

Special Inquiry into St Andrew's Hostel

Hearing

Held at: Katanning Magistrates Court,
Clive Street,
KATANNING WA 6317

Thursday, 1 March 2012 at 10am
(Day 7)

Before: The Hon Peter Blaxell

1 HIS HONOUR: Yes. Now, I'll take appearances from Perth.
2 I understand, Mr Watters, you're on video link in Perth; is
3 that correct?
4

5 MR WATTERS: I am, your Honour. Can your Honour see and
6 hear me?
7

8 HIS HONOUR: I can, and you are representing who?
9

10 MR WATTERS: I have instructions from Jackson McDonald for
11 Mr Bernie Clayton, former principal of Katanning senior
12 high school.
13

14 HIS HONOUR: Thank you, Mr Watters.
15

16 MR WATTERS: Thank you, your Honour.
17

18 HIS HONOUR: Very well. Now, other counsel here in
19 Katanning have all appeared previously, so I don't need to
20 hear from them. Yes, Mr Urquhart.
21

22 MR URQUHART: Thank you very much, sir. Now, your Honour,
23 over the next two days the Inquiry will be sitting here in
24 Katanning. There are good reasons for that. The first is
25 that the 13 witnesses to be called either live here in
26 Katanning, or in the surrounding area. It's therefore
27 convenient to them that they do not have to make the three
28 and a half hour drive to Perth.
29

30 The second reason is that it enabled members of the
31 Inquiry to inspect the Katanning hostel, which is largely
32 unchanged from when Dennis McKenna was in charge there from
33 1975 to 1990. The final reason is the fact that it was
34 deemed appropriate that the Inquiry sits at the location
35 where offences of perverted depravity took place against
36 victims who were deliberately chosen because of their
37 vulnerability and isolation.
38

39 Their vulnerability was exploited by the very man that
40 their parents had entrusted to look after their children.
41 For many of these children, their parent's dream of having
42 them receive the best possible education in the region
43 turned into a horrific nightmare for their children, who
44 have endured the scars to this very day.
45

46 The tentacles of the sexual offending that took place
47 at the hostel just down the road from here have spread

1 beyond the victims and beyond the time frame of the
2 offending. It has caused fractures within this community,
3 divisions within families, and what appears tragically to
4 be a disproportionate rate of suicide amongst students who
5 attended whilst Dennis McKenna was warden, particularly
6 amongst males.

7
8 Sir, over the next two days the Inquiry will hear from
9 parents and ex-students who will recount their attempts to
10 have those in authority take their complaints seriously
11 about Dennis McKenna's protracted offending. However, it
12 would appear that their complaints were all too readily
13 dismissed without any attempt to consider their merits.

14
15 Not only were they dismissed, but those who had the
16 temerity to speak out were cast as the villains, and on
17 occasions threatened with defamation proceedings, while the
18 actual villain hid behind his veil of decency and
19 propriety.

20
21 Notwithstanding the accumulation of evidence against
22 him, Dennis McKenna continued to remain untouchable until a
23 17-year-old boy, with the backing of his family, made sure
24 he would be the last victim in a long line of victims in
25 August of 1990.

26
27 Today, sir, Mr Todd Jefferis will tell the Inquiry
28 about his ordeal which extended to an orchestrated campaign
29 of vilification against him once he had confronted Dennis
30 McKenna. Rather than being hailed a hero that he was, he
31 was almost universally held in contempt within this
32 community.

33
34 Sir, that's all I intend to say by way of opening
35 remarks at this point in time of the hearing.

36
37 HIS HONOUR: Well, thank you for that. What I'll do now
38 is just adjourn for a very short time to enable the media
39 to clear the hearing room.

40
41 MR URQUHART: Thank you, sir.

42
43 SHORT ADJOURNMENT

44
45 HIS HONOUR: Yes, Mr Urquhart.

46
47 MR URQUHART: Yes, I thank you sir. The first witness

1 today will be a Daphne May Parker, and Mrs Parker's just in
2 the hearing room behind me, and Mrs Parker will take the
3 affirmation.
4
5 HIS HONOUR: Very good. Mrs Parker, just come forward. .
6
7 <DAPHNE MAY PARKER, affirmed:
8
9 <EXAMINATION-IN-CHIEF BY MR URQUHART:
10
11 MR URQUHART: Q. Now, Mrs Parker, you currently reside
12 in Albany?
13 A. Yes, I do.
14
15 Q. You're now retired?
16 A. Yes, I am retired.
17
18 Q. And what had you done before retirement?
19 A. We farmed at Kojonup for about 30 years, and then we
20 retired to Albany and I worked with the Silver Chain in
21 Albany for a number of years.
22
23 Q. And when you say "we", you're referring to your family
24 of course?
25 A. My husband and myself, with my family. My family was
26 with us when we were in Kojonup.
27
28 Q. Yes. And your family - how many children do you have?
29 A. I have four children.
30
31 Q. And was one of those children, or is one of those
32 children Sharon Parker?
33 A. Yes.
34
35 Q. And she was a lady who has already given evidence to
36 the Inquiry?
37 A. Yes, I believe she had.
38
39 Q. And was she your middle child?
40 A. She was my second oldest child.
41
42 Q. Second-oldest child, sorry. And you had an eldest
43 son?
44 A. Yes.
45
46 Q. And then you had another son and another daughter, is
47 that right?

1 A. That's correct.
2
3 Q. Now, your two youngest children, did they attend the
4 Katanning high school hostel?
5 A. No, no, they all left school.
6
7 Q. Yes.
8 A. They had all finished their schooling.
9
10 Q. Yes, but they never attended the hostel?
11 A. No, no, we didn't send them to the hostel.
12
13 Q. And how many of your children actually did go to the
14 hostel?
15 A. Only Sharon.
16
17 Q. And did she go to the hostel in order to attend the
18 high school in 1983 when she was in Year 11?
19 A. Yes, she was in Year 11 when she stayed there, and she
20 stayed till Year 12, the first term.
21
22 Q. And was there a reason why she left the hostel in the
23 first term of her final year?
24 A. Yes. We had lots of problems with Dennis McKenna.
25 When she went to the hostel she was dux of the Kojonup high
26 school, she was head girl, she was outgoing, she was happy,
27 well-balanced, and when she went to the - sorry, I've lost
28 my track of thought, I'm nervous.
29
30 Q. That's all right. That's fine. Take your time.
31 A. Sorry. Yes, she - and she - when she went through the
32 school - went to Kojonup school she was just a happy
33 outgoing girl, strong personality, popular and, yes, we
34 decided to send her to the Katanning high school.
35
36 Q. And had you heard good things about the Katanning
37 hostel and the high school?
38 A. Well, there was a lot of publicity about the Katanning
39 hostel in the papers and all, and we had a friend that had
40 children at the hostel, and he recommended the hostel to
41 us.
42
43 Q. And did you believe that she would do well at the high
44 school?
45 A. Well, she's a very academic person. We were hoping
46 that she would do well. It was very difficult for her
47 because Dennis had great expectations that she should be

1 seen doing lots of community work and things around the
2 hostel, and she found it hard to combine that with her
3 studies.

4

5 Q. And when you say "Dennis", are you referring to Dennis
6 McKenna, the hostel warden?

7 A. Yes, yes.

8

9 Q. And did you actually have a meeting with Dennis
10 McKenna before you enrolled your daughter at the high
11 school?

12 A. Yes, we would have gone and looked at the hostel and
13 spoken to him and --

14

15 Q. And at that point in time, what were your impressions
16 of the hostel and Dennis McKenna - at this time?

17 A. At that time Dennis was very over us; you no,
18 encouraging and being particularly nice. The hostel, in
19 the early stages - we looked at the hostel and I was very
20 upset about the girls not having curtains on their
21 cubicles, and I did complain about that to a staff member
22 and to Dennis, and Dennis was very agro about that, very
23 upset about that, and very scathing, "Did my daughter want
24 to hide away in a little box" sort of thing. That was his
25 answer to that.

26

27 Q. When you're talking about the cubicle, are you
28 referring to that area where she would have her bed and her
29 study desk?

30 A. Yes, yes, yes.

31

32 Q. So he was - he didn't take up your suggestion?

33 A. No, he wasn't impressed with my comments.

34

35 Q. Now, Mrs Parker, you described the daughter that you
36 had by way of her personality when she went to Katanning
37 high school. By the time that you withdrew her from the
38 hostel in the first term of 1984, had there been any change
39 in her personality that you observed?

40 A. Yes. She'd gone from this happy outgoing, confident
41 person with high self-esteem and all. She was losing her
42 self-esteem, she was no longer confident. She was often
43 constantly tearful, and she was always nervous about Dennis
44 McKenna, yes.

45

46 Q. Did you notice something about that nervousness, in
47 particular regarding weekends?

1 A. She was always very nervous when she came home on
2 weekends. I think Dennis made her feel guilty that she
3 should want to go home on the weekends where she should
4 want to stay at the hostel - she should love the hostel and
5 want to stay at the hostel and want to do things at the
6 hostel, and he made her feel as though it was quite
7 unhealthy for her to want to go home, so --
8

9 Q. And do you recall ever having any conversations with
10 Dennis McKenna about the fact that your daughter wanted to
11 spend time with her family?

12 A. We had numerous conversations with Dennis McKenna,
13 yes, yes.
14

15 Q. So with respect to that particular topic, can you
16 recall what he said about her - your daughter's
17 relationship with yourself?

18 A. I can remember talking to him about it, you know,
19 because I thought it was most natural thing for her to want
20 to come home, and he inferred that she was tied to my apron
21 strings; so, yes.
22

23 Q. Now, you've just referred a moment ago, Mrs Parker, to
24 the fact that you would speak to Dennis McKenna on a number
25 of occasions?

26 A. Yes.
27

28 Q. You said "we" - is that yourself and your husband?

29 A. Well, mostly myself. My husband did come one time,
30 that I can particularly remember, with me, yes, when we
31 went to speak to Dennis.
32

33 Q. And why is it that you can recall that particular
34 occasion?

35 A. Okay. That sticks in my mind because when we got to
36 the hostel we went into the area where Dennis's office was,
37 and I - I believed that we had told Dennis we were coming
38 to see him, and he had a young lad in the office at the
39 time and he was in the office, and then he came out of the
40 office and we were standing outside, and he just walked
41 backwards and forwards past us, and he never looked us in
42 the eye, he never spoke to us, he never acknowledged we
43 were there, which was quite daunting as an adult. So that
44 does stick in my mind, yes.
45

46 Q. Were you trying to speak to him on that occasion?

47 A. We were trying, and eventually we forcibly made - went

1 up to him and made him speak to us, and then we spoke to
2 him quite some time, yes.

3

4 Q. And the complaints that you made to Dennis McKenna,
5 did that have an affect on the way he dealt with your
6 daughter?

7 A. Yes. Every time we - I complained or my husband
8 complained or I tried to talk to him, I felt that it
9 rebounded back onto my daughter, and he would take it out
10 on her; he would give her more silent treatment, more
11 derogatory remarks he would make about her, and more
12 stories about her, and just make her life just more
13 uncomfortable; so, yes, it was quite difficult complaining
14 to him and at one stage she said to me, "Mum, don't say
15 anything because you'll upset Dennis"; so, you know, it was
16 sort of - yes, trying to balance the scales.

17

18 Q. So you've mentioned how you, and on one occasion your
19 husband, went to speak to Dennis McKenna. Were there
20 occasions when he would contact you?

21 A. Yes, he often rang me on the telephone. I think he
22 was probably trying to convince me that my daughter didn't
23 fit into the hostel, that she had problems.

24

25 Q. Is that what he said - can you remember what he said
26 to you?

27 A. I can't remember the exact words, but Dennis used to
28 go round and round and round in circles, so he was a very
29 hard person to talk to. He would be very scathing about
30 other parents when he was talking to me, and run them down.
31 He would be very scathing about other students. He would
32 call them - shall I say --

33

34 Q. Yes, by all means, if you can recall?

35 A. He would call them moles and sluts and - so we didn't
36 really have very good conversation; so, yes.

37

38 Q. And the things that he said about your daughter
39 Sharon, can you --

40 A. He inferred that she wouldn't fit into the hostel, she
41 wanted to study all the time, used to say to me she wants
42 to stay in a little box. He - yes, he was generally trying
43 to put her down in my eyes, I guess, I should say.

44

45 Q. And did he ever accept any responsibility for that
46 behaviour of your daughter's?

47

A. No.

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Q. And, Mrs Parker, can you recall an occasion there when your daughter was still at the hostel in Year 12? Can you recall, for want of a better word, a ceremony or a function that you attended, where she was to get something?

A. I went to the church - to a church function where the students were presented with their badges, prefect's badges, and there were - of course, there were a lot of students getting presented. We were quite amazed that our daughter did get presented with a badge because the relationship was a bit rocky with Dennis, and she was given a badge, and as she came out the door we went up to the - and she broke down and she was really upset about it. She felt that the badges were sort of like leverages to be on Dennis's side. So she was - yes, she was quite upset. It wasn't really an honour for her, so --

Q. And as a result of that, did something change shortly after that, regarding her accommodation arrangements?

A. We removed her from the hostel 1984, the first term, yes, and we boarded - we were going to send her to Narrogin, and I spoke to the headmaster at Narrogin, but because she was doing fairly academic subjects, we didn't really - we felt that it might be very hard for her to just change with her subjects and come in and be at the same stage they were at at their hostel, so we decided to keep her in Katanning and send her to the Katanning high school, people at the Katanning high school.

Q. And can you recall where she stayed now that she was no longer at the host?

A. She stayed at my sister's place, and lived in the caravan out the back of my sister's place, and she still attended the high school.

Q. Do you recall ringing Dennis McKenna to advise him of the fact that you were taking your daughter out of the hostel?

A. Yes, I rang Dennis before the beginning of the first term, 1984, to say we were pulling Sharon out of the hostel, and he never said anything at the time, but he rang me back later and said that if we didn't pay the next term's fees, he would sue us, so we promptly paid the next term fees because we didn't want to go through the courts or anything like that.

Q. I see.

1 A. So --
2
3 Q. Did you think that you actually had to pay for the
4 next term's fees?
5 A. Well, we thought we better.
6
7 Q. But did you think you had - that you were legally
8 obliged to do that?
9 A. We probably were legally obliged to pay. I think
10 there was a time frame, and I'm not sure whether we were in
11 that time frame.
12
13 Q. I see.
14 A. I'm not sure, I can't quite remember that; so, yes.
15
16 Q. Now, Mrs Parker, you told us how you complained to the
17 man himself about his behaviour, and from what you have
18 told us, that didn't seem to have changed his behaviour at
19 all towards your daughter; is that correct?
20 A. That's right.
21
22 Q. Did you consider complaining to anybody else?
23 A. Yes, I did consider complaining to other people. When
24 I first went in to the - when we first removed her from the
25 hostel, I actually spoke to the headmaster and told him why
26 we were removing her, because I was concerned that she
27 would be very upset and unstabilised having moved her out
28 of the hostel into private board, and I also spoke to other
29 people during the course of her stay at the hostel. Do you
30 want me to name --
31
32 Q. Yes, by all means. Can you recall who the principal
33 was that you spoke to?
34 A. No, I can't recall that.
35
36 Q. It was the principal of the high school, was it?
37 A. It was the principal of the high school, and I went in
38 and I just told him I was removing Sharon, and why I was
39 removing Sharon.
40
41 Q. And the reason you gave?
42 A. Sorry?
43
44 Q. And, again, the reason that you gave?
45 A. The reason that I gave - well, she - yes, she wasn't
46 getting on at the hostel --
47

1 Q. I see.
2 A. -- and why.
3
4 Q. All right. And who else that you recall complaining
5 to?
6 A. I complained to one of Dennis's brothers, and - do you
7 want me to mention names?
8
9 Q. Yes. Can you recall who he was?
10 A. Well, I think it was Neil, but I can't be 100%, I'm
11 sorry, about that --
12
13 Q. All right.
14 A. -- but --
15
16 Q. If it wasn't Neil, do you know who else it could have
17 been amongst his brothers?
18 A. Well, it was one that was one of the older brothers,
19 one of the - I don't believe it was the youngest brother.
20 It was one of the oldest brothers that --
21
22 Q. And when you complained to him, what was the reaction?
23 A. Well, he just dismissed what I was saying. He just
24 wouldn't take it on board.
25
26 Q. All right. Anyone else?
27 A. I complained - I had a friend, Graham Harris, and I
28 complained to him that I was having problems with the
29 hostel and my daughter at the hostel; and, yes, that would
30 have been - I'm not sure whether it was 1983 or 1984.
31
32 Q. I see.
33 A. So --
34
35 Q. And in particular, why did you raise it with him,
36 other than the fact that he was your friend, or was that
37 the only basis?
38 A. Well, I believed he was in a position of authority
39 with the hostel, so that's why I raised it with him.
40
41 Q. That, what - that he was a member there?
42 A. The only - I remember that --
43
44 Q. A member of the board, rather?
45 A. -- he felt that it was - he felt it wasn't Dennis that
46 was a problem, it was my daughter.
47

1 Q. Can you recall whereabouts you saw - or, firstly, how
2 did you make the complaint - was it by phone, in person?
3 A. No, it was in person.
4
5 Q. Do you recall where that was?
6 A. Yes, it would have been on their place of residence on
7 the Boyup Brook Road.
8
9 Q. And you said that --
10 A. Boyup Brook-Kojonup up Road.
11
12 Q. You said at the time that he was a friend?
13 A. Yes.
14
15 Q. After that conversation, did that have any impact on
16 your friendship with him?
17 A. Yes, it did, because I thought he knew us as a family,
18 and would be receptive of me talking to him.
19
20 Q. When you made these complaints, did you have any
21 difficulty in explaining why it was that you were
22 complaining about this man's conduct towards your daughter?
23 A. Well, it's very, very difficult to explain
24 psychological abuse. It really is our interpretation of
25 what was happening, and it's very difficult to put it into
26 words and you haven't got anything - you can't say, "Well,
27 I've got a bruise" or something that you can show, so it
28 was very difficult; and, yes, it was - yes, it was very
29 hard to explain.
30
31 Q. And was there another difficulty that you had in the
32 explaining what this particular man was doing towards your
33 daughter? Maybe if I can ask you this way: were you
34 aware - notwithstanding the fact that you didn't reside in
35 Katanning - were you aware of Dennis McKenna's general
36 reputation in the community?
37 A. Yes, he was - we were aware - it was very hard to
38 speak about Dennis, because Dennis was very idolised in the
39 Katanning community. He had - he was Citizen of the Year,
40 he was a churchgoer - yes, he was idolised. It was very
41 difficult to speak about him because a lot of people
42 followed him and believed in him; so, yes.
43
44 Q. And you mentioned there that you complained to one of
45 his brothers you think was Neil?
46 A. Yes.
47

1 Q. Was that in his capacity as a member of the hostel
2 staff?
3 A. Yes, yes, yes. It was at the hostel.
4
5 Q. And did you - once you got that response from him, did
6 you consider complaining to another hostel staff member
7 apart from him and his brother, Dennis?
8 A. Well, they were all Dennis's family, so it was a bit
9 difficult to complain to the hostel staff and the hostel.
10
11 Q. And what about the board, you were aware, of course,
12 of the hostel board?
13 A. Yes, yes.
14
15 Q. What about making a formal complaint to that body.
16 Did you ever consider that?
17 A. I knew Dennis was involved with the board of the
18 hostel, so I didn't actually go to the hostel with my
19 complaints, to the board. I did speak to someone else in
20 regard to who I thought was involved with the hostel
21 authority, but I didn't go - put in writing or go to the
22 board at a meeting or anything like that in person.
23
24 Q. So that person that you mentioned, that you thought
25 was involved in the board, was that Mr Harris?
26 A. Mr Harris, and then I did speak to a second person.
27
28 Q. All right. Then. Who was that?
29 A. I believe it was Mr Philpott.
30
31 Q. Okay. How good's your recollection about that?
32 A. My recollection - as far as I can remember, I can
33 remember ringing him. I cannot remember our conversation,
34 exactly what was said. I can remember that after - and it
35 stuck in my mind that I didn't really achieve anything, and
36 I felt nothing positive came out of it.
37
38 Q. I see.
39 A. So --
40
41 Q. And again, with respect to what you can recall of that
42 conversation, it was to do with your daughter --
43 A. Yes.
44
45 Q. -- rather than just generally?
46 A. Yes. It wouldn't have been a social call, and that
47 would be the only reason I would possibly ring him, yes.

1
2 Q. Yes, I thank you. Mrs Parker, I've got something to
3 show you. Although you've mentioned that you did not
4 consider making a complaint to the board whilst your
5 daughter was at the hostel, do you recall subsequently
6 putting something in writing to the board?
7 A. I believe I did write to the board, and I did need my
8 memory prompting on that one. I did write to the board
9 because I didn't have memories of confidence in the board.
10 I wrote to the board and I believe I made suggestions how
11 it should be structured.
12
13 Q. I see.
14 A. I couldn't tell you exactly what I wrote in that.
15
16 Q. Okay.
17 A. Yes.
18
19 Q. Well, I'm now going to - and do you recall getting a
20 response from the board?
21 A. I did get a response from that one. I - yes, I did
22 get a response from that approach to the board, yes.
23
24 Q. Well, I'm going to ask you now to be shown a hard copy
25 of the two documents that are barcode number 0023, please.
26 Normally we have a document examiner, Mrs Parker, to put
27 this on the screen. We haven't got that facility here.
28 Sir, if there's anybody else who wants a copy, we can make
29 that available.
30 A. Do you want me to read this now?
31
32 Q. Yes, I'm going to have to ask you to read it in a
33 moment, just --
34 A. Yes.
35
36 Q. -- until everyone has a copy. All right. I think we
37 can go to the second page of that document. If you could
38 just have a look at that, that one-paged letter?
39 A. Yes.
40
41 Q. Do you recognise that?
42 A. Yes, I recognise my handwriting.
43
44 Q. Or your typing rather?
45 A. Yes, I was learning.
46
47 Q. And your handwriting at the bottom there?

1 A. I recognise my name, that's right.
2
3 Q. Your signature?
4 A. Yes, I do, yes.
5
6 Q. Okay, then.
7 A. Yes.
8
9 MR URQUHART: Sir, it might be appropriate as we haven't
10 got the document examiner, for Mrs Parker to read that out
11 if she could.
12
13 HIS HONOUR: Yes.
14
15 MR URQUHART: Q. If you could, thank you --
16 A. Okay.
17
18 Q. -- read it out?
19 A. :
20
21 Dear Members,
22
23 After removing --
24
25 MR URQUHART: Q. Who have you addressed it to?
26 A. Sorry, to the Katanning Hostel Board:
27
28 Dear Members,
29
30 After removing our daughter in 1984 because
31 of what she still describes as the worst
32 experience of her life, I've tried to
33 analyse what I felt was wrong with the
34 system of management then, and what can be
35 guarded against in the future.
36
37 My suggestions are:
38
39 (1) Board to be elected by the parents,
40 perhaps with a special complaints board;
41 make the board more approachable, advertise
42 in newsletters names and numbers for
43 complaints; perhaps headmaster on board as
44 he is usually accessible to parents and
45 teachers, or perhaps a teacher; verbal
46 complaints to individual board members to
47 be regarded as official as complaints in

1 writing.

