

Date: November 9, 2018

From,

Indian Women Theologians Forum,
IWTF India

To,

His Holiness, Pope Francis
Apostolic Palace,
00120 Vatican City.

Dear Pope Francis,

Sub: A plea to intervene in the serious complaint of sexual abuse afflicting the Indian Church

The Church in India is reeling under the shock of a bishop being accused of sexually abusing a nun who was a former Superior General of the Missionaries of Jesus (MJ). The patron of this diocesan congregation is the Bishop of Jalandhar Diocese, in this case, Bp Franco Mulakkal, who is the accused person. The alleged abuse occurred from 2014 to 2016, and from June 2017, for an entire year, the nun sought justice, appealing to the Indian bishops, the Apostolic Nuncio, members of the Curia and finally to you. Some local bishops she approached washed their hands off the case citing the fact that they belonged to the Syro-Malabar Church and did not have jurisdiction over a bishop from the Latin Rite. Finally in June 2018, in the context of threatening measures taken by Franco Mulakkal against the family members of the nun and her five supporters in the community and the persistent inaction on the part of Church authorities whom she approached, she filed a First Information Report (FIR) with the local police as a last resort to address the issue.

When the silence of the Church authorities persisted, some members of the Catholic Church, from across Kerala, organised a hunger strike outside the Kerala High Court on September 8, 2018. The MJ supporters of the complainant were requested to join the protest. A few priests and nuns from other congregations also joined in. Initially this was to be a symbolic one-day protest, but due to the growing clamour for justice for the afflicted nun, it was decided to continue the protest. Due to pressure of the public protests that went on for 14 days and the universal public attention it received in the media, the accused was finally arrested on September 21, 2018.

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A Divided Church

The Church in India finds itself split between those who support the accused bishop and those who stand with the nun. Some hail the protesting nuns for taking a prophetic stand; others condemn them and see the complaint as frivolous, malicious and/or an attempt to besmirch the reputation of the Church in an already fragile political environment. These divisions were heightened when the accused bishop received visits from his fellow bishops in prison, while the complainant, supposedly a daughter of the Church, was forsaken. To make matters worse, on his return to Jalandhar after being granted bail, the accused was given a hero's welcome, garlanded and showered with flower petals by his supporters in the church premises. The fact that the Apostolic Administrator did not intervene to stop this ostentatious welcome of the accused released on bail, communicates that the Church stands with the bishop in contrast to the neutral stand claimed officially by the Church.

We are deeply concerned by the lack of due attention and intervention by the Church authorities as well as the irreparable damage that has been done to the credibility of the Church in our multi-religious society and the deep divide that has been created among the faithful. We find it reprehensible that the accused is still the Bishop of Jalandhar and resides in the Bishop's house. This is an open display of support for the accused by Church authorities, which delegitimizes the complainant and her complaint. We are dismayed by the initial silence of the bishops and their subsequent defence of this silence as these are signs of insensitivity to the pain and abandonment that the Sister survivor and her supporters are experiencing. Till date she has received no acknowledgement of her letters from the Nuncio, the Catholic Bishops Conference of India, or anyone from the Vatican.

The untimely death of Fr. Kuriakose Kattuthara on October 22, 2018, within a few days of Franco Mulakkal's release is also very disturbing. He was residing in Jalandhar and had received reports regarding the alleged incidents of sexual abuse and the atmosphere of fear prevailing within the MJ community in Kerala. He was a prime witness against Mulakkal and a supporter of the Survivor nun. Fr. Kuriakose in recent public interviews went on record saying that he was being harassed, and feared for his life if Franco Mulakkal was released. There is evidence to show that Fr. Kuriakose's residence had been vandalized at least twice after he gave evidence against Mulakkal in this case.

Address the Crime of Sexual Abuse

The complaint against Franco Mulakkal has brought to light several procedural flaws in the Church. There is a complete lack of clarity on what procedures and policies exist within the

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Church i.e. who can complain in these situations, to whom, how and what is the response and remedy available. There are no support systems for the complainant/survivor within the Church institutions. This is in spite of the fact that the Catholic Bishops' Conference of India's standing committee approved and passed the 'CBCI Guidelines to Deal with Sexual Harassment in the Workplace' in September 2017.

As remedy we seek:

- An official acknowledgment of this letter.
- The setting up of an impartial enquiry committee with at least 50 percent women, to report on how and why the systems in the Church failed to respond to this particular complaint, and implementation of the recommendations of this committee.
- The setting up of an impartial enquiry committee with at least 50 percent women to determine the facts of the allegations, and necessary action to be taken.
- Measures to ensure that the safety and security of the complainant and the witnesses are addressed as priority.
- That the accused no longer be allowed to reside in the bishop's house as this is seen as a sign of the Church's support, and further enables him to garner local support which may influence the case and be a threat to a fair trial.
- That the Holy See takes immediate action and remove Franco Mulakkal from the post of bishop of Jalandhar till the legal proceedings are completed.
- That the survivor be provided with the necessary financial resources to proceed with the case legally and to facilitate the healing necessary.
- Immediate implementation of the CBCI Guidelines, 2017 in the Church in India, and the civil laws applicable to grievance redressal mechanisms in cases of sexual abuse.

We urgently request you, Pope Francis, to engage and guide the Indian Church to address this situation in a manner that restores our faith in the Church as an institution that stands for justice and due process.

We the undersigned place our trust in your wisdom and await your intervention,

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cc to:

1. Most Rev. Giambattista Diquattro, The Apostolic Nuncio to India
2. His Eminence Oswald Cardinal Gracias, President CBCI
3. Most Rev. Theodore Mascarenhas SFX, Secretary General CBCI

4. Most Rev. Agnelo Gracias, Apostolic Administrator, Jalandhar Diocese
5. His Eminence Cardinal George Alencherry, Major Archbishop of the Syro – Malabar Catholic Church
6. Most Rev. Jacob Manantheodath, Apostolic Administrator of the Diocese of Ernakulam-Angamaly
7. Archbishop Maria Calist Soosa Pakiam, President KCBC
8. Bishops in India
9. Catholic Bishops Conference of India, CBCI, Council for Women

10. Conference of Religious India, CRI, Executive Members
11. International Union of Superiors General, UISG
12. Congregation for the Institutes of Consecrated Life
13. Pontifical Commission for Protection of Minors