

19 October 1995

Rev D McAlinden  
PO Box 305  
JOLLIMONT WA 6013

Dear Father McAlinden,

The resolution of the problems associated with your ministry has been a concern to me for some time. In confidence I have discussed the issues with Bishop Malone and the Deans. After listening to their advice I have made the following decisions:-

In the light of your admission to Fr Brian Lucas and other evidence I inform you:

1. That I request you to petition the Holy See for a rescript of Laicization.
2. That I have begun the process to declare that you have an impediment to the exercise of Orders (Canon 1044). This impediment is based on Canon 277 of the 1983 Code of Canon Law. This process has commenced this day and I wanted to inform you of your rights.
  - a) You have the right to be heard, to be informed of the facts and to offer contrary evidence.
  - b) You also have the right to the assistance of a Canonical expert. If you wish the Diocese will make an independent Canonist available to you.
  - c) You have the right of recourse to the Congregation of the Clergy if you do not accept my decision ( Canons 1732-1737).
  - d) Your good name will be protected by the confidential nature of this process and
  - e) Should the impediment be declared I assure you that your right to appropriate support will be honoured by the Diocese of Maitland-Newcastle.

Father, the next phase of this process will take place in 15 days when I will send you a summary of the evidence supporting the claim in which you are impeded to carry out your ministry properly. You have 15 days from that date in which to prepare and make your response to me. You will then be informed by a Decree of my decision.

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2.

Finally I beg you, for the sake of souls and the good of the Church, to cooperate in this matter so that it may be speedily resolved.

A speedy resolution of this whole matter will be in your own good interests as I have it on very good authority that some people are threatening seriously to take this whole matter to the police.

I trust that you will cooperate in every way.

With every best wish,

Yours sincerely in Christ

Most Reverend L M Clarke, DD  
**Bishop of Maitland-Newcastle**

+LMC/ed