



DIOCESAN CURIA

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15 August 2003

Rev John G Nestor

REDACTED

Dear John

Thank you for your email. I was expecting a phone call on Saturday afternoon, but I assume you must have been tied up. Lorraine had passed onto me your two concerns, which your email further clarifies. I am happy to give you some explanation of both.

1. *Concerning the matter of faculties*

On 4 June 2003 I wrote to Bishop Cornelius Korir of Eldoret (Kenya). This was in response to his letter seeking information about your situation in regard to the Diocese. In my letter I informed him of our case before the Apostolic Signatura. I also informed him that, not having had a reply, I had recently written to the Apostolic Signatura seeking information about the current status of our case and that until such time as I heard back from them I would not make any comment on your situation. I have still not yet received a response from Rome.

In the letter I did say "He currently does not have faculties" because *de facto* you may not celebrate the Liturgy publicly. My intention was to indicate your present status as outlined in Bishop Wilson's two decrees, both dated 7 August 1998. If you consider this language too loose, I would be willing to send to Bishop Korir a copy of the decrees with their more precise description of your status. (Of course, both decrees remain applicable until such time as we receive a judgement from the Apostolic Signatura. Only then will your status will be reviewed in line with the terms of the judgement.)

2. *Concerning the Report by the NSW Professional Standards Resource Group*

On 1 July 2003, I wrote to Bishop David Ricken of Cheyenne (Wyoming, USA), again in response to a request for a report on you (following your request to him to minister in his Diocese). Because of the nature of Bishop Ricken's request, I enclosed with my covering letter a copy of the two decrees of Bishop Wilson and a copy of the decree from the Congregation for the Clergy (which is presently suspended). Again I informed him of the status of the case before the Apostolic Signatura, and I stated: "Until such time as the Apostolic Signatura makes its judgement, I am unable to provide any further recommendation".

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As to the reference to the report of the NSW Professional Standards Resource Group (signed by John Davoren as then Director), I certainly did not send the report to Bishop Ricken, nor have I sent it to any other Bishop who has sought information about you, nor would I send it. However, you are already aware that the report you refer to was, in part, quoted in one of the two decrees of Bishop Wilson issued to you on 7 August 1998. I can only presume that Bishop Ricken has simply taken what is in the decree.

I hope that this information adequately clarifies the matters you raise. As I said, I am happy to forward to Bishop Korir the decrees that outline your current status as a priest of the Diocese so as to clarify the use of the word 'faculties'. However, and as I am sure you can appreciate, I am unable to remove that section referring to the NSW PSGR's report from the decree of Bishop Wilson, which quotes from it, as it is an integral part of the decree itself.

John, I am quite conscious of the very lengthy time the Apostolic Signatura has been taking to make a judgement. Our *Memoriale* was submitted to the Tribunal in March 2002 and its *Decretum* advising me of the suspension of the decree from the Congregation for Clergy was issued in April 2002. The Diocese has not heard from the Tribunal since then. I wrote to Cardinal Pompedda, Prefect of the Apostolic Signatura, on 11 April 2003 seeking clarification of the status of the case. However, I have heard nothing back from him. At this time of year, many of the Dicasteries operate on skeleton staff. If I do not receive any response following the resumption of work after the summer vacation, I will again write to the Cardinal.

It is my hope that once a judgement is made, we might be able to come to a mutually agreeable path forward.

Yours fraternally

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Most Rev Peter Ingham DD
BISHOP OF WOLLONGONG