



# DIocese OF WOLLONGONG

## CATHOLIC EDUCATION OFFICE

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**CONFIDENTIAL**

13 August 2007

ATTENTION: Kay Foster

A/Manager Ms Nicci Wilson  
Information Exchange  
Department of Community Services  
Locked Bag 4028  
Ashfield NSW 2131  
Fax: 9716 2126

**Your ref: 07/89387**

Our ref: 815005

Further contact: Margaret Chittick

Dear Ms Foster

**RE: Seeking further information from DoCS under s248 of the *Children and Young Persons (Care and Protection) Act 1998*, concerning allegations against Fr John Gerard NESTOR (d.o.b. 27/9/1952)**

Further to our letter dated 30 July 2007, the Catholic Education Office of the Diocese of Wollongong ("the CEO") is a prescribed body in respect of subsection 248(6)(b) and is also a "designated agency" under the terms of the *Ombudsman Act 1974* ("the Act"). The Most Rev Peter W Ingham, Bishop of Wollongong, as the "head of agency" under the Act, has authorised an investigation of reportable allegations against Fr John Gerard Nestor, a priest of the Diocese of Wollongong. The Ombudsman is monitoring this investigation and I am authorised to write to request further information from DoCS to assist the investigation.

Further information is provided to assist DoCS in locating documentation concerning the investigation of allegations against Fr Nestor. Whilst there may also be other boys involved, following are details of some of the children whom we understand would have been the subject of risk assessment investigations &/or reports by &/or to DoCS regarding alleged conduct by Fr John Gerard NESTOR (d.o.b. REDACTED 1952):

- REDACTED
- REDACTED (unsure of spelling of the surname of the boy/s)
  - o Males, born approx 1978 (1975 – 1983)
  - o Living in the Illawarra / Wollongong NSW area in the period around 1991 – 3/4
  - o Following a notification made to DoCS in (November) 1993, DoCS was advised by ABQ [REDACTED] and her son ABP [REDACTED] of concerns regarding what had happened at various 'camps' conducted by Fr Nestor –
    - Concerns involved Fr Nestor and alleged sexual misconduct with boys
    - In particular, concerns in relation to Fr Nestor's conduct with a boy (11 years) who broke his leg whilst on a camp (prior to 25/2/1991) and who, following medical treatment, remained for the duration of the camp
    - It is understood that DoCS also interviewed (3) boys in another family who attended such 'camps' with Fr Nestor and shared similar concerns.

Pursuant to s248 of the *Children and Young People (Care and Protection) Act 1998*, I request information so that the employer is able to continue with the investigation into reportable allegations. In particular, I request that you forward the following:

1. details of allegations;
2. details of the alleged victim/s and their age at the time of the alleged conduct;
3. copies of all records of interviews;
4. copies of all correspondence and other documents forming part of investigations;
5. copies of any findings and reasons for findings; and
6. copies of any other documents which may assist the employer in investigating matters involving Fr John Nestor pursuant to the *Ombudsman Act* and making a risk assessment.

I also request that you provide **any other information that DoCS considers relevant to the safety, welfare and wellbeing of children with regard to matters involving Fr John Nestor.**

Pending the outcome of the investigation being conducted pursuant to the *Ombudsman Act 1974*, Fr Nestor has been stood aside from all ministerial duties. He is not allowed to assume the role of Parish Priest or Assistant Parish Priest. Both of these roles would require him to celebrate liturgical services for children in Parish Primary Schools and possibly Diocesan Secondary Schools. In doing so he would have direct contact with children and adolescents, male and female, thus putting them at possible risk of harm.

I request that you attend to this matter as a matter of urgency and within 10 days of the date of this letter. Please forward the material addressed to Mrs Margaret Chittick, Catholic Education Office, LMB 8802, Wollongong, NSW 2500, and marked '*Confidential*'. If you seek further clarification or have any difficulty complying with this request, please contact me at the Catholic Education Office on 4253 0919.

Yours sincerely



Margaret Chittick  
Child Protection Adviser