

Diocese of Wollongong

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PW/lr/8155

1 May 1998

Rev K Matthews

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Dear Fr Matthews

I received your letter on 22 April 1998 and have considered my response carefully. I believe that Fr Nestor has been informed of the names of the assessors and has been invited by them to respond to the comments made about him during their assessment. These actions were taken prior to the arrival of your letter. You will be aware that this investigation began, not five months ago, but at the time I informed Fr Nestor in my letter of 19 December 1997. The appearance of new matters, at that time, meant that the assessment programme I had initiated was superseded by this assessment to be held under the guidelines of *Towards Healing*. You will also be aware that, contrary to my request, and our agreement, Fr Nestor had unilaterally begun to minister publicly in this diocese. He expressed in writing, at that time, his unwillingness to obey my request.

As diocesan Bishop my responsibility is to govern the diocese so that all its people are able to live in peace as Christ's faithful. I have to ensure that they are cared for by reaching moral certitude that no-one or no circumstances will cause them harm. All of these procedures are designed to assist me reach that level of certitude.

I have been concerned that this assessment be concluded as quickly as possible and have encouraged the assessors to do so, as I promised you during our telephone conversation on 28 January 1998. However, as you know, cautious progress in this case is the great protector of the truth and Fr Nestor's rights and reputation.

Rev K Matthews

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The finding of the court upholding his appeal against one accusation does not really address the question of whether or not he is in fact a trustworthy person who can, without further question, be placed in a position of pastoral responsibility. Until I can be satisfied on that score I do not believe that I can in conscience give him another appointment and I have not yet been able to obtain the reassurance I require. Until the investigations are completed I cannot allow him to return to a public ministry in the diocese or give him permission to minister in another diocese.

There has been a small stream of people who have signalled their intention to tell of their concerns and nine people have now been interviewed by the assessors. There are six others who made a move to raise issues of concern but who subsequently decided not to proceed. Of these, some gave no reasons for their apparent change of heart, while others stated that they feared recriminations if they were to step forward. Some cited what they had allegedly heard from people claiming to have been put under some pressure in relation to the case for appeal. I can make no assessment as to the objective basis for these reported perceptions.

The circumstances of Fr Nestor's case, with the possibility of moral danger to vulnerable young people, presents an unacceptable risk to Fr Nestor's return to ministry. I do not believe that he has a right to return until these matters are resolved satisfactorily. I regret that it is taking so long and that the answer is still not clear.

During this period, Fr Nestor has been paid the full salary of a priest of this diocese and given all other benefits. He has also been provided with a residence and been given a living allowance. If Fr Nestor has some further need of assistance, I would consider it as I have already indicated to him by letter on 19 March 1998.

I await the report from the assessors and the recommendations of the Professional Standards Resource Group, before considering my decision. I assure you that I will consider Fr Nestor's wellbeing when doing so.

Yours sincerely

+ Philip Wilson.

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Most Rev P Wilson DD JCL
BISHOP OF WOLLONGONG