



DIOCESAN CURIA

Catholic Church Offices
PO Box 1239 SCMC 2521
Level 3, 86-88 Market St
Wollongong NSW 2500
Tel: +61 2 4253 0900
Fax: +61 2 4253 0977

AUSTRALIA
bishop@chancery.woll.catholic.org.au

PWI:lt/8155

1 July 2003

CONFIDENTIAL

Most Rev David Ricken DD
Bishop of Cheyenne
Chancery Office
PO Box 1468
CHEYENNE WY 82003-1468 USA

Dear Bishop Ricken

My office recently received an email from your Chancellor, Carol DeLois, making enquiries about the possibility of Fr John Nestor serving in the Diocese of Cheyenne, Wyoming. I wish to respond directly to you about this request.

Fr John Nestor is indeed a priest of the Diocese of Wollongong. In 1996 Fr Nestor was arrested on child sexual abuse charges. Initially, Fr Nestor was found guilty of the charges but, on appeal, this decision was reversed 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 (copy enclosed).

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 seriousness in the local situation, I decided to appeal the decision of the Congregation for the Clergy and the Diocese took its case to the Apostolic Signatura.

Most Rev D Ricken DD

1 July 2003

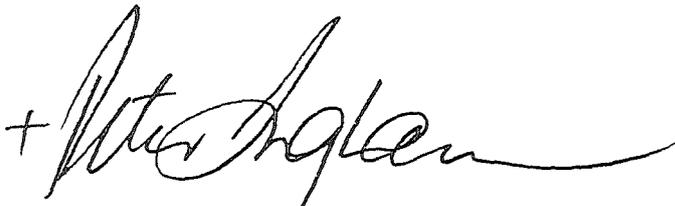
Presently, this case is still being heard, though the Apostolic Signatura has suspended the decree of the Congregation for the Clergy pending the outcome of the appeal. Consequently, Bishop Wilson's original decree still stands until the Tribunal makes its judgement.

The appeal has now been before the Tribunal since August 2001. Obviously, the length of time being taken to resolve the case one way or another is somewhat frustrating, both for the Diocese and I'm sure for Fr Nestor himself. Only last month, I wrote to Cardinal Pompedda seeking clarification as to the status of our case. As yet, I have not received a reply.

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 and to indicate that I support the original decree from my predecessor. Until such time as the Apostolic Signatura makes its judgement, I am unable to provide any further recommendation.

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 Ingham", with a cross symbol to its left.

Most Rev Peter W Ingham DD
BISHOP OF WOLLONGONG

Enc