

WALTER MADDEN JENKINS

SOLICITORS CONVEYANCERS AND ATTORNEYS

(FORMERLY COHEN AJAKA WALTER)



PARTNERS

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Date:

30 August 1999

Your Ref:

Our Ref:

KJM/99003.1h

Diocese of Wollongong		
8 2 SEP 1999		
Bishop	Chancellor	DFA
Refer		
File	Reply	

Most Rev T. Wilson
 Bishop of Wollongong
 P.O. Box 1239
 WOLLONGONG SCMC NSW 2500

Dear Bishop Wilson

RE: FATHER JOHN NESTOR

We act on behalf of the Reverend John G. Nestor and we are writing to you concerning your Decree dated 7 August 1998.

We note that our client has previously written to you in relation to the Decree, and he has raised with you a number of matters, including the assessment conducted by Mr Murray and Ms Hannan.

In his letter to you (23 August 1998) our client complained that he had been denied procedural fairness, he also raised his concerns about a number of other matters.

We have advised our client that he has in fact been denied procedural fairness for a number of reasons including the following:-

1. The assessors did not interview Father Nestor despite the fact that he made it perfectly clear to them that he would meet with them and, he wished to be interviewed.
2. The assessors never fully advised our client of the matters that they were investigating.
3. The assessors investigated matters that were kept secret from our client and about which he was never given the opportunity of addressing.
4. Our client has never been provided with a copy of the advice and, or, findings of the assessors and, or, the NSW Professional Standards Resource Group.

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We have advised our client, that he should commence proceedings in the Supreme Court in relation to your Decree and the assessment that was conducted.

However, before commencing those proceedings we should give you the opportunity of answering the following matters:-

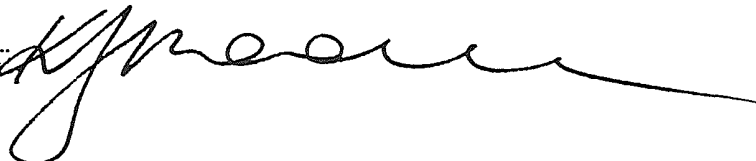
1. Are you prepared to withdraw your Decree ?
2. Are you prepared to provide our client with a copy of the advice/report of the NSW Professional Standards Resource Group ?
3. Are you prepared to provide our client with a copy of the advice/report prepared by Ms Hannan and Mr Murray ?

May we suggest that you forward this letter to your legal advisers and we look forward to receiving a response within 14 days.

Yours faithfully

WALTER MADDEN JENKINS

Per:



Fr N. advised the Bishop
(on 25 Sept 99) that Mr Madden
had mistakenly sent this
letter.

Nest.IH