

## DIOCESE OF WOLLONGONG



DIOCESAN CURIA

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Your reference: C/2006/7161  
 Our reference: mh/815005

26 September 2008

Ms Candice White  
**PRIVATE AND CONFIDENTIAL**  
 NSW Ombudsman's Office  
 Level 24, 580 George St  
 SYDNEY NSW 2000

Dear Candice

***Re: Ombudsman notification Fr John Nestor (Priest, Parish of Fairy Meadow) and various alleged victims.***

Thank you for your recent telephone calls in relation to the Diocese's response to Natasha Mewing's letter to the Diocese, dated 25 March 2008.

In a letter dated 11 June 2008, the Diocese responded to Natasha's letter. The response also included a copy of the letter of Bishop Peter Ingham to Fr John Nestor.

Natasha noted three concerns raised by Fr Nestor, namely:

1. that the investigator would not provide him with a copy of the report;
2. that he had been directed not to approach witnesses; and
3. that there had been a 'lack of proven character and context' during the investigation.

The Diocese responded to each of these concerns in the letter to Natasha.

Bishop Peter Ingham wrote to Fr Nestor on 18 April 2008. In that letter he responded directly to Fr Nestor's concerns in relation to receiving a copy of the report, lack of procedural fairness in being unable to question witnesses against him, the 'independence' of Kamira Stacey Consulting, and Fr Nestor's complaint that he had a letter from a person claiming to have been harassed by a 'Diocesan official' to make an allegation against Fr Nestor. A copy of Bishop Ingham's letter to Fr Nestor was included with the letter sent to Natasha on 11 June 2008.

Bishop Ingham did not respond directly to Fr Nestor about the 'lack of proven character and context' during the investigation. We note in this regard that Natasha said in her letter, "Fr Nestor raised the point that the allegations the subject of this investigation pertain to the period 1989-1994 and suggested that, were there basis to the allegations, there would be evidence of similar conduct before and after this

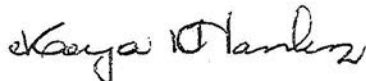
period. We do not agree with this proposition, and our experience with matters of this nature does not lend support to it. However, we would appreciate further information from the diocese in regard to the extent to which relevant archived records might exist (relating to the period prior to 1989), whether or not such records were reviewed and any benefits or limitations of such a review. I would also appreciate any steps taken to confirm or otherwise Fr Nestor's claims of proven character in the years 1994-present. In requesting this information, I am not suggesting that the investigation required it, however the investigation does require full documentation of the decision-making around action taken and action not taken. Particularly given that the concern was raised by Fr Nestor, any reasons for not making inquiries of this nature should be fully explained and documented in the final report provided to us".

We interpreted Natasha's comments, "We do not agree with this proposition, and our experience with matters of this nature does not lend support to it. However, we would appreciate further information from the diocese ...", as a request to provide the information to the Ombudsman's Office, not to Fr Nestor. We believe we responded to this request in the letter of 11 June 2008.

I enclose a copy of the Diocese's letter to Natasha, dated 11 June 2008, and the accompanying documentation with this letter. I also enclose a copy of Fr Nestor's letter to the Diocese requesting access to documents and the Diocese's reply, and a letter of Bishop Ingham to Fr Nestor following Fr Nestor's uninvited and unwelcome visit to the residence of ABO [redacted] a young man who brought an allegation against Fr Nestor.

Should you require any further information or action, please do not hesitate to contact me. I note that I shall be absent from the office from Monday 29 September 2008 – Thursday, 2 October 2008 inclusive.

Yours sincerely



(Sr) Moya Hanlen OLSH  
DIOCESAN CHANCELLOR

Encl.: Letter of Diocese to Ms Natasha Mewing, dated 11 June 2008  
 Acknowledgement from Ombudsman's Office, dated 16 June 2008  
 Letter of Fr Nestor to Sr Moya Hanlen, dated 8 September 2008  
 Letter of Bishop Ingham to Fr Nestor, dated 12 September 2008  
 Letter of Sr Moya Hanlen to Fr Nestor, dated 24 September 2008

} included  
under date