

# The Catholic Parish of Cleve

(Incorporating Cleve, Cowel, Kimba & Lock)

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22 June 1998

Most Rev Philip Wilson D.D., J.C.L.  
 Bishop of Wollongong  
 P.O. Box 1239  
 WOLLONGONG SCMC  
 N.S.W. 2521

<b>Diocese of Wollongong</b>		
<b>25 JUN 1998</b>		
Bishop	Chancellor	DFA
Refer		
File	Reply	

Dear Bishop Philip,

I write as Advocate for Fr John Nestor to insist on a final determination of his status.

Fr Nestor has suffered for an unduly and unjustifiably protracted period of time for a priest who has given years of unbroken service to his Diocese to be precluded in complete exile. His record surely merits a compassionate response from his Bishop in this most regrettable and unjustified situation that has seen him ostracised totally from parish life and ministry.

Following an interminably long investigation in which the assessors did not even deem it necessary to interview my client, (and yet he was accused of not cooperating!) you received their findings and submitted it to even further review. You stated in a previous letter that you were seeking "moral certitude" about Fr John. Such certitude, you must surely realise, does not exist about me or any other priest in this country.

When someone is alleged to have acted in an inappropriate way, chastened and punished for over two years, all we can seek is the "founded hope" that this behaviour will be admitted and not occur again, if indeed it is judged improper given the time frame and the circumstances. Fr Nestor cannot be subjected to everlasting exile because his Bishop has certain suspicions about him. He has the right to be tried in processes provided by Canon Law. Failing that, you will note that the Draft Document "Integrity in Ministry" has not yet determined any penalties for inappropriate behaviour. However, if one is found guilty of a canonical misdemeanor, then the law provides for a just punishment, if not found guilty, then it is incumbent on you to show tolerance and understanding and let him return to active ministry.

This interminable procrastination and inability to reach a decision appears to constitute an abuse of power and as such allows for recourse to Rome. The status of Fr Nestor must be finalised and I must insist on knowing what plans you have to bring the matter to conclusion.

1. Will you submit the case to an Administrative or Judicial Process?
2. Will Fr Nestor be left in Limbo based solely on your suspicions and no formal process?
3. Will Fr Nestor be cleared and have his faculties restored so that he can be released to work in another diocese?

Yours faithfully,

Fr. Kevin Matthews  
Advocate for Fr John Nestor

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