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October 9th, 1998

His Eminence Cardinal Dario Castrillon Hoyos
 Sacred Congregation for the Clergy
 Piazza Pio XII 3
 00193 Rome Italy

CONGREGATIO PRO CLERICIS
30 OTT. 1998
PROT. N. 98002550

Eminence,

The attached material is the rest of the submission referred to, in my fax message of October 4th, 1998.

Briefly, it seeks action by the Congregation for the Clergy to normalize my life as a priest and to allow me to return to priestly ministry.

As related in the attached documents, I was asked to stand aside from the public ministry on April 30th, 1996, by the then Diocesan Administrator. The next day I was charged by police with a single count of indecent assault, alleged to have occurred in 1991; I immediately denied the charge and fully cooperated with the police.

After intense and unfavorable media coverage, the Local Court Magistrate in Wollongong found me guilty in December 1996. The Magistrate is now the subject of a complaint to the New South Wales Justice Commission for his handling of my case. I immediately appealed for a complete rehearing before the District Court.

My case was heard by the District Court in October 1997. In the intervening period, officials of my Diocese were uncooperative in providing the necessary material for my defense, and the Diocesan Barrister, Mr Longhurst, even appeared in Court to make pejorative statements to the judge, and to impede my defense in other ways.

In spite of this, my case ended without my even having to call a single one, of more than sixty witnesses assembled to speak on matters of fact. The case had been set down for two weeks, but submissions ended after lunch on the second day. I was acquitted.

Following this, the Diocese issued an ambiguous press release. The Bishop refused to allow me to seek work in another diocese, even though two Bishops were willing to have me. When I suggested that I had a right to begin active ministry again (to which the Bishop had previously agreed), new matters for investigation were claimed by the Bishop.

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It was months- April of 1998- before I was told what these matters were, and then in a form so broad that there was no chance of my disproving them. In spite of that, the Bishop has apparently found them all proven, in a complete display of lack of natural justice. His Decree of August 7th, 1998, finds all matters proven, orders me to remain inactive in any public ministry indefinitely, and orders me to undertake assessment/treatment in a sexual offenders' course, Encompass Australia, which reports to the Bishops.

I ask that your Congregation be so good as to examine the attached material, with a view to allowing me to resume my service to the Church in the priestly ministry.

Yours Sincerely in Our Lord,



Father John Gerard Nestor MTh, MBA, BComm(Hons)