. Membership.

²⁴ Charter, Section XI. Process.

²⁵ Charter, Section VII. Independence.

²⁶ Charter, Section VIII. Staff and Budget.

On the Panel's part, the IARP is directed to make an annual report to the GA(M)CXC²⁷, and communicate with the mission community and others where necessary to accomplish its work.²⁸ The Panel is directed to conduct its work in "strict confidence" and to seal its files.²⁹

Further information of the Panel's processes is provided below in Section C following.

The IARP's business of investigating allegations is conducted in several ways. Panel members receive allegations by mail, phone, email or in person, and conduct business in kind. The original contract for the Panel members called for them to work for 15 hours per month on IARP business; in the fall of 2006 this was raised to 25 hours per month at the initiative of the Panel in order to respond better to the Panel's work load.

The Panel members organized their work into in-person meetings and individual assignments between meetings. In-person meetings occurred about once a month, usually a long weekend with meetings on Thursday, Friday, Saturday, and Sunday morning, with travel on Wednesday and Sunday. These meetings consisted of witness interviews, archival research, reviews and organization of information obtained from interviews and research, and planning. Panel members also reported on relevant research from professional books, journals, and other sources.

Locales are chosen using some general guidelines: a) Panel members do not conduct witness interviews in cities where they reside in order to maintain effective boundaries between personal lives and Panel responsibilities; b) When the Panel interviews witnesses, members make an effort to select meeting cities according to what is convenient for witnesses in terms of travel and familiarity; and, c) Panel members try to minimize their own travel costs in order to be good stewards of the Panel's financial resources, so members choose cities that are equidistant from members or where travel is easier. In any given city where the Panel meets, members stay in a hotel and generally meet in facilities provided by the hotel. Interviews with witnesses are conducted at

²⁷ Charter, Section IX. Annual Report.

²⁸ Charter, Section VII. Independence.

²⁹ Charter, Section VI. Confidentiality.

neutral sites, such as hotel meeting rooms, to maximize confidentiality, flexibility, and comfort for witnesses.

Individual assignments between meetings included contacting potential witnesses, following up with previous witnesses, reading files and other material, tending to administrative tasks, and organizing material obtained from witnesses and archives. Panel members held conference calls once a week to coordinate their individual assignments between meetings. In email contacts, members use care to secure confidentiality when discussing cases by avoiding reference to names if possible or using initials if a reference is necessary. Documents containing full names of individuals involved in an investigation are shared within the Panel by mail or secure fax only.

Currently, the Panel does not have a chairperson as such. Different Panel members function as lead members for particular cases, and, in that role, take responsibility for coordinating members' work on that case. At any given point, depending on their Panel workload, expertise and available time, a Panel member may be designated to draw up the agendas for meetings or to communicate with the PC(USA) on a particular issue, in short, to function as a chairperson might. All members, however, are responsible for suggesting and tracking agenda items, and for knowing the status of every case. Every member has the same set of documents for each case and every member participates in the work of each case even as individual Panel members take lead roles or serve as liaison people to particular witnesses. This insures an equal workload and an equal assumption of responsibility; in addition, this policy insures accountability among Panel members. The Panel has adopted these ways of doing its work because they are means to the larger goal of fulfilling the charter; these practices are not ends in and of themselves.

The Panel met 81 times between 2004 and the present. A full list of meetings and their purposes is in Appendix D., Panel meetings.

Evaluation of the Panel's structure and functioning

There are a number of features in the Panel's Charter that have worked effectively, from the Panel members' perspective:

- The ability to hire consultants with specialized expertise as needed. The Panel has benefited from working with a clinical consultant, a legal advisor, and a private investigating firm.
- The ability to expand the number of members on the Panel in response to the increase in allegations.
- The ability to revise the number of hours / amount paid as the workload increased.
- The process of amending the Charter to respond to complexities that could not have been foreseen.
- The explicit statement that PC(USA) shall cooperate.

Other elements in the IARP's relationship to the PC(USA) also worked in a helpful manner, as they had previously for the ICI.

- A budget sufficient for the task and secure over time.
- Commitment of key staff to see the work succeed, e.g. Legal Counsel and Sexual Misconduct Ombudsperson.
- Support services to facilitate the Committee's / Panel's work:
 - Presbyterian Historical Society (PHS) and staff
 - Counseling program for victims
 - Liaison person between the PC(USA) and the Committee / Panel.
- The ability of the liaison person to arrange business services and make meeting arrangements.
- Collaboration of key staff in particular areas, e.g. developing or revising Witness Agreements and Releases.

Fact-finding entities, like the IARP, are not a new approach to addressing reports of abuse. The Panel is a type of multi-disciplinary team: "An [multidisciplinary team] MDT is a group of professionals who work together in a coordinated and collaborative

manner to ensure an effective response to reports of child abuse and neglect.”³⁰ Such teams have been utilized by other denominations, and their effective characteristics studied by researchers.³¹

The IARP’s processes and characteristics measure up well against the qualities of a sound institutional process as described by Altobelli and Parkinson. The Charter is very clear about the Panel’s purpose, the nature and scope of its activities, and its guiding principles. The questions “Why was the team formed? What is its jurisdiction? What types of cases will it investigate? What other functions will it have?” are clearly addressed. Confidentiality expectations are specified and exceptions are noted. Processes of identifying and recruiting committed members are clearly identified. And, the independence of the Panel, and how it will relate to its chartering body and the PC(USA) are clearly stated. The ways in which the PC(USA) will support the Panel are identified and appropriate mechanisms for ongoing communication are specified. The fact that the Charter has been amended four times points to the effectiveness of these channels of communication and the successful implementation of independence of the Panel from the PC(USA) as outlined by the Charter. Appendix E., MDTs and Religious Institutional Review Board Characteristics and the IARP, provides a more detailed comparison of IARP structures and functions, and the features of effective review boards, as identified by Altobelli.

The PC(USA) has also received public acknowledgments of its efforts. There have been two positive citations by scholars in the context of liability and legal issues.³²

³⁰ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP). (March 2000). Forming a Multidisciplinary Team to Investigate Child Abuse. p. 2

³¹ Altobelli, Tom. (2003). Institutional Processes for Dealing with Allegations of Child Sexual Abuse, paper presented at the Australian Institute of Criminology Conference on Child Sexual Abuse: Justice Response or Alternative Resolution, May 1-2, 2003. Dr. Tom Altobelli is a law professor at the University of Western Sydney who has analyzed the strengths and weakness of Roman Catholic institutional processes.

Parkinson, Patrick. (2003). Child Sexual Abuse and the Churches: Understanding the Issues, second edition. New South Wales, Australia: Aquila Press, Sydney South. Pp. 270-288. Patrick Parkinson is a professor of law in Australia who specializes in child protection.

Following the ICI inquiry and the PC(USA) response, there was positive citation by a former missionary who is a national advocate for survivors.³³ And, following the ICI inquiry and the PC(USA) response, the United Methodist Church initiated a denominational inquiry guided by the ICI model.³⁴

Amending the Panel's Charter

As noted above, the Panel was chartered on June 27, 2003. One of the provisions of the Charter allowed the IARP to recommend changes in the Charter to the GACXC, the chartering body.³⁵ The Charter was amended by the GACXC or GAMCXC four times utilizing this provision: September 21, 2005; September 26, 2006; February 13, 2008; and, September 28, 2008. Amendments were suggested by the Panel and PC(USA) staff reviewing the Panel's functioning. The changes, with one exception (the length of time the Panel's term would be extended from December 31, 2009), were approved by the Executive Committee as requested.

³² See Kiser, Sara B., & Lewis, Christine W. (2005/2006). When Shepherds Ravage the Sheep: The Liability of Religious Organizations for Sexual Misconduct by Clergy. *Journal of Individual Employment Rights*, 12(1):45-66: page 59, "Some denominations have made great strides in dealing with the issue of sexual abuse, whether the victim is a child or an adult" (endnote 34 cites Presbyterian Church among two named); page 59, constitution, publications, policy (endnote 37); page 60, policy and webpages (endnote 42); and, page 61: policy and document (endnote 46 and 51).

See also Hamilton, Marci A. (2008). *Justice Denied: What America Must Do to Protect Its Children*. New York: Cambridge University Press: page 76 "Certainly not all churches have shrugged off their responsibility: The Presbyterian Church's system is considered the gold standard."

³³ See Miller, Dee Ann. (n.d.). *An Exceptional Story from Presbyterians (PCUSA)*. Available at <http://www.takecourage.org/pcusa.htm>

³⁴ See General Board of Global Ministries, The United Methodist Church. (n.d.) *Independent Panel for Review of Child Abuse in Mission Settings – Democratic Republic of Congo*. Available at <http://new.gb-gm-umc.org/about/globalministries/childprotection/independentpaneldrcongo/.htm>

³⁵ Charter, Section IX. Annual Report.

The requests for changes were occasioned by the fact that the scope of the Charter was comprehensive. The vehicle for the investigations, the IARP, was based on the PC(USA)'s general expectations about the type of allegations the Panel would receive. Once underway, the Panel discovered more complex types of cases than the Church anticipated. These discoveries led to the requests for changes in order to assign more flexibility to the Panel for how the Charter's goals were achieved, and to provide greater continuity of membership for the duration of the Panel's term.

An outline of the most important changes is included here. More detailed information is available in Appendix F.

September 2005:

Change:

III. Scope of the Charter was amended to add "The IARP will not inquire into allegations where both the alleged perpetrator and the alleged victim are deceased."

September 2006:

Changes:

V. Membership was amended to eliminate language identifying some members as core members. Classes and rotation of members on and off the Panel were eliminated to enhance continuity in investigations.

VI. Confidentiality was amended to clarify how confidentiality would apply when the Panel made a referral to a religious governing body.

XI. Processes section was amended so the Panel would consider all allegations received within the Scope of the Charter. Previously, some allegations were referred immediately to a religious governing body. This change allowed the PC(USA), through the IARP, to investigate thoroughly those allegations arising from past mission fields. A comprehensive investigation of this type required knowledge of mission fields and resources (e.g. access to denominational archives and other witnesses) that a local governing body would not necessarily have. In other words, this change allowed a thorough examination of the past to inform the present, rather than moving directly to the present circumstances of the accused. Eliminating direct referral raised a concern about protecting children in current contact with the accused individual. In response to this concern, the Panel developed its Notification of Third Parties Protocol. This Protocol is discussed in more detail in Section E., Panel decision-making, below.

February 2008:

Changes:

XI Processes section was amended to give the Panel flexibility in naming those found to have committed abuse. The original Charter required the Panel to name in the public Final Report all those found to have committed abuse. The amended Charter allows the Panel to name offenders either in the public Final Report, or in a Need-to-Know Report with more limited distribution. This change was requested by the Panel to allow more flexibility for addressing large complex cases. The amendment provided the Panel with more options for achieving the Panel's goals.