2

3 (2) In our experience the board member we
4 complained to wouldn't listen to any
5 complaint against Dennis McKenna. Board to
6 reply to every written complaint in
7 writing, whether they feel the complaint
8 has foundation or not.

9

10 (3) We had an anonymous note sent to us on
11 hostel stationery, approximately 18 months
12 after we'd removed our child. We sent it -
13 a duplicate of it to the chairman of the
14 board in Perth, who sent it back to
15 Katanning board to deal with. We never had
16 the courtesy of a reply from them.

17

18 Q. Sorry, Mrs Parker, but if I could just stop you there?

19 A. Yes.

20

21 Q. I might just ask you something about that point (3)
22 that you had raised in your letter, and in particular the
23 fact that you refer to an anonymous note that was sent to
24 you on hostel stationery approximately 18 months after --

25 A. That's correct, that's correct, yes.

26

27 Q. -- Sharon had left the hostel?

28 A. Yes.

29

30 Q. So on my calculations that would have been some time
31 in the second half of 1985?

32 A. I guess that would be right.

33

34 Q. You'd removed your daughter at some --

35 A. Yes, I had removed - it was quite a long time after we
36 removed our daughter, yes.

37

38 Q. Yes. Okay. Do you still have that note?

39 A. I had that note up till about a year ago, and then I
40 just thought I was being silly, to throw it away. And I
41 don't know, I think I sent - I am not sure whether I said
42 there whether I sent a copy of the note or whether I sent
43 the original, but I did have either the copy or the
44 original.

45

46 Q. Well, you actually do say, "We sent a duplicate of it
47 to the Chairman of the Board"?

1 A. Okay. Well, I had the original.
2
3 Q. -- "in Perth"?
4 A. Yes.
5
6 Q. Who sent it back to the Katanning board. And before I
7 ask you about the contents of the note, I'll just ask you
8 about that. You sent a duplicate to the Chairman of the
9 Board in Perth?
10 A. Yes.
11
12 Q. Can you recall what - what group that was?
13 A. No, I can't. It would have been the Hostels' Board in
14 Perth, but I don't know, I can't remember who. I would
15 have done a bit of research, I guess, and looked it up, but
16 I can't recall that.
17
18 Q. Might it have been the Country Hostels Authority in
19 Perth?
20 A. Yes, it probably would have been; possibly would have
21 been that, yes.
22
23 Q. Okay. Now, Mrs Parker, sorry, are you able to recall
24 what the contents of this note was. You've mentioned in
25 your letter it was on hostel stationery?
26 A. It was on hostel stationery, it had little attachments
27 stuck onto it, and it had at the top, "For your
28 information" exclamation mark, and then it had these little
29 attachments putting the hostel in a good light and --
30
31 Q. So what sort of attachments were they?
32 A. Newspaper cuttings and - I think newspaper cuttings,
33 I'd say, and then it had things underlined and exclamation
34 marks also.
35
36 Q. And had you done anything to cause this letter to be -
37 or note sent to you?
38 A. When I received it, I just presumed that's Dennis's
39 way of getting back at me and that he'd probably had lots
40 of feedback that I objected to him and the way he ran the
41 hostel.
42
43 HIS HONOUR: Q. So you assumed it came from Dennis
44 McKenna, did you?
45 A. Yes.
46
47 Q. Right.

1 A. Dennis McKenna - sorry, your Honour.
2
3 MR URQUHART: Q. And finally before we move on to point
4 four in your letter, can I just ask you how you know that
5 when you sent the duplicate to the chairman of what you
6 said was the board in Perth, how did you know that that
7 person had sent it back to the Katanning board to deal
8 with?
9 A. I can remember following it up. I can't remember who
10 I spoke to or - and they advised me they sent it back to
11 the Katanning board to deal with.
12
13 Q. And then did you follow it up with the Katanning
14 board?
15 A. I didn't follow it up with Katanning board, but I did
16 send a letter to Dennis McKenna to say I was concerned
17 about getting this letter on hostel stationery. I didn't
18 outrightly accuse him of sending it, but - and I did infer
19 that I may go to police --
20
21 Q. Right.
22 A. -- which was a bluff.
23
24 Q. Bluff, okay. Right. And did you get a response back
25 from Dennis McKenna to that letter?
26 A. No, no response, no.
27
28 Q. Well, thank you for clarifying those matters,
29 Mrs Parker. If you can just read it out aloud now, point
30 (4) that's on your letter, about halfway down the page?
31 A. Point 4:
32
33 Board to investigate every child removed
34 from the hostel if they do not complete the
35 number of years they were booked in for.
36
37 Q. Five?
38 A. Point (5):
39
40 The number of one family involved in
41 running the hostel at one time to be
42 reviewed. There were four members of
43 McKenna family as staff while we had our
44 child there. It was very difficult for us
45 to complain about Dennis to his family, and
46 even more so for our children.
47

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(6) The age of supervisors to be set at a reasonable age. Students need mature guidance, not school leavers.

And --

Q. (7)?

A. :

There was - there is an enormous number of prefects disproportionate to the number of borders while our child was there. I think there was something like 50 prefects.

And then I've written:

Hoping some of these suggestions may be useful. I am sure that we in the past would have had - felt more confidence in laying complaints than we did if all of these suggestions had been actual.

Q. And you said "Yours sincerely" and you signed your name?

A. "Yours sincerely" and I signed it, yes.

Q. Now, having looked at that letter, Mrs Parker, can you recall when you think you would have sent that to the board? Clearly it was after your - after Sharon had been removed by yourself from the hostel?

A. I think I sent it after it - after Dennis was actually charged because I felt that, you know, there was a need to do something.

Q. I see. And if you can go to the front page now, the first page. Just have a look at that. Can you recognise that as a copy of the response you received?

A. I don't remember the copy that I actually received.

Q. I see.

A. I don't remember that, no.

Q. Okay.

A. No --

Q. Well, if you just have a look --

1 A. -- but I guess I would have got one.
2
3 Q. Yes. Well, just have a look at who it's addressed to,
4 "Mrs D Parker, RMV312, Kojonup, WA" --
5 A. Yes.
6
7 Q. -- "6395". Was that the number of your roadside mail
8 box?
9 A. Yes, that's correct.
10
11 Q. Okay, then. And we can see there that the date is 28
12 August 1991, and I can indicate to you that Dennis McKenna
13 was charged with sexual abuse of the first lot of boys who
14 were at the hostel in September of 1990. So that - that's
15 when it would have been publicised that he's been charged.
16 A. Okay. So obviously I sat and thought about it and
17 felt I had to do something positive.
18
19 Q. Yes. Would you read out just the contents of that
20 letter, please. It's only relatively short, starting with,
21 "Dear Mrs Parker"?
22 A. :
23
24 Dear Mrs Parker,
25
26 Thank you for your letter, the contents of
27 which were discussed at our recent board
28 meeting. As we are sure you will
29 appreciate, the members of our present
30 board are not the same as when your
31 daughter attended St Andrews.
32
33 Most of your suggestions are already in
34 place, and have been working for some time.
35 Once again, thank you for taking the time
36 to write your letter.
37
38 Yours sincerely,
39
40 AG Addis,
41 Chairperson of the Board
42
43 Q. And then the date?
44 A. Yes, the date, 28 August 1991.
45
46 MR URQUHART: Thank you, Mrs Parker. Sir, I tender those
47 two documents.

1
2 HIS HONOUR: They are exhibit 13.
3
4 EXHIBIT #13 UNDATED LETTER TO KATANNING HOSTEL BOARD AND
5 RESPONSE FROM CHAIRMAN OF THE BOARD DATED 28/8/1991, BOTH
6 BARCODED 0023
7

8 MR URQUHART: Q. Finally, Mrs Parker, do you recall
9 writing a letter to the 'Great Southern Herald' - I hope
10 I've got that name right - the local newspaper here, in
11 July 1991, after Dennis McKenna's trial was concluded and
12 he was convicted?

13 A. Yes, I do, yes.

14
15 Q. I'm now going to show you barcode document number
16 0032, please?

17 A. Thank you.

18
19 Q. Have a look at that there?

20 A. Yes.

21
22 Q. Is that actually a copy that you kept from the
23 newspaper?

24 A. Yes, I did keep a copy of it, yes.

25
26 Q. Is that your handwriting that appears at the bottom of
27 the page "Herald, July 3, '91"?

28 A. Doesn't look like my handwriting.

29
30 Q. It's not. Okay.

31 A. Doesn't look like my handwriting.

32
33 Q. I was just trying to do my amateur comparison of your
34 signature on the letter. I've got that wrong?

35 A. Possibly could be.

36
37 Q. I'll stick with my current job then.

38 A. Okay. I'm not sure about that. Okay. All right.
39 But you recall writing that letter --

40 A. I recall writing that.

41
42 Q. And why was it that you wrote this letter? I'll get
43 you to read it out in a minute?

44 A. Okay. I just felt that Maggie Dawkins had put a
45 letter into the paper saying, "Why did it happen in
46 Katanning? How could it have happened?", and I just felt
47 that I needed to answer that as best as I could as a

1 parent.

2

3 Q. All right. And the title of the letter is, "The Shame
4 of Our Silence"; is that right?

5 A. Yes, that's correct.

6

7 Q. But that's not your suggestion for the heading, was
8 it?

9 A. I think it possibly could have been.

10

11 Q. Could have been. Okay.

12 A. It could have been, yes.

13

14 Q. So, in any event, could you read out that - the
15 letter, please, for us?

16 A. :

17

18 To the people who had the courage to come
19 forward and answer to Maggie Dawkins.

20

21 We who silently removed our children from
22 the St Andrew's Hostel over the years are
23 partly to blame. So many of us saw the
24 pettiness of playing off one child against
25 another, the playing off of one parent
26 against another; we heard of the silent
27 treatment or victimisation our children
28 were subjected to if they did not conform;
29 we complained amongst ourselves, but we did
30 nothing; we heard stories spread about our
31 children and other children that we did not
32 believe, yet we said nothing; we heard our
33 children talk about double standards -
34 still we did nothing.

35

36 Individually we were afraid to speak out -
37 our word against the Citizen of the Year.
38 Collectively we could have done something.
39 It was easier to remain silent.

40

41 Daphne Parker,
42 Kojonup.

43

44 Yes.

45

46 Q. Mrs Parker, if I could just ask you something there,
47 in particular one sentence. Just at the bottom of the

1 first column, going to the top of the second column. :
2
3 We complained amongst ourselves, yet we did
4 nothing.
5
6 Now, Mrs Parker, you told us in fact you did make some
7 complaints to people - firstly, Dennis McKenna, and then
8 others?
9 A. Yes.
10
11 Q. So could I just ask you why you expressed yourself in
12 that way?
13 A. I felt that we hadn't done enough, we should have put
14 our complaints into writing, we should have all got
15 together - all the parents that removed their children from
16 the hostel, and made our complaint. So in that I am saying
17 we as a group should have done something. We should have
18 got together, yes.
19
20 Q. I see.
21 A. Yes.
22
23 MR URQUHART: Thank you, Mrs Parker. I tender that
24 document now too, please.
25
26 EXHIBIT #14 LETTER TITLED "THE SHAME OF OUR SILENCE"
27 PUBLISHED IN THE 'GREAT SOUTHERN HERALD', 3/7/91
28
29 MR URQUHART: Thank you, Mrs Parker. That completes the
30 evidence - the questions I have.
31
32 HIS HONOUR: Mr Hammond.
33
34 MR HAMMOND: Yes, if it please you, sir.
35
36 <CROSS-EXAMINATION BY MR HAMMOND:
37
38 MR HAMMOND: Mrs Parker, my name is John Hammond, and I
39 appear for 22 of the victims of Mr McKenna. Just a few
40 questions arising from what Mr Urquhart has asked you.
41
42 Q. Do you recall going to see Dennis McKenna on one
43 occasion with your husband?
44 A. Yes, yes.
45
46 Q. Before you went to see him on that occasion, did
47 either you or your husband telephone him to say, "We'd like

1 to come to the hostel"?

2 A. I possibly - I would have telephoned him, especially
3 if I took my husband. If I was just popping - sometimes I
4 just popped in and out of the hostel and spoke to him, but
5 I would have telephoned him, I would have thought, to the
6 best of my memory, if I took my husband along, because
7 obviously --
8

9 Q. Because you had to come all the way from Kojonup to --
10 A. We had to come from Kojonup, yes, yes, and we did want
11 to speak to him.
12

13 Q. And he would have understood that you would have had
14 to have come from Kojonup --
15 A. Yes.
16

17 Q. -- because that was the address for your daughter on
18 the books?
19 A. Yes, yes.
20

21 Q. Now, when you telephoned him to arrange the
22 appointment. You would have told him that you had concerns
23 about your daughter at the school - at the hostel?
24 A. I - I possibly would have done that. I would have
25 just said that, "We want to speak to you", and possibly -
26 this is to the best of my memory - that we wanted to speak
27 to him about Dennis - about my daughter Sharon.
28

29 Q. And in that conversation you would have told him that
30 Sharon wasn't herself?
31 A. Yes. In many conversations we told him that Sharon
32 was unhappy and not coping --
33

34 Q. By the time you decided to take your husband there,
35 matters had got quite serious in terms of your observations
36 of --
37 A. Yes.
38

39 Q. -- Sharon?
40 A. Yes, yes.
41

42 Q. I mean, she was crying in front of you?
43 A. She had - at - by that stage she was getting upset
44 quite often, she was losing her confidence and her
45 self-esteem. So that would have motivated us to go and
46 speak to him, yes.
47

1 Q. Was that the only time that you complained to Dennis
2 McKenna about Sharon?
3 A. No, there would have been numerous times that I would
4 have spoken to him.
5
6 Q. In person?
7 A. In person, yes, in person.
8
9 Q. And that involved you making special trips from
10 Kojonup to Katanning?
11 A. Yes, but often I spoke to him when we had to go over
12 and pick our daughter up, or we didn't particularly every
13 time make an appointment with him. Sometimes I just would
14 pop in and see him if I was in Katanning or whatever, so --
15
16 Q. And, Mrs Parker, during the occasion that you went to
17 see Mr McKenna with your husband, you would have been quite
18 shocked at his language, when he referred to other students
19 as "moles" and "sluts"?
20 A. Yes. I'm not sure that on that particular day that
21 that's - that particular day he used that terminology, but
22 he had used that terminology to me when he has spoken to me
23 on the phone.
24
25 Q. About other students?
26 A. About other students and other parents, yes.
27
28 Q. And that language would obviously have shocked you to
29 hear a --
30 A. It was shocking to me, yes.
31
32 Q. -- person in authority say that --
33 A. Yes.
34
35 Q. -- about another person?
36 A. Yes. Yes, it made us realise that he did have double
37 standards. He was a church-going man and he was Citizen of
38 the Year, but he also had double standards in the way he
39 spoke and the way he acted.
40
41 Q. Given that he used that language to you, did you
42 repeat that language that he used to other members of the
43 community in Kojonup and Katanning? Did you pass this on
44 to others in your daily travels?
45 A. Some of the people he spoke about, some of the
46 children I didn't know who he was talking about. I
47 recognise one of the children, I believe. I knew one of

1 the children he was speaking about.
2
3 Q. And you say when you got to McKenna's place that day,
4 he was ignoring you?
5 A. He was totally - he wouldn't make eye contact, he
6 wouldn't look, he wouldn't acknowledge us, he just kept
7 walking past us, yes.
8
9 Q. And what was the straw then that broke the camel's
10 back, Mrs Parker, in terms of you taking Sharon out? You
11 eventually decided to take her out of the hostel. What was
12 the catalyst for that decision?
13 A. Just her demeanour. She was getting - just her
14 demeanour. She was just losing her confidence; she had
15 lost her self-esteem; she was always tearful; she was
16 constantly worried about Dennis. We realised she was
17 having problems trying to balance her work, her academic
18 work against what the expectations of the hostel were, and
19 the actual catalyst before we sent her back that term she
20 broke down and we - that's when we rang Dennis.
21
22 Q. She broke down in front of you --
23 A. Yes.
24
25 Q. -- in tears?
26 A. Yes, yes.
27
28 Q. And you then went and reported your problems with
29 Sharon to the headmaster of Katanning senior high school?
30 A. I - I went and talked to him because after I had
31 actually pulled Sharon out, I couldn't tell you exactly
32 when, but early on in the stages, because I wanted him to
33 realise that Sharon would be under extra pressure because
34 we just removed her from the hostel, and wanted him to
35 understand the situation.
36
37 Q. And did you tell the principal of Katanning senior
38 high school why you were removing Sharon from the hostel?
39 A. I believe I would have done that.
40
41 Q. Do you believe you would have referred to the language
42 that Dennis McKenna used about students?
43 A. I can't remember doing that.
44
45 Q. But is it possible that you did do that?
46 A. I possibly could have, but I don't remember doing
47 that.

1
2 Q. And when you made the complaint to the principal at
3 Katanning senior high school, did you meet him in person?
4 A. Yes, I spoke to him. I sat and talked to him.
5
6 Q. And that was just before or at the time of removing
7 Sharon from the hostel?
8 A. No, that was after we had taken her out.
9
10 Q. Sorry, 1984?
11 A. So it was - we had just taken her out.
12
13 Q. And you told the principal of Katanning senior high
14 school that Sharon wasn't getting on at the hostel --
15 A. Yes, yes.
16
17 Q. -- that she was tearful?
18 A. I can't remember exactly what my words were, but I
19 would have told him that. I would have given him an
20 explanation for pulling her out.
21
22 Q. And did that meeting take place at the high school?
23 A. Yes.
24
25 Q. And you made a special appointment again?
26 A. I don't - I can't remember whether I actually made an
27 appointment or whether I just went in to see him.
28
29 Q. And then you made another complaint to a Mr Harris -
30 and what's his first name, please?
31 A. Graham.
32
33 Q. Graham. And you understood him to be on the board?
34 A. I thought he was on the board, yes.
35
36 Q. And you also told him about the problems that Sharon
37 was having at the hostel?
38 A. Yes, yes, yes, because that's what I wanted to speak
39 to him about.
40
41 Q. And did you telephone him in advance to advise him
42 that you were doing this?
43 A. No.
44
45 Q. No?
46 A. I did not do that.
47

1 Q. Did you take your husband with you?
2 A. My husband was with me at the time. I don't know
3 whether he was present when I was talking about it.
4
5 Q. And did you explain to Mr Harris that your daughter
6 had had a breakdown of sorts in front of you?
7 A. I just explained to him that she was having terrible
8 problems at the hostel, she wasn't getting on at the
9 hostel, she was having problems with Dennis, and - and she
10 was genuinely unhappy. More or less to those words.
11
12 Q. "Seriously unhappy"?
13 A. "Seriously unhappy" - okay. Yes, seriously.
14
15 Q. I mean, you would have made that very clear to Mr
16 Harris and to the principal?
17 A. Yes, yes.
18
19 Q. And, indeed, when you complained to Mr Philpott that
20 it was so serious that you were taking your daughter out of
21 the hostel?
22 A. Yes, I hope I've done, I guess.
23
24 MR HAMMOND: I don't have any further questions, thanks,
25 sir.
26
27 HIS HONOUR: Mr Jenkins.
28
29 MR JENKIN: No, thank you, sir.
30
31 HIS HONOUR: Mr Watters, have you got any questions? .
32
33 MR WATTERS: Of this witness, your Honour, no thanks.
34
35 HIS HONOUR: Very well, thank you.
36
37 MR WATTERS: Did your Honour hear me? Sorry, I'm not -
38 yes, not for this witness.
39
40 HIS HONOUR: I can. Yes, I understand you don't want -
41 you don't have any questions, right. Well, that completes
42 your evidence, thank you --
43
44 THE WITNESS: Thank you very much.
45
46 HIS HONOUR: -- Mrs Parker, you're free to go.
47

1 THE WITNESS: Thank you, your Honour.
2
3 <THE WITNESS WITHDREW
4
5 HIS HONOUR: Yes, Mr Urquhart.
6
7 MR URQUHART: Thank you, sir. The next witness is Barbara
8 Groves, and Mrs Groves is in the back of the hearing room,
9 and Mrs Groves will take the oath.
10
11 <BARBARA JOY GROVES, sworn:
12
13 <EXAMINATION-IN-CHIEF BY MR URQUHART:
14
15 MR URQUHART: Thank you, sir.
16
17 Q. Now, Mrs Groves, do you have a middle name?
18 A. Yes, Barbara Joy Groves.
19
20 Q. Barbara Joy - thank you. And do you reside in
21 Tambellup now still?
22 A. Yes.
23
24 Q. All right. And how long have you lived in Tambellup
25 for?
26 A. It will be 40 years this September.
27
28 Q. And I think you've told me it's about a 45 minutes
29 drive --
30 A. Yes, that's right.
31
32 Q. -- from Katanning here?
33 A. Yes.
34
35 Q. Okay. And as a result of that, did you have one of
36 your children, called Tania, board at the hostel --
37 A. Yes.
38
39 Q. -- at the Katanning hostel, so she could go to the
40 Katanning high school?
41 A. Yes.
42
43 Q. And was that from 1988 through to 1991?
44 A. Yes, that's right.
45
46 Q. And that was at Year 8 through to Year 11?
47 A. Yes.

