

REDACTED

Rev Fr J Usher
Chancellor
Archdiocese of Sydney
Polding Centre
133 Liverpool St
Sydney NSW 2000

Dear Fr Usher,

I believe I am the subject of a letter sent to one of your priests, Fr Bob Flaherty, regarding some Masses I celebrated some months ago. Father Flaherty has not given me a copy of the letter or let me see it, but has drawn parts of it to my attention, because it required an explanation to find the truth of certain matters you had raised.

Please realise that in referring to that letter, I am going on what I heard and remember, and thus may be in error. However, I think it important to reassure you and correct some misapprehensions.

Firstly, I have faculties in the diocese of Wollongong and therefore by extension elsewhere in the world unless withdrawn; in no diocese in which I worked, has this been done.

I am not sure where you received the false information that I did not have faculties; it is possible that my ordinary has so informed you, as that is the sort of thing he does. I have already corrected him on this matter before (in writing) and urged him to be truthful, but I believe he may have difficulty understanding the concepts (involved in canon law, I mean). It is true that he has refused to give me a pastoral appointment and he seems to believe that this is the same thing.

Secondly, the Masses I celebrated were not public. They were not in a church or public oratory, they were not on parish property, not advertised and not in a consecrated place. With great respect, I think Fr Flaherty correctly understood the canonical principles involved.

Thirdly, you apparently stated that I approached Fr Flaherty with a request or offer to celebrate these Masses. This is untrue. In fact, when approached, I only agreed to do so after explaining my situation to him, and only on the condition that he could not get his more usual relief.

Fourthly, you stated that I misrepresented my position to Fr Flaherty. This is untrue. I have been completely and appropriately open not only with Fr Flaherty, but with any priest or bishop who has requested my assistance. I might also point out that I have never, to my memory, written a derogatory letter regarding someone, without ensuring that the subject sees it.

My position is that, like your Cardinal, I was once charged with a sexual offence; like him I was exonerated when the matter first came before a judge (though I was not able to choose my own judge). In addition, all matters brought forward about me were judged by the Congregation for Clergy, who similarly exonerated me in particularly strong terms. Subsequently, an appeal against this decision by my diocese was rejected. A final appeal by my diocese to the Apostolic Signatura, on completely procedural grounds, and with the intervention of the President of the Australian Episcopal Conference, has overruled the Congregation's decision: There has been no suggestion that the Congregation's decision was substantively in any error.

Fifthly, your letter suggested that I might be looking for "further favours". I was not aware that celebrating Mass for some elderly people was considered a favour, and in any case I in no way sought this. I was offered no financial inducement; when it was suggested by the person in charge, I declined it. After the last Mass, I closed gift was presented; I felt it ungracious to refuse it. It turned out to be a sum of money. I have forwarded it to "Aid to the Church in Need". Thank God I do not need to "ask for favours".

You have also made reference to members of my family living in the parish where Fr Flaherty resides. It is true that my elderly mother benefits from the kind ministry of Fr Flaherty, for which I am grateful. However I would ask that you have the decency to refrain from bringing my family into any disputes you have- or imagine you have- with me.

As a priest, I can give no assurance that I would refuse legitimate requests to assist the Catholic people in the future. However, I have little to do with members of the clergy and do not imagine the issue is likely to arise again. Certainly Fr Flaherty seems sufficiently offended by the tone of your letter to avoid any request to me in the future. You are free of course to withdraw my faculties in your diocese, but I don't believe this sort of ministry requires faculties. I image you might have better things to do with your time.

Please be aware that I have not taken this matter personally and I realise that it was probably initiated from another source.

Allow me to wish you a blessed Christmas filled with peace and spiritual joy.

Sincerely,

Fr John G Nestor MBA MTh

cc: Most Rev P Ingham
Rev Fr R Flaherty