XI Processes section was also amended to add an option for the Panel to inform other organizations when there is a determination that abuse has been occurred. This change allows the Panel to inform other, non-religious, organizations of its findings.

September 2008:

Changes:

The end date for the Panel was changed from December 31, 2009 to December 31, 2010. The Panel request additional time better to investigate thoroughly and complete the complex inquiries underway. The additional time would also permit the Panel to complete outcome activities as directed by the Charter: notifying relevant parties of the findings; sending referrals to religious entities, and providing assistance to them as requested; and, informing other organizations where warranted.

C. Investigative process: The process used to address the reports and questions
Principles underlying the Panel’s investigative process: Reformed tradition

The Panel’s Charter identifies the core values by which the Panel shall operate: “The IARP is established to pursue the truth, encourage healing, and promote justice on behalf of those making allegations and those accused. To achieve these ends, the means by which the IARP accomplishes its work shall be pastoral. The IARP will work to further the integrity of the mission and witness of the Presbyterian Church (U.S.A.) on behalf of the General Assembly Council (GAC), the GAC Executive Committee and WMD.”³⁶

Within this general framework, there are several more specific values and principles that guide the Panel’s work. Some of these are rooted in our Reformed heritage; others are derived from appropriate religious or professional contexts.

Discovery of the truth as faithfulness to Jesus Christ

The statement of this principle in the Final Report of the Independent Committee of Inquiry holds for the work of the IARP as well:

“The inquiry created by the General Assembly Council’s Executive Committee allows for a fair, impartial, and thorough process to go forward in order to determine the truth of the claims and thereby achieve resolution. The instrumental value of the truth is expressly affirmed in the fourth of the eight Historic Principles of Church Order that have been part of the Church’s heritage since 1788: “That truth is in order to goodness; and the great touchstone of truth, its tendency to promote holiness, according to our Savior’s rule, “By their fruits ye shall know them.” ...[W]e are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise, it would be of no consequence either to discover truth or to embrace it.” We are obligated to measure a decision not to pursue the truth, or not to disclose our findings, against the norm that the church is to be a sign of God’s work in Jesus Christ. If we choose ignorance, denial or secrecy, we effect a substitution of human judgment that displaces God’s intentions. To not disclose is to yield to the power of fear and deny the providence of God and the work of God’s Holy Spirit. “God’s redeeming and reconciling activity in the world continues through the presence and power of the Holy Spirit, who confronts individuals and societies with Christ’s Lordship of life and calls them to repentance and obedience to the will of

³⁶ Charter, IV. Nature.

God.” As a community of faith, the church is called to a discipleship focused on Jesus Christ in whom nothing, including the crisis of sexual abuse of children, can separate us from the love of God. Pursuing and telling the truth is an act of faith that our God works in human history and through individuals to redeem, restore, and renew broken lives. By honoring the truth through this inquiry, we honor the Spirit who brings healing to hearts that hurt, and justice to those who hunger and thirst for righteousness.³⁷

The covenant nature of our community of faith

Pursuing the truth through investigating allegations of abuse in mission field settings is consistent with our understanding of the covenant nature of our community, especially as it is expressed through baptism. We are responsible for the nurture and well-being of those we baptize and our commitment to pursuing and telling the truth honors our baptismal vows

Faith communities need to be places of safety and security

Faith communities are secondary victims of abuse that occurs within their midst; brokenness, rumor, innuendo, and speculation undermine trust and separate us from each other. Seeking and disclosing the truth allow our faith communities to be places of safety and security for vulnerable persons by replacing rumor, speculation and innuendo with facts, knowledge and information. Disclosure promotes responsible and accountable leadership, which also acts to increase confidence in the safety of our faith community.

³⁷ Book of Order, 2007?, Form of Government, Chapter 1 Preliminary Principles, The Historic Principles of Church Order.

Book of Order, 2007?, Form of government, Chapter 3 The Church and its Mission G-3.0103.

Final Report of the Independent Committee of Inquiry Presbyterian Church (U.S.A.), September 2002, pp. 67-69.

Principles underlying the Panel's investigative process: prior inquiries

The IARP builds on the PC(USA)'s past experience with the Independent Committee of Inquiry (ICI). But the IARP differs from the ICI in significant ways. One, the IARP is charged to receive allegations arising from any PCUSA mission field so its investigations do not share a common context. The IARP's cases cover a wide range of time periods.

Two, the Panel will exist for a minimum of 5 years and receive allegations throughout its existence. This longer existence means that the Panel does not have as much advance information at the outset about the total scope or volume of its work. There is no pre-existing set of accusations against a given individual or self-identified group of survivors motivating the formation of the IARP, so the eventual size of the IARP's task is more uncertain and evolves over the life of the Panel.

Three, the IARP is responsible for investigating allegations that may arise from more than one predecessor denomination to the PCUSA. This necessitates learning a minimum of two major denominational mission structures.

Four, the IARP's responsibility for investigating the "actions and inactions" of denominational staff are different for each case, given the possible differences in time frames and denominational predecessors.

Five, the IARP's charter has been amended during the course of the Panel's existence to reflect what the Panel and the PCUSA have learned. Charter changes revise the Panel's infrastructure and influence how the members allocate energy and attention, and how the Panel works with participants and witnesses.

Six, the membership of the IARP is not consistent for its entire existence. Three Panel members have completed their duties, and the three current members of the Panel were not among the original members.

These differences require a more deliberate approach to the investigative process for the IARP. The Panel needs to ensure that its investigations are consistent from one case to another, and that different Panel members at different points in time conduct investigations in similar ways.

Principles underlying the Panel’s investigative process: professional sources

*Multi-disciplinary teams*³⁸

Successful functioning of a multi-disciplinary team (MDT) requires that members attend to internal team processes and have productive ways of making decisions, resolving conflicts, and evaluating their performance. The IARP had these processes in place.

The Panel made decisions through consensus, in contrast to more formal mechanisms like voting. This standard for decision-making is time-consuming because it requires a lot of discussion and open communication between members for each facet or implication of a decision. Panel members chose this method, however, because of the serious nature of this work and the nature of the decisions it entails. Each member of the Panel needed to be comfortable with a course of action adopted by the whole group; the Panel believed that responsibility for Panel actions was a shared or collective responsibility and that the Panel made best use of our collective expertise when all members agreed on and supported the decisions required by the investigations. The most immediate consequence of this mechanism Panel members was that work proceeded slowly and in a step-by-step fashion.

Consistent with this decision-making style, the Panel had an ongoing commitment to air conflicts openly and to discuss them thoroughly so resolution would move investigations forward. Members pointed out conflicts or differences as observed. Panel members were expected to have sufficient professional training and experience, provided by any number of fields or disciplines, such that discussion of differences of opinion and conflicts could proceed productively and non-emotionally; this professional experience was one of the qualifications for consideration as a Panel member. Members shared responsibility for keeping the focus of discussions on what was necessary and helpful to complete Panel tasks and functions.

³⁸ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP). (March 2000). *Forming a Multidisciplinary Team to Investigate Child Abuse*.

Self-analysis and outside evaluation are also critical to the success of a MDT like the IARP. Members concluded each meeting with a review of how the meeting went, how well the Panel accomplished its identified goals, and what could be improved in the future. Every aspect of how members conducted the Panel's business was included in this review, from the order in which topics were discussed, to the manner in which they were presented, to interpersonal interactions while conducting business, to the setting in which the meeting occurred, to the overall effectiveness of the meeting in moving the Panel's business forward. This review process was also built into the Panel's interactions between meetings, through email exchanges and conference calls.

Outside evaluation occurred in two ways. The Panel issues an annual report to the GAC Executive Committee. As an entity chartered by the GAC Executive Committee, the Panel also understood that the Executive Committee had the right at any time to request information on the Panel's processes and a general status report on outreach efforts and cases. A more specific review of the Panel's functioning occurred on an annual basis when the GAC liaison person sent each member of the Panel a review form. Members completed these individually and submitted them to the liaison person. These reviews provided a mechanism through which individual Panel members shared concerns about Panel functioning directly with the PC(USA). The liaison person also monitored the general level of the Panel's functioning more informally through interaction with Panel members over meeting and travel arrangements, and other requests for assistance.

*Patrick Parkinson*³⁹

Parkinson is a professor of law in Australia who specializes in child protection. He has advised and consulted with churches on sexual abuse issues. In his book, *Child Sexual Abuse and the Churches: Understanding the Issues*, he identifies a number of principles important to the success of an inquiry like the IARP.

³⁹ Parkinson, Patrick. 2003. *Child Sexual Abuse and the Churches: Understanding the Issues*. Second edition. Aquila Press: Sydney South, New South Wales, Australia. pp. 270-288.

1. Welcome complaints. Here Parkinson is noting that how the recipient responds to an allegation has a great deal of bearing on whether the complaint “comes out from the shadows,” or remains as innuendo, rumor, or anecdote. Productive inquiries need full allegations from identified victims in order to do their work, and victims often need support and encouragement to come forward. In this sense, then, the denominational body needs to be “welcoming.”⁴⁰ The IARP intentionally structured its work to be welcoming to those making allegations. There were both male and female members of the Panel, clergy and lay members. Individuals who come forward are assigned a primary liaison person. The Panel was flexible in communication with potential witnesses.

2. Make the procedures accessible. An established inquiry process will not be utilized if victims do not know about it and know how to access it. This principle underscores the importance of effective outreach. Support for the individual making the allegation is also an important part of accessibility.⁴¹ The IARP engaged in outreach about our existence through the use of denominational press releases, a web site, and information sent to former and current missionaries. In addition, the Panel offered witnesses the opportunity to have a support person of their choosing present at any in-person meeting with the Panel. The Panel provided debriefers, professionals who are not a part of the Panel, for survivors to speak with, if they wish, after they meet with the Panel. Debriefers assisted witnesses in coping with feelings that arose in the course of sharing intimate information with strangers; the debriefers did not provide any information to the Panel so any witness’s use of and conversation with the debriefer is completely confidential.

3. Principles of procedural fairness. This general principle contains a number of specific guidelines: a) Biased individuals should not be members of boards of inquiries; b) The person bringing the allegation should not be a part of adjudicating it; c) The accused should be made aware of the allegation; d) The accused individual should have an opportunity to respond to the allegations; and, e) the decisions must be based on

⁴⁰ Parkinson, p. 270-271.

⁴¹ Parkinson, p. 271-272.

evidence.⁴² The structure of the IARP implements a) and b) above; the current members are not part of the missionary community in the PCUSA and so are not in a position to be either accusers or accused. The members have undergone background checks by the denomination prior to employment to ensure that they do not bring a history of sexual abuse offenses with them to the Panel. How the IARP's process addresses provisions c) and d) above, relative to the accused individual's knowledge of the allegation and opportunity to respond, are discussed in more detail below, as part of our investigative process and who we seek to contact in what order in an investigation. Information about the Panel's decision-making process, e) above, is contained in our Finding of Fact document.

