

## **Wollongong hearing begins in Sydney**

After two intensive weeks the Canberra hearing involving the Marist Brothers has been held over for further analysis and will reconvene on 30<sup>th</sup> June and 1<sup>st</sup> July in Sydney.

It is difficult to talk about this case in the middle of the hearing, but I will say it has been a tough two weeks. The tiny hearing room in Canberra was overflowing with raw emotion as survivors bravely stood and spoke of their betrayal and abuse. Individuals responsible for dealing with Brother Kostka Chute and Brother Greg Sutton were heavily cross-examined and questioned and their motives and decisions, made years ago, were scrutinized.

This hearing has been a comprehensive analysis of the way the Marist Brothers handled information they received and how they managed the Brothers and their liaison with authorities and the police. There is still more material to be examined and former provincial Brother Alexis Turton and the current provincial Brother Jeffrey Crowe will be called to the witness box when the hearing reconvenes at the end of the month.

This week the Royal Commission begins its 14<sup>th</sup> public hearing in Sydney studying the Vatican's influence on a local case of child sex abuse in the Catholic Diocese in Wollongong.

This hearing demonstrates how the Australian Catholic Church, particularly the then Bishop of Wollongong, Bishop Wilson, was proactive in dealing with a Priest who had been a sexual abuser.

In 1997 Father John Nestor from the Wollongong dioceses was convicted of indecently assaulting a 15-year-old boy several years earlier. Father Nestor denied the charge and won an appeal to have the court's decision overturned later the same year.

Despite the court's decision Bishop Wilson declined to allow Father Nestor to return to his work as a priest in the Wollongong diocese.

Father Nestor appealed this decision to the Vatican, which ruled he be reinstated. The Vatican's view was that Father Nestor had been exonerated by the civil judicial system, so should be able to undertake pastoral duties.

The Wollongong diocese challenged this decision, and after close liaison with the Vatican, and providing additional information, Father Nestor was eventually forced to stand down from the Clergy.

Bishop Wilson's determination and judgment in the interests of the community, particularly the need to protect children, was instrumental in removing Father Nestor from the Priestly state.

# Blog



This case demonstrates how, in the past, canonical issues have struggled to keep pace with the realities of how to deal with sex abuse cases in Australia.

These days the Vatican processors are far more streamlined.

This is the first time the Vatican is the focus of attention in the Royal Commission, and it is the first time material from outside Australia has been used in the hearings. The Vatican has cooperated fully with the Royal Commission and provided all the necessary details and documentation.

Outside the hearings our work informing and updating the community on the work of the Royal Commission continues.

On Wednesday I spoke to a large group of religious at the Catholic Religious Australia 2014 National Assembly in Melbourne. The theme, *Living on the Fault Lines-Leading in a Climate of Change*, was very appropriate for this time in our Church.

I gave an update on the work of the Royal Commission and the position the Church is taking. Nearly 200 leaders attended from religious orders and institutes from across Australia. The assembly was also attended the Australian Nuncio, Archbishop Paul Gallagher, and by Cardinal Joao Braz de Aviz, head of the Vatican institute for religious institutes. Among other issues there was time for frank discussion about the role of the Vatican and its impact on the Australian Church's response to the issue of child sexual abuse.

Our next Council meeting will take place next month where Justice Neville Owen will Chair our meeting for the first time.

Just as a postscript to last week's blog, ABC radio's Philip Clark read and posted an apology to Cardinal Pell for the comments he made during an interview with me on the Marists hearing in Canberra last week.

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