1
2 Q. And do you recall where she - where did she go for
3 Year 12?
4 A. She left the hostel the last term of Year 11 and she
5 boarded with friends in town. And then for Year 12 she
6 went with some other friends that she boarded with until
7 she was able to get a job in June that year.
8
9 Q. Okay. So she completed Year 12 still at the school?
10 A. No, she left - she was halfway through, she got a job
11 at the bank in Katanning.
12
13 Q. I see. Now, Mrs Groves, I'd like to take you back,
14 please, now, to 1990, and you will recall something that
15 took place after Dennis McKenna had been arrested for the
16 first time for sexual abuse of students who had stayed at
17 the hostel?
18 A. Yes.
19
20 Q. Now, can you recall attending a particular event after
21 he was arrested?
22 A. Yes. I was at work, at the Tambellup primary school,
23 and I received a phone call from Bernie Clayton, who was
24 the principal of the Katanning high school, and he asked me
25 would I come up, they wanted to talk to me.
26
27 Q. Right. I see. And did you come up to Katanning?
28 A. Yes, I rang my husband and said I'd received a call.
29 I said, "I'll go up and see what it's all about", and I met
30 with Bernie Clayton and Con Burro from the hostel.
31
32 Q. I see. Now, before I ask you about that though, can I
33 ask you some questions in regards to a meeting that you
34 went to in 1990. Do you have a recollection of that?
35 A. Sorry, I - in relation to --
36
37 HIS HONOUR: A big meeting or --
38
39 MR URQUHART: Yes.
40
41 Q. A meeting, a large meeting?
42 A. Yes, sorry --
43
44 Q. Yes.
45 A. -- I beg your pardon; yes, I do. We - it was after
46 Dennis was arrested --
47

1 Q. Yes.
2 A. -- and there was - I think it was - a letter was sent
3 out to parents to ask you to come to a meeting at the
4 beginning of the term to find out who was going to be
5 running the hostel after Dennis was arrested.
6
7 Q. Okay. Yes, that's what I want to concentrate on now.
8 That's good. That's okay. And do you recall who it was
9 that had organised this meeting?
10 A. I believe it was a Mr Brett from out Ravensthorpe way,
11 or something like that.
12
13 Q. Did you know who this Mr Brett was before this
14 meeting?
15 A. No, no, I didn't know.
16
17 Q. Did you know whether he had any connection with the
18 hostel or the school?
19 A. I believe he had students at the hostel.
20
21 Q. I see. And can you recall where this meeting was
22 held?
23 A. In the rec shed.
24
25 Q. In the rec shed at the --
26 A. At the hostel.
27
28 Q. -- Katanning hostel grounds?
29 A. Yes, yes.
30
31 Q. And roughly do you recall how many people attended?
32 A. It was absolutely full. There were people standing
33 all along the side - both sides of the rec shed, and all of
34 the seats that were available were taken.
35
36 Q. Now, those of us - I've been to the rec shed - and
37 those of us who haven't, can you give us some idea of the
38 size of the wreck shed, and if you can't do that, an idea
39 of the number of people that are there. I only want rough
40 estimates?
41 A. Well, it had a basketball court on it.
42
43 Q. Okay, yes.
44 A. So 100 by 50 was the basketball court, I think, or
45 that's the netball court. Yes, it would be bigger - miles
46 bigger than that because there was a side part as well
47 that - where the people used to have tables and you could

1 sit at tables for the coffee shop, or the canteen that they
2 have there.
3
4 Q. So fairly packed?
5 A. Very big and very packed, yes.
6
7 Q. Okay. Now, can you recall who else was in attendance
8 there, other than Mr Brett?
9 A. Yes. There were - there was a lot of people that I
10 knew of, a lot of Tambellup people, but one in particular
11 was Bert Hams from Tambellup.
12
13 Q. And has he since died?
14 A. Yes. Unfortunately, Bert has passed away.
15
16 Q. And can you recall whether anybody else may have been
17 there from the school?
18 A. I'm not sure. I don't know if Mr Murray was there,
19 the principal. I imagine perhaps he would have been there,
20 because he was on the board and he was also principal. I
21 just assumed he would be there, but I can't recall that.
22
23 Q. You can't recall whether he was there or not?
24 A. No.
25
26 Q. Okay. Now, you mentioned that the purpose of the
27 meeting so far as that invitation you got to attend, was to
28 see who was going to run the hostel --
29 A. Yes.
30
31 Q. -- but was there other - was there another subject
32 matter discussed at the meeting, apart from that?
33 A. Yes, there was. A lot of - most of the meeting was
34 taken up with this Mr Brett trying to get people to
35 support - get support to get Dennis reinstated until he was
36 charged, until he was convicted, I should say.
37
38 Q. So he had been charged?
39 A. He'd been charged. Until he was convicted.
40
41 Q. All right. Until the outcome of his trial --
42 A. Yes.
43
44 Q. -- I suppose?
45 A. Yes, that's right.
46
47 Q. And was he making any suggestions to those who wanted

1 to support that idea, what they should be doing?
2 A. I think they were asking for letters of support to be
3 written.
4
5 Q. And can you recall to whom or to what?
6 A. I don't know who was going to collect them and where I
7 presume they were going to go, to the authority.
8
9 Q. I see, when you say --
10 A. The Hostel Authority.
11
12 Q. Now, what was your attitude at the start of the
13 meeting about this reinstatement of Dennis McKenna while
14 his trial was pending?
15 A. Yes. I was unsure. I mean, I - I - I have to be
16 honest, when I first heard the news that Dennis had been
17 arrested, I couldn't believe that it was true. I -
18 unfortunately my husband, he certainly did believe it, but
19 I didn't believe it. I went to hear what was to be said,
20 and then when Bert Hams got up and walked out, I just
21 thought, "No, there's more to this than that", because we
22 were very good friends with Bert and his family, so I
23 thought, "I will go out and see what Bert knows."
24
25 Q. Before I get to that, can I just go back to what you
26 thought of Dennis McKenna at this time. You said that you
27 were surprised that he had been charged?
28 A. Yes.
29
30 Q. Was there anything - I know it's hard to say now, in
31 light of what's happened, but bearing in mind we are going
32 back to 1990, what was it that you thought made him a good
33 warden?
34 A. I never personally liked the man, but I liked the
35 values that he was instilling - what I thought he was
36 instilling - in the students. They had good community
37 values; their manners were impeccable; they had pride in
38 the college - well, it appeared they had pride in the
39 college, to wear a uniform. It just was all good things
40 that I thought the students would, you know, benefit from,
41 yes.
42
43 Q. All right. So, however, it might have been a change
44 in your mind once you heard Bert --
45 A. Most definitely.
46
47 Q. -- Hams speak. Can you recall what he spoke about?

1 A. Well, I just walked out and I said, "Bert, whatever is
2 going on?" And he said, "No, this is for real, Barbara."
3 He said, "There's local Tambellup boys that have been
4 abused".
5
6 Q. Right.
7 A. So that was enough for me.
8
9 Q. And you mentioned a walkout?
10 A. Yes.
11
12 Q. Can you describe what happened? So did Bert just
13 stand up from the floor and speak, did he?
14 A. He - he just stood up and he said, "This is nothing
15 but a kangaroo court", and he just walked out the door and
16 there was just this mass exodus and people walked out, and
17 then after that a lot of others walked out. There was
18 probably well over half walked out straightaway, and then
19 nearly the balance of the room walked out after that, I
20 think.
21
22 HIS HONOUR: Q. So just to explain that --
23 A. Yes.
24
25 Q. -- you said "well over half walked out". Did you
26 understand those people not to support the proposal to have
27 Dennis reinstated?
28 A. Yes, they obviously had - had decided that they
29 weren't going to be a party to it, your Honour.
30
31 HIS HONOUR: Okay.
32
33 MR URQUHART: Q. Was that pretty much the extent of Bert
34 Hams' public announcement or submission?
35 A. Yes, it was at that date, yes.
36
37 Q. So short and to the point?
38 A. Yes, definitely.
39
40 Q. Okay.
41 A. And that was Bert.
42
43 Q. And then did you subsequently speak to him afterwards?
44 A. Yes, yes.
45
46 Q. And did that cause you to have a change of mind?
47 A. Absolutely, yes.

1
2 HIS HONOUR: And Bert Hams - is that H-A-M-M-S, is it?
3 A. H-A-M-S.
4
5 HIS HONOUR: H-A-M-S. Right, thank you.
6
7 MR URQUHART: Q. Now, can you recall whether Dennis
8 McKenna was given a particular task at around this time by
9 the authority?
10 A. Yes, I was absolutely horrified when I heard that he -
11 when he was charged, that he was taken to the Hostel
12 Authority in Perth to rewrite the student handbook.
13
14 Q. And why were you horrified to hear that?
15 A. When a person's been charged with paedophilia, and
16 they want him to rewrite the student handbook, and these
17 are the kids he just abused. I was just horrified to think
18 that that's what would happen.
19
20 Q. Now, would we - were you aware of the composition of
21 the - not the authority, but the Katanning hostel board?
22 Were you aware who were the members of that board?
23 A. Yes, there was - there were always parent reps on the
24 board, and then it seemed like the bank - one of the bank
25 managers was on there, the school principal was on there,
26 there was a JP that was on there.
27
28 Q. Now, with respect to the parents on the board, did you
29 find out how it was that those particular parents came to
30 be on the board?
31 A. I think they were elected by Dennis, but I can't swear
32 to that. It just appears that they were sort of elected by
33 Dennis. There's only ever two on there, I think, in my
34 day.
35
36 Q. And what makes you say that, that they appeared to be
37 selected by him? Was that something that you were told or
38 what?
39 A. I don't know it just was - seemed to be that they were
40 connected, and it often turned out that unfortunately some
41 of the people that had been abused afterwards were board
42 members' children.
43
44 Q. Well, do you recall whether these positions for the
45 parents to sit on the board - were they ever advertised?
46 A. Not to my knowledge, no. I never ever saw that they
47 were advertised anywhere.

1
2 Q. Did some letter go out to - did you ever receive a
3 letter, say, from the board, inviting people to apply?
4 A. Not to my knowledge, no, not that I know.
5
6 Q. Now, Mrs Groves, if you can just stay then with that
7 time after Dennis McKenna had been charged?
8 A. Yes.
9
10 Q. Were you aware of who was the Chairman of the
11 Authority at that time?
12 A. Of the Authority, was Colin Philpott.
13
14 Q. And did you know him?
15 A. I had met him or been introduced to him when there was
16 functions on at the hostel, yes.
17
18 Q. I see. But apart from that?
19 A. No, I didn't - didn't know him at all.
20
21 Q. Do you recall who it was that the board ended up
22 appointing to replace Dennis McKenna?
23 A. Yes, his brother Neil.
24
25 Q. And what was your reaction to that?
26 A. I think I was in shock about everything else at the
27 time; and, yes, I just thought, "Here we go again, we've
28 got another one in there".
29
30 Q. And as a result of that, did you speak to anyone about
31 that?
32 A. No, we formed a parent association because parents
33 felt like they had nowhere to turn to. It was very
34 difficult if you had an issue to take it to the board
35 because Dennis McKenna or Neil McKenna - whoever you were
36 discussing at the time - they were always present at the
37 meetings, so we formed a parent association to give the
38 parents an outlet where they could vent their anger and
39 then we would then in turn contact the board with what
40 these problems were.
41
42 Q. And do you recall receiving - so you were part of that
43 parents' association, were you?
44 A. Yes, I was.
45
46 Q. And I suppose there's no prizes in guessing who was
47 the chair of that?

1 A. Bert Hams.
2
3 Q. Yes. And was Diane Deegan also involved?
4 A. Yes, Diane was the initial secretary, and then when
5 her children left the hostel, I took over as the --
6
7 Q. Now, do you recall that this parents association that
8 had been formed, receiving a letter from the board?
9 A. Yes, I do.
10
11 Q. Can you recall the contents of that letter?
12 A. Yes, the board sent us a letter saying that they
13 didn't recognise us as a body.
14
15 Q. And as a result of that, did the association decide to
16 do something?
17 A. Yes, we did. We were really, really cross because we
18 thought, "Without us as parents, you wouldn't have these
19 students there in your college", so we contacted the Hostel
20 Authority in Perth and asked them to try and sort it out
21 for us.
22
23 Q. And were you actually in attendance at the meeting
24 that was then arranged for that purpose?
25 A. Yes, Bert and I went on behalf of the parents.
26
27 Q. Yes.
28 A. And it was held in the hostel, and there was - do you
29 want me to say who was there?
30
31 HIS HONOUR: Yes.
32
33 MR URQUHART: Q. Yes, continue. Who attended from the
34 Association?
35 A. Yes, Colin Philpott was there, and I believe Jim
36 Hopkins and I'm not sure, I think there was another person
37 as well. I'm not sure.
38
39 Q. Okay. And can you recall what was raised at that
40 meeting?
41 A. The fact that we'd been sent this letter to say they
42 didn't recognise us as a parent body. That was discussed
43 greatly, and then on top of that I - I actually exploded at
44 the meeting and I said that, "Colin Philpott and those
45 present, I'm afraid you have totally stuffed this whole
46 process up. You not only had Dennis McKenna there that
47 nobody listened about, you then put his brother in charge

1 and on top of that, Mr Philpott, you have made this
2 statement that nobody needed counselling, you had sussed
3 out what the community was feeling, how they were dealing
4 with it, and you felt in your opinion nobody needed any
5 counselling." So there was nothing offered to parents,
6 students, staff, whoever. There was no counselling offered
7 to anybody.

8
9 Q. And, Mrs Groves, how did you know that Mr Philpott had
10 said that?

11 A. He'd written it in - it was in the paper.

12
13 Q. It was in the paper?

14 A. It was in the 'Great Southern Herald'.

15
16 Q. So there was an article in the 'Great Southern
17 Herald' --

18 A. Yes.

19
20 Q. -- in which he was quoted as saying that?

21 A. He was quoted as saying he had reviewed the situation,
22 and in his opinion everybody was coping well.

23
24 Q. And when you made that accusation to Mr Philpott at
25 this meeting --

26 A. Yes.

27
28 Q. -- did he deny that he had said those things?

29 A. No, no. There was really no comment, from what I can
30 remember, yes.

31
32 Q. Do you recall whether he attempted to explain why it
33 was that he had made those comments?

34 A. Not that I recall. I cannot recall because I - I did
35 say to him, you know, "In other incidences at schools if a
36 serious event occurs, they have a whole team of counsellors
37 move in." I said, "We didn't have anybody." I said,
38 "There was just nobody for the students".

39
40 Q. Are you referring to the aftermath of Dennis McKenna
41 being charged?

42 A. Yes, yes, absolutely.

43
44 Q. What was the outcome of that meeting insofar as the
45 board not recognising your parents' association?

46 A. We - the Authority, the Hostel Authority, instructed
47 the hostel board to reinstate us as a body, so we received

1 a letter to say that they had reinstated us.
2
3 Q. And thereafter what was the relationship like between
4 the board and your association?
5 A. Probably stilted at best. They didn't appreciate us
6 going to them with any issues, but we did, and they did
7 listen to - you know, we did have issues, but I don't think
8 they liked us. I say - they made us feel very, very
9 uncomfortable to the point that we used to originally have
10 the meetings at the hostel, but it got to the stage where
11 we felt so uncomfortable, we didn't know if people were
12 listening in to what we were saying, but we ended up
13 having - going downtown and finding somewhere downtown to
14 have meetings.
15
16 Q. I see.
17 A. We felt so uncomfortable being there. We had a
18 representatives from each district on this parent
19 association and, yes, everyone just felt too uncomfortable
20 being in the hostel.
21
22 Q. Now, if I can take you now to when the McKenna family
23 had left as staff members of the hostel. Did you do any
24 work there?
25 A. Yes, yes, I was asked to be a relief supervisor.
26
27 Q. And can you recall whenabouts that would have been?
28 A. It was after Neil had left and when Con Burros was put
29 in place as the manager.
30
31 Q. So when you say "Neil", that's Neil McKenna?
32 A. Neil McKenna, yes.
33
34 Q. And Con Burro, is it Burrow or --
35 A. B-U-R-R-O.
36
37 Q. Right.
38 A. Yes.
39
40 Q. And did you also become a member of the board?
41 A. Eventually, yes, they asked me to be a member of the
42 board.
43
44 Q. Now that you were at the - whilst you were working at
45 the hostel --
46 A. Yes.
47

1 Q. -- did you notice whether there was any changes in the
2 rules that Dennis McKenna had imposed upon the students?
3 A. Yes.
4
5 Q. Okay. I'll just ask you --
6 A. Yes.
7
8 Q. -- I'll ask you now about some examples. Did you
9 notice anything about the - anything in respect to students
10 being allowed to make phone calls?
11 A. Yes. They added two - there was two phones then, so
12 there was the one that was always out in front of his
13 office, was taken away, and there was one put - a payphone
14 put at each end - one at the girls' end and one at the
15 boys' end, and there was virtually no restriction.
16
17 Q. No restriction on the students?
18 A. No.
19
20 Q. Were there restrictions on them before --
21 A. Yes.
22
23 Q. -- when Dennis McKenna was in charge?
24 A. Yes, there was.
25
26 Q. Can you recall what the extent of those restrictions
27 were?
28 A. It's going back a long time. I think they were
29 allowed one phone call a week, and only for a certain
30 amount of time.
31
32 Q. Right.
33 A. Yes, a short period of time.
34
35 Q. So you said now that there were now two phones, one
36 for the girls and one for the boys, at the ends of each
37 dormitory?
38 A. That's right, yes.
39
40 Q. And was there any - how did that - was there anything
41 in that surrounding area where either supervisors would
42 have their offices, or anything like that?
43 A. No, the girls phone was at the vestibule - what they
44 called the vestibule, where you walked up the stairs to the
45 girls wing.
46
47 Q. Yes.

1 A. So that was a completely open area all by itself, and
2 the boys was down just under the stairwell, where they used
3 to go upstairs to the upstairs part of the --
4

5 Q. So how did that - how did the privacy of the location
6 of those two phones compare to where this solitary phone
7 was in Dennis McKenna's days?

8 A. I guess privacy was pretty - there wasn't a lot
9 because kids were coming and going the whole time, but
10 there was nobody sitting and listening to you, or spying on
11 you, as it's been said before that people used to spy on
12 them, their phone call; but, no, that never happened.
13

14 Q. And was there any changes in the wearing of the school
15 uniform by hostel students --

16 A. Yes.
17

18 Q. -- after Dennis McKenna left?

19 A. Yes, there was. They went from having to wear a shirt
20 and tie and a blazer, to being - just wearing a polo shirt
21 - so very much relaxed. They still had to wear a uniform,
22 but much more relaxed.
23

24 Q. And what about the - do you recall anything about
25 changes to the visits to homes on weekends?

26 A. They were virtually allowed to come home whenever they
27 wanted to. It wasn't encouraged because of the sport and
28 that type of thing, and the activities that were planned at
29 the hostel; but, yes, they were allowed to come home
30 whenever they wanted to.
31

32 Q. And can you recall what the rule was when Dennis
33 McKenna was in charge?

34 A. They were allowed home once a term at a closed
35 weekend, and then at the end of term break, yes.
36

37 Q. And what's "a closed weekend"?

38 A. It was just picked out on the calendar and it was
39 marked, and parents were advised that that was the closed
40 weekend, and there was no students supposedly left at the
41 hostel, and the kids came home for that weekend.
42

43 Q. "Closed" being a reference to the hostel?

44 A. Yes, closed.
45

46 Q. And what about long weekends during Dennis McKenna's
47 time as warden? Were you - were the children allowed to go

1 home on the long weekends?
2 A. I can't remember. I presume they would have done. I
3 honestly can't remember that.
4
5 Q. Easter?
6 A. Yes.
7
8 Q. Easter they were allowed.
9 A. Yes, but that used to coincide with the school
10 holidays, I think.
11
12 Q. All right. Yes. Okay. You're probably right there.
13 A. Yes.
14
15 Q. Okay. So restrictions were lifted on when the
16 students could go home?
17 A. Yes.
18
19 Q. Can you recall any other restrictions, apart from
20 those three? If you can't, that's fine, that were changed
21 after Dennis McKenna was in charge?
22 A. No, no, I can't at this stage.
23
24 Q. I'll try and do things in chronological order, but if
25 we can just go back now to a time at which Dennis McKenna
26 was in charge?
27 A. Yes.
28
29 Q. I want to see what your recollection is like regarding
30 a - something you discussed with the board member about
31 Dennis McKenna. Now, to start with, can you recall a
32 board - a board member who was also a friend of your
33 parents?
34 A. Yes, yes, I do. John Peacock from Franklin. He'd
35 been friends with my family for years, and it was after
36 Dennis was arrested and we were down at mum and dad's at
37 Franklin, just sitting around the table - we'd all had a
38 meal and we said - we knew that John had been on the board,
39 and my husband and I were talking to him and said, "Did
40 the - were the board aware of anything that was going on?
41 Did you notice anything", and he said the only thing that
42 he was aware of that there'd been innuendo that they'd been
43 showing blue movies at the hostel, and he was - he was one
44 of the people - I think there was a second person, I'm not
45 sure, was asked - who was a board member, was asked to call
46 in at the hostel at any time, day or night, and just walk
47 into Dennis's flat and see if he could catch him out. And

1 he came back - he was on his way home from Perth, in the
2 truck, and he called in, and he walked in and he caught
3 Dennis showing movies. That's what he said to me.
4

5 Q. What, what - can you recall what he said about what
6 sort of movies?

7 A. I'm not totally certain, but I believe he said that
8 they were blue movies.
9

10 HIS HONOUR: Q. Can I just clarify there.

11 A. Yes.
12

13 Q. Maybe Mr Urquhart was about to do this anyway, but
14 this conversation you had with Mr Peacock was after Dennis
15 McKenna was arrested; is that right?

16 A. Yes, that's right, your Honour.
17

18 Q. And the conversation along the lines he had been on
19 the board previously?

20 A. Yes.
21

22 Q. And you asked if he could remember anything?

23 A. Yes, it was just a general discussion on what had gone
24 on at the hostel, and I just asked him --
25

26 Q. He told you while he was on the board, the board
27 became aware that Dennis had been showing blue movies - is
28 that what you're saying?

29 A. Yes.
30

31 Q. And they asked one of the other board members to check
32 on him from time to time?

33 A. John, and I believe there was another person they
34 asked to just call in and see if they could see anything
35 untoward happening.
36

37 Q. Mr Peacock said that person had caught Dennis
38 showing --

39 A. He was - no, it was Mr Peacock --
40

41 Q. -- blue movies, is that right?

42 A. No, Mr Peacock called in himself and he caught them.
43

44 Q. Mr Peacock caught Dennis --

45 A. Yes.
46

47 Q. -- showing the boys blue movies?

1 A. That's what he said to me; yes, that's right.
2
3 Q. And did he elaborate on what he saw, or anything of
4 that nature?
5 A. From what I can recall, he said that he took it back
6 to the board and the board told Dennis that it wasn't
7 acceptable behaviour, and then there was nothing more done.
8
9 Q. And that's what Mr Peacock told you?
10 A. That's my recollection of the conversation, yes.
11
12 HIS HONOUR: Thank you.
13
14 MR URQUHART: Q. And when you say "recollection", that's
15 the best that you --
16 A. To the best of my ability, that's what I can recall.
17
18 Q. All right. We are talking about, I gather, a
19 conversation that took place over 20 years ago?
20 A. Absolutely, yes.
21
22 Q. Can you recall whether you've raised this again with
23 Mr Peacock in more recent times?
24 A. I haven't, but my husband was talking to him a
25 few months ago on the phone, and he said to him, "You
26 possibly will get a phone call from the Inquiry team
27 because we have put that - or I have put this in a
28 statement."
29
30 Q. I see.
31 A. We had that conversation.
32
33 Q. Now, again, Mrs Groves, I apologise for jumping
34 around, but if I can now go to September of 1991.
35 A. Yes.
36
37 Q. So to put that in a proper time frame, it's one year
38 after Dennis McKenna had been charged, and it's two months
39 after he's actually gone to trial in the Albany District
40 Court and been convicted?
41 A. Yes.
42
43 Q. I think this might have been what you were trying to
44 talk about a little earlier, and I said we would come to
45 that. Now, can you recall something - an incident
46 regarding your daughter Tania?
47 A. Yes. As I went to say before, I was at work and I

1 received a phone call to say - from Bernie Clayton at the
2 high school. I'd actually never spoken to Bernie until
3 that day. And he asked me would I come up to the high
4 school, that they believed that our daughter may have
5 certain allegations that she'd like to make against a staff
6 member at the hostel.

7
8 Q. And can you recall whether he then asked you a
9 question?

10 A. Yes, he said, "Do you know who that would be?" And my
11 response was, "Not that bloody Neil McKenna", excuse my
12 French.

13
14 Q. That's all right. And why was it - had your daughter
15 said anything to you about allegations against Neil McKenna
16 prior to --

17 A. No.

18
19 Q. -- you hearing it from Mr Clayton?
20 A. No.

21
22 Q. Okay.
23 A. But I just had a gut feeling.

24
25 Q. And why was it that you had this gut feeling?
26 A. Every time we went to take Tania back, she was crying;
27 and then she'd say she'd be all right once she got there,
28 and I'd ring and check. The other thing's every time I
29 went to go up there to see her, she was always busy doing
30 chores for him in the office. Our other daughter, Amanda,
31 was able to come downtown with me, but Tania was always -
32 seemed to be tied up with other things with Neil McKenna.