4. Have panel members with relevant expertise. Here Parkinson highlights the importance of having panel members with special expertise in sexual abuse.⁴³ As noted above, the IARP members meet this criteria.

Other professional sources

There are a number of professional principles that members appropriately bring to their work on the Panel. These may seem obvious, but they bear restating here for purposes of clarity.

1. Children have a right to adequate care and supervision, and to be free from abuse, neglect, and exploitation.⁴⁴
2. People, regardless of their difficulties, can change and grow.⁴⁵
3. Healing occurs when a person's strengths, not their weaknesses, are engaged.⁴⁶

⁴² Parkinson, p. 272-274.

⁴³ Parkinson, p. 287.

⁴⁴ Child Welfare League of America, Standards of Excellence for Services for Abused or Neglected Children and Their Families, revised edition, Child Welfare League of America: Washington DC, c. 1999, p. 15.

⁴⁵ Ibid, p. 41

⁴⁶ Ibid. p. 41.

4. Confidentiality:⁴⁷ The Panel will hold all information it receives in strict confidence. Exceptions, such as when the Panel refers a case to an ecclesiastical body for disciplinary proceedings, will be discussed with individuals before information is released. A full explanation of the Panel's confidentiality policy is contained in the Witness Agreement and Release Form for individuals who engage the Panel as witnesses.

To be effective investigators of allegations, the Panel will:

5. Understand individual differences and communicate effectively with each person.

6. Understand the dynamics of sexual abuse and keep an open mind about its occurrence.

7. Be able to distinguish between truthful, confused, and false statements by conducting a thorough inquiry.

8. Empathize with both the victim and the alleged offender and put aside personal feelings and reactions to relate to each as individuals.

9. Maintain objectivity; keep an open mind and remain nonjudgmental throughout the investigation.⁴⁸

Safeguarding confidentiality specifically applies to Panel members' communications with each other and those not on the Panel, regardless of the medium of the communication, and members' transporting, use, and storage of files at home or at work or when attending Panel meetings. The Panel's GAMC liaison person has signed a special confidentiality agreement to protect information about the Panel's work she may obtain in the course of assisting Panel members. For example, at the Panel's request, she may write to another denomination to formally request on behalf of the PC(USA) that the Panel members be granted access to that denomination's archives. This information would be protected by the confidentiality agreement she has signed.

⁴⁷ Ibid. P. 42.

⁴⁸ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP). (January 2005). Criminal Investigation of Child Sexual Abuse. p. 2.

Principles underlying the Panel’s investigative process: implications from the Panel’s Charter

The process the IARP uses to investigate is important, because the process yields the information on which a finding, or determination of abuse, is based. The most important aspects of the process are derived from the nature of the Panel, which was determined by its Charter.⁴⁹ These aspects are:

1. The IARP is not disciplinary.⁵⁰

Implications:

- a) The process is voluntary. Witnesses choose to participate; they cannot be compelled to provide information.
- b) The desired outcomes of the process are truth, healing, and justice⁵¹ rather than adjudication and discipline.

2. The IARP is an inquiry. The task of the Panel is fact-finding.⁵²

Implications:

- a) The Panel needs a process and a structure for investigation to ensure consistency and fairness within and across cases. Matthew 18:15 is not a methodology or process.
- b) The Panel is not just listening to victims and thereby helping them to heal. The Panel is actively questioning witnesses to pursue the truth and determine facts.

3. The IARP was chartered to investigate past incidents of abuse. Almost by definition then, investigations will be incomplete in some ways. By chartering an independent body

⁴⁹ See Charter

⁵⁰ See Charter

⁵¹ See Charter, Section IV Nature, #1

⁵² See Charter

to investigate past incidents, the PCUSA has stated that this endeavor has value, for the individuals who come forward and for the Church.⁵³ The Panel is not a way to dismiss allegations as old, irrelevant information.

Implications:

- a) The passage of time will raise the importance of archival research in an inquiry, because not all of the individuals will be available to contact.
- b) The passage of time also raises the importance of the Panel engaging in outreach to find potential witnesses.

4. The scope of the IARP's investigations is sexual and physical abuse. These types of abuse are serious; they have serious consequences for the individuals who've experienced them. Accusations that an individual has committed physical or sexual abuse are serious as well. There are very high stakes for both the victim and the accused, and the Church undertaking the inquiry.

Implications:

- a) For this reason, an inquiry centered on victims of sexual and physical abuse needs to be conducted according to a process and structure developed and tested professionally. An abuse investigation is not an appropriate venue for an ad hoc inquiry or discernment process.

5. The scope of the IARP's investigations extends beyond an individual allegation to questions about the actions and inaction of WMD staff, and recommendations for improvement to WMD processes.

An inquiry may focus solely on the individual allegation: The Panel defines this as an individual inquiry. The focus is on the question "Is this person's report of abuse accurate?" The inquiry is limited only to the incident(s) reported by the person actually coming forward to the church. If the report is credible, the victim is referred for counseling assistance, and the inquiry is closed. Action against the perpetrator may only be considered if the victim requests it, and responsibility for initiating the action against

⁵³ See Charter

the perpetrator may be left to the victim (e.g. filing allegations with a presbytery and navigating the ecclesiastical judicial process). The focus is on the individual victim, and helping them heal from their experience.

An inquiry can also be “administrative.” This is the type of inquiry the PC(USA) has requested independent panels to investigate, first with the ICI, and now the IARP⁵⁴. These inquiries include the individual inquiries described above, but they go further to address the broader questions brought by reporters: “How could this have happened on this mission field? Why was this person allowed to stay on the mission field? How many other victims were there?” “Who knew about the abuse? If they knew, what did they do?” These questions constitute the “actions and inactions of WMD staff” referred to in our Charter. This type of inquiry considers secondary - as well as primary victims -- the church and the integrity of its past responses and processes, and the impact of abuse on the larger faith community.⁵⁵ It includes recommendations for change or improvement, a component excluded from an individual inquiry.

Implications:

- a) Active outreach: With a corporate inquiry, the Panel faced the decision of how to reach out actively to potential victims or to individuals who may have knowledge of events relevant to this inquiry. The church demonstrates good faith

⁵⁴ See Charter, Section III, Scope: “The IARP will receive allegations of physical or sexual abuse. It will inquire into allegations where either 1) the accused was formerly under appointment by WMD and is not currently under appointment; or, 2) the abused individual (adult or child) was formerly in the mission field because of a WMD appointment. In relation to the above, the IARP will also address the actions and inactions of WMD and its staff members, as well as recommendations for improvement to WMD processes.”

⁵⁵ See Charter, Section IV, Nature: “1. The IARP is established to pursue the truth, encourage healing, and promote justice on behalf of those making allegations and those accused. To achieve these ends, the means by which the IARP accomplishes its work shall be pastoral. 2. The IARP will work to further the integrity of the mission and witness of the Presbyterian Church (U.S.A.) on behalf of the General Assembly Council (GAC), the GAC Executive Committee and WMD.”

in an investigation when it has made a genuine effort, through an independent panel such as the IARP, to inform people of an inquiry. Such information allows people to come forward to participate in the inquiry; it may also uncover additional allegations of abuse, either from the same or other accused individuals, resulting in an investigation which is as thorough as possible.

Benefits to the PC(USA) of receiving allegations

Active outreach is predicated on the belief that the PC(USA) benefits from receiving allegations of past abuse on its mission fields in order to know the facts.

The PC(USA), as an organization, is in a better position when it is aware of allegations of abuse and addresses them in a straightforward manner: the denomination can pursue current mission better, with more integrity and with more realistic approaches.

Knowing the facts:

- Is preferable to rumor and innuendo, for both individuals and institutions, because it becomes solution-focused;
- Promotes understanding, and allows energy to be forward-looking so it can focus on its mission;
- Supports / furthers / encourages productive mission by addressing rifts in communities of faith caused by suspicions of abuse;
- Allows relief for individual burdened by pain and secrets; and,
- Allows the Church to learn from the past to better protect children and vulnerable individuals in the present.

Some would disagree with this principle or assumption. Some strongly believe that the Church would be better served if those who believe they have been abused or are aware of past abuse would keep such information to themselves. There are several myths:

- a) Myth: The current mission of the church will be hurt by revelations of past abuse on mission fields.

Fact: We know of no indication that this is true. Marian McClure, former Director of the Worldwide Ministries Division, explicitly noted that this was not

true when she fulfilled ICI recommendation # 2 and urged the UMC to conduct its own investigation into abuse in the Congo.⁵⁶

b) Myth: The reputations of former missionaries, current staff, or advocates will be damaged by the investigation of allegations against them.

Fact: The reputation of the PC(USA) is damaged when it does not hold individual employees accountable for the consequences of their past behavior. Holding accountable those responsible for misconduct preserves the reputations of those who acted with integrity.

c) Myth: What is in the past is best left alone.

Fact: Past abuse has current and present effects on individuals, relationships, and institutions. Addressing the abuse directly allows healing and, thereby, frees energy for more productive pursuits.

Allegations or suspicions or knowledge of abuse on past mission fields are often **secrets**. Harboring secrets creates, at worst, serious damage for the mission, as well as the person harmed, and, at best, usurps energy and effort to contain the information over time. The effects of abuse seep into nearby relationships and institutions affecting interactions and capacities in subtle ways. Through the Panel's inquiry, few of these secrets were identified at the time the abuse occurred. Few were resolved adequately. The Panel's charter was not intended to restore that which has been damaged. Fact-finding and reporting, nonetheless, brought secrets to the surface, which now allows for healing, education, and the potential for resolution.

Outreach and its challenges

One of the Panel's first challenges was to inform MKs so they might know of the Panel's existence. It was a challenge because it would entail trying to estimate the number of children who might fall within the scope of a charter such as the IARP's. How many children might have been abused and, thus, might potentially bring allegations, as adults, to the PC(USA)? Would there also be others, besides victims, who would bring

⁵⁶ Tape of Marian McClure's message to the GBGM of the UMC, dated October 2004.

forward allegations? In fact, the IARP heard reports of abuse from first-hand witnesses, from perpetrators about their own behavior, from confidantes both adults and peers, and from family members, as well as from victims.

This question of how many people might come forward was extremely difficult to answer. According to the Panel’s Charter, the IARP “will inquire into allegations where either 1) the accused was formerly under appointment by WMD and is not currently under appointment; or, 2) the abused individual (adult or child) was formerly in the mission field because of a WMD appointment.”⁵⁷

The overall pool of allegations, then, consists of these sub-types:

Presbyterian adult or child on Presbyterian mission field	alleging abuse by	Adult or minor Indigenous person OR Non-Presbyterian person OR Presbyterian person
Non-Presbyterian adult or child	alleging abuse by	Presbyterian adult or minor on mission field by Presbyterian appointment

Even if the Panel narrowed the focus to children who experienced abuse on a mission field, over a large number of mission fields and a long period of time, the main groups of interest, then, are:

Presbyterian children on mission fields, and

Non-Presbyterian children abused by Presbyterian adults or minors.

