

DIOCESE OF WOLLONGONG



DIOCESAN CURIA

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mh/815005

15 September 2006

Ms Anne Barwick
Assistant Ombudsman
NSW Ombudsman's Office
Level 24, 580 George St
SYDNEY NSW 2000

Dear Anne,

I refer to the letter of 25 July 2006 from Fr Peter Comensoli as Chancellor of the Diocese and our further discussions on 31 August 2006 regarding the question of whether or not the matters relating to Fr John Nestor come under the NSW Ombudsman's jurisdiction.

You will recall that Fr Comensoli sought clarification on this issue and provided a document relating to the history of the matter between the Diocese and Fr Nestor. As discussed, I am providing additional details that are pertinent to the issue.

Whilst this does not include details of any allegations made, the allegations that have been received by the Diocese on various occasions do all relate to children who were under the age of 18 years. These allegations are of a sexual nature, of the type referred to in the relevant Ombudsman guidelines (§3.5.1-5 of *Child Protection in the Workplace: Responding to Allegations against Employees*).

With this additional information, I would be grateful if you could confirm whether or not this matter comes under the Ombudsman's jurisdiction. If this matter is in jurisdiction, how is the Diocese to proceed? Should you have any queries or require further details please do not hesitate to contact me.

Yours sincerely

A handwritten signature in cursive script, reading "Moya Hanlen".

Sr Moya Hanlen OLSH
DIOCESAN CHANCELLOR

Encl.