33
34 Q. Now, was Amanda younger or older?

35 A. She's younger than Tania, three years younger than
36 Tania.

37
38 Q. So after getting this phone call from Mr Clayton, did
39 you then attend the school?

40 A. Yes, I did.

41
42 Q. And can you - are you able now recall the date that
43 was, or when it was?

44 A. Gosh. I think we just said the date, yes, the 23rd.

45
46 Q. Yes.

47 A. Yes.

1
2 Q. And was there a reason why you know the --.
3 A. Yes, I have got it written in my diaries from years
4 gone by.
5
6 HIS HONOUR: Q. So what was that date again?
7 A. 23rd of the ninth I think it was - no, sorry, I can't
8 remember off the top of my --
9
10 MR URQUHART: 23rd of the ninth, 1991, sir.
11
12 Q. So you went to the school?
13 A. Yes.
14
15 Q. And did you meet with a Mr Clayton?
16 A. Mr Clayton and Mr Burro.
17
18 Q. And was your daughter, Tania, also there?
19 A. Yes, and another student.
20
21 Q. Yes. And I gather you have no complaints about what
22 Mr Clayton and Mr Burro listening and paying attention to
23 what your daughter had to say; is that correct?
24 A. They did everything they possibly could to help us.
25
26 Q. And from there, as a result of something that Con
27 Burro told you, did you receive information as to what he
28 and Mr Clayton subsequently did?
29 A. Yes, they - after they interviewed us, there was a -
30 sort of a chain of events; that we had the two girls
31 originally, and then I took a third girl over to the hostel
32 because she came forward and said to me the same thing was
33 happening to her. I took her over and left her there, and
34 then - what happened then, the next day I got a phone
35 call --
36
37 Q. This is something Mr Burro told you; is that right?
38 A. The next day I got a phone call to say that they told
39 Neil he had to pack his bags and leave overnight, just to
40 leave, and he said, "Well, I need to pack." He said, "No,
41 you don't, somebody else will do it for you, you need to
42 get off the premises overnight", which is what happened.
43
44 Q. And were you told anything about what the board would
45 do if he didn't do - if he didn't leave that night?
46 A. They said they would take it to the police.
47

1 Q. Is that what Mr Burro told you?
2 A. Yes, yes. Unfortunately at that stage the girls
3 didn't want to go to the police.
4
5 HIS HONOUR: Q. Just to summarise that --
6 A. Yes.
7
8 Q. -- so I understand what you're saying. So you had
9 this meeting on 23 September 1991, I think you said?
10 A. Yes.
11
12 Q. With Mr Clayton and the two girls involved in the
13 discussions there about --
14 A. Yes.
15
16 Q. -- allegations concerning Neil McKenna?
17 A. Yes.
18
19 Q. It's your understanding that a third girl also came
20 forward?
21 A. Yes.
22
23 Q. And that --
24 A. I took her.
25
26 Q. -- the following day, I think you said, you were
27 telephoned by Con Burros and you were told that the board
28 had asked Neil McKenna to pack his bags and leave - pack
29 his bags and leave, and if he didn't do that, they would be
30 going to the police?
31 A. Yes.
32
33 Q. That's what you were told by Con Burros?
34 A. Yes.
35
36 HIS HONOUR: Allright. Thank you.
37
38 MR URQUHART: Q. And are you aware that Neil McKenna
39 took the first option --
40 A. Yes.
41
42 Q. -- about leaving overnight?
43 A. Yes, he did leave overnight, and somebody packed up
44 his belongings, I don't know who.
45
46 Q. And after that, you, of course, take Tania out of the
47 hostel?

1 A. Yes. It was about the last week of third term and she
2 didn't go back to school then, but we took her back - she
3 went back for fourth term, but she boarded with friends in
4 Katanning.

5
6 Q. Thank you. Now, Mrs Groves, can I ask you about
7 something about whether you had any concerns about Dennis
8 McKenna, apart from what you found out regarding sexual
9 abuse of students?

10 A. Throughout the course of the time we were there, there
11 was always talk about misappropriation of funds; that the
12 McKennas used to help themselves to extra funds. Students
13 thought if they were expelled, it was usually or often
14 because they were supposedly stealing from the canteen. We
15 believe - I have been told that they used to help - the
16 McKennas used to help themselves to the canteen fund quite
17 regularly.

18
19 Q. Can you recall who the people who told you that?
20 A. Just different parents, different students that talked
21 about it, yes. When somebody got expelled, it was, "Oh,
22 they've been stealing, yes".

23
24 Q. And did you and some other hostel mums ever raise
25 money for the hostel --

26 A. Yes.

27
28 Q. -- whilst Tania was there between --

29 A. 1988 and 1991.

30
31 Q. -- 1988 through 1991?

32 A. Yes, we did.

33
34 Q. Could you tell us about that please?

35 A. Yes, the Tambellup Uniting Church used to run an
36 annual flower show, and they were getting very light in
37 numbers at the church, and they asked me would I - because
38 I used to do a lot of catering, would I be prepared to do
39 some catering and run a lunch for them. So I thought,
40 "Well, I'll do that", and I asked the Tambellup mums from
41 the hostel if they'd be prepared to help me, and we'd
42 donate the funds to the hostel, which we did, and the first
43 year we did it we --

44
45 Q. Can you recall what year that was?

46 A. No, or --

47

1 Q. Was it whilst Dennis McKenna was still in charge?
2 A. Yes, yes. I think it was about \$800 that we raised,
3 and it was to buy a new lounge suite for the girls, the
4 senior girls dorm, a new lounge chair. It never appeared.
5
6 Q. So who did you give that money to?
7 A. Dennis.
8
9 Q. And who did you say - whom - did you say what you
10 wanted the money used for?
11 A. After we done the catering job, all the mums came down
12 to our place, and I invited Dennis down to come to lunch,
13 and we presented him with the money and said that we would
14 particularly like a new lounge bought for the senior girls'
15 dorm. And it never appeared.
16
17 Q. Was there a lounge in the senior girls dorm?
18 A. I think there was a very dilapidated old one, so we
19 wanted to replace that and make it more comfortable for
20 them.
21
22 Q. And you say that the money wasn't used --
23 A. No.
24
25 Q. -- for that?
26 A. No.
27
28 Q. And how come you're able to say that?
29 A. Well, this lounge never appeared, there was never a
30 lounge there.
31
32 Q. So you went --
33 A. Yes.
34
35 Q. -- from time to time after that, you would see --
36 A. We asked him about it one time, and he said, "I
37 haven't got round to buying it yet."
38
39 Q. The following year, did you also donate some more
40 money?
41 A. Yes, yes, we did the same thing again, and I guess it
42 would have been a similar amount of money. Approximately
43 the same number of people would have come to the lunch.
44
45 Q. And who did you give the money to on that occasion?
46 A. Dennis McKenna.
47

1 Q. So on both occasions was it just cash, can you recall?
2 A. I guess it would have been, because we didn't have an
3 account --
4
5 Q. Yes.
6 A. -- to put the money in, so we would have collected
7 money as people came in the door. I would have taken the
8 costs out of it and they received the balance, yes.
9
10 Q. And did you ask - make any direction to Dennis McKenna
11 as to what that second lot of money was to be used for?
12 A. I can't recall what we were supposed to - what he was
13 asked to do with the second lot, no.
14
15 Q. Would he have been asked to do something?
16 A. Yes, I am sure we would have had something in mind for
17 him to spend the money on, yes.
18
19 Q. Now, on the question of money, can you recall a
20 direction that was given to parents at the start of one
21 term - that is parents who had students at the hostel -
22 about making a further payment over and above the fee you
23 had to pay for allowing your students to stay at the
24 hostel?
25 A. Yes. Dennis stood up at the beginning of one of the
26 terms - I can't recall exactly which term it was. He said
27 that the Hostel Authority had cut the food budget and, "As
28 parents", he said, "I'm quite sure you won't want the
29 standard of the food to drop, would you be prepared to pay
30 an extra \$50 per family per term to keep the standard of
31 the food up", and we all agreed that we didn't want that
32 standard to drop, because there was always complaints about
33 the food, so we didn't want it to get any worse than it
34 was, and he said then, "Well, if you are prepared to do
35 this, will you write a separate cheque to your term fee's
36 cheque, and we'll receive it separately, because if the
37 Hostel Authority get wind that we've got this extra money,
38 they'll probably cut our budget further."
39
40 Q. All right. So it had to be a separate cheque to the
41 cheque that you would pay --
42 A. Yes.
43
44 Q. -- for the usual fee?
45 A. Yes. So we wrote two cheques out. We wrote one
46 cheque out for the term fees, and then we wrote a separate
47 cheque for \$50, for the levy for food.

1
2 Q. And did anyone query Mr McKenna's explanation for the
3 separate cheque?
4 A. No, because he said that if the Hostel Authority got
5 wind of it, they'd cut the budget further.
6
7 Q. And you accepted his word for that?
8 A. We did. We didn't want the food to drop, standard to
9 drop.
10
11 Q. Now, so there were no complaints?
12 A. No.
13
14 Q. Okay.
15 A. And it was receipted separately too.
16
17 Q. I was going to ask you about that. As a matter of
18 fact have you just recently provided the Inquiry with an
19 example of the receipt you would get for the payment of the
20 fee --
21 A. Yes.
22
23 Q. -- and then a separate receipt for payment of the food
24 levy?
25 A. Yes, that's right, yes.
26
27 Q. And is there a distinction between the two receipts?
28 A. Yes, there is. There's one official one that has "St
29 Andrew's Hostel" on it, a small little strip one that was
30 on a big receipt book and it used to just go down, little
31 receipts, and Irene Campbell who was the secretary would
32 write the receipts out.
33
34 Q. Yes.
35 A. And then the food levy one was just a standard little
36 one that you could buy at any newsagent.
37
38 Q. And with respect to the increase that you would get
39 for the fees, would the invoice actually specify on
40 separate cheque, "Please levy \$50"?
41 A. Yes.
42
43 Q. So everybody just complied with that?
44 A. Yes.
45
46 Q. Now, Mrs Grove, have you been able to do a quick
47 calculation as to how much extra money the hostel was

1 obtaining per year as a result of this additional levy? I
2 know it's only a rough estimate.

3 A. It's a very rough estimate.

4

5 Q. Yes.

6 A. Reidy House was operating then and that is - was full
7 as well as the hostel, so there would have been something
8 like 140 students, I think, at its peak, and I estimated on
9 approximately 80 families - I have no idea who - if there
10 were 80 families, but I worked on 80 families at \$50 a term
11 per family, and I did it times four terms. I haven't
12 actually checked back if there was four terms then, but it
13 would work out at approximately \$16,000.

14

15 HIS HONOUR: Q. What was that figure again?

16 A. \$16,000.

17

18 Q. Per year?

19

20 MR URQUHART: Per year.

21

22 THE WITNESS: Yes.

23

24 MR URQUHART: Q. And, Mrs Groves, after Dennis McKenna
25 was arrested, did you raise this question, this large sum
26 of money, to anyone?

27 A. Yes. When I was working there, Irene Campbell was
28 still the secretary for a time, and I said to her, "Irene,
29 whatever happened to that extra \$50 levy?" I believe now
30 that was never used for the food budget and she said, "I'm
31 not at liberty to say", and that was the end of the
32 discussion.

33

34 Q. And did you subsequently become aware of what happened
35 to some records after Dennis McKenna had been arrested?

36 A. Yes. Once again when I was working there, I think it
37 was Con Burro said to me that Neil McKenna came in
38 immediately after Dennis was arrested and a lot of records
39 were burnt, a lot of things - he went frantic in the office
40 and burnt a lot of records.

41

42 Q. Did Mr Burro provide you with any further information
43 about what type of records they were?

44 A. No.

45

46 MR URQUHART: Thank you, Mrs Groves, that's all the
47 questions I have.

1
2 HIS HONOUR: Mr Hammond.
3
4 MR HAMMOND: Yes, very briefly, your Honour
5
6 <CROSS-EXAMINATION BY MR HAMMOND:
7
8 MR HAMMOND: Q. Mrs Groves, I'd like to take you back to
9 the big meeting that happened in the recreation --
10 A. Yes.
11
12 Q. -- centre. Do you remember Lynley Day being present
13 at that meeting?
14 A. No, I'm sorry, I don't.
15
16 Q. Or Cathy Jefferis?
17 A. No.
18
19 Q. Do you remember Colin Philpott being present at that
20 meeting?
21 A. I don't, but I expected they would have been there,
22 but I honestly don't remember them being.
23
24 Q. So you don't remember him saying anything at the
25 meeting?
26 A. No, I feel like he should have been there and should
27 have said something, so I'm sorry, I don't, I can't.
28
29 MR HAMMOND: No further questions, sir. Thank you.
30
31 HIS HONOUR: Mr Jenkin.
32
33 MR JENKIN: No, thank you, sir.
34
35 HIS HONOUR: All right. Mr Watters, do you have any
36 questions?
37
38 MR WATTERS: Yes, I do, thank you, your Honour.
39
40 <CROSS-EXAMINATION BY MR WATTERS:
41
42 MR WATTERS: Q. Mrs Groves, can you see and hear me?
43 A. Yes, I can, thank you.
44
45 Q. Am I looking at you?
46 A. Yes, you are.
47

1 Q. Okay. My name is Simon Watters, and I represent Mr
2 Clayton. It's not always easy talking via video link, so
3 if at all I cut across your answer, I apologise, because it
4 certainly won't be me intention and I'll simply allow you
5 to complete your answer. Okay.
6 A. Okay, thank you.
7
8 Q. All right. Now, you - you said that you kept diaries.
9 You provided a statement to the Inquiry, is that correct?
10 A. Yes, that's correct.
11
12 Q. And did you have the benefit of your diaries when you
13 made your statement?
14 A. Yes, I did.
15
16 Q. All right. And the meeting that you talked about
17 between Mr Clayton and yourself and your daughter Tania,
18 did you write that meeting in your diary close to the time?
19 A. It would have been somewhere around the time, I would
20 have thought, yes.
21
22 Q. All right. Because what I want to suggest to you is
23 that myself, and I understand the Inquiry, are in
24 possession of some minutes from board meetings, and I just
25 wanted to suggest to you that the meeting between yourself
26 and Mr Clayton and your daughter was 23 October 1991, not
27 23 September 1991. Would you accept that?
28 A. I would have to recheck my diary, I'm sorry --
29
30 Q. All right.
31 A. -- but if you've got it minuted.
32
33 Q. That's all right --
34 A. Sorry, I was going to say if you've got it minuted I
35 guess it --
36
37 Q. I mean, but you wouldn't strongly disagree?
38 A. Yes.
39
40 HIS HONOUR: You're being asked --
41
42 MR WATTERS: Can I ask you now --
43
44 HIS HONOUR: Q. You're being asked if you are certain it
45 was 23 September or could it be 23 October. Trying to
46 remember now, can you say one way --
47 A. I can't honestly say.

1
2 Q. You'd need to check your diary?
3 A. I would, yes, thank you.
4
5 HIS HONOUR: All right. That's all right.
6
7 MR WATTERS: Q. Now, Mr Ian Murray was the principal up
8 to the end of 1990; is that correct?
9 A. I'm not sure when he left; but, yes, he was there at
10 that time.
11
12 Q. All right. And Mr Clayton started as the principal of
13 Katanning high school at the beginning of 1991?
14 A. I have no idea when he started, but he was there then,
15 yes.
16
17 Q. All right. Is it your recollection that Mr Neil
18 McKenna was appointed by the board, that's the hostel
19 board, to be the supervisor of St Andrew's prior to Mr
20 Clayton arriving.
21 A. Could you repeat that again please?
22
23 Q. Yes, sure. I'll put it in a different way. That Mr
24 Neil McKenna was appointed by the hostel board to be the
25 supervisor of the hostel before Mr Clayton arrived. In
26 other words, Mr Neil McKenna was appointed in late 1990?
27 A. Yes.
28
29 HIS HONOUR: Can I just interrupt there.
30
31 MR WATTERS: Q. Is that your recollection?
32
33 HIS HONOUR: Mr Watters, if I can just interrupt there.
34 There's ample evidence before the Inquiry to show that Mr
35 Neil McKenna had been supervisor at the hostel for quite a
36 considerable time, and I think I've got the exact date here
37 somewhere.
38
39 MR URQUHART: 15 September 1985, sir.
40
41 HIS HONOUR: Since 15 September 1985, so he's been
42 supervisor all the way through for quite a number of -
43 Dennis McKenna's latter years as warden.
44
45 MR WATTERS: All right. I'm probably getting my
46 terminology mixed up, your Honour. What I'm probably
47 trying to put to the witness is that in essence, as I

1 understand her evidence to be that Mr Neil McKenna was
2 appointed effectively to replace his brother as the warden.
3
4 HIS HONOUR: That's correct.
5
6 MR WATTERS: And I apologise if I didn't get it --
7
8 HIS HONOUR: I think the evidence says he's appointed
9 as --
10
11 MR WATTERS: And so my point is --
12
13 HIS HONOUR: -- appointed as acting warden for a period
14 after Dennis was arrested.
15
16 MR WATTERS: Yes, that's correct. I was getting my
17 terminology wrong.
18
19 Q. My point, if I can come back to Ms Grove, Ms Grove, is
20 it your recollection that Mr Neil McKenna was appointed as
21 the acting warden before Mr Clayton arrived as principal?
22 A. I don't know when Mr Clayton came as principal, I'm
23 sorry.
24
25 Q. All right. Okay. Can I come now then to the meeting
26 that you've talked about, and I think you said you lived in
27 Tambelling; is that right?
28 A. Tambellup.
29
30 Q. Tambellup, okay. And how long would it take you to
31 get from there to Katanning by car?
32 A. Because I was working in Tambellup at the time, it
33 only takes half an hour. If I was out at my farm, it would
34 have taken three-quarters of an hour, but I was in town
35 that day --
36
37 Q. All right. Okay. Now, what I just want to suggest to
38 you is Mr Clayton called you and asked you to come to the
39 school and you went to the school and there was a meeting
40 in Mr Clayton's office between yourself, Tania, Mr Clayton
41 and Mr Burro; is that correct?
42 A. Yes, that's right, yes, and there was another student
43 present.
44
45 Q. All right. Is that someone called "N"? Do you
46 remember, "N"?
47 A. Yes, well - we are not saying names.

1
2 MR URQUHART: No, I'm going to object to that for obvious
3 reasons.
4
5 HIS HONOUR: So we've got a situation, Mr Watts, we don't
6 want to identify victims of sexual abuse.
7
8 MR WATTERS: Apologies, your Honour. All right. All
9 right.
10
11 HIS HONOUR: So just accept there was another student
12 there. Unless the name's important for some reason?
13
14 MR WATTERS: Yes, thank you. No, certainly is, your
15 Honour, I take your point. Thank you.
16
17 Q. So, Ms Groves, there was another female student?
18 A. Yes, that's correct.
19
20 Q. All right. And do you recall that there was some
21 initial discussion and then Mr Clayton and Mr Burro left
22 the room and left you to talk to Tania in the room on your
23 own?
24 A. Yes, that's correct.
25
26 Q. And then Mr Clayton and Mr Burro came back into the
27 room and there was discussion about Neil McKenna's
28 behaviour towards your daughter?
29 A. Yes.
30
31 Q. All right. And that that initial stage that there was
32 discussion of rumours, that is behaviour, often left itself
33 open to misinterpretation, and at that stage it was decided
34 that no further action would be taken, and the interview
35 concluded around 5 pm. Do you recall that?
36 A. Yes, I do, and then I when back afterwards with a
37 third student.
38
39 Q. Yes, that's right. Trust me, I'm going to go through
40 it --
41 A. Okay.
42
43 Q. -- slowly --
44 A. Thank you.
45
46 Q. -- if I can. That's all right. And then I think, and
47 I appreciate you probably weren't present, but you - there

1 was - you then received a call a telephone call to come
2 back to the school. That was late afternoon, early
3 evening. Do you remember that?

4 A. Yes. By that stage I rung my husband and he came up
5 as well, and the mother of the second student had arrived
6 as well.

7
8 Q. All right. And there was then a meeting between you
9 say yourself and your husband - I don't strongly disagree
10 with that - your daughter, the other female student, her
11 parent or parents, Mr Clayton and Mr Burro - sorry, Mr
12 Clayton and Mr Burro in Mr Clayton's office?

13 A. That's right, yes. That's right.

14

15 Q. So this is sort of later on the same afternoon?

16 A. Yes, it was getting - evening time, 5.30, 6 o'clock,
17 or something like that.

18

19 Q. Yes, that's right. That's right. And at that meeting
20 allegations were made of improper behaviour by Mr McKenna,
21 some of them date back to when, as I understand it, your
22 daughter was in Year 8?

23 A. Yes, that's right.

24

25 Q. Your evidence, as I understand it, is at this time
26 your daughter was in Year 11; is that correct?

27 A. Yes, that's correct.

28

29 Q. Do you recall during that meeting Mr Clayton trying to
30 call the - make a phone call to the sexual abuse centre for
31 some advice?

32 A. Somebody did. At some stage we got their number
33 because we took Tania up there afterwards. I don't know if
34 it was Mr Clayton who did that or not, I am not sure.

35

36 Q. All right. And if I can just try to refresh your
37 memory that Mr Clayton tried to make a call during that
38 meeting to the sexual abuse centre for some advice, but
39 there was no answer to his call. Do you remember that
40 happening?

41 A. No, I don't, actually.

42

43 Q. All right. I suggest that's probably because it was
44 5.30 in the afternoon. Do you remember that at all or not?

45 A. Yes, I know it was getting late. I don't recall him
46 trying to make that phone call. He may have done that when
47 we weren't present.