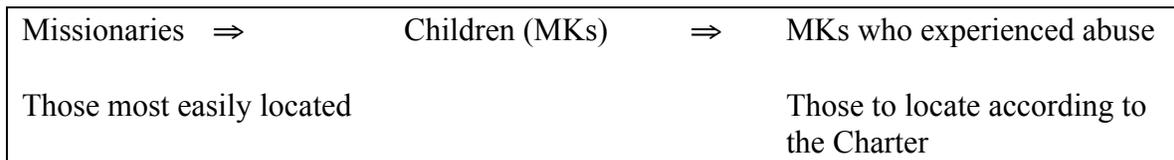
The former group is extremely difficult to number, and the latter group is virtually impossible to estimate. The IARP has made significant attempts to identify and locate Presbyterian children on mission fields. The PC(USA) does not maintain records on children of missionaries, so there is no primary archival source from which to establish baseline information.

⁵⁷ Charter, Section III. Scope.

Very few non-Presbyterian children have been identified or located. It is possible that the publication of our Final Report, available to the public according to our Charter⁵⁸, might be a vehicle by which more non-Presbyterians might become aware of the PC(USA)'s inquiries.

Identifying and locating former Presbyterian missionary kids (MKs) meant beginning with their parents, former missionaries.

Our challenge might be diagrammed as follows:



Denominations, in general, maintain information on retired missionaries. Information on MKs is much more sparse, however, and there are no compilations of those who might have experienced physical or sexual abuse.

The PC(USA)'s information on retired missionaries was available to the IARP from five main sources. The IARP did not have access to Board of Pensions information.⁵⁹ Table 4 offers a comparison of these sources of information.

- Current mailing lists of retired missionaries maintained by World Mission;
- Mission yearbooks;
- Personnel files of retired missionaries stored with the Presbyterian Historical Society (PHS);
- General Assembly Minutes for various years, and,
- Card files maintained by former denominational officials.

⁵⁸ Charter, Section XI, Process.

⁵⁹ The Board of Pensions is a corporation legally separate from the PC(USA) and not subject to the provisions of the Charter.

Table 4. Comparison of retired missionary information sources

COMPARISON OF RETIRED MISSIONARY INFORMATION SOURCES	
<p><u>2009 Mission Yearbook</u>⁶⁰</p> <p><i>The IARP used mission yearbooks to identify missionaries on a mission field at a particular time.</i></p> <p><i>Mission yearbooks vary from year to year in how much detail they contain about current or retired missionaries.</i></p>	<p>509 names of retired mission personnel who served at least 20 years overseas or as administrative staff.</p>
<p><u>Mailing lists:</u></p> <p><i>The IARP used these lists to write to some retired missionaries to request contact information for their children.</i></p> <p><i>The mission unit mailing lists provided to the ICI and IARP focused on career missionaries. Unfortunately, the individuals most of interest to the IARP (teachers, houseparents) were most often shorter-term or special assignment missionaries. Shorter-term missionaries were not included, or the lists are maintained over long periods of time and shorter-term missionaries drop off the list faster.</i>⁶²</p>	<p>291 names of retired career missionaries⁶¹</p>
<p><u>Personnel files:</u></p> <p><i>The IARP used these files to glean information on MKs' names, birthdates, schools attended, and peers.</i></p> <p><i>Personnel files are maintained as church archives, which means that their storage conforms to accepted archival principles.</i>⁶³ <i>The files are maintained according to their original organizational "author" in the order in which they were sent to PHS. Given the number of predecessor denominations, and an even greater number of predecessor organizational structures, personnel files of former missionaries are located in numerous accessions within PHS. Some subsets of the total number of former missionary personnel</i></p>	<p>c. 7900</p> <p>RG 360 (foreign mission personnel files) largely includes PCUSA, UPCNA, and UPCUSA files.</p>

⁶⁰ 2009 Mission Yearbook. Louisville, KY: Witherspoon Press. Pp. 374-379. Husbands and wives were counted individually.

⁶¹ Mailing list provided by Pat Hendrix, Sexual Misconduct Ombudsperson, Panel liaison.

⁶² For a discussion of categories of mission service, see Sunquist and Becker, A History of Presbyterian Missions: 1944 – 2007, p. 38.

⁶³ Information provided by Margery Sly, Deputy Director of the Presbyterian Historical Society (PHS), and the Panel's primary liaison at PHS.

files are catalogued in a searchable database, but a significant number are not. These are primarily PCUS files and post 1983-PC(USA) files.

GA Minutes: No overall estimate available

The IARP used this information to identify former missionaries on a particular mission field during a specific period of time.

GA Minutes for some years do not contain lists of currently serving or retired missionaries. Searching GA Minutes is a time-consuming endeavor.

Card files No overall estimate available

The IARP used the card files to identify MKs in particular families.

The card files are maintained in Louisville for use by the Sexual Misconduct Ombudsperson. Each predecessor denomination utilized index cards in a different manner, and the amount of detail recorded on a missionary's card often varied with organizational or personnel changes. Cards did not always record information about MKs born after the parents began missionary service. Compiling overall information, e.g. number of MKs on a given mission field, from the index cards, would be very time-intensive and not completely accurate.

The difficulty in retrieving information on MKs, available through church sources, led the IARP to utilize external resources. The Panel contacted boarding schools to request assistance in reaching alumni. Supportive individuals distributed our materials at some school and missionary reunions. The Panel also contacted individuals with informal mailing lists to request assistance in reaching others, and asked almost every one interviewed who else the Panel should contact. The Panel also utilized MK and Third Culture Kids (TCK) websites and Facebook in our effort to locate relevant individuals. Despite the challenges in the outreach process, the Panel was able to make a good-faith effort to inform MKs about the inquiry, allowing them to choose to participate.

The Panel's outreach video

In the 2005, the Panel commissioned the creation of a video to be used in its outreach efforts with Presbyterian mission communities, in general, and potential inquiry witnesses, especially those who experienced abuse, in particular. The goal of the video was twofold: 1.) to inform the primary group of persons who could contribute to the

inquiry about the existence of the Panel and the purpose of the PC(U.S.A.) inquiry; and, 2.) to encourage those who had knowledge of abusive incidents to come forward and submit their reports. The video, “Witnesses to Truth, Witnesses to Healing: Investigating Child Abuse in Missionary Settings,” produced in 2006, and was available in DVD and VHS formats.⁶⁴ [See Appendix P for information on how to obtain a copy of the video.]

The video features five individuals, a former adult missionary who was the mother of two survivors of child sexual abuse on the mission field, and four women sexually abused as MKs. All of them took part in the PC(U.S.A.)’s fact-finding ICI inquiry into allegations of child sexual and physical abuse in the Congo from the 1940s to the 1970s. Speaking from their hearts and directly to mission communities, they addressed a series of topics germane to the problem of abuse in the missionary setting, and what it was like to go through the process of an inquiry.

Topics included: coming forward; reactions of others; abuse and spirituality; changes from participating in the inquiry; healing; thoughts for loved ones; recognizing abuse; boys and physical abuse; talking to the Panel; thoughts for witnesses; why the church should investigate.

Availability of the video was publicized on the Panel web page maintained by the Sexual Misconduct Ombudsperson of the Presbyterian Church (U.S.A.). Some Presbyterian missionary interest groups publicized the video through their newsletters and networks, as did one advocacy group through its website.⁶⁵ It was provided at no cost to anyone who requested it. It was also distributed by Panel members at a booth at the 2006 General Assembly of the PC(U.S.A.), Birmingham, Alabama. (General Assemblies attract missionaries and mission staff who are in the U.S.A. due to work assignment, furlough, or retirement. General Assemblies are occasions to promote and interpret mission, commission new missionaries, and gather in reunions. They offer extended interactions with guests and representatives from partner churches from other

⁶⁴ Independent Abuse Review Panel. (Executive Producer); Evinger, James S., & Whitfield, Carolyn. (Directors); & Forget, Paul. (Editor). (2006). Witnesses to Truth, Witnesses to Healing: Investigating Child Abuse in Missionary Settings. [90 min. videorecording. DVD & VHS] Louisville, KY: Presbyterian Church, (U.S.A.).

⁶⁵ Missionary Kids Safety Net. Available at: <http://www.mksafetynet.net>

countries.) Among those who requested the video were: Presbyterians, members of other denominations, and members of independent mission-sending agencies; laity and clergy; missionaries who were parents and MKs; people in the U.S.A. and from other countries; adults who had been victimized as MKs and their spouses; victims of missionary offenders and of non-missionary offenders; offenders and relatives of offenders.

The Panel also sent the video to potential witnesses who were considering whether to come forward. It offered them five authoritative sources describing what participants could expect. It also provided a thoughtful perspective on a number of relevant questions and issues from the viewpoint of those who had lived in a church mission setting.

A secondary benefit of the video is its educational potential about the sexual abuse of minors in faith communities. Its lessons are transferable to non-missionary settings. For example, the brief topical chapters of the DVD can be utilized in an adult education class setting, typically offered in many congregations. The video may be easily adapted to a discussion format guided by a knowledgeable resource person.

Reporters' decisions to approach the Panel

A reporter has information in the form of identified or suspected abuse of themselves or others from the past. How this information about abuse is understood or evaluated may change dramatically over time. For example, a number of people reporting to the IARP did not initially, or for some time, define their experience as abusive. Some thought it was maybe just part of being female; some believed their alleged perpetrator when they were told that this was how adults showed love to children. Others believed they had been abused, but did not believe they were worthy of having their experience taken seriously. Typical of most reporters of abuse, whatever the setting, how the individual evaluates the information often changes over time.

Individuals who approached the Panel came with a problem-solving agenda: The abuse is a problem that needs to be acknowledged as such; steps need to be taken to fix it to prevent further problems. When reporters approach the church with this attitude, they

are doing so because the church is the authoritative entity with the responsibility to acknowledge and address the problem.

Any number of events might trigger an individual's decision to approach the church. The report may occur when the reporter gains awareness or knowledge of child or sexual abuse, such as:

- Finding out others were also harmed by one's abuser.
- Learning of the potential for their abuser's ongoing abuse of others, which leads to the concern that children are at current risk.
- Becoming aware of how others define child or sexual abuse, such as pastors, therapists, friends, spouses, family members, professors.

The heightened awareness or knowledge comes from a variety of experiences:

- Public reports of boarding school abuses in other denominations or settings; e.g. recent report on Irish boarding schools.
- Reports of past or current abuses by public figures, and the reactions of co-workers, friends, and family to these revelations.
- Conversations at mission conferences or reunions, or informal gatherings; e.g. This occurred for several ICI survivors when they walked out of a mission reunion meeting to avoid their perpetrator, and learned of each other's experience when they shared why they had left the assembly hall. This sharing over time eventually led them to approach the church about their abuse.
- Academic learning or continuing education as part of one's employment.
- Intervention by others concerned about a reporter's mental health or current functioning, such as pastors, professors, family members, significant others.
- Painful personal experience, e.g. having one's children reach the age the MK was when the abuse occurred, and having strong inexplicable reactions that drive the MK to seek assistance.

