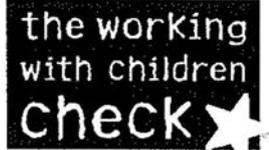


## ATTACHMENT 9

**6.9 RELEVANT EMPLOYMENT  
PROCEEDINGS SUMMARY**

All fields must be completed. Please use block letters.

**EMPLOYEE DETAILS**

1. Family name: NESTOR
2. Given name(s): JOHN GERARD
3. Date of birth: RED1952
4. Gender: (Please tick)  Male  Female
5. Title of position: MINISTER OF RELIGION (CATHOLIC PRIEST)
6. Was the person related to any victim(s):  Yes  No  
*[Related includes relationships by blood, adoption, marriage or domestic partnership. It also includes a person who has guardianship, parental responsibility or custody of a child.]*
7. Was the person a stranger to any victim(s):  Yes  No  
*[If the victim was known to the perpetrator more than 24 hours before the offence then that victim is not a stranger.]*

**INFORMATION ON THE VICTIM(S)**

If more than one victim, record separate information for each victim

8. Sex: (Please tick)  Male  Female
9. Age at the time of incident(s): 15 YEARS; 9.5 YEARS; SEVERAL BOYS UNDER 18 YEARS  
*[If the incident(s) occurred over a period of time, the age of the victim when the incident(s) started]*
10. Did the child require any service directly as a result of the incident(s)?  Yes  No.  
 If yes, list the service(s) provided: SEVERAL VICTIMS REQUIRED COUNSELLING  
*[Interventions could include medical treatment or counselling]*

**INFORMATION ON THE INVESTIGATION**

11. Date(s) of the incident(s): BETWEEN 1989 AND 1994  
*[If the behaviour occurred over an extended period record the estimated date of commencement and the date this matter was first reported to the employer]*
12. What was the nature of the incident(s):  

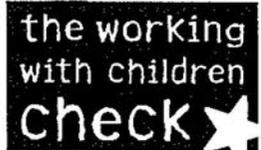
In case of 15 and 9.5 year old boys: one incident each of sexual assault; Neither incident involved violence. In case of another boy: one incident of sexual assault (unsustained - identity not known to investigator). In case of above and others, sexual misconduct involving inappropriate conversations of sexual nature, unwarranted and inappropriate touching, watching boys undress and shower, requiring them to shower and swim naked, showering and swimming naked in front of children. Assault of 15 year old occurred at presbytery where Fr Nestor was living; other behaviour occurred in context of camps conducted over a number of years and in a variety of locations.

  
*[Include if the behaviour was a one off act or a pattern of behaviour; if the behaviour was committed against, with or in the presence of a child; if the behaviour involved violence (threatened or actual)]*

## ATTACHMENT 9 (CONTINUED)

13. Were there any personal, family or other factors that may have contributed to the employee's behaviour?

*[Consider factors such as the employee's alcohol and drug use, emotional state, relationship difficulties, recent changes in their family, access to and use of support from family and friends, attitude to authority, attitude to physical discipline, and culture.]*



There is no evidence of the presence of such factors.

14. Place(s) where the incident(s) occurred: Presbytery at Dapto; camp situations in Illawarra, Southern Highlands and Canberra.

15. Were any of the place(s) a public place or institution: (Please tick)  Yes  No

*[A public place is defined as an area maintained for or used by the people or community, or any area that is open to the scrutiny of others]*

16. Period during which the investigation occurred: 2006 - 2008

17. List all persons interviewed, the title of their position, and the date(s) of the interview(s) held with them  
*[If children were interviewed record their position title as non-student/student; if parents were interviewed record their position title as parent]*

| PERSONS INTERVIEWED |          | TITLE OF POSITION          | DATE OF INTERVIEW |            |
|---------------------|----------|----------------------------|-------------------|------------|
| ABA                 | ABC      | victim (now adult) PARENT  | 18.12.2007        | 23.03.2007 |
| ABB                 | ABO      | witness VICTIM (now adult) | 24.03.2007        | 18.02.2007 |
| ABN                 | REDACTED | witness PARENT             | 18.02.2007        | 18.02.2007 |

18. Position of the person who conducted the investigation: Independent Investigators from Kamira Stacey Consulting

**OUTCOME OF THE INVESTIGATION**

19. Is there any evidence of a breach of reportable conduct? (Please tick)  Yes  No

20. Category of relevance for notification (tick all that apply):

- Sexual offence/assault**

*[For this finding a sexual offence against, with or in the presence of a child has occurred, regardless of their consent. It includes the involvement of children in sexual acts or acts of indecency and any sexual threat imposed on a child]*

- Sexual misconduct**

*[For this finding you must be able to demonstrate that a behaviour or a pattern of behaviour exists aimed at the involvement of children in sexual acts, this includes grooming behaviour]*

- Physical assault**

*[For this finding all the following must be satisfied: it is an act committed on or towards a child; it involves either the application of force to a child or an act that causes a child to think that immediate force will be used on them; and it is either hostile or reckless (a reckless act is one where a person would reasonably foresee the likelihood of inflicting injury or fear and ignores the risk)]*

- Neglect of a child**

*[For this finding you must be able to demonstrate that there is some impact on the long-term physical, emotional or intellectual well-being of the child]*

## ATTACHMENT 9 (CONTINUED)

 **Psychological harm to a child**

*[For this finding all the following must be satisfied: the behaviour resulted in significant emotional harm or trauma to the child; the offender's behaviour was inappropriate; and there is a causal link between the offender's behaviour and the harm to the child]*

 **Child pornography offence or misconduct**

*[This includes filming for indecent purposes]*

 **An act of violence**

*[For this finding you must be able to demonstrate that an act or series of related acts occurred that: involved violent conduct; it was committed in the course of employment; in the presence of a child; and resulted in injury, either physical or psychological, to the child]*

 **There is some evidence that reportable conduct or an act of violence has occurred, however the finding is inconclusive or there is insufficient evidence.**

Name: (SR) MOYA HANLEN

Position: DIOCESAN CHANCELLOR - DELEGATE OF BISHOP OF WOLLONGONG

Signature: *Moya Hanlen*

Date: 26 AUGUST 2008

**NOTE: If requested, this form must be provided to the Commission for Children and Young People or an Approved Screening Agency for background checking purposes.**