1
2 Q. All right. All right. All right. Sorry. Okay.
3 That might have been my mistake. This meeting when you
4 came back, was that around 7.30pm?
5 A. When I came back with a third student, is that what
6 you are talking about?
7
8 Q. Yes.
9 A. Yes, it would have been. My husband and the mother of
10 the second child went down to the BP roadhouse to get the
11 girls a drink, and I went back to pick some clothes up for
12 the girls, and I was - a third girl came to me in tears and
13 said the same thing was happening to her, so I took her
14 over to the high school office to Mr Clayton and Mr Burro.
15 I didn't go into that meeting.
16
17 Q. Yes.
18 A. The other girl, her parents were away, so she spoke to
19 them on her own.
20
21 Q. Okay. Do you recall a meeting in Mr Clayton's office
22 around 7.30 that night between yourself, Tania, the other
23 young lady, and her parents, and Mr Clayton and Mr Burro?
24 A. Yes.
25
26 Q. Yes. And do you remember Mr Clayton informing you of
27 your right to go to the police?
28 A. Yes.
29
30 Q. Yes. And I think there was some discussion about the
31 fact that the girls had their - some exams coming up in a
32 couple of weeks?
33 A. I don't recall that.
34
35 Q. All right. Do you remember Mr Clayton saying what did
36 you want to happen next?
37 A. I think something was said like - along that fact,
38 yes.
39
40 Q. And I think you - you and maybe the other parent or
41 parents requested some time to make a decision, and an
42 appointment was made for 4 o'clock the next day, 4pm the
43 next afternoon?
44 A. Yes.
45
46 Q. And then what happened was the following day - I
47 suggest to you it was Thursday, 24 October 1991, a meeting

1 was again held between yourself, Tania, the other young
2 lady and her parents, in Mr Clayton's office?
3 A. Yes.
4
5 Q. And I think at that meeting Mr Clayton reminded you of
6 your right to go to the police?
7 A. I don't recall, but he may have done, yes.
8
9 Q. And you - you or Tania informed him that you didn't
10 want to go to the police, but you wanted to get on with -
11 the girls wanted to get on with their lives and just
12 complete their TEE exams?
13 A. I can't remember that word for word, sorry, but, yes.
14
15 Q. That's all right. Or anything like that, the gist of
16 that?
17 A. I can recall the girls at the time not wanting to take
18 it any further.
19
20 Q. Yes. And I think they made it very clear that they
21 didn't want to face Neil McKenna, and they wanted him out
22 of the hostel?
23 A. Absolutely, yes.
24
25 Q. And did you then become aware of a - or were you ever
26 made aware - so that was Thursday, 24 October 1991, sort of
27 afterschool around 4pm, did you become aware of a meeting
28 that was held by the board of St Andrews about 8.30 pm that
29 night?
30 A. The first night you're talking about, sorry?
31
32 HIS HONOUR: Q. No, it would be the second night?
33 A. The second night?
34
35 MR WATTERS: Yes.
36
37 Q. Just if I can help you, I appreciate it was 20 years
38 ago, but the first meeting you had with Mr Clayton was on
39 the Wednesday, 23 October 1991. You then basically about
40 7.30pm at that meeting said, "Look, we want some time to
41 make a decision". An appointment was made for the next
42 night. The next afternoon you go back - this is Thursday,
43 the 24th of October. There's a meeting. The girls
44 effectively said, or Tania said that they didn't want to go
45 to police, they wanted to get on with their lives, but they
46 wanted Mr McKenna out of the hostel?
47 A. Yes.

1
2 Q. Okay. And then were you aware later that night, later
3 the Thursday night, about 8.30, there was a meeting of the
4 board of the hostel?
5 A. No, I wasn't. I thought that Mr Clayton had been in
6 contact with the Chairperson of the board. I didn't know
7 they'd actually had a formal meeting.
8
9 Q. All right. And just if I can - okay, that was the
10 Thursday night. Were you aware that the following night
11 after that, this is now Friday night. What we're talking
12 about is a Wednesday, Thursday, Friday. I'm now coming to
13 the Friday night, 25 October 1991. Were you aware of
14 a board meeting at which Neil McKenna was there, at which
15 he resigned?
16 A. No, I wasn't.
17
18 Q. And that's where he was told, "Look, there has been a
19 motel booked for you, go to that motel"?
20 A. No, I wasn't aware of that at all.
21
22 MR WATTERS: All right. If your Honour will just bear
23 with me for a moment, if I may.
24
25 Q. And I think your evidence to his Honour and my learned
26 friend was that as far as you were aware, that as far as
27 you're concerned, Mr Clayton and Mr Burro - I think what I
28 wrote down, they did everything they could to help us; is
29 that correct?
30 A. Yes, they did.
31
32 MR WATTERS: Would your Honour just allow me to check
33 through my notes for a moment.
34
35 HIS HONOUR: Yes, certainly.
36
37 MR WATTERS: Thank you. Yes, thanks. Yes, thank you.
38
39 HIS HONOUR: Now, I think Mr Rafferty, you're now there.
40
41 MR WATTERS: Sorry, your Honour.
42
43 HIS HONOUR: Mr Watters
44
45 MR WATTERS: Sorry, your Honour. Sorry, your Honour, I
46 was just conferring with Mr Clayton for a moment. If you
47 just allow me.

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Q. I just want to conclude, Ms Groves, would you agree with me that at those two meetings, or with the meetings that you had with Mr Clayton over the Wednesday and the Thursday, that he reiterated a number of times that you had the right to go to the police?

A. Yes, they did at all times, but the girls didn't want to do anything at that stage.

HIS HONOUR: Mr Rafferty, are you there?

MR RAFFERTY: I am, sir. Thank you, yes.

HIS HONOUR: Do you have some questions?

MR RAFFERTY: I do, sir, and I'll just make this clear for the purpose of the transcript, sir. My understanding was that Mrs Groves - this is not a criticism of anyone - that Ms Groves was going to start her evidence this afternoon, so I wasn't here for her evidence-in-chief, so I probably need to clarify some matters, if that's all right.

HIS HONOUR: Yes, by all means, yes.

<CROSS-EXAMINATION BY MR RAFFERTY:

MR RAFFERTY: Q. Ms Groves, my name is Rafferty, I appear for Mr Colin Philpott?

A. Yes.

Q. Now, I understand that you've given some evidence today in relation to a discussion that you had with Mr Philpott relating to the counselling, is that correct?

A. In relation to what, I'm sorry?

Q. In relation to counsellors being provided to family --

A. Yes.

Q. -- after Mr Dennis McKenna was arrested; is that correct?

A. Yes, that's correct.

Q. And did that conversation with Mr Philpott come about after an article appeared in the 'Great Southern Herald' on 31 July 1991.

A. That was one of the reasons, yes, but we were at the meeting at the hostel with them over the hostel board not

1 recognising the parent association.
2
3 Q. I'll come back to that in a moment. Have you been
4 shown that particular article in the 'Great Southern
5 Herald' today?
6 A. I haven't been shown it today, but I've kept it all
7 these years. I actually have a copy of it at home.
8
9 Q. And in that - do you recall that in that particular
10 article, Mr Philpott was quoted saying, "I don't think that
11 is necessary" in relation to the provision of counselling
12 services; is that correct?
13 A. Yes.
14
15 Q. He was also quoted as saying:
16
17 Speaking to the parents of kids, things
18 generally seemed happy there. If the gist
19 of what I'm hearing is right, then things
20 are good.
21
22 Yes, that was the --
23
24 Q. Do you recall him saying those --
25 A. Yes.
26
27 Q. -- those things? Sorry, let me rephrase that. Do you
28 recall him being quoted as saying those things in the
29 newspaper?
30 A. Yes, that was what was in there.
31
32 Q. And when you read that, you weren't happy with that
33 particular comment; is that correct?
34 A. That is correct. I wasn't aware of him talking to any
35 parents.
36
37 Q. You weren't aware of it, but you can't say it didn't
38 happen?
39 A. No, I can't say it didn't happen, but I - I do know
40 that he didn't talk too anyone that were friends of mine.
41
42 Q. That's right, but you cannot discount the fact that he
43 may have spoken to other parents who were not friends of
44 yours.
45 A. That's right, that's correct.
46
47 Q. Do you recall him being quoted in the same article

1 dated 31 July 1991:

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If there had been any question or doubt,
good god we would have had a look at it.
The greatest thing we have to consider is
the protection of the children.

A. Yes, I remember that being there.

Q. And that was a direct quote in that article
attributable to Mr Philpott; is that correct?

A. Yes.

MR RAFFERTY: All right. I'm just wondering, sir, if Mr
Urquhart has a copy of that that can be shown to the
witness, and then I can tender it through this witness,
sir.

HIS HONOUR: Yes, certainly. We'll see if we - do we have
a number for that one, that's the --

MR URQUHART: I'm not sure.

HIS HONOUR: -- that's the 'Great Southern' newspaper.

MR URQUHART: I suspect we would, and maybe your Honour's
associate can assist in --

MR RAFFERTY: Can I say, sir, that --

MR URQUHART: Just wait a moment. I am sure your Honour's
associate might be able to assist in that regard.

MR RAFFERTY: -- all of the material and detail --

HIS HONOUR: We're just trying to locate the article.
We've got a system where we have got every document in the
possession of the Inquiry with a numbering system. We are
just trying to locate it.

MR RAFFERTY: Can I just state for your benefit, sir, that
the copy of the document I have - unlike all of the other
documents - doesn't appear to have that label number on it.

HIS HONOUR: I see. Perhaps if you continue and we'll
certainly allow you to tender that article. We don't have
it in our possession at the moment, but we'll make sure it

1 becomes part of the evidence.
2
3 MR RAFFERTY: I appreciate that, your Honour. I can do
4 that through Mr Philpott in any event.
5
6 HIS HONOUR: I'll tentatively give that document the
7 exhibit number 15.
8
9 EXHIBIT #15 ARTICLE PUBLISHED IN THE 'GREAT SOUTHERN
10 HERALD' ON 31/7/1991, AUTHORED BY COLIN PHILPOTT
11
12 MR RAFFERTY: Thank you, sir.
13
14 HIS HONOUR: Would you like to continue?
15
16 MR RAFFERTY: Q. Ms Groves - thank you, sir - having
17 seen that particular article, you then had a conversation
18 with Colin Philpott; is that correct?
19 A. At the meeting, yes, with Bert Hams and I, we had a
20 meeting at the hostel.
21
22 Q. Was that a meeting that was arranged effectively by a
23 group of parents in Jerramungup?
24 A. No, it was the parent association that organised the
25 meeting.
26
27 Q. Right. Okay. So there was a meeting in relation to
28 the parents association which was set up after Mr McKenna
29 had been charged; is that correct?
30 A. Yes, a parent association was formed after Mr McKenna
31 was arrested.
32
33 Q. And the board in Katanning wouldn't initially
34 recognise the parent's association, is that correct?
35 A. To start with they did, as far as I know, but during
36 the course of time when we made certain complaints to them,
37 they decided they didn't like getting all these complaints,
38 and then we received the letter saying they didn't
39 recognise us as a body.
40
41 Q. As a result of that, you then contacted the Country
42 High Schools Authority; is that correct?
43 A. Yes, I believe that's what we did.
44
45 Q. And yourself and Bert Hams had a meeting with Jim
46 Hopkins and Colin Philpott?
47 A. Yes, I think Mr Hopkins was there, but Colin Philpott

1 was.
2
3 Q. And after that particular meeting, the local board was
4 instructed by the Country High Schools Hostel Society to
5 recognise the parents association; correct?
6 A. Yes, that's correct.
7
8 Q. And Mr Philpott was keen for the parents association
9 to be recognised by the local authority; is that correct?
10 A. Yes, that's correct.
11
12 Q. Now, are you saying at that particular meeting that
13 you expressed to Mr Philpott your concerns regarding the
14 absence of counsellors?
15 A. Yes, I did.
16
17 Q. And that is - was based on what you've previously read
18 in the paper on 31 July 1991, which is exhibit 15?
19 A. Yes, but also observing the number of distressed
20 people that are around the district that didn't receive any
21 help. That was another reason I did it.
22
23 Q. And what I'm going to suggest to you is that after
24 this meeting, two counsellors actually were made available
25 for those who were affected by the behaviour of Mr McKenna,
26 weren't they?
27 A. There was a counsellor I'm aware of at the school, but
28 the students didn't want to be seen to be going there
29 because it was always reported back that the kids were
30 having counselling.
31
32 Q. Yes, I understand that, and I'm not criticising Ms
33 Groves, but the question I'm putting to you is that after
34 this meeting involving Mr Philpott, two counsellors were
35 made available in Katanning for those who were affected by
36 Mr McKenna's behaviour?
37 A. I can't recall that there was two, I'm sorry.
38
39 HIS HONOUR: Can we have some clarification there?
40
41 MR RAFFERTY: But you do recall that at the --
42
43 HIS HONOUR: Sorry, Mr Rafferty, we need some
44 clarification whether it was two counsellors at the
45 Katanning school or whether it was two counsellors
46 somewhere in the Katanning town site. That might assist.
47

1 MR RAFFERTY: Sir, I'm not in the - I don't have the
2 ability to do that, and I think the question speaks for
3 itself.
4
5 HIS HONOUR: All right. We'll leave it at that and the
6 witness has said she can't recall two, but Mrs Groves says
7 she does recall one.
8
9 Q. Is that right, Ms Groves?
10 A. That's correct, yes.
11
12 MR RAFFERTY: Thank you. I appreciate that, sir. Thank
13 you.
14
15 Q. So that was after the meeting that you had with Colin
16 Philpott that at the very least one counsellor was made
17 available?
18 A. Yes, as far as I'm aware that's right.
19
20 Q. And that was arranged by the authority?
21 A. I have no idea who arranged it.
22
23 Q. I'm just going to check my notes too, Ms Grove. I
24 won't be a moment?
25 A. Thank you.
26
27 MR RAFFERTY: Thank you for that, sir. I have nothing
28 further.
29
30 HIS HONOUR: Thank you. Now, Mr Manera, I can see you
31 there. You don't have any questions of this witness.
32
33 MR MANERA: No, I don't, thank you, your Honour.
34
35 HIS HONOUR: Yes, Mr Urquhart.
36
37 MR URQUHART: Just very briefly, sir.
38
39 <RE-EXAMINATION BY MR URQUHART:
40
41 MR URQUHART: Q. Mrs Groves, you mentioned there that
42 there was a school counsellor --
43 A. Yes.
44
45 Q. -- at the high school?
46 A. Yes.
47

1 Q. How long had - can you tell us how long that school
2 counsellor had been there for?
3 A. No, I'm sorry, I don't know how long they'd been in.
4
5 Q. At the times that you were there or had your daughter
6 there at the school, can you say whether there was always a
7 school counsellor there or not?
8 A. No, I'm sorry, I can't. We didn't have occasion to
9 use it, so I have no idea if there was one. There was
10 always a school nurse, but I don't know about a school
11 counsellor.
12
13 MR URQUHART: Certainly. And look, sir, I did ask
14 Ms Groves in evidence-in-chief, or my question of her
15 rather about the receipts that she received, recording that
16 payment of that additional levy. Mrs Groves did just
17 provide me with an example of that this morning, so it
18 won't have a barcode number, but for the sake of
19 completeness, sir, if I can just show Mrs Groves these
20 three items now that are stapled together and just have her
21 identify them and then I'll tender that, thank you, sir.
22
23 THE WITNESS: Yes.
24
25 MR URQUHART: Q. Yes, they are the ones?
26 A. Yes, they are.
27
28 EXHIBIT #16 RECEIPTS FOR ADDITION FOOD LEVY
29
30 MR URQUHART: That is all the re-examination.
31
32 HIS HONOUR: Thank you, Mrs Groves. That completes your
33 evidence. You can leave the witness box.
34
35 THE WITNESS: Thank you, your Honour.
36
37 <THE WITNESS WITHDREW
38
39 HIS HONOUR: Mr Urquhart.
40
41 MR URQUHART: Your Honour, that might - is that a
42 convenient time?
43
44 HIS HONOUR: Best to break.
45
46 MR URQUHART: A break now, yes.
47

1 HIS HONOUR: A short one.
2
3 MR URQUHART: Yes, it can be a short one, yes. I think
4 everyone is there in Perth.
5
6 HIS HONOUR: We'll just break for five minutes.
7
8 MR URQUHART: Thank you, sir.
9
10 SHORT ADJOURNMENT
11
12 HIS HONOUR: Please be seated. Yes, Mr Urquhart.
13
14 MR URQUHART: Thank you, sir. The next witness is Tania
15 Marie Edwards. And Ms Edwards will take the oath, sir.
16
17 <TANYA MARIE EDWARDS, sworn:
18
19 <EXAMINATION-IN-CHIEF BY MR URQUHART:
20
21 MR URQUHART: Q. Now, Ms Edwards, your full name is
22 Tania Marie Edwards?
23 A. Yes.
24
25 Q. Now, Ms Edwards, if I can just establish right from
26 the outset, is it the case that you are a complainant in a
27 trial involving Neil McKenna, which is due to start in
28 Perth later this month?
29 A. Yes.
30
31 Q. And as a result of that, have you requested the
32 Inquiry that your name not be published by any media
33 organisation?
34 A. Yes.
35
36 Q. And as I think I've explained to you, it's our
37 understanding that the - at least a number of media outlets
38 have given an undertaking through their counsel, that that
39 will be the case in circumstances where complainants don't
40 wish to have their names published. Now, Ms Edwards, is it
41 the case that you're a bank manager, but you're currently
42 on maternity leave?
43 A. Yes.
44
45 Q. You've got two children aged three and one --
46 A. Yes.
47

1 Q. -- is that right? And you reside here in the township
2 of Katanning?
3 A. Yes.
4
5 Q. Is it the case that you were the eldest child in your
6 family?
7 A. Yes.
8
9 Q. And that you attended the St Andrew's Hostel in
10 Katanning from 1988 to 1991?
11 A. Yes.
12
13 Q. And that your maiden name was Groves?
14 A. Yes.
15
16 Q. Okay. Can I take you, please, first - I was going to
17 ask you some questions about some events that happened in
18 1990, and I will ask you some questions, just very briefly,
19 regarding the matter in which you are going to be a witness
20 in a trial later this month, and I'm going to ask you some
21 questions regarding your time that you spent at the hostel.
22 A. Yes.
23
24 Q. Okay.
25 A. Sorry.
26
27 Q. For some reason the microphones over there causes a
28 difficulty. We should be right now. Now, do you recall
29 after Dennis McKenna had been in charge, that you and your
30 mum attended a public meeting?
31 A. Yes.
32
33 Q. Can you recall where that meeting was?
34 A. In the rec shed at the hostel.
35
36 Q. And do you recall what that public meeting was about?
37 A. I think the intention or, you know, we went there
38 believing that it was to explain what was going to happen
39 post Dennis being charged, and who was going to run the
40 hostel, but it certainly turned into more than that, and it
41 became a Dennis supporters advocate, I suppose, yes.
42
43 Q. Now, following that - and now we can just move on to
44 at the time that Dennis McKenna was charged, so this is
45 some time a little bit before the public meeting. Do you
46 recall immediately after he was charged, what happened that
47 day of school?

1 A. We went to school that morning, and it was - you know,
2 chatter around the school as something had happened to
3 Dennis. We'd noticed, obviously, that he wasn't at
4 breakfast. He wasn't at dinner the night before. No one
5 had actually told us what happened. And, yes, so we went
6 to school, there was all this talk, and we actually got
7 called back over the PA. All the hostel students were
8 asked to return back to the hostel, by the principal, and
9 then we were all to congregate in the dining room at the
10 hostel.

11

12 Q. That's what you did?

13 A. Yes, that's what I did.

14

15 HIS HONOUR: Q. Lunchtime or something, or some other
16 time?

17 A. It was before lunchtime. I'm not quite sure whether
18 it was straightaway, you know, as soon as we went over
19 there, or whether it was at recess, but it was certainly
20 before lunch.

21

22 Q. And you said it was - it was called by the principal?

23 A. Yes.

24

25 Q. Do you recall who the principal was that year?

26 A. Yes, Mr Murray.

27

28 Q. And when you went to the dining room for that meeting,
29 was Mr Murray there?

30 A. Yes, he conducted the meeting.

31

32 Q. And can you recall what he said at that meeting?

33 A. I don't recall his exact words, but my interpretation
34 of it, I guess, was basically he said that Dennis had been
35 falsely accused; that we were to throw our support behind
36 him. We were encouraged to write letters of support for
37 Dennis, yes.

38

39 Q. You said there that you recall him saying words to the
40 effect that he'd been falsely accused?

41 A. Yes.

42

43 Q. Did he say what he had been falsely accused of?

44 A. No, I don't believe he did. I don't think I actually
45 realised for a long time what Dennis had done wrong, and
46 what he'd been charged for.

47

1 Q. And did he say anything in addition to simply the fact
2 that he, according to Mr Murray, had been falsely accused?
3 A. No, I don't think so. I think a couple of students
4 might have spoken as well. I'm fairly sure there was a few
5 supervisors around, but I don't think they were the McKenna
6 family that was there at the time.
7
8 Q. And the letters of support, what were they supposed to
9 be?
10 A. I think just advocating Dennis and how good he was
11 and - yes, and all the students were encouraged to write
12 them. We were asked to give them to Neil McKenna, and not
13 to seal the envelopes.
14
15 Q. Right. With respect to not sealing the envelopes, had
16 you written letters when you were at the hostel before that
17 time?
18 A. Many times.
19
20 Q. Was there any rule regarding the sealing of envelopes?
21 A. I was always of the understanding that you were not to
22 seal your envelopes.
23
24 Q. And was any explanation given as to why that?
25 A. No, and I guess I never questioned it either, because
26 it seemed to be the norm and everybody did it and, yes.
27 Now, obviously, I realise that that was odd; but, yes, it
28 was just general consensus, but it was made a point of at
29 that meeting.
30
31 Q. Yes. By whom?
32 A. By Mr Murray.
33
34 Q. So with respect to this asking of students to write
35 letters of support, did you write such a letter?
36 A. Yes.
37
38 Q. And why did you do that?
39 A. I was terrified of Dennis and wholeheartedly believed
40 that he would come back and I think - I knew that if I
41 wrote the letter of support, you know, hopefully I might
42 stay on his good side. I was terrified to be on the other
43 side, and that's why I wrote the letter.
44
45 Q. And can you --
46
47 HIS HONOUR: Q. When did you write the letter? How soon

1 after that meeting?
2 A. It was - if not the same day, it was certainly within
3 that week.
4
5 MR URQUHART: Q. And did you hand it to Neil McKenna --
6 A. Yes.
7
8 Q. -- as advised?
9 A. Yes.
10
11 Q. And was it left unsealed?
12 A. Yes.
13
14 Q. And did you know what Neil McKenna was going to do
15 with them?
16 A. I assumed he was passing them on to Dennis. I wrote
17 the letter to Dennis, not to Louise or anything like that,
18 but I wrote the letter to Dennis and I got a response from
19 Dennis.
20
21 Q. You got a response?
22 A. Yes.
23
24 Q. Firstly, can you recall what you said in the letter?
25 A. No, just - just general support, I think. Yes. Just
26 general support and he just wrote back thanking me for my
27 support and that he would be seeing us soon.
28
29 Q. Did you want to support him?
30 A. I felt I had absolutely no choice because I was
31 terrified of the man, and terrified that he was coming back
32 and he would know who had written letters and who hadn't,
33 and there could be consequences.
34
35 Q. If you had a choice, would you have written a letter
36 of your own volition, if Mr Murray hadn't --
37 A. Absolutely not.
38
39 Q. -- asked people?
40 A. No.
41
42 Q. And do you know how many other students wrote these
43 letters?
44 A. I think there was many students that wrote them.
45
46 Q. Was either at that meeting by - organised by Mr Murray
47 or subsequent, was there any offer made to students

1 regarding what had happened, or the reasons why Mr McKenna
2 had been charged?

3 A. No, there was nothing offered, no counselling, nothing
4 further entered into really. It was sort of a matter of
5 fact, "He was falsely accused, we're working on it, we need
6 your support", and that was it.

7
8 Q. And now with the advantage of hindsight, can you say
9 anything about the position of some of the students that
10 you saw at that meeting in regards to their relationship
11 with Mr McKenna?

12 A. Yes. Certainly the night before when he wasn't - he
13 was absent from dinner, that that's an odd thing to happen,
14 he was always there, regardless of whether he was rostered
15 on or not. There were several students that were missing.
16 They were Year 12 students. Not all were Year 12s, but
17 there was a handful of them, and there was certainly some
18 female students at the meeting, you know, the next day that
19 were very upset, you know, very - they were crying and -
20 yes.

21
22 Q. Now, of course, you weren't aware of what Dennis
23 McKenna had actually been charged with at the time of that
24 meeting. You obviously subsequently found out?