The information reporters have, how they evaluate it, the trigger for their decision to approach the church, and their initial decision to approach the church are all factors that occur beyond the view of the church. These circumstances represent the confluence of external events and internal individual readiness and receptiveness that cannot be predicted.

In the Panel's inquiry, the overwhelming majority of reporters sought:⁶⁶

- A. The PC(USA) to acknowledge the abuse in a way that demonstrates that the church understands well how serious it is.
- B. The context of their abuse is understood so well that no other child will have to live through these experiences. They are interested in the church learning from their experience and implementing specific changes to protect children.
- C. The mission community to acknowledge the abuse and understand their role in increasing the harm when they refused to believe it occurred, failed to investigate it thoroughly, minimized the effects on victims, and failed to consider or protect the children under their care.
- D. The perpetrator to be stopped from harming any more children.
- E. The perpetrator to be held accountable for the damage they have caused.
- F. The PC(USA) to find other victims of their abuser so they, too, may have the opportunity to seek healing and justice from the church.

What is equally important to consider here, when the Panel asked people why they came forward, is what they did not seek:

- The reporters the Panel has worked with did not ask for money from the denomination.
- Reporters did not come to the Panel requesting therapy or assistance with paying for therapy. This is an important program that the Church offers them, but they did not come requesting this.
- Reporters did not want vengeance or revenge on the perpetrator.

What is important to note in this discussion is:

- The actions reporters most desire are within the power of the PC(USA) to provide or address, and the PC(USA) has through the IARP.

⁶⁶ The Panel's DVD, "Witnesses to Truth, Witnesses to Healing: Investigating Child Abuse in Mission Settings," provides first-hand information about what reporters want from the church. The parent missionary and four women MKs featured in the DVD discuss this extensively. The comments from the woman in pink and the woman in purple are particularly relevant.

- Assumptions that victims are only after money are misguided.
- Reporters have legitimate, serious questions about the corporate or larger context of their experience, which are indeed rooted in a broader view of victimization (items B, C, and F above). The church may not want to invest the time and energy in investigating these issues; they may not want the answers that could result. Thus, there may be a mismatch between what reporters desire and what the church wants to provide. There is, however, no mismatch between what reporters seek and what the church is able to provide.

Framework for the Panel's methodology

ICI's and the IARP's methodologies, their way of conducting inquiries, have been similar and have proven productive and helpful, as judged by the responses of individuals bringing allegations to the ICI.⁶⁷ This methodology has several features derived from the nature of sexual or physical abuse on past mission fields.

The *traumatic nature* of abuse on a mission field is the crucial element underlying the PC(USA) panels' methodology: The trauma of abuse disrupts an individual's ability to trust and distorts the development of the ability to assess appropriate responsibility.⁶⁸ These disruptions and distortions represent major effects of abuse and are expressed in an individual's current behavior as they approach or interact with the church. Features of the Panel's methodology are sensitive to this difficulty. Table 5 outlines some factors contributing to the potential severity of the effects of child abuse.⁶⁹

⁶⁷ See the Panel's DVD for perspectives from 4 women MKs and a parent missionary on the impact of the ICI's investigation on their lives and their families.

⁶⁸ Ford, Julian D. and Christine A. Courtois. (2009) Defining and Understanding Complex Trauma and Complex Traumatic Stress Disorders. In *Treating Complex Traumatic Stress Disorders*, Christine A. Courtois and Julian D. Ford, editors. New York: Guilford Press. Pp. 13-18.

⁶⁹ Smallbone, Stephen, William L. Marshall, and Richard Wortley. (2008) *Preventing Child Sexual Abuse: Evidence, policy and practice*. Portland OR: Willan Publishing, pp. 13-14.

Table 5. Factors contributing to the potential severity of the effects of child abuse

Each factor can be represented as a continuum from greater to lesser severity. These depictions of variation in potential severity are general descriptions from research. In actuality, each act of abuse combines these characteristics in the experience of the victim, for an overall effect that is specific to the individual child.

1. Age of the victim
2. Nature of relationship to the perpetrator – the degree of trust, the extent of dependence on the abuser.
3. Presence of religious factors – religious role of perpetrator, use of God as higher power to justify abuse.
4. Degree of sexual violation
5. Type of intimidation – use of force or violence, physical restraint, verbal or emotional coercion
6. Frequency of incidents
7. Duration of incidents
8. Pre-existing vulnerabilities, e.g. puberty, family changes (birth, death, separation from parents or siblings), previous abuse, concurrent abuse from another abuser, mental or physical conditions, learning disabilities.
9. Circumstantial vulnerabilities, insecurity due to threats from civil unrest on the mission field.

Characteristics of the mission field setting intensify some of the factors that contribute to the potential severity of the effects of child abuse, increasing the dependence and vulnerability:

- Naïveté of MKs;
- Living in the midst of another culture;
- Living separate from parents for educational purposes, especially young children and immature adolescents;

Allen, David M. (2008) The Neglect of Contextual Factors in Studies of Child Sexual Abuse: A Commentary, in Megan J. Smith, editor. *Child Sexual Abuse: Issues and Challenges*. New York: Nova Science Publishers, pp. 147-153

- Living in a mission field community with limited numbers of people with whom to interact, ie. a closed system.

Often, all of the important adult roles for MKs – doctors, teachers, houseparents, pastor, Sunday school teacher -- were filled by adults from within their immediate extended mission family; they were part of the extended family, an aunt or an uncle. Any adult to whom a child might report abuse was part of this extended family.

This is not the case for non-mission field allegations the PC(USA) might encounter through congregations or presbyteries. Often within the U.S., the child and the family have immediate contacts available to them outside of the church system.

- They can go to a doctor who is not part of the congregation;
- Teachers and others in the school system are likely not part of the church.
- They may be able to contact local law enforcement.
- There are probably mental health or counseling resources available outside of the community where abuse occurred.
- Children likely have access to parents' guidance and support.

Crucial to understand: In non-mission field settings, the child and the family have options for outside contacts; these options increase their independence from the abuser, their control over what subsequently happens to them, and gives them the freedom to escape. These characteristics may help lessen the potential severity of the impact of the abuse itself.

The increase in dependence and vulnerability that comes from living in another culture, being educated separate from one's parents, and being part of a closed system contributes to the degree of trauma that children abused on mission fields experience. Greater traumatization generally means more intense and longer-lasting aftereffects. This requires greater sensitivity and mindfulness on the part of the church as it responds to individuals bringing allegations.

There are existing methodologies for working with seriously traumatized individuals. Sidran, a nonprofit organization serving abused individuals, has developed a curriculum, Risking Connection, based on the principles of RICH (respect, information,

connection, and hope).⁷⁰ Large-scale investigations of boarding school abuses have employed common procedures and methods.⁷¹

Some of these features are:

1) Voluntary participation: Individuals choose whether or not to work with the ICI or IARP. If they choose to participate, they have a number of options for what information they share, how, and when. Voluntary participation and subsequent opportunities to exercise choice reinforce individual autonomy and control. These occasions to make important choices for themselves about critical incidents in their lives, in contrast to their past experience, often prove to be healing for individuals who approach the Panel and participate in its process.⁷²

2) Staged response with the concomitant need for time and patience: The PC(USA)'s panels, the ICI and IARP, have had staged responses so individuals have an opportunity to evaluate the credibility and trustworthiness of the PC(USA) as the reporting relationship developed. Reporting is best viewed as occurring over a period of time and not as a single discrete act. Individuals rarely reveal all of what they might wish to report at their initial contact with the church. They need time to digest what they think, feel, learn, or trust after each contact with the PC(USA), as they decide how much to share and when. Therefore, it has been helpful for investigators to respond with discrete steps and

⁷⁰ Saakvitne, Karen W., Sarah Gamble, Laurie Anne Pearlman, and Beth Tabor Lev. (2000) *Risking Connection: A Training Curriculum for Working with Survivors of Childhood Abuse*. Baltimore, MD: Sidran Foundation and Press.

⁷¹ See for example the Canadian Truth and Reconciliation Commission's description of their "statement gathering" activities: "Provide a holistic, culturally appropriate and safe setting for former students, their families and communities in which to share their experiences with the Commission. Anyone affected by the IRS [Indian Residential School] experience might share his or her story by providing a written or recorded statement, in a private one-on-one interview.... Participation is voluntary and participants can choose how they want to share" and "Health Supports will be provided by Health Canada at all TRC events. Health Supports include professional counseling...." From the Commission's website: <http://www.trc-cvr.ca/about.html>.

⁷² See the discussion on the Panel's DVD for specific examples.

procedures that can be implemented conscientiously and consistently with all reporters. It has also been helpful to build in follow-up contacts to provide opportunities to listen, address questions and concerns, and to offer sensitive explanations.

3) Confidentiality: The PC(USA)'s panels have had clear written descriptions of what information will be shared or not, with whom, and under what circumstances.

4) In-person meetings with reporters, alleged victims, and important associated individuals: Since disclosure occurs as trust develops, in-person meetings allow the greatest opportunity for reporters and alleged victims to assess the people in whom they are confiding. From the panels' perspectives, in-person meetings allow the best opportunity to assess and discuss credibility, desired outcomes, and motivation for coming forward.

5) Use of debriefers: The PC(USA)'s panels have hired outside professional debriefers, with recognized expertise, to meet with alleged victims after their initial in-person interview. This recognizes that re-visiting the trauma, in the form of disclosing it in-person to others, often stirs up feelings and reactions from the original incident. The meeting with a debriefer is completely separate from working with the Panel, and information is not shared between the Panel and the debriefer. Debriefers alert the alleged victim to possible responses they may experience after their appearance before the Panel, discuss different coping strategies, review sources of support, and help connect people with additional resources as needed.

6) General attention to emotional safety: All of the ICI's and IARP's processes, communications, contacts, and meetings were evaluated in detail in advance regarding how well the setting might ensure a victim's sense of emotional safety. The work of the Panel could proceed only to the extent that the Panel created a safe space and place for sharing sensitive information. For example, since the Panel could not be fully aware of prior relationships and interactions, meetings with individuals from the same mission

field were not scheduled on the same day in the same hotel unless the Panel could be reasonably sure that there would not be unexpected contact between them.

These features collectively describe a response that is respectful, substantive, and accessible.

Parties in an investigation

Individuals approaching the Panel or agreeing to participate in an inquiry could represent one or more roles relative to the alleged abuse, and represent one or more roles relative to the inquiry. Witnesses in a Panel inquiry could, for example, be an alleged victim in one reported incident, and an accused individual in another incident. Individuals who identified themselves as victims were also witnesses to incidents occurring to classmates or peers. In families where more than one MK was abused, an individual could be a victim and an indirect victim as well.

Similarly, in an inquiry, a participant could represent more than one role or type of information. Most reporters and corroborators, for example, also provided contextual and background information.

