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23 January 2004

Most Rev James P Keleher
Archbishop of Kansas City in Kansas
12615 Parallel Parkway
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Dear Jim

Thank you for your letter of 24 November 2003 enquiring about the possibility of Fr John Nestor serving in your Archdiocese. Please accept my apologies for the delay in responding to you due to my preparation for our *Ad Limina* visit and Christmas vacations.

Fr John Nestor is indeed a priest of the Diocese of Wollongong. In 1996 he was arrested on child sexual abuse charges. Initially, Fr Nestor was found guilty of the charges; however, this decision was reversed on appeal and he was found innocent. There are no civil or criminal matters pending.

However, the Australian Catholic Bishops' Conference has had its own procedures to follow in such circumstances, known as *Towards Healing*. Having followed the procedures set out in *Towards Healing*, my predecessor, Most Rev Philip Wilson, issued a decree on 7 August 1998 in which Fr Nestor was restricted from celebrating the liturgy publicly until such time as he was assessed as to his fitness to engage in any future public ministry.

Fr Nestor sought recourse to the Congregation for the Clergy over this decision and in a decree issued on 21 December 2000 the Congregation found in favour of Fr Nestor and instructed the Diocese to restore him to active duty (copy enclosed).

In the meantime, I had been appointed Bishop of Wollongong.

Given the significance of the Congregation's decision for the local Church, I decided to lodge an appeal in August 2001 with the Apostolic Signatura.

Most Rev J Keleher

23 January 2004

Presently, this case is still being heard, though the Apostolic Signatura has suspended part of the decree of the Congregation for the Clergy pending the outcome of the appeal (copy enclosed). Only recently (17 November 2003) I received word from Cardinal Pompedda informing me of the status of the case (copy enclosed). As both his letter and the decree of suspension show, the Apostolic Signatura is still considering the matter and certainly has not made a finding one way or the other.

I am aware that Fr Nestor has approached a number of Dioceses in the USA and other countries. Whenever I have been contacted by them, my response has been to simply point out the present situation. However, I believe your concern about adverse media attitudes or tension is well founded, both in your context and ours. Given the seriousness of our own concerns and the need for accountability to both our people and the wider public, I would find it hard to recommend Fr Nestor to you at this stage.

I would be grateful if you would inform me of your own decision concerning Fr Nestor's request.

Yours fraternally

A handwritten signature in black ink, appearing to read 'Peter W Ingham', with a stylized flourish at the end.

Most Rev Peter W Ingham DD
BISHOP OF WOLLONGONG

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