25 A. Yes.

26
27 Q. And did you subsequently find out who the student were
28 who had made complaints against him?

29 A. No, we hadn't - I had no idea who the students were.

30
31 Q. But with the passage of time, have you subsequently
32 found out?

33 A. Yes.

34
35 Q. And what - can you say anything as to whether any of
36 those students who made complaints against Dennis McKenna
37 were at that meeting that had been organised by Mr Murray,
38 in which he said that Dennis McKenna had been falsely
39 accused?

40 A. I - I don't think - there's only one student that
41 charged Dennis that was in my era, and I don't think he was
42 at that meeting. I'm not sure.

43
44 Q. Now, what was your reaction to Mr Murray stating that
45 Dennis McKenna had been falsely accused?

46 A. I think - I don't know if I believed - I think we were
47 just very bewildered. We had no idea sort of what was

1 going on. It wasn't explained well, but we believed Mr
2 Murray, because he was the principal and, you know, that's
3 what you do.

4
5 Q. And Ms Edwards I want to ask now about some of your
6 experiences and what you observed happened to others in
7 your years at the hostel from 1988 to 1991. Do you recall
8 any occasions in which students were asked to stand up in
9 front of the rest of the students?

10 A. There was many occasions that that happened.
11 Certainly --

12
13 Q. Where would that generally happen?

14 A. It generally happened in the dining room. I think
15 probably all of them happened in the dining room. And
16 that's what I lived in fear of, that I was going to be, for
17 some reason, one of those people that was stood up.

18
19 Q. And what would happen on those occasions?

20 A. They would be berated either by Dennis or by some
21 other students, but to me it was always orchestrated
22 through Dennis.

23
24 Q. Berated for doing what?

25 A. Lots of the time it was - it was either stealing from
26 the canteen or boyfriend and girlfriend-type accusation,
27 which was not - not permitted at the hostel.

28
29 Q. When you say boyfriend/girlfriend --

30 A. No.

31
32 Q. -- there was no boyfriend/girlfriend what, between
33 whom?

34 A. At all. Between students. You couldn't have, there
35 was no - not allowed to talk to - I shouldn't say not
36 allowed to talk to boys, but you were not allowed to have
37 any boyfriend and girlfriend-type relationships with the
38 students.

39
40 Q. What about just general friendships?

41 A. General friendships, yes, but I think it was very
42 closely monitored, and if you were ever seen talking to one
43 boy too much, then you would find yourself in trouble.

44
45 Q. How would that come about?

46 A. Usually by some accusation by Dennis that would - sort
47 of a snide remark or comment, or the other supervisors as

1 well.
2
3 Q. But did you know a fellow student by the name of Todd
4 Jefferis?
5 A. Yes.
6
7 Q. Do you ever recall an occasion when he got one of
8 these verbal lashings?
9 A. Yes.
10
11 Q. Do you recall what he was accused of doing?
12 A. He was accused of stealing from the canteen.
13
14 Q. And so were you present when that happened, one of
15 these public --
16 A. I'm not sure if this one was actually a public - you
17 know, student meeting, but I do remember that we were in
18 the dining room, Todd was throwing accusations at Dennis
19 and saying, you know, "We all know what you did, we know
20 what you've been doing", and Dennis was very irate and
21 arguing back with Todd. And I remember thinking, "Oh,
22 Todd, shut up because you're going to get into so much
23 trouble through this". I had no idea what the whole story
24 behind it, of course, but at that stage, I, you know, I
25 guess I believed that he'd been stealing from the canteen.
26
27 Q. Apart from that occasion, did you ever see students
28 speak back to Dennis McKenna?
29 A. Never, never. They - they did try to defend
30 themselves to some point, but certainly not in the way that
31 Todd defended himself that night.
32
33 Q. And what about interaction with I think what's been
34 described as townies - that is, those high school students
35 who didn't stay at the hostel?
36 A. It was definitely not permitted at all. Hostel
37 students wore different uniforms, completely different
38 colour jacket so it was easily able to identify a hostel
39 student. We weren't allowed to mix sporting teams, we had
40 our own sports teams under the hostel. Yes, so we were not
41 permitted to interact with the town kids at all.
42
43 Q. But what if you were to do that though at the high
44 school grounds - that is, away from the hostel?
45 A. It was still not permitted. We would - somehow or
46 other Dennis seemed to find out about it and we would be
47 spoken to immediately.

1
2 Q. By?
3 A. By a supervisor or Dennis himself.
4
5 Q. And what would they say?
6 A. It's not permitted, and we just knew that it was not
7 permitted and you're not to fraternize with the high school
8 town students.
9
10 Q. Was an explanation ever given as to why you could not
11 do that?
12 A. No. I've thought about that a lot and there was never
13 an explanation, it was just an understanding, and it seemed
14 like it was an understanding that had been there for a long
15 time, and we just accepted it because that was what
16 everybody did, I guess, as kids.
17
18 Q. And on the question of townies, and I suppose the
19 town - were hostel students permitted to go into town?
20 A. Yes, we were permitted - I think it was twice a week,
21 restricted times; you had to dress in your hostel jacket,
22 which again was bright royal blue so easily identifiable.
23 I was of the understanding we were pretty much encouraged
24 to attend certain shops within the town, mainly being BKW
25 CO-OP and the chemist, and we would have certain pick-up
26 and drop off times, but during the time that you were down
27 town, you always saw the bus driving around. Not sure why,
28 but yes.
29
30 Q. So you were taken down in the bus --
31 A. Yes.
32
33 Q. -- and then picked up by the bus?
34 A. Yes.
35
36 Q. This is the hostel bus, was it?
37 A. Hostel bus, yes.
38
39 Q. Do you recall who used to drive that in your time that
40 you were there?
41 A. Any one of the supervisors, but Neil did the majority
42 of the bus driving if he was rostered on.
43
44 Q. Now, do you remember - for want of a better word - any
45 initiation ceremonies for you when you were in Year 8.
46 When I say "you", you and your classmates in Year 8?
47 A. Yes, certainly. The very first weekend of Year 8 we

1 were taken by bus out to the local cemetery at night time.

2

3 Q. Again, who drove on that occasion?

4 A. Neil drove.

5

6 Q. Yes.

7 A. We were made to get off the bus.

8

9 Q. To start with, were you told where you were going --

10 A. No, not at all.

11

12 Q. -- on the bus that evening?

13 A. We - sorry, we were told that we were going to do a
14 tour of the town, and I think we probably did do a small
15 tour at the town, but it ended at the cemetery. It was
16 pitch-black - like, you know, it was quite relatively late
17 at night. We were made to get --

18

19 Q. Sorry, before I interrupted you - you were dropped off
20 there, you say?

21 A. Yes, we were dropped off.

22

23 Q. What happened to the bus?

24 A. They drove off. We were left there. Turns out that
25 there was some Year 12 boys that were hiding behind
26 headstones and they jumped out at us and frightened us and
27 obviously we were terrified.

28

29 Q. So did you find that an enjoyable experience or not?

30 A. Absolutely not.

31

32 Q. Can you recall another occasion when something like
33 that happened?

34 A. There was many occasions including spaghetti eating
35 competitions --

36

37 Q. Many occasions when you were taken off site?

38 A. Off site. We had another occasion when we were taken
39 again for a tour around the town. That was the impression
40 that we had. The bus was again driven by Neil. We were
41 taken to a vacant house and there was people dressed up in
42 the house as a ghost, which we later found out was a - you
43 know, students, Year 12 students again, and again with the
44 purpose of frightening us.

45

46 Q. Did that work?

47 A. Yes.

1
2 Q. And before you get to the spaghetti eating, can I ask
3 you about any other events that were organised to frighten
4 you and your mates and your classmates?
5 A. There was another night, I'm not sure what year, we
6 were watching a video, which often was horror movies. We
7 were up at the girls' end, in the girls' lounge. There's a
8 window that overlooks out into a paddock.
9
10 Q. Who would choose the movies?
11 A. I have no idea. I believe Dennis, but I'm not 100%
12 sure, and --
13
14 Q. And you recall a particular night you were watching
15 these movies. Can you recall the names of them?
16 A. 'Arachnophobia' was one of them, and we had - I'm
17 pretty sure 'Texas Chainsaw Massacre' was one of them and
18 'Poltergeist' was another one at one stage, but this
19 particular night I'm not sure which movie was on,
20 although --
21
22 Q. The 'Texan Chainsaw Massacre', were you aware of the
23 rating of that movie?
24 A. No, not at all.
25
26 Q. Have you subsequently --
27 A. Obviously, since.
28
29 Q. -- you've seen it - found out since.
30 A. Yes.
31
32 Q. And what rating is it?
33 A. I think it's X-rated or R-rated. Certainly not
34 appropriate for our age group.
35
36 Q. Okay. So on one occasion when you were showing these
37 movies, can you recall looking out that window?
38 A. They - yes. There was a bonfire set up. There was a
39 cross on the bonfire, which appeared to have a person
40 strapped to the cross and burning, and there was people
41 dressed up as the Klu Klux Klan, chanting around this
42 bonfire, and it was the chanting that made us look out the
43 window and think, "What's going on outside?", and obviously
44 that's what was happening.
45
46 Q. And, again, I know it sounds a stupid question, but
47 the reaction from those of you who had been watching these

1 movies?
2 A. Absolutely terrified.
3
4 Q. And did you ever subsequently find out who was
5 responsible for --
6 A. Yes.
7
8 Q. -- that?
9 A. Again, it was the Year 12 boys. I think now it was -
10 I assume it was orchestrated by Dennis McKenna.
11
12 Q. And do you recall whether they were, you know, told
13 off or disciplined for that?
14 A. No, not at all, not at all. I think it was of his
15 full understanding what they were doing.
16
17 Q. You also mentioned some spaghetti-eating contest?
18 A. It's quite minor now, I think, compared to all the
19 other stuff. But they would often hold these spaghetti
20 eating competitions. Usually it was Year 8 kids, usually
21 ones that had no brothers and sisters, and they would -
22 there would be three students that were lined up with a
23 massive bowls of spaghetti in front of them. They were
24 then blindfolded. Two of the students had their blindfolds
25 removed and the one student was the one scoffing their
26 mouth full of spaghetti in a humiliation-type thing, and it
27 was certainly encouraged by Dennis. They were offered \$5
28 as an incentive to do it, and back in those days \$5 was a
29 lot of money; but, yes, it was certainly humiliation.
30
31 Q. And did you see the payment being made?
32 A. Yes, I think so. I'm fairly certain that the \$5 was
33 paid. I just remembered thinking, "I hope to god it's
34 never me that gets called up one day."
35
36 Q. We've already heard evidence about this. At the time
37 that you were there, were there any raids upon the
38 dormitory in which the girls were?
39 A. We had many raids on the girls' dormitory. That night
40 that there was the Klu Klux Klan thing, we got raided that
41 night. And, you know, a dorm raid included them, the boys,
42 tearing through the dorms, you know, pulling your beds
43 apart, pulling your wardrobes apart, all your clothes -
44 everything would be just in turmoil.
45
46 Q. And did they ever take anything belonging to you and
47 your --

1 A. No, I never had anything taken. One of my friends
2 did. She had a pair of bras that were taken and were put
3 on display or paraded around in; but, no, I never had
4 anything personally taken.

5
6 Q. Right. Were you aware of any other things that were
7 taken by your fellow students - taken from your fellow
8 students?

9 A. There was always comments that people's diaries had
10 been taken.

11
12 Q. And once more, were you aware of any discipline
13 reaction that was taken against --

14 A. Not at all.

15
16 Q. -- boy students that had done this?

17 A. Not at all. It was definitely orchestrated by Neil
18 and Dennis because they were always present during the dawn
19 raids, but we never got returned the favour. We never got
20 to ever raid the boys dorms, and I don't think the whole
21 time I was ever there I ever went down the boys' end of the
22 hostel.

23
24 Q. Do you recall an occasion regarding on overseas trip?

25 A. Yes.

26
27 Q. Firstly, who went on that and where was it to?

28 A. We went to Bali, it was in 1990, and I think it was
29 offered to all student that wanted to attend, but there was
30 only a select few that did attend.

31
32 Q. And who were the adults that went?

33 A. The adults were definitely Neil and Wendy and Dennis
34 McKenna, McKennas, and I'm not sure of any other
35 supervisors that were there, although there would have been
36 some, I assume.

37
38 Q. Yes.

39 A. And this particular afternoon we were in our rooms and
40 one of the girls in our room had an epileptic fit and she
41 had - through the fit she had bolted into the bathroom and
42 locked herself in there and we couldn't get into her, so I
43 went to go get some supervisor help. The closest
44 supervisor was Dennis's room at the hotel, so I knocked on
45 the door and entered into his room. I found him in bed.
46 There was three or four boys sitting on his bed, and
47 certainly one sitting next to him. And he absolutely

1 berated me for going into the - into that room.
2
3 Q. Well, did you get an opportunity of saying why you
4 were there, why you were in the room?
5 A. No, I tried to. I tried to say this girl had had a
6 fit. And he was - he just went off his face at me and
7 said, "You should be going to your female supervisors, go
8 and see your female supervisors; you're never to come back
9 here again".
10
11 Q. And when you left your room to get help, what was the
12 condition of this girl who was having the epileptic fit?
13 A. She was a real mess. She was - had been on the
14 balcony. She had collapsed on the ground. She had had a
15 glass of water in her hand and that had shattered
16 everywhere, so I didn't see blood, but potentially there
17 could have been cuts, and she'd soiled herself. She had
18 vomited as well through the fit, but once she came out of
19 the fit was able to go to the bathroom, but she locked
20 herself in there and we couldn't help her.
21
22 Q. Was Dennis McKenna at all concerned about her
23 wellbeing?
24 A. Not remotely.
25
26 Q. And what about after that - did he ask you or did you
27 see him make any attempts to find out what had happened?
28 A. No, not at all.
29
30 Q. Now, you mentioned how students would be berated
31 either by Dennis McKenna or students at his behest. Do you
32 recall whether he would berate or say bad things about
33 other people, other than just students at the hostel?
34 A. We had a student meeting called some time - I assume
35 it was around 1990, early 1990, and Dennis made comment
36 about a Tambellup church mothers' group that was saying bad
37 things about the hostel. The whole time that he was making
38 these claims, he was - I felt that he was staring at me and
39 I remember thinking to myself, "I can't even think of any
40 church mothers within the town of Tambellup", where I'm
41 from, and was trying in my head to think who it could
42 possibly be, and it turned out to be a group that my mum
43 was involved in to do with the Uniting Church. They used
44 to have a flower show every year, and it was this
45 particular group that he was referring to, as it turned out
46 in the long run.
47

1 Q. And did you find out at all whether your mother
2 actually went to see Dennis McKenna about his behaviour
3 towards you?
4 A. His behaviour after I had caught him, for want of a
5 better word, in the room in Bali certainly turned to the
6 worst towards me. He accused me of having a boyfriend at
7 the hostel.
8
9 Q. Was that true?
10 A. No, not at all. I didn't actually know who the boy
11 was he was talking about to - to know who my boyfriend was,
12 but he often got - he often berated me, not so - I never
13 actually got stood up in front of the dining room like
14 others, but it was at opportune times when I would be in
15 the kitchen and there would be other people around, and it
16 got to the point where I think he nearly - either
17 threatened to suspend me or he did suspend me, and that's
18 when mum got involved and spoke to Dennis.
19
20 Q. And following that was there any change in his
21 behaviour towards you?
22 A. Complete turn around, to the opposite extreme, where I
23 became one of the favoured students.
24
25 Q. And were you made - were you given a position of
26 supposed authority, yourself?
27 A. Yes, I became a prefect.
28
29 Q. And when you found out that was case, what were your
30 feelings about that?
31 A. Very mixed, confused feelings, because you longed to
32 be liked, you longed to be not the person that was going to
33 be victimised in front of everybody, but at the same time I
34 just dreaded having anything to do with Dennis. I was
35 terrified of him, and with that prefect role you did have
36 to have a lot to do with Dennis.
37
38 Q. Did you ever feel that there was someone you could go
39 to who was staff at the hostel, to make a complaint?
40 A. There was absolutely no one to go to. We had - we had
41 Dennis as the warden, obviously, and then Neil and Wendy
42 McKenna were the senior supervisors. At the same time we
43 had Gunda McKenna, who was a supervisor, and ^ Christine
44 McKenna as a supervisor, and usually the other supervisors
45 were ex-students, so I - I always felt you had nowhere to
46 turn, and I certainly found that case with my - my issues.
47

1 Q. Now, you don't need to go into the details, but we
2 heard that you made a complaint against Neil McKenna,
3 Dennis's brother --

4 A. Yes.

5

6 Q. -- regarding things that he did to you. I don't want
7 to you go into the details of that, but can you recall on
8 one of those occasions when you returned to the hostel and
9 you were - someone saw you?

10 A. Yes. We had - we had returned to the hostel and Neil
11 did see us when we walked in the door. I had previously
12 been requested to go and see a principal and, because
13 allegations had been made, and I denied the allegations at
14 the time with the principal. Another girl had approached
15 me and said, "What's going on?" We knew about each
16 other's --

17

18 Q. Yes. I think we know all about that. I don't need
19 you to go into those details, but I'm just asking you
20 about - firstly, if I can ask you this, put it this way:
21 you mentioned there that a number of the junior supervisors
22 were ex-students. Do you remember one in particular who
23 was an ex-student there?

24 A. Yes, there was a time I had returned back to the
25 hostel.

26

27 Q. And --

28 A. Mary --

29

30 Q. Who had you been with when you --

31 A. I had been with Neil.

32

33 Q. Something had happened on that occasion?

34 A. Yes.

35

36 Q. All right.

37 A. I had returned back. I was very upset, very agitated,
38 crying. I had walked into the vestibule at the girls' end
39 and Mary-Anne met me at the door.

40

41 Q. Mary-Anne being --

42 A. The supervisor that was there.

43

44 Q. Can you recall her surname?

45 A. I think it's Kessle or Kessler. I'm not 100% sure of
46 her surname.

47

1 Q. Yes.
2 A. I was very upset and she - I remember her grabbing me
3 by my arms and saying, "What is wrong? What is going on?
4 I need to know what is going on?" And I - I said,
5 "Nothing, I can't talk to you." And she said, "I need to
6 know." And I don't know how, but I got away and I never
7 told Mary-Anne what was going on, but certainly soon after
8 that, and I'm not sure the time frame, but I would think
9 either the next day or by the end of the weekend she was
10 gone. She was no longer a supervisor at the hostel.

11
12 MR URQUHART: Yes, thank you, Ms Edwards. That's all the
13 questions I have, sir.

14
15 HIS HONOUR: Mr Hammond.

16
17 MR HAMMOND: Yes, thank you

18
19 <CROSS-EXAMINATION BY MR HAMMOND:

20
21 MR HAMMOND: Q. Ms Edwards, in relation to the incident
22 between Mr Todd Jefferis and Dennis McKenna in the dining
23 room, you said that Todd Jefferis said to Dennis McKenna,
24 "We all know what you've been doing"?

25 A. Yes.

26
27 Q. Did Todd Jefferis elaborate on that at all?

28 A. No, he repeated that many times.

29
30 Q. In that exchange?

31 A. In that exchange, and said, "Tell them what you've
32 been doing. Tell them all what you've been doing. We all
33 know what you've been doing".

34
35 Q. And it didn't cotton on to you at that time what it
36 could have been?

37 A. No, not remotely.

38
39 Q. And did Dennis McKenna retaliate towards Todd during
40 that?

41 A. Yes, he was very irate, very argumentative; you know,
42 just reiterated that he was a stealer and that he would
43 ruin his reputation.

44
45 Q. And that went on for some time, this exchange?

46 A. It seemed like a long time. It probably wasn't, I
47 guess, but it did seem like a long time.

1
2 Q. And terrifying for those of you who were watching?
3 A. Absolutely, absolutely, more so that we were terrified
4 for Todd, in my case.
5
6 MR HAMMOND: Thank you.
7
8 HIS HONOUR: Mr Jenkin.
9
10 MR JENKIN: No.
11
12 HIS HONOUR: Now, Mr Manera, do you have any questions?
13
14 MR MANERA: I do, your Honour, thank you.
15
16 <CROSS-EXAMINATION BY MR MANERA:
17
18 MR MANERA: Q. Ms Edwards, can you see me?
19 A. Yes.
20
21 Q. Ms Edwards - good. Thank you. Ms Edwards, you spoke
22 about --
23
24 MR URQUHART: If my learned friend could just announce --
25
26 HIS HONOUR: Mr Manera represents Mr Murray.
27
28 THE WITNESS: Okay, thank you.
29
30 MR MANERA: I'm sorry, yes, I represent Ian Murray, the
31 principal at school from 1988 to 1990.
32
33 THE WITNESS: Yes.
34
35 MR MANERA: Q. You just spoke about after an experience
36 you had with Neil McKenna - sorry, you were talking about -
37 you made reference to a principal at the end of your
38 evidence just then. Was that the principal that was the
39 principal in 1991?
40 A. Yes. Not Mr Murray.
41
42 Q. Thank you. I won't go any further in relation to that
43 matter. You also mentioned diaries being taken from
44 students at the hostel. Did you have a diary at this time?
45 A. No.
46
47 Q. Okay. All right. Thank you. Now, the - you told us

1 about a meeting that took place at the hostel after Mr
2 Dennis McKenna was charged by the police?
3 A. Yes.
4
5 Q. Do you remember that in your evidence?
6 A. Yes.
7
8 Q. And at the time of all of this, you were about
9 15 years old?
10 A. Yes.
11
12 Q. And said at that meeting - my understanding of what
13 you said is that meeting turned into a Dennis McKenna's
14 supporters group. Is that what you said?
15 A. No, that was at the other meeting with parents at the
16 rec shed at the hostel. This - the meeting I was referring
17 to was a student meeting that was called by Mr Murray.
18
19 Q. Okay. Right. Right. Okay. Thank you. And that
20 meeting that you said was called by Mr Murray, is that the
21 meeting that you attended on the day that Dennis McKenna
22 was charged?
23 A. Yes.
24
25 Q. Okay. And I think you told us that there was a call
26 over the PA at the school to the effect that of the hostel,
27 students should come back to the hostel?
28 A. Yes.
29
30 Q. Is that - and that was at about lunchtime?
31 A. I think it was before lunchtime. I'm not sure if it
32 was as soon as we got over to school or if it was at the
33 recess break, but it was certainly before lunch.
34
35 Q. All right. Now, did you take any notes of what
36 happened at that meeting - either at the meeting or after
37 the meeting?
38 A. No.
39
40 Q. Okay. Now, how many students attended that meeting?
41 A. The whole hostel students.
42
43 Q. All the hostel?
44 A. Yes, all the hostel students.
45
46 Q. All right. And at that time there was how many -
47 roughly how many students at the hostel?