The role(s) an individual represented relative to the abuse incident did not predict the role(s) they might represent in an inquiry. Alleged victims, for example, might defend accused individuals or corroborate an accused individual's information.

Roles in the abuse incident

Colluder / enabler

Accused individual

Person at risk

Alleged victim

Indirect victim

Witness to event

Intervener

Reporter of abuse

Person who fails to report

Roles in an investigation

Provider of context and background

Corroborator of abuse

Reporter of abuse

Individuals who chose not to participate

Accused individual

Defender of accused individual

Corroborator of accused individual's information

The order in which the Panel sought to interview individuals relevant to a particular inquiry depended on their probable role in the alleged abuse incident. The content of the Panel’s interview with an individual derived from their role in an inquiry. The Panel focused on an individual’s roles in interactions with participants in order to be clear about the source of their information about an alleged incident, or to be clear about the purpose of sharing particular information with the Panel.

Investigative Process

The Panel’s work proceeds from the receipt of an allegation through a number of distinct steps or phases as outlined in Table 6, IARP Investigation Process. As a precursor, an individual must identify or suspect abuse and be willing to report it to the IARP.⁷³

Table 6. IARP Investigation Process

<p>Pre-cursor: Someone identifies or suspects abuse AND They are willing to report it to the IARP.</p>
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Panel Process:

<p>I. INITIAL ASSESSMENT UPON RECEIPT OF ALLEGATION</p> <p>Questions:</p> <ul style="list-style-type: none">Is a mandatory civil report required?Does this allegation fit the scope of our Charter?Is one of the two parties – accused individual or alleged victim – still alive?
--

⁷³ Goldman, Jill and Marsha K. Salus, with Deborah Wolcott and Kristie Y. Kennedy. (2003). A Coordinated Response to Child Abuse and Neglect: The Foundation for Practice, U. S. Department of Health and Human Services, Administration on Children, Youth and Families, Children’s Bureau, Office on Child Abuse and Neglect, Child Abuse and Neglect User Manual Series, p. 60.

II. CONDUCT AN INQUIRY INTO THE ALLEGATIONS

Components:

- A. Determine relationship to existing cases
- B. Interviews
- C. Archival research

A. Determine relationship to existing cases

Is this a new school or mission field for the IARP?

YES

NO

Collect school information
Collect mission field information

Update school and mission
field information as needed

Outreach to school alumni, former
missionaries, former staff if needed

B. Interviews

Order in which we try to interview witnesses:

- Accuser, in person, if we have not already done so.
- Victim, if not the accuser, and other identified victims.
- Individuals who can corroborate the victim(s) accounts.
- Victim(s) parents and siblings
- Hostel parents or other caregiving adults
- WMD or predecessor agency staff
- Accused individual
- Witnesses suggested by the accused individual
- Witnesses who can provide important background or contextual information

C. Archival research

Types of documents and information we seek from formal sources
e.g. official denominational archives

- Contemporaneous official correspondence
- Corroborative information from personnel files
 - (e.g. assignments to mission fields, positions)
- Information on missionary children – educational, health
- Information on mission fields
- Administrative history (e.g. who was in what position when)
- Memos, reports on mission field or missionary issues
- Correspondence from missionary parents or children
- Personnel assessments or evaluations
- Minutes and records of boards and corporate entities

Types of documents and information we seek from personal sources
e.g. personal records that individual missionaries have kept

- Personal copies of memos, correspondence, minutes
- Correspondence with other missionaries
- Journal entries
- Other letters, memos, documents or relevant items, e.g. photos

Types of information we seek from MKs

- Journal or diary entries
- Correspondence with parents or peers
- Yearbooks
- Photos
- Personal writing, e.g. poetry, essays, published items

III. REVIEW OF INFORMATION

Components:

- A. Analyze all information obtained to date.
 - What facts do we know about the allegations?
 - What important contextual and environmental factors are present?
 - How do we know these things?
 - How sure are we of what we know?
- B. Is there any information missing that we are able to obtain, either from witnesses or archival research?
If so, return to II.

Victims often do not report abuse directly to authorities; they may disclose to trusted adults or peers, who then face decisions about how to respond. Individuals who received this type of information may or may not believe that the reported incident constituted abuse, separate from what the victim believes. Observers of possible abuse may question the nature of what they saw or wonder what other behavior was present that they didn't observe. It may be difficult to decide what is the real nature of activity that appears to be ambiguous. Individuals have different life experiences, awareness of abuse, and different thresholds of suspicion so the same behavior observed by two different people can result in two different conclusions. Others with knowledge or suspicions of abuse can make allegations to the Panel, so the alleged victim is not always the person making the allegation. In either instance, however, someone, victim or person with knowledge, must identify actual or possible abuse.

Similarly, an individual might identify abuse but be unwilling, for various reasons, to contact the Panel and report it. Victims who were sworn to secrecy or threatened by the perpetrator may be afraid to report, even as adults.⁷⁴ Victims may have feelings of genuine care or concern for an offender and be reluctant to report him or her.⁷⁵ Either the victim or the person with knowledge may have previously reported the incident with unsatisfactory results and thus be unwilling to report it again. Victims or others may have encountered disbelief, unwillingness to investigate, or dismissive attitudes in the past.⁷⁶ Given this type of experience, they may decide that they do not wish to run the risk of encountering those difficulties again. Or, it may simply be the case that, in spite of the Panel's outreach efforts, an individual who is aware of an incident of abuse is unaware of the Panel's existence and the opportunity to report.

In practical terms, what these limitations mean for the Panel's work is that we will not be aware of all possible instances of abuse on PC(USA) mission fields. Some abuse will not be identified and, thus, will not come to our attention. People will not recognize their or another's experience as abuse, even though it may have been. Or, they may

⁷⁴ Ibid. p. 2.

⁷⁵ Ibid. p. 2-3.

⁷⁶ Ibid. p. 3.

suspect abuse, but not feel confident enough to report. Some abuse will be identified but the individual who is aware of it will not report it to the Panel, for whatever reason. The Panel can only work with reports that come to us, and these will be only a subset of the possible instances of abuse that *could* have come to us.

Reporters who did come to the Panel often did so at great cost.

These costs could be measured in three primary ways:

1. Time. For some witnesses, travel arrangements to an in-person interview with the Panel required arriving the day before and departing the day after. If this three-day commitment required leave from employment, that loss was incurred by the witness. The Panel was unable to compensate witnesses for such a loss. One person adapted a vacation itinerary to spend a day as a witness with the Panel. Many set aside family responsibilities to meet with the Panel. One witness negotiated the demands of an educational degree program to travel and be interviewed. Some witnesses undertook research initiatives to search for material that would assist the inquiry, and some of those initiatives involved considerable expenditures of personal time.
2. Money. The Panel was able to reimburse witnesses for specific types of out-of-pocket expenses incurred during their participation in the inquiry. Frequently this included the cost of photocopies of personal papers, which was typically a journal or diary, a school yearbook, family correspondence, and/or family photographs. A few submitted digital images of personal papers by creating CDs for the Panel's use. However, some witness-incurred expenses were not reimbursable, for example extensive research initiatives and the creation of original presentation materials to increase the Panel's knowledge base of the case.
3. Stress. Many witnesses experienced stress as a cost of their participation in the inquiry. For example, a witness who agreed to an in-person interview was typically invited to prepare a written statement in advance. For many who had been victims of sexual abuse as a child or youth, the act of preparing a written narrative of the story of their abuse and its impact on their lives was distressing. Reliving events and reorganizing disturbing memories was an anxiety-provoking experience. In some cases, the Panel's request that individuals participate in the

inquiry created tension in their primary relationships and/or family of origin. This was especially true in situations where the individual had not previously disclosed or discussed sensitive and painful childhood incidents. The act of being asked to function as a witness could be an unwelcome intrusion that disrupted persons' lives in ways they could not control.

The Panel tries to interview parties of interest to the investigation in a particular order. This progression is not absolute. The Panel may depart from this preferred order for several reasons: the location of relevant individuals may not be known at the outset; people may not be available at certain times for an interview; individuals may elect not to speak with the Panel; or the Panel may not know who all of the people are in these various roles (e.g. victims) until a later stage of our investigation. This sequence of interviews is consistent with generally recognized investigative practices.⁷⁷

The first interviews, in person if at all possible, occur with the accuser and the victim, if this individual is not the accuser. The Panel then makes every effort to identify any other victims related to this case and interview them as well. These are the "direct victims" referred to in the description of roles, above.

The second set of interviews generally occurs with indirect victims, family members of the victim, and individuals who can corroborate the victim's account of the incident, those who might fill the role of "witness" and "intervener" noted above.

The third set of interviews usually occurs with adults who had child care responsibilities at the time and mission and denominational staff; these people are often in a position to corroborate information the Panel has already received, and speak to efforts, if any, to intervene.

The last set of interviews occurs with the accused individual, people in corporate positions who failed to intervene or colluded with the accused, and individuals the accused would like the Panel to interview.

⁷⁷ OJJDP, *Criminal Investigation*, p. 4.

As the Panel reviews and integrates materials from all of the interviews, there may be a need for further background or contextual information, and the Panel may elect to interview individuals who can provide this.

D. Investigative Resources: The sources of information available for addressing reports and questions.

As noted above, in the investigation process outline, the Panel had two primary resources for the information needed to determine whether or not a report represented abuse. Witnesses and archives, people and documents, were the resources the Panel relied on in its inquiries.

The Panel designated people in two ways: participants were individuals who provided information to the Panel but did not sign a Witness Agreement; witnesses were individuals who signed either a Witness Agreement and Release Form or a Consent to Participation Form.

Witness Agreement and Release Form

When the Panel received a report, a first step was to interview the reporter and the alleged victim. At the same time, as noted above, the Panel identified other individuals in other roles, and determined a potential order of investigation. Once an individual and a role were identified, and contact information secured, the Panel approached individuals asking if they would be willing to participate in our inquiry.

People generally received written materials first, which included a letter indicating why the Panel would like to speak with them, and how that might occur. The Panel's Charter, a copy of the Witness Agreement and Release form, information about Panel members, and sometimes the Panel's DVD were included as well. Panel members followed up on these letters with phone calls and emails to answer questions and arrange an interview, if the person was willing.

A key step for the Panel was determining whether or not the individual was willing to sign a Witness Agreement and Release Form (WA). A copy of the Witness Agreement is included in Appendix G. The Witness Agreement and Release Form was developed in consultation with the PC(USA)'s General Legal Counsel. The Panel was

not a separate legal entity, so the legal agreement represented in the Form was between witnesses and the PC(USA).

The WA was important to the Panel because it applied Charter provisions to the relationship between the Panel and an individual witness. The WA specified how confidentiality would apply to the Panel and the participant, indicated what the participant could expect of the Panel, and put in writing the mutual agreement about the purpose of the interview. With a mutual understanding of purpose, confidentiality, and expectations in place, as occurred when someone signed the Witness Agreement, the Panel and the witness could proceed to share specific information safely and comfortably.