1 A. Over 100, I think.
2
3 Q. All right. And you recall Mr Urquhart saying to you
4 to the effect would you have written a letter of support if
5 it was up to your own volition. Remember him asking you
6 that?
7 A. Yes.
8
9 Q. And I think your answer to that question was no, you
10 wouldn't have?
11 A. That's right.
12
13 Q. Okay. And so is it your evidence that Mr Murray told
14 you, all of you students to write letters of support?
15 A. Yes.
16
17 Q. And did you write a letter of support?
18 A. Yes.
19
20 Q. And when did you write that letter of support?
21 A. Pretty much within the - a couple of days. If not
22 that same day, it was certainly within the week.
23
24 Q. All right. And did every single student - do you know
25 whether every single student wrote a letter of support?
26 A. No, I don't know the number. I do know that many
27 students did write letters of support, but I don't think it
28 was everybody, I'm not sure.
29
30 Q. So to your knowledge some students didn't do letters
31 of support?
32 A. I - I would only assume that some students didn't
33 write it.
34
35 Q. Right. When you say you only assume that, what do you
36 mean by that?
37 A. Well, I don't know - I don't know how many people
38 actually wrote letters of support, but there seemed to be a
39 lot of them.
40
41 Q. Right. And you're aware that some didn't do letters
42 of support?
43 A. I'm not 100 percent aware, no.
44
45 Q. All right. Okay. You see, what I'm suggesting to you
46 is that Mr Murray did not tell everybody to do letters of
47 support. And perhaps if I can go further, he said, "If you

1 wanted to do a letter of support, you could". Is that more
2 accurate?
3 A. It could possibly be. I didn't - I don't remember the
4 exact words, but I certainly walked away from the meeting
5 feeling that we were certainly encouraged to write letters
6 of support, and the way that we felt threatened by Dennis,
7 you know, we were always going to write letters of support.
8
9 Q. So in other words, because you were frightened of
10 Dennis McKenna, that is the thing that made you write the
11 letter of support when you were given the choice?
12 A. In my case, yes; but certainly, you know, we are being
13 addressed by a principal, I guess, so --
14
15 Q. Of course. But what I'm suggesting to you is that the
16 principal gave you the choice and it was your fear of
17 Dennis McKenna that prompted you to do the letter?
18 A. Yes, in my case, yes.
19
20 Q. Okay. Now, this meeting that was addressed by Ian
21 Murray, do you recall that there were a number of parents
22 standing up behind Mr Murray when he addressed that
23 meeting?
24 A. No, I don't recall the parents.
25
26 Q. I suggest to you that there were - I'm not asking you
27 to name names, I'm just saying do you recall that there
28 were a few parents standing behind Mr Murray when you
29 addressed the meeting?
30 A. No, I don't recall.
31
32 Q. All right. Are you denying that?
33 A. No, I'm not denying it, I just don't remember who else
34 was actually there.
35
36 Q. All right. Thank you. Now, do you know who it was
37 that suggested to Mr Murray that he call for that meeting?
38 A. No.
39
40 Q. Okay. And do you recall Mr Murray telling the group
41 of students that you were with at that time that Mr Dennis
42 McKenna had been charged by the police?
43 A. Yes.
44
45 Q. And more specifically, that he had been charged with
46 sex offences?
47 A. No. I don't think I actually ever was aware what his

1 charges were at that point.
2
3 Q. All right. So - okay. All that he was told - are you
4 suggesting that all that you recall being told is that he'd
5 been charged with criminal offences?
6 A. Yes.
7
8 Q. Okay. Now, do you recall that certain students asked
9 certain questions of Mr Murray during that meeting?
10 A. No, I don't recall.
11
12 Q. All right. If I suggest to you that some students, or
13 one student in particular asked Mr Murray was he set up, is
14 it possible that that was asked?
15 A. It could have been, but I don't recall it.
16
17 Q. All right. And do you recall another student asking
18 whether it was true that he had committed criminal
19 offences?
20 A. No, I don't recall that either.
21
22 Q. All right. You've said in your evidence that Mr
23 Murray said that Mr McKenna had been falsely accused?
24 A. Yes.
25
26 Q. Do you recall saying that in your evidence?
27 A. Yes.
28
29 Q. Do you know the exact words that Mr Murray used?
30 A. No, I don't know the exact words, just my
31 interpretation of what he said.
32
33 Q. All right. What I'm suggesting to you is that Mr
34 Murray said words to the effect of, "I don't know if it's
35 true, the trial will sort it out."
36 A. I don't recall that.
37
38 Q. All right. Are you denying that?
39 A. No, I'm not denying, I just don't recall the exact
40 words.
41
42 Q. Sure. Do you remember Mr Murray making reference to
43 their having to be a trial?
44 A. No, I don't think I do.
45
46 Q. All right. Do you remember another student asking Mr
47 Murray, "What do we do to help Mr McKenna?"

1 A. No, I don't recall it.
2
3 Q. And it was in response to that question that Mr Murray
4 suggested that they could do letters of support?
5 A. I don't recall the question.
6
7 Q. What do you say to that?
8 A. I don't recall it.
9
10 Q. All right. All right. So what I'm saying to you is
11 the suggestion that they could - that you as students could
12 do letters of support was in the context of a question by
13 one of the students as to how they could support him.
14 A. It could have been said. I can't confirm. I'm not
15 sure what was said.
16
17 Q. All right. Okay. Now, I'm not asking you about Mr
18 McKenna's reputation within the hostel community amongst
19 the students, but is it your understanding that at that
20 time in the broader community - so outside the hostel - Mr
21 McKenna enjoyed a good reputation?
22 A. Absolutely.
23
24 Q. I'm not - please understand I'm not suggesting that
25 that would justify or anything of that nature, but
26 that your understanding is that he was perceived by the
27 broader community as being a respectable person?
28 A. Yes.
29
30 Q. And is it your understanding that he was also - had
31 the reputation in the broader community as running a good
32 hostel?
33 A. Yes.
34
35 MR MANERA: Excuse me for one moment, Ms Edwards. Thank
36 you very much.
37
38 HIS HONOUR: Mr Rafferty, you have no questions?
39
40 MR RAFFERTY: None whatsoever, sir, no.
41
42 HIS HONOUR: Mr Urquhart.
43
44 MR URQUHART: Thank you, sir. One question.
45
46 <RE-EXAMINATION BY MR URQUHART:
47

1 MR URQUHART: One question, Ms Edwards.
2
3 Q. As far as you were concerned, did Ian Murray, your
4 principal, give any indication to where he stood in
5 relation to Dennis McKenna's guilt or innocence at this
6 meeting that he had before the student body?
7 A. I certainly believed that Mr Murray thought he was
8 innocent and wrongly accused.
9
10 MR URQUHART: Thank you, sir, that's the only question I
11 need.
12
13 HIS HONOUR: That completes your evidence. Thank you very
14 much. You can leave the witness box. We'll break for
15 lunch. I gather we're pressed for time this afternoon.
16
17 MR URQUHART: Yes, we do have a number of witnesses still
18 to go.
19
20 HIS HONOUR: So we'll make it a shorter lunchbreak and
21 we'll come back at 2 o'clock.
22
23 MR URQUHART: Thank you, sir.
24
25 HIS HONOUR: Very good. We'll now adjourn
26
27 LUNCHEON ADJOURNMENT
28
29 UPON RESUMPTION
30
31 HIS HONOUR: Please be seated. Yes, Mr Urquhart.
32
33 MR URQUHART: Thank you, sir. The next witness will be
34 Todd Jefferis, and Mr Jefferis is in the back of the
35 hearing room. And I'm not - I think Mr Jefferis doesn't
36 mind taking the oath.
37
38 <TODD JAMES JEFFERIS, sworn:
39
40 <EXAMINATION-IN-CHIEF BY MR URQUHART:
41
42 MR URQUHART: Q. Now, Mr Jefferis, what's your full
43 name?
44 A. Todd James Jefferis.
45
46 Q. Yes. Thank you. You're currently 39 years old?
47 A. Yes.

1
2 Q. And you reside in Albany?
3 A. Yes.
4
5 Q. And you're an electrician?
6 A. That's correct.
7
8 Q. And as I understand, Mr Jefferis, from speaking to you
9 previously, you don't have any objection to your name being
10 published by the media should they wish to do so?
11 A. No, no problem.
12
13 Q. And, Mr Jefferis, is it the case that you were a
14 border at the Katanning hostel from February of 1989 until
15 August of 1990?
16 A. That's correct.
17
18 Q. And did that cover Years 11 and 12 for you?
19 A. Yes, it did.
20
21 Q. And, of course, during that time you went to the high
22 school across the road?
23 A. Yes.
24
25 Q. And is it the case that you were at the hostel, was
26 it, because where you lived was some distance away from
27 Katanning?
28 A. Yes, I lived on a farm sort of, I guess north-east of
29 Katanning.
30
31 Q. Right. Can I ask you something about your time there
32 at the hostel and, firstly, any interaction that you saw
33 between the high school principal and hostel staff? And
34 first, of course, you can you recall who the high school
35 principal was at the time that you were there?
36 A. Yes, that was Ian Murray.
37
38 Q. And did you notice whether - how often or whether he
39 did come to the hostel at all during the school year?
40 A. Yes, he came to the hostel quite regularly and
41 obviously, which I initially thought was just on a
42 professional level.
43
44 Q. Initially?
45 A. Yes.
46
47 Q. And did you - did your views about that change over

1 time?
2 A. Dramatically.
3
4 Q. And why was that?
5 A. He - his support of Dennis McKenna was, in my opinion,
6 well beyond a professional capacity.
7
8 Q. And when was it that you became aware of that?
9 A. About 15 seconds after I told him what had happened to
10 me.
11
12 Q. Okay. Well, we're going to get to that in due course,
13 but up until that point in time, in what context would you
14 see him at the hostel while you were there?
15 A. Various functions. He used to come over for dinner at
16 various stages, obviously wander around, you know, the
17 students, things like that.
18
19 Q. And were you able to observe anything about his
20 relationship with the warden there, Dennis McKenna?
21 A. I guess they were fairly pally, but again I just
22 didn't take a lot of notice of it at that time, it's just -
23 yes.
24
25 Q. And as has been - as has come out in this evidence, is
26 it the case that you were one of five students, in your
27 case a current student, in the other case ex-students, who
28 made a complaint regarding Dennis McKenna's sexual
29 misconduct towards you, in or around 1990 and the
30 early months of 1991?
31 A. Yes, that's right. I - I had charges pressed against
32 Dennis McKenna, along with four other boys, and we had a
33 court case in 1991.
34
35 Q. And was that down in Albany?
36 A. It was.
37
38 Q. Can you recall - we don't need to go into the details
39 of it - can you recall the date or the month and the year
40 in which Dennis McKenna sexually abused you?
41 A. I believe it was 4 August in 1990.
42
43 Q. And do you recall what day of the week that was?
44 A. As far as I'm aware, it was a Saturday.
45
46 Q. And after that, was that - sorry, was that during the
47 day or night time?

1 A. Night.
2
3 Q. Do you recall what you did the following - following
4 morning?
5 A. Yes, I rang my mum and told her what had happened.
6
7 Q. And did she say anything in response to what you said
8 to her?
9 A. We just discussed what had happened and then she
10 said - I made the point that I wanted to get out of there
11 and she was - she made some - said she would make some
12 moves to be down the next morning or the next day at least.
13
14 Q. And that being the Monday?
15 A. Yes. Well, yes, the Monday, yes.
16
17 Q. That's the Monday after?
18 A. Yes.
19
20 Q. So on that Sunday did you do anything to make sure you
21 avoided anyone in particular?
22 A. Yes, I - I was involved in umpiring football as well
23 as playing, and I can't recall whether we played on a
24 Sunday, I don't think we did, but I can't really remember
25 that, but I know that I - as far as I'm aware, we spent the
26 day umpiring reserves football.
27
28 Q. And then the following day, the Monday, did your mum
29 come and pick you up as arranged?
30 A. Yes, she did. She did come and see me. And, yes.
31
32 Q. And from there, did you and your mum go anywhere?
33 A. We did. We went over and saw - had a meeting with Ian
34 Murray at the school.
35
36 Q. And can you recall how that meeting was arranged?
37 A. No, I can't. I'm not sure whether mum arranged it
38 during school hours, or - I know it was sort of afterschool
39 that we when, as far as I'm aware.
40
41 Q. And you had that meeting with Mr Murray --
42 A. Yes.
43
44 Q. -- and with your mum present?
45 A. Yes.
46
47 Q. And can you recall what you said to Mr Murray, and I'm

1 not asking you to remember exactly what you said --
2 A. Yes.
3
4 Q. -- but the extent of what you said to him?
5 A. Yes, basically we outlined the nature of our
6 complaint, which was of - there had been a - a physical
7 abuse or sexual abuse.
8
9 Q. And do you understand there may well be a distinction
10 between physical abuse or sexual abuse?
11 A. Well, yes, yes. Sexual abuse. It was sexually
12 orientated abuse.
13
14 Q. Right. And can you recall Mr Murray's reaction to that
15 when he was told?
16 A. Yes. He - he was straightaway was, you know, I think
17 I - the words would be aggressively defensive. You know,
18 it was almost like I had accused him. He was very put out,
19 obviously disturbed about the accusation, and he didn't
20 like it.
21
22 Q. Can you recall the gist of what he was saying to you?
23 A. Well, the gist of it was that he just didn't want to
24 know about it. He didn't want to know about it. He didn't
25 want to deal with it and he didn't believe it. He - he -
26 you know, he outwardly said that, "I don't believe McKenna
27 was capable of it", yes, and he didn't want to know about
28 it; didn't want to deal with it and that was very, very
29 evident.
30
31 Q. And can you recall whether he said anything else
32 regarding the type of accusations you were making?
33 A. Well, he obviously - you know, they were very serious
34 allegations and, you know, I guess you wouldn't make those
35 accusations lightly and, you know - well, you just wouldn't
36 make them unless you had reason to.
37
38 Q. And did he say anything to you about what he was going
39 to do about your complaint?
40 A. Well, as far as he was concerned, that was the end of
41 the matter. He didn't want to know about it. It wasn't
42 going to leave his office and it was up to us to think very
43 carefully about where - what we were going to do.
44
45 Q. And what did you want him to do?
46 A. Well, we weren't really sure. I mean, you know,
47 obviously I never found myself in a situation like that, so

1 we went to - you know, a person of authority; you know,
2 somebody - a principal of the school who we thought would
3 be capable of, I guess, guiding us what we were to do next.

4

5 Q. And did he offer you any sort of guidance along those
6 lines?

7 A. Zero.

8

9 Q. Do you remember whether he raised anything regarding
10 the police?

11 A. No. At that stage I don't believe there was any - any
12 guidance from him to talk to the police.

13

14 Q. Now, can you recall what you did after that meeting
15 with respect to notifying anyone else in authority?

16 A. No. We left his office and basically that was the end
17 of that. We didn't speak so anyone else about the matter,
18 and that was basically it.

19

20 Q. Right. Obviously you - at some stage you went to the
21 police?

22 A. Yes, at a later stage.

23

24 Q. At a later stage than that?

25 A. Yes.

26

27 Q. So staying then with that Monday. Do you recall what
28 your - where your mum took you after that meeting?

29 A. Well, after the meeting, obviously mum and I discussed
30 a few things and - and we - from my recollection, we rang
31 my dad and stepmother who were home at the farm.

32

33 Q. Were your parents separated at the time, were they?

34 A. Yes, they were, yes.

35

36 Q. Can I just ask you something about that. Are you
37 aware whether Dennis McKenna knew of that fact?

38 A. Yes, he was well aware of that.

39

40 Q. And how do you - how are you able to say that?

41 A. Because when I got in in Year 11, and started at Reidy
42 House, and was very shortly after that moved to the main
43 hostel, he knew a lot about me, things that I wouldn't have
44 thought he should have known unless he'd - you know, made
45 some inquiries or, you know, I just don't know.

46

47 Q. I don't want to get sidetracked, but can I ask you

1 something about that. Can you recall what he said to you
2 along those lines?
3 A. Well, he knew that my mum and dad were separated and
4 had been since I was a little boy. So he knew that I came
5 from a broken home. He knew that I didn't necessarily have
6 the best of relationships with my stepmother, and he also
7 knew that, you know, I had, you know, suffered a fair
8 amount of bullying at school in my younger years.
9
10 Q. And these are all the things that he had said to you?
11 A. Yes.
12
13 Q. And you hadn't told him about those things?
14 A. No.
15
16 Q. Sorry about that, to sidetrack, but we can go back now
17 to what your mum had done, so you said that she rang your
18 father and your stepmum?
19 A. Yes.
20
21 Q. And can you recall whereabouts you slept that night,
22 on that Monday night?
23 A. Well, I think from - from memory dad might have been
24 at some corporate golf day or something, but he wasn't
25 there, so the decision was made at the time to - for me to
26 go back to the hostel - I mean, you know, considering we
27 hadn't told anyone except for mum and dad and Cathy, and
28 so --
29
30 Q. And Mr Murray?
31 A. And Mr Murray. Yes, we told Mr Murray, so outside of
32 that we hadn't spoken a word to anybody, so we figured the
33 best option was to go back to the hostel, because obviously
34 mum had to be elsewhere, and - and knowing that we would
35 work out what we were going to do, and dad, Cathy to come
36 and get me at the drop of a hat, you know, should it be
37 required.
38
39 Q. Okay, then. So I gather then your mum took you back
40 to the hostel?
41 A. Yes.
42
43 Q. She left?
44 A. Yes.
45
46 Q. And this is still that same day, that Monday?
47 A. Yes.

1
2 Q. When you returned to the hostel, can you recall the
3 reception, if I can put it that way, that you received from
4 your fellow students?
5 A. Well, when I got back to the hostel, being the sort of
6 place that it was, if you had done something wrong or there
7 was an issue, you were made aware of it pretty quickly.
8 And I came back to a pretty ordinary reception. It became
9 very evident that students, particularly Year 12 boys, knew
10 that something was going on.
11
12 Q. When you say "pretty ordinary reception", are you
13 understating that?
14 A. Yes.
15
16 Q. All right. Can you tell us - are you able to tell us
17 what sort of reception --
18 A. Yes, I copped some abuse from a few boys about, you
19 know - you know - if I can swear, "What's your caper?", and
20 calling me a wanker and, "Why would you do that to
21 Dennis?", and, you know, all this sort of stuff; so
22 obviously they knew something was going on.
23
24 Q. And have you got any idea how it was that they came to
25 know about it?
26 A. Well, I didn't tell them.
27
28 Q. You didn't tell them?
29 A. No.
30
31 Q. And the only persons that you had told was your
32 mother?
33 A. Yes.
34
35 Q. Mr Murray?
36 A. Yes.
37
38 Q. And your mother had told your father and your
39 stepmother?
40 A. Yes.
41
42 Q. And that reception that you got, did that - how did
43 that compare with how the other boys, particularly those in
44 Year 12, had treated you up until that particular day?
45 A. Well, it was completely different. You know, it was a
46 case of, you know, when I left it was just business as
47 usual, and when I got back it was quite evident that they

1 knew something was going on. I didn't really know how much
2 they knew or what they knew, but it was obviously clear
3 that they'd been told something.
4

5 Q. And were they - did they - can you recall if they said
6 anything to you about what you should do now?

7 A. Well, one bloke said that I should pack my bags and
8 piss off, sort of, more or less.
9

10 Q. Can you recall whether any of these students offered
11 you any support at all?

12 A. Well, only one. Only one. I don't really want to
13 name him, unless I have to.
14

15 Q. That's fine.

16 A. He was the only one. And he was obviously very aware
17 of what was going on as well, and sort of said, "Well, you
18 know, maybe you should, you know, go to the cops or
19 something. I don't know what you should do." He was sort
20 of stuck between a rock and a hard place because he
21 couldn't be - you know, I knew how it worked. He couldn't
22 be seen to get - you know, to be supporting me in any way,
23 you know, if - if the shit was going to hit the fan.
24

25 Q. So apart from him --

26 A. Yes.
27

28 Q. -- I gather you made friends at the hostel, had you?

29 A. Yes, we had been friends. We'd played footy together
30 and that for - you know.
31

32 Q. So apart from him, what about your other - your
33 football team-mates?

34 A. No. It was just - yes, it was a complete shutout.
35

36 Q. And the boy that sided with you, albeit I gather in a
37 clandestine way, did he say anything to you about the -
38 what story they had been fed?