The Panel spoke to individuals who had not signed Witness Agreements, and received information from them, but the questions the Panel asked were more general.

As the Charter was amended, parallel changes were required to the Witness Agreement. Changes to the Witness Agreement are outlined in Appendix G.

Participation Consent Form

The Panel devised an agreement specific to accused individuals, because there was greater need to outline expectations. Given the Panel's Charter provisions about naming, either in the Final Report or a Need-to-Know Report, accused individuals faced different decisions about whether or not to speak to the Panel and how much information to share.

The Participation Consent Form was developed by the Panel as a means of providing the greatest degree of informed consent possible. A copy of the Participation Consent Form is in Appendix H.

Interviews: How

Generally the Panel preferred to see witnesses in person if that was possible. Sometimes circumstances – distance, the health of the witness, the timing of an interview relative to a Panel meeting – preclude a face-to-face conversation. In these instances, the Panel tried to interview the person via conference call so the entire Panel could interact with the witness. Follow up contacts were often conducted by one Panel member acting on behalf of the entire Panel.

Victims are encouraged to bring a support person with them to the interview. The support person is asked to sign the same Witness Agreement, the confidentiality agreement, the victim is asked to sign. The Panel pays for the transportation, lodging, and meal costs for all of its witnesses and the support people they bring. Interviews are held in neutral locations, often meeting rooms in hotels in a city where neither Panel members nor the witnesses live. The Panel tries to meet in cities convenient for the witness, but apart from where they reside, to enhance the privacy and confidentiality of the witness' participation.

Victims who speak with the Panel have an opportunity to talk with a debriefer after their interview with the Panel. Presenting intimate information to strangers on an investigative panel is a stressful experience and it can trigger strong reactions in victims. The debriefer is hired by the Panel, but does not share with the Panel who has visited or any content from their conversations with witnesses. Witnesses are aware of the availability of the debriefer and have the choice whether they utilize their services or not.

The Panel also participates in an internal debriefing session after a witness interview. We review how the interview went as well as the information we received. This is the occasion where Panel members can identify their feelings and reactions, digest the substance that has been shared, and discuss how the individual members have worked together. Panel members take notes during interviews and we copy and share these with each other afterwards. As we review each other's notes, we identify follow up questions, issues we wish to pursue further, and we refine the direction for the case.

Copies of the letters that the Panel sends to witnesses at various stages of the contact and interview process will be available in the Supplement to the Final Report, available later this year.

Interviews: What

Interviews, whether by phone or in-person, were *semi-structured* to ensure consistency across mission fields and across the roles of various witnesses. Semi-structured means that the same format was followed for all of the interviews, but witnesses were asked open-ended questions, which could lead into unique issues.

Appendix I. contains an interview outline and a list of topics commonly covered with witnesses in the roles indicated.

A typical interview was three hours long. This allowed time for the topics the Panel needed to cover at the start or end of the interview, and still leave enough time for content. Three hours was a comfortable amount of time for witnesses – as people recalled details of interest to the Panel, they recalled associated information to share as well, and the time frame allowed this process to take its course.

Some witnesses were interviewed for longer periods of time with appropriate breaks for meals or time to refresh. Multiple interview periods might occur, for example, with people who served on more than one mission field or who had information to share about more than one school. For accused individuals, the Panel often scheduled multiple sessions within a long weekend to allow time for reflection in between interviews. Panel members scheduled the time into our travel arrangements, then the Panel and participants negotiated interview lengths and timing that seemed appropriate for adequate discussion of the topics at hand.

Some participants were interviewed on more than one occasion, if the follow up information desired by the Panel was extensive and best conveyed in-person.

Where needed, the Panel accommodated special needs of witnesses. Some interviews were held in individual's homes, if travel time, distance, or means was an obstacle to someone coming to the hotel. In some cases the Panel provided transportation for a witness. The Panel's Charter and Witness Agreement and Release form were translated into French, and one interview was conducted in French to accommodate a witness's preferred language. [Judith Wiley, Panel member, is fluent in French.]

Some aspects of the Panel's interviews deserve discussion here:

1. Prayer: We asked each participant if they wished to begin with prayer or not. Some victims are no longer Christian or religious, and prayer is offensive to them. For this reason, the Panel offered the option to witnesses and allowed them to choose what they were most comfortable with.
2. Confidentiality: We reviewed the Panel's expectations regarding confidentiality at the beginning and at the end of each interview. The Panel did not ever disclose to anyone whether or not we had spoken with a particular individual. If someone asked if we had

talked with someone, the Panel simply asked why it would be important for us to talk with them. The Panel also did not disclose the content of what was shared with us with anyone else. Witnesses were free to discuss with others that they had talked with the Panel; this was at their discretion. What the Panel asked witnesses not to share with anyone were the questions and the content of what was discussed during the interview.

3. Statements: The Panel offered each witness the opportunity to prepare a statement, written or verbal, for his or her interview. Many witnesses went to considerable lengths to prepare information that included family background, mission field history and dates, schools attended, personal biographical information, and in-depth information about life on the mission field, including abusive incidents, to share with the Panel. Witnesses were given the opportunity to begin with their statement, if they had one, and the Panel then followed up with questions on their statement, and topics the Panel had prepared.

4. Topics: Appendix I. has a list of topics generally discussed with witnesses. The Panel asked almost every witness these questions:

- Do you know of anyone who was abused on the mission field?
- Is there anyone you have concerns about, either from your time on the mission field or as you have thought about it since?
- Who else should we talk to to learn more about a particular event or individual or mission field?
- What would you like to see as the outcome of the Panel's inquiry?

Panel members took extensive notes at interviews, which were then copied and shared with the other Panel members.

The facts the Panel sought in interviews fell into these categories: the alleged victim, the alleged offender, the setting, and the alleged behavior. Each of these dimensions, in turn, had important attributes.

A. Alleged victim

1. Majority status: Was the alleged victim younger than 18 (a minor) or older than 18 (an adult) at the time of the incident?

2. Denominational status: Under what denominational aegis was the alleged victim on the mission field?
3. Capacity: What were the alleged victim's vulnerabilities? Were these transient or chronic? What was the nature of the vulnerabilities? E.g. physical or mental disabilities, emotional distress, intoxication.

B. Alleged offender

1. Ordination status: Was the alleged offender ordained clergy, elder or deacon in the PC(USA)? Was the alleged offender a member of the PC(USA)?
2. Employment status: Was the alleged offender employed by a PC(USA)-entity?
3. Majority status: Was the accused individual younger than 18 (a minor) or older than 18 (an adult) at the time of the incident?
4. Capacity: Are there factors that potentially influence the accused individual's responsibility for his behavior?

C. Setting

1. Property: Did the alleged incident occur on PC(USA) property?
2. Responsibility: Did the alleged incident occur under PC(USA) supervision?
3. Organizational factors: How functional is the organization or administration that might bear supervisory responsibility? What other current characteristics of the organization might be relevant to an inquiry into alleged sexual abuse?

D. Incident: These combine to form the impact on the victim.

1. Relationship: What were the roles of the alleged offender and alleged victim at the time of the reported incident? What is their degree of familiarity or involvement? Frequency of contact?
2. Nature of the alleged sexual abuse: What type of sexual abuse is alleged? This can vary from sexual harassment to use in pornography to various degrees of direct sexual contact.
3. Coercion: What was the nature of the coercion used to obtain the alleged victim's participation? This can range from subtle psychological grooming, enticement or seduction to direct violence or restraint.

4. Context: Within what larger context did this relationship and alleged incident occur? What elements of the context are relevant to the alleged incident and how?
- E. Informing others of the incident
1. Who knew?
 2. What did they do?
 3. Who did the alleged victim tell over time? Why those people at that time?

Information on participants and witnesses is in Part 2, B, Summary.

Archives

Archives refer generally to repositories for denominational records and files. The Panel distinguished between two types of archives: administrative files and personnel records. Administrative files provided information in minutes, reports, correspondence, and other forms of written communication between entities or individuals. Personnel files provided information on MKs and their mission field experience. See Table 6, Investigation Process, for a more comprehensive list of the types of records the Panel searched for information.

For the PC(USA), the Presbyterian Historical Society (PHS) holds the denominational archives for predecessor denominations up to the present. When the Panel began, archives could be found in three locations: Philadelphia PA, the main repository; Montreat NC, the primary repository for PCUS records, and Louisville KY, for files not yet old enough or ready to be sent to Philadelphia. The Panel reviewed denominational archives in all three locations.

In its archival research, the Panel had the support and assistance of PHS staff, most of whom are certified archivists through the Academy of Certified Archivists.⁷⁸ Certified archivists adhere to a Code of Ethics that promotes equal access to records, and preserves the privacy of both the subject of the records and the user. For the Panel, this meant that archival research conducted in close conjunction with PHS staff was

⁷⁸ See Academy of Certified Archivists web site at: <http://www.certifiedarchivists.org/>

consistent with the provisions of the Panel’s Charter and its Witness Agreements. “Open and equitable access” meant that PHS staff did not second-guess or judge any Panel request to view any particular files.⁷⁹ “Privacy” meant that PHS staff maintained confidentiality about the Panel’s requests for access and photocopies, and maintained appropriate privacy for the subjects of the files.⁸⁰ For example, personnel records requested by the Panel were kept behind the desk out of view after they were retrieved before they were given to Panel members.

The archives, or the permanent records of a denomination acquired by PHS reflect the people and the organization who created them. Figure 1, Creation of archives, sketches the relevant parties, from the IARP’s perspective, and the decisions they made.

⁷⁹ Code of Ethics for Archivists, VI. Access: “Archivists strive to promote open and equitable access to their services and records in their care without discrimination or preferential treatment, and in accordance with legal requirements, cultural sensitivities, and institutional policies.” From Society of American Archivists web site: http://www.archivists.org/governance/handbook/app_ethics.asp.

⁸⁰ Code of Ethics for Archivists, VII. Privacy: “Archivists protect the privacy rights of donors and individuals or groups who are the subject of records. They respect all users’ right to privacy by maintaining the confidentiality of their research and protecting any personal information about them in accordance with the institution’s security procedures.” From Society of American Archivists web site: http://www.archivists.org/governance/handbook/app_ethics.asp.