39 A. Not - not at - my recollections are that he didn't say
40 much at the time --
41

42 Q. Yes.

43 A. -- but I certainly found out after that - how things
44 had probably unfolded.
45

46 Q. Okay. Are you able to tell us then, now, what that
47 was?

1 A. Yes, he said to me that there had been a meeting
2 called, you know, with some of the Year 12s. I don't know
3 whether it was all of them, with McKenna.
4
5 Q. And do you know when that meeting was?
6 A. Well, as far as I'm aware it was that afternoon.
7
8 Q. That Monday afternoon?
9 A. When I wasn't at the hostel. I was off with mum and
10 obviously they had been told something at that point.
11
12 Q. And did you subsequently become aware from him as to
13 what they were told at that meeting?
14 A. Yes, well, he - he did let on to me later that it was
15 basically along the lines that I was making up a story to
16 get back at Dennis for the fact that he reckoned he'd
17 caught me out stealing from the canteen.
18
19 Q. And was there any truth to that --
20 A. None whatsoever.
21
22 Q. So given this reception that you had received from the
23 students, again we are now going to that Monday, I gather
24 this is now - this is late afternoon, early evening?
25 A. Yes, it's - it's probably after dinner, I would
26 suggest.
27
28 Q. Did you make a phone call to anyone?
29 A. I did. I sort of did the usual bits, and then I snuck
30 up to a phone in what was a little conference room, like a
31 hall up the top behind the kitchen, and made a call to dad.
32
33 Q. All right. So you didn't use the phone that the
34 students were supposed to use?
35 A. No.
36
37 Q. Was there any reason for that?
38 A. Well, they would have seen me. Everyone would have
39 known exactly what was going on.
40
41 Q. So you - so you made the phone call from this
42 particular room?
43 A. Yes.
44
45 Q. For the purposes of what?
46 A. Getting dad to come and pick me up straightaway.
47

1 Q. And did he do that?
2 A. Yes, he did.
3
4 Q. And did he come with anyone else?
5 A. He came with Cathy.
6
7 Q. That's your stepmother?
8 A. Yes.
9
10 Q. What happened then when they arrived at the hostel?
11 A. Well, I - once I'd made the call, I'm pretty
12 sure - well, I know I notified Neil McKenna that dad was
13 coming to get me.
14
15 Q. Why did you think you had to notify him?
16 A. I don't know why I thought I had to notify him. I
17 just thought I would just tell him that they were coming
18 in, and that I was out of there.
19
20 Q. Was it your intention to leave the hostel --
21 A. Absolutely, yes.
22
23 Q. -- on a permanent basis?
24 A. Absolutely.
25
26 Q. So you told Neil that, and that was - was that between
27 you making the call to your dad and him arriving with your
28 stepmum?
29 A. Yes.
30
31 Q. Okay. So when you - incidentally, has your dad passed
32 away --
33 A. He has.
34
35 Q. -- since - since this time?
36 A. Yes.
37
38 Q. So your dad arrived and your stepmum?
39 A. Yes.
40
41 Q. Did they meet up with you?
42 A. Yes.
43
44 Q. And what happened then?
45 A. Well, Ian Murray and Garth Addis came to the hostel.
46 I don't know how they were notified or why they were there.
47 At the time I didn't really sort of - I guess I was

1 packing. I don't know how that all unfolded, but they were
2 there.
3
4 Q. And do you know who Garth Addis was?
5 A. Well, as far as I was aware, he was the chairman of
6 the board.
7
8 Q. The hostel board?
9 A. The board, yes.
10
11 Q. All right. So they arrived?
12 A. Yes.
13
14 Q. You were there?
15 A. Yes.
16
17 Q. Your dad and your stepmother?
18 A. Yes.
19
20 Q. And what happened then?
21 A. We had a meeting in the office.
22
23 Q. Do you know whose office that was?
24 A. It was Dennis McKenna's office.
25
26 Q. Was Dennis McKenna there?
27 A. No, I hadn't seen him since I got back that afternoon.
28
29 Q. So at that meeting in Dennis McKenna's office, did you
30 say anything to the people that were there?
31 A. Well, we basically went back over exactly what I had
32 spoken to Ian Murray about earlier in the day.
33
34 Q. Yes.
35 A. We went - basically remade the accusations and went
36 into discussion about that for the same result.
37
38 Q. How clear did you make it as to exactly what the
39 allegations were?
40 A. Very clear.
41
42 Q. Do you recall whether anyone said anything after you
43 had told them of the allegations?
44 A. Well, we did. We went through the allegations again.
45 Once again all we got hit with was rebuke. It was like,
46 you know, didn't believe us, didn't want to know about it.
47

1 Q. Can you --
2 A. Garth --
3
4 Q. Sorry, go on?
5 A. -- as far as I'm aware, you know, they said, "Well,
6 you know, look, if you're serious, you better go to the
7 police", or something along those lines. I can't remember
8 the exact wording obviously.
9
10 Q. But when that remark was made about "you better go to
11 the police", can you recall in what manner it was said?
12 A. Well - well, it was almost like, you know - almost
13 like, you know, taking the mickey. As if, like, "Well, you
14 know, if you think you've got something to talk about then
15 you best run off to the police about it." It wasn't - I
16 don't believe it was serious advice or anything of that
17 nature, it was simply a case of, you know, take your
18 problems somewhere else.
19
20 Q. All right. So Mr Addis had said that, and what about
21 the other comments that you just said. Who was saying
22 those things?
23 A. Well, between both of them, you know, and there was -
24 there was - you know, healthy discussion about, you know,
25 the fact that they, you know, kept reiterating the fact
26 that they thought I was making this allegation up --
27
28 Q. So they both --
29 A. -- to square up with McKenna over some previous minor
30 issues, and one of them - which was not stealing - from my
31 memory at the court case got dragged up about a stray dog
32 that had come to the hostel and a few of us boys had
33 befriended and we wanted to keep it for a hostel dog and
34 McKenna had said, "No", and so somehow that got dragged up
35 that I was trying to square up for that, and some stupid
36 umpiring decision that I'd made on the Saturday as well,
37 which I can't remember for the love of money.
38
39 Q. The stray dog - was there any truth to that story
40 about a stray dog coming to the hospital?
41 A. Well, there was, there was a stray dog come to the
42 hostel, yes. And, you know, we just looked after it for a
43 bit and decided we wanted to keep it and we get - you know,
44 got told that it wasn't going to happen.
45
46 Q. Did you have a problem with that?
47 A. I just thought it - didn't see any harm in it, you

1 know, but no big deal.
2
3 Q. Okay. Did - who was it who was - withdraw that. Did
4 Mr Murray say anything to you about any conversations that
5 he had had with a person regarding this matter?
6 A. Well, he did. We were having these discussions and I
7 guess all the while McKenna was absent from all of this,
8 hadn't been seen. So dad and Cathy made the point, "Well,
9 you know, if the kid's making it up and this is all some
10 sort of concocted story, then there must be a reason, so
11 how about we get McKenna in here and let's work it out and
12 let's get to the bottom of it, find out the truth, whether
13 I'm making this up or whether there's a reason" and, you
14 know, dad and Cathy made the point that, you know, if
15 they'd been accused of something of that nature, the first
16 thing you'd want to be doing, if you're innocent, is defend
17 yourself. You know, you wouldn't want to be running off
18 hiding in a room, and so dad made the point quite - you
19 know, quite boldly, "Get him in the room. If he's got
20 nothing to hide, get him in the room", and Ian said, "Oh,
21 no, he's too - he's too upset. He's crushed by the
22 accusations", rah, rah, rah, and dad just said, "Bullshit",
23 you know, "He's got something to hide, he is hiding in
24 there like a scolded cat. Get him out here and let's see
25 what's - you know, let's get to the bottom of it."
26
27 Q. And did that work? Did Dennis McKenna make an
28 appearance?
29 A. No.
30
31 Q. Did Ian Murray say anything to you about having spoken
32 to Dennis McKenna?
33 A. Well, he said that he had spoken to him, you know
34 about what - the allegations and that he was obviously
35 devastated by the allegations.
36
37 Q. And can you recall whether Mr Murray said anything
38 about what Mr McKenna had said about the reasons for these
39 allegations?
40 A. Well, I - at that point I don't believe there was a
41 lot mentioned about as far as the stealing goes. I don't
42 remember there being any talk of the stealing, and there
43 certainly wasn't any talk of me being expelled for
44 stealing, which was a story that surfaced --
45
46 Q. Yes.
47 A. -- you know, after I left the hospital.

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Q. Okay. So was any support provided to you by either Mr Addis or Mr Murray about your allegations?

A. Sorry, say that again?

Q. Did they provide you with any support, or give any indication as to whether they were going to follow up these allegations you were making?

A. No. No. No. As far as I'm aware there was no - there certainly wasn't any, "Look, well, we'll look into it, we'll investigate it, we'll get to the bottom of it." It was simply a case of maybe - you know, "They are serious allegations and you better be sure about all this" and, "You go and see the police" and, you know, it was very much a case of, you know - you know, and along with that, you know, then there was veiled threats about, you know, "You make these sort of allegations that are unfounded, you know, you are going to be liable for defamation" and all this sort of caper, you know.

Q. I was going to ask you about that. Who was making those veiled threats, can you recall?

A. As far as I'm aware, both of them.

Q. Right.

A. Yes.

Q. And did you see your - your father's reaction to that either at the time or subsequently?

A. Well, you know, they were - Cathy and Ben were livid. Probably not so much at the time. I mean, it was sort of - they had a fair bit to swallow, but certainly on the way home in the car, and in the ensuing days and that, you know, it hit home for dad. He was livid and you know and --

Q. Well, what was his reaction to the - this threat of --

A. Well, he was angry. He was angry that, you know, particularly a school principal and a hostel board member had just - just, you know, thrown the accusations off as if they were complete rubbish, and weren't even going to give them consideration at all. I mean, it's like they weren't going to consider them for a second.

Q. And did he speak to you at all about, you know, this threat of defamation proceedings that had been made?

A. Well, he did, and we spoke quite openly, and

1 vigorously about the truth of them, and - and again and
2 again I just said, "Why would I make this up?", and it was
3 the absolute truth and I stuck by that all these years, and
4 I think if you look at records, he was convicted.
5
6 Q. So after leaving the hostel, where did you go?
7 A. We went back to the farm.
8
9 Q. And the farm was where?
10 A. Wagin.
11
12 Q. Now, this was August. You had your TEE exams --
13 A. Yes.
14
15 Q. -- just a short time after that?
16 A. Yes.
17
18 Q. So where any arrangements made for you to be able to
19 continue going to Katanning high school?
20 A. Yes. We were that close to exams, so we decided to
21 stay at Katanning to finish.
22
23 Q. Yes.
24 A. So private accommodation was found through - through
25 my mum and some family friends.
26
27 Q. And how long was it before you were able to go back to
28 school after that Monday?
29 A. I can't tell you exactly, but maybe a week.
30
31 Q. Okay.
32 A. Well, TEEs were close, so we didn't have a lot of time
33 to mess about.
34
35 Q. When you went back to the school - now, again, can you
36 tell us anything about the reception you got when you
37 returned to the school as distinct from when you went back
38 to the hostel?
39 A. Yes, well, it was - again, you know, the hostel kids
40 wouldn't speak to you. It was a case of, you know, they -
41 it was very, very standoffish between myself and hostel
42 kids, and that is when, you know, that I had learn that
43 apparently I'd been expelled for stealing.
44
45 Q. I see. So you found out at that point in time?
46 A. Yes, it was that --
47

1 Q. Expelled from the hostel for stealing?
2 A. Yes, apparently.
3
4 Q. And who was making those accusations at you?
5 A. Well, obviously they'd come from the hostel somewhere.
6 I mean, you know, again, my mate sort of let me in on - on
7 the fact that they'd been sort of told that - that, "You're
8 not to have anything to do with him" and, you know, there
9 was threats of expulsion, I guess, in that - that sort of
10 stuff which was nothing unusual for the hostel. If Dennis
11 wanted to turn - turn the kids off someone, he only had to
12 say the word and it was like, you know, that was what was
13 done.
14
15 Q. So was it just the hostel students that were giving
16 you a hard time about being expelled for stealing or --
17 A. Yes.
18
19 Q. -- did it go further than that?
20 A. Well, the other town students from Katanning were - I
21 have to say, were terrific. They were very supportive,
22 but --
23
24 Q. The other - did you say?
25 A. Students, like --
26
27 Q. Did you say "townies"?
28 A. Townies, yes.
29
30 Q. I should have picked that up. I'm very familiar with
31 that phrase now?
32 A. Yes.
33
34 Q. So the townies were in support of you?
35 A. Yes.
36
37 Q. What about the teachers at the school?
38 A. No, it was very obvious that they were aware of the
39 situation, and I guess, you know, if they were under the -
40 under the illusion that I had been expelled for stealing
41 then they obviously would have looked at me as if I was
42 some sort of cretin, and they were not supportive at all.
43 There was only a couple that were, you know, normal, so to
44 speak.
45
46 Q. All right. I'll just start - the couple that were
47 normal, as you say, were they ones that didn't - supported

1 you?
2 A. Well, one in particular - you know, we had a chat
3 after class and, you know, we discussed the situation very
4 sort of briefly, and he said, you know, "For what it's
5 worth, I believe you and I think, you know, if you need to
6 talk to anyone, if you need, you can talk to me."
7
8 Q. And did he say anything to you about what the teachers
9 had been told?
10 A. Well, he - he - he made a point to me that they were
11 aware of what had - what was going on, and that, you know,
12 they were certainly - it was made clear to them not to do
13 me any favours, put it that way.
14
15 Q. And did he say where that direction had come from?
16 A. No, he didn't say directly where that had come from.
17
18 Q. And did you recall that teacher's name?
19 A. Ken Sambell.
20
21 Q. Is that spelt S-A-M-B-E-L-L?
22 A. As far as I'm aware, yes.
23
24 Q. Right. So that was one teacher who --
25 A. Yes.
26
27 Q. -- was supporting you?
28 A. Yes.
29
30 Q. And you mentioned another one too, I think?
31 A. I think there was a Mrs Prior. I don't know whether
32 she's still prior or not, but the media studies teacher.
33
34 Q. So she was another teacher that supported you?
35 A. Yes.
36
37 Q. But apart from that?
38 A. No, very - very much a case of over there.
39
40 Q. So the other teachers, how - was there any difference
41 in the way they treated you from before the beginning of
42 August 1990 and now?
43 A. Yes. Well, it was - I - I - I felt completely like,
44 and made to feel like I was the villain, that I had done
45 something wrong.
46
47 Q. And can you recall one teacher in particular who --

1 A. Yes.
2
3 Q. -- made their views clear to you?
4 A. Yes, for one reason or another, I'm not sure how it
5 came about, but I ended up in Ms Pringle's - Ms Pringle's
6 office, who was deputy principal --
7
8 Q. Yes.
9 A. -- I'm aware. And she took me to task over why I was
10 making up such absurd allegations and that, you know, "How
11 do you think it's going to look for you?", you know, rah,
12 rah; "You've been expelled for stealing" and rah, rah, rah.
13 And I just, you know, I said, "Well, I'm not making it up
14 and I didn't get expelled for stealing", so - and that was
15 the end of that conversation.
16
17 Q. And did she accept --
18 A. No.
19
20 Q. -- that?
21 A. No.
22
23 Q. So what sort of demeanour did she display when you
24 were - when she was saying these things to you?
25 A. Well, she obviously thought that I had been expelled
26 for stealing, and that I was, you know, was - she obviously
27 thought I was making it up.
28
29 Q. But did she call you anything?
30 A. Well, she reckoned I was a liar.
31
32 Q. She said you were a liar?
33 A. Yes, she said I was lying and I --
34
35 Q. About?
36 A. About the accusations.
37
38 Q. About the accusations?
39 A. Yes.
40
41 Q. Now, was there any attempt made by a teacher in
42 authority to redress these hurtful allegations that had
43 been made against you --
44 A. No.
45
46 Q. -- and baseless allegations?
47 A. No, there wasn't, and that became a problem because,

1 you know, Ian Murray was at the meeting not once, but
2 twice. We had two meetings with Ian Murray, and the second
3 one when we left the hostel that night. We left. There
4 was no talk of stealing, there was no talk of expulsion,
5 they - we basically said, "We're leaving and we are taking
6 this further", and he did absolutely nothing to dispel the
7 rumours that I had been expelled for stealing. I mean,
8 they were just an absolute lie that I had been expelled for
9 stealing, and it wasn't until later in a newspaper - and I
10 can't remember how long later - that there had been one
11 line put in there that the boy was - Garth Addis added that
12 the boy was not expelled for stealing as previously
13 mentioned or as the rumour had said.

14
15 Q. Can you recall roughly how much later was that after
16 August 1991?

17 A. I - I think that was around the time that McKenna was
18 facing trial.

19
20 Q. Facing trial. After his trial?

21 A. Well, possibly during it, and around that time.

22
23 Q. Okay.

24 A. I have got copies of that paper.

25
26 Q. But what about prior to that? What about prior to
27 the --

28 A. No, nothing.

29
30 Q. -- the end of 1990?

31 A. No, nothing, because when I left the hostel, still
32 being at the school and still being in the area, and our
33 family being in the area, you know and, you know, so many
34 families and so many people were obviously sucked into
35 McKenna and thinking that this guy was the Messiah and, you
36 know, you are trying to take down the Messiah, and it was
37 one lad trying to take down the Messiah and, you know, it
38 wasn't a fair fight, and when they defamed me like that,
39 saying that, "You'd been expelled for stealing and you're
40 making all this crap up", you're aware - you've got nowhere
41 to go with it, and myself and my family copped a lot of - a
42 lot of grief from people over that. People treated us
43 differently, people treated the family differently. People
44 made comments to you all the time. So, you know, we - we
45 suffered that right until the day that McKenna was found
46 guilty on the charges that I put against him.

47

1 Q. So no attempt by the principal, the deputy principal
2 to convene a meeting of students at the school to clarify
3 the situation in 1990?

4 A. Not in my memory.

5

6 Q. And what about after you - Dennis McKenna had been
7 convicted --

8 A. Yes.

9

10 Q. -- and you mentioned that one line from Mr Addis, but
11 what about from someone at the school --

12 A. No.

13

14 Q. -- did you receive any --

15 A. I never --

16

17 Q. -- apology or anything like that?

18 A. No, I've never ever received an apology from either
19 Garth Addis, who's now deceased or Ian Murray or the
20 hostel's board, the Hostels Authority or McKenna or
21 anybody. That's never been cleared up. And, you know, I'm
22 glad I'm getting the chance to clear it up right now,
23 but --

24

25 HIS HONOUR: Q. Did anyone else in the community that
26 was critical of you at the time, anyone ever come to you
27 and said, "Well, we were wrong"?

28 A. Funnily enough now, even after the case when McKenna
29 was locked away the first time, there was still a strong
30 belief amongst some people that he was still innocent and,
31 you know, and then in the ensuing years from his trial to
32 this new trial, and now this case, it was always the case
33 of, you know, my name would come up somewhere - you know,
34 my wife would be somewhere and it's like, "Oh, you're
35 married to that boy", yes, you know, and there was always
36 this stigma attached and it's never really cleared itself,
37 and we've never had full support until now, you know, and
38 then - I guess it's a bit of a double-edged sword, you
39 know, we could --

40

41 Q. When you say "now", you mean as a result of the --

42 A. As a result of the Inquiry and the last lot of
43 charges. It's - I say it's a bit like a double-edged
44 sword. You know no one really wanted to know about it back
45 then and there was very little support, and now you've got
46 all these people coming out in support, and it's great, but
47 you know --

1
2 Q. It's been a long 20 years or whatever it is?
3 A. It's been a long 20 years, and I'm glad this is
4 happening.
5
6 MR URQUHART: Thank you, sir.
7
8 Q. Given the treatment that you were receiving when you
9 went back to the schools - this is after you had left
10 voluntarily the hostel and you're back at the high school
11 and the treatment you were receiving - did you tell anyone
12 about that in your family?
13 A. Well, you know, mum and dad and Cathy were well aware
14 of the treatment, you know, and the way things were and,
15 you know, dad was typical, you know, sort of farming bloke,
16 "Just get on with it, you'll be right, tough it out", you
17 know, but I know that --
18
19 Q. Do you know whether your stepmum --
20 A. Yes, Cathy made an approach to Ian Murray via
21 telephone and asked him --
22
23 Q. Yes.
24 A. -- what he was doing to sort this out and clear this
25 up and ensure that this wasn't going to continue.
26
27 Q. And did you become aware of her then --
28 A. Yes.
29
30 Q. -- the response that she got to that?
31 A. Yes, the response she got from that was very shortly
32 after that she received a threat of defamation from
33 McKenna's lawyers.
34
35 Q. And when she received that letter, did you become
36 aware of whether that had any impact on your dad?
37 A. Yes, that hit him really hard, because at that point
38 it sort of dawned on him that it could get very serious and
39 very ugly and that, you know, there was always a
40 possibility that he could lose his farm and, you know - you
41 know, and that's - you know, anybody who knows anything
42 about farming, that would be the last thing you'd want to
43 face after working as hard as he had for that long.
44
45 MR URQUHART: Yes. I thank you Mr Jefferis. That's all
46 the questions I have, sir.
47

1 HIS HONOUR: Right, Mr Hammond.
2
3 MR HAMMOND: Sir, I don't have any questions at this
4 stage, but if I do have some after Mr Manera and others
5 have finished, if I could have leave.
6
7 HIS HONOUR: Certainly, do.
8
9 MR HAMMOND: Thank you, sir.
10
11 HIS HONOUR: Mr Jenkin.
12
13 MR JENKIN: No, thanks, your Honour.
14
15 HIS HONOUR: All right. Now, Mr Manera, do you have
16 questions?
17
18 MR MANERA: Thanks, your Honour.
19
20 HIS HONOUR: Mr Manera represents Mr Murray.
21
22 <CROSS-EXAMINATION BY MR MANERA:
23
24 MR MANERA: Q. Mr Jefferis how long - when was it that
25 you actually went to the police in relation to these two
26 meetings with Mr Murray?
27 A. Well, my recollection of that is that we saw Ian
28 Murray in the afternoon, and we left the hostel that night,
29 so the second meeting was the night we left the hostel.
30
31 Q. Sorry, perhaps I didn't make myself clear. When did
32 you go to the police in relation to the meetings with Mr
33 Murray - was it after the first meeting or after the second
34 meeting?
35 A. After the second meeting.
36
37 Q. Right. How long after the second meeting?
38 A. When I returned to Katanning from the farm.
39
40 Q. So was it a day, two days, three days - how long after
41 that second meeting?
42 A. Well, I honestly can't remember how - it was - it was
43 very shortly after, but as far as a day or a time, I can't
44 tell you that.
45
46 Q. No, no, that's fine, I'm not asking you to after
47 22 years, but it was very shortly after that second meeting

1 with Ian Murray?
2 A. Yes.
3
4 Q. Okay. Thank you. Now, putting aside you've told us
5 that Mr Murray made it clear to you that he didn't believe
6 you. Putting that aside for a moment, I just want to
7 clarify - Mr Murray did say to you to go to the police, but
8 you didn't think he was serious about that; is that true?
9 A. Yes, he did at the second meeting say that --
10
11 Q. Right.
12 A. -- if our allegations were, you know, an issue for us,
13 then we should take it further.
14
15 Q. Sure.
16 A. But they stated that they weren't going to take it any
17 further.
18
19 Q. Okay. What I'm going to suggest to you is that he
20 also said go to the police in the first meeting as well?
21 A. No, he didn't.
22
23 Q. Are you sure about that?
24 A. Adamant.
25
26 Q. Okay. And how long was it between the two meetings?
27 A. Few hours. I - it's hard to say. Several hours.
28
29 Q. Sorry, what I mean is this - yes. So the first
30 meeting that you went to with Mr Murray, that your mother
31 was present at, and Lynley Day, how long was it between
32 that meeting and the second meeting that your father and
33 stepmother and Mr Addis were at?
34 A. Well, from my memory it was the same day.
35
36 Q. I see, okay. Both meetings were on the same day?
37 A. As far as I'm aware, yes.
38
39 Q. Okay. All right. Thank you. And when you first went
40 to - at the first meeting you were no doubt uncomfortable
41 about - talking about it?
42 A. Yes. Wouldn't you be?
43
44 Q. Absolutely. And were you upset?
45 A. Yes.
46
47 Q. And were you, can I say, reluctant to talk about it,

1 the specifics of what happened?
2 A. Yes, I may be - I may have been reluctant to talk
3 about every last detail, for sure.
4
5 Q. You see what I'm suggesting to you is - sorry, and
6 I'll just - what I'm suggesting to you is that in your
7 evidence earlier on you made reference to saying in that
8 first meeting that there was physical, and then you went on
9 to say "or sexual abuse". What I'm suggesting to you is at
10 those meetings with Mr Murray, you didn't specifically say
11 that it was sexual abuse?
12 A. Yes, I did.
13
14 Q. Okay. Can I ask you why it was when you were speaking
15 before about those meetings, that you mentioned physical
16 abuse?
17 A. Well, what do you call it, physical abuse, sexual
18 abuse. I mean, it's sexual abuse.
19
20 Q. Okay. See, what I'm suggesting to you is that - that
21 you mentioned that you spoke in terms, at both meetings, of
22 physical abuse, not sexual abuse?
23 A. No, I speak about sexual abuse, because we made it
24 quite clear to Mr Murray in the first meeting and the
25 second meeting what the nature of that abuse was.
26
27 HIS HONOUR: Q. Can you be more specific, and don't be
28 worried about saying anything, any words you used in
29 public?
30 A. Yes.
31
32 Q. What words do you remember using in describing what
33 you told them?
34 A. No, we had told them that, you know, McKenna had got
35 me into his bed and, you know, there was other details;
36 but, I mean, there wasn't every last detail. I mean, it
37 was pretty raw at that stage. You know, you are talking
38 about a 17-year-old boy trying to tell a bunch of blokes
39 that he's just been touched up, you know, like --
40
41 Q. And you said that McKenna had got you in his bed?
42 A. Yes, and touched me up and, you know, and whatever
43 else.
44
45 Q. Right.
46 A. I'll leave the rest of the details out.
47

1 HIS HONOUR: Right.
2
3 MR MANERA: Q. Mr Jefferis, I'm sorry if this makes you
4 uncomfortable, I understand that it would, but are you
5 suggesting that you told Ian Murray those things in both of
6 those meetings?
7 A. Yes.
8
9 Q. All right. You see - okay. When you went - as I
10 understand it, the first person you told about these things
11 was your mother?
12 A. Yes.
13
14 Q. Yes.
15 A. Yes.
16