Figure 1. Creation of archives

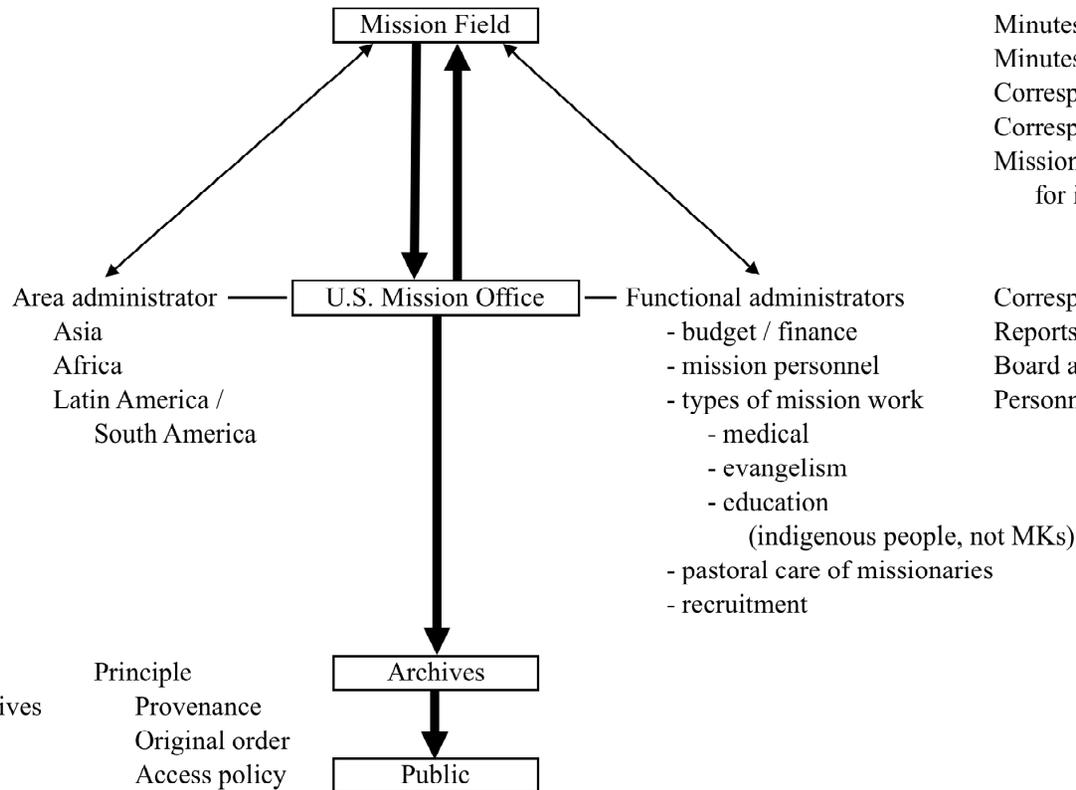
Decisions

What to create
What to send

What to send
What to keep
How to organize
what is kept
Where to file
information

What to retain
When to send to archives
Access policies

Structures



Records

Minutes of committees & boards
Minutes of mission meetings
Correspondence from the U.S.
Correspondence to the U.S.
Mission field accounting info
for individual families

Correspondence
Reports
Board actions
Personnel records

Missionaries and field administrators made decisions about minutes and correspondence that was sent to the U.S. mission office, just as individuals in the U.S. office made decisions about what was sent to the mission field. U.S. mission offices were organized in various ways, and these structures changed over time.

Most commonly there were both area and functional administrators – area administrators were responsible for mission fields in a particular geographical area, while functional administrators focused on a particular aspect of mission – finance, personnel, type of mission work, or pastoral care. Correspondence and communication between the mission field and the U.S. mission office occurred between individuals on the mission field and various individuals in the U.S. positions. Correspondence from the mission field, for example, was often copied to several people in the U.S. office in various positions. Those individuals could respond individually to someone on the mission field, and may or may not have copied in colleagues.

As denominations merged and mission structures re-organized, communication patterns were disrupted then re-organized. The permanent records at PHS reflect these disjunctures and changes. A series of types of reports or minutes may abruptly end with a merger or reorganization. The amount of information preserved in a record may change when the person in the position changed and had a different style of communication.

While U.S. mission offices and mission fields had policies about what records were sent, preserved, or filed and how, the individuals responsible for carrying out those policies may or may not have followed them in every instance. As a result, what is available in the permanent records now reflects individual decisions in the past, as well as organizational policies. For example, one administrator told us that minutes of school board meetings were generally discarded rather than filed when they were received at the U.S. office, because school boards were semi-autonomous bodies.

PHS, as a denominational archive, follows archival principles articulated by the Society of American Archivists. Important ones for the Panel's work were the principle of provenance and original order.

The principle of provenance means that records created by different entities or offices are kept separate when they are received at PHS. In fact, PHS keeps the files,

folders and records it receives exactly as they were received. This preserves the context for any particular document. This was extremely important for the Panel as it meant that the context in which a document was created or sent was preserved. Panel members learned a great deal about mission fields from being able to see the context in which particular documents or reports were created. This allowed the Panel to refine general expectations about what documents might exist and what they might contain into specific understandings about communication within a mission field, and between that mission field and the U.S. office.

This principle, however, did mean that searching archives took more time. Since PHS did not go through a mission field's records, for example, to extract minutes of a particular entity over time, and then organize those minutes separately, searches focused on a sequence of events required searching multiple files in multiple accessions.

The principle of original order means that PHS preserves the order in which it receives files or folders. Archivists do not reorganize the sequence of material. This means that relevant files, from the IARP's perspective, were located in different accessions, or groups of records sent to the archives at the same time. Where an individual file was located was completely dependent on decisions in U.S. mission offices about when to group old files together and ship them to the archives.

Again, this principle benefited the Panel by providing context for any given document of interest, but it required more time to locate relevant material.

The files and folders that make up the archives of the PC(USA) are owned by the entity that created them. For example, mission field records are owned by the current World Mission unit. At the beginning of the IARP's work, Panel members and World Mission and denominational administrators signed agreements, where the owner of the archives relevant to the IARP's inquiries gave permission for individual Panel members to access those records.

PHS access policy creates unrestricted, restricted, and closed categories of records available to the public. Unrestricted records are generally more than 50 years old, or materials that have been processed by PHS archivists. Restricted records are less than 50 years old and greater than 25 years old, and are available to the public only with the written permission of the owner. Closed records are generally less than 25 years old and

material that has not been processed.⁸¹ The IARP had access to all three categories of permanent records at PHS.

Other denominational archives

The IARP also reviewed archival material at the Eastern Mennonite Mission archives, in Salunga PA, and the United Methodist Church archives, in Madison NJ. Panel members received permission for access and signed appropriate agreements with each denominational archive prior to access.

The Panel accessed administrative files for Good Shepherd School in Addis Ababa, Ethiopia at the Eastern Mennonite Mission archives. At the United Methodist archives, the Panel accessed administrative and personnel files for the Methodist-Presbyterian Hostel in Kinshasa, Congo. SIM sent us information from their archives, and WMPL provided important information.

Personal papers

The Panel also utilized documents, photos, and other resources provided by individual from their own personal papers. Missionaries often maintained their own set of personal records – letters received from their children at boarding school, copies of minutes they produced, diaries and journals kept on the mission field, copies of administrative memos they received, mission field materials received in orientation or while on the field, photographs, and mission field newsletters. MKs often had copies of letters written by their parents, photographs, and school yearbooks.

Many witnesses provided diagrams, and copies of personal papers. Some MKs went to considerable time and expense to provide copies of photos, copies of yearbooks, or notations of yearbook class pictures. Other provided information in the form of contact information for friends and family, and materials from research they had done on mission fields and individuals. Missionary parents searched through letters for pertinent references, and provided copies of journals and administrative materials. In some cases, witnesses permitted access to personal papers so the Panel could conduct its own search for relevant references.

⁸¹ PHS access policy can be found at <http://history.pcusa.org>.

Other resources

The Panel utilized three other types of resources in its inquiries: legal consultation, clinical consultation, and a private research firm.

Legal consultation provided information and advice for the Panel on the legal implications of various decisions and actions.

Clinical consultation was arranged by the Panel to provide specialized clinical insight into the issue of minors accused of abusive behavior.

The private research firm provided two types of information for the Panel: current contact information for individuals the Panel had been unable to locate, and publicly available background information on particular individuals, generally those accused of abuse.

E. Panel decision-making: The processes for making decisions about reports and questions based on the information collected

Protocols: These protocols are included in their entirety in the appendix noted.

- Notification of Third Parties (Appendix J.)
- Finding of Fact Protocol (Appendix K.)
- Naming Protocol (Appendix L.)

Referral of information to a religious governing body

By the Charter, the IARP had no ecclesiastical authority by which to adjudicate or conduct a formal church disciplinary proceeding against any individual.⁸² The Charter, however, did provide the means by which ecclesiastical discipline could be considered. For incidents where 1.) the IARP had reached the determination that abuse occurred; and, 2.) the offender “is under the jurisdiction of any religious governing body (Presbyterian or other faith),”⁸³ the IARP was required to “inform that religious governing body in

⁸² IV. Nature, 4. (This was briefly reiterated at XI. Process.)

⁸³ XI. Process.

writing so that body can pursue any disciplinary or other options it deems appropriate.”⁸⁴
This requirement shall be fulfilled following release of the Final Report.

When a religious governing body is informed, the Charter requires the IARP to cooperate fully “in any disciplinary or other options the governing body decides to pursue. This cooperation... will include but is not limited to providing any and all pertinent evidence to the governing body.”⁸⁵

The Charter’s intention and obligations regarding informing a religious governing body were described in three documents provided to potential witnesses: 1.) Charter; 2.) the Witness Agreement and Release Form, paragraphs 4 and 8, which was used with inquiry witnesses who were not accused of abuse; 3.) the IARP Inquiry Participation Consent Form, paragraphs 5 and 10C., which was used with inquiry witnesses who were accused of abuse.⁸⁶

Because a referral to a religious governing body requires the name of the individual harmed by the reported abusive behavior, the Panel’s the Witness Agreement and Release Form included the following provision: “When and how the IARP communicates the victim’s name as part of the pertinent evidence will be arranged with the victim prior to the IARP making the referral.”⁸⁷ This provision ensures that the victim will be consulted prior to the Panel making the referral, so there may be a full discussion of the process, the options available to the victim, and the role of the IARP. A person who participated as a witness in the IARP inquiry retains the right to choose to participate or decline to participate in the activities of a religious governing body.

⁸⁴ Op cit XI. Process.

⁸⁵ Op cit. XI. Process.

⁸⁶ Appendix.

⁸⁷ Paragraph 4.

Referral of information to an organization that is not a religious governing body

The Charter also contained permissive language regarding situations that extend beyond religious governing bodies: “If the IARP reaches a determination that abuse has occurred, the IARP may inform other organizations. The IARP will use its careful discretion in making these determinations.”⁸⁸

The Charter’s provision regarding this possibility was also described in the three documents used with inquiry witnesses: 1.) the Charter; 2.) the Witness Agreement and Release Form, paragraph 9; 3.) the IARP Inquiry Participation Consent Form, 10D.⁸⁹ Such determinations will also be implemented following the release of the Final Report. The essential criteria in making this determination to inform is whether the Panel had a doubt about an offender’s access to people who could be vulnerable to harm and for whom the organization has responsibility, e.g., children and youth.

Acts of apology and forgiveness as a concern of witnesses are discussed in Appendix M.

⁸⁸ Ibid. XI. Process.

⁸⁹ Ibid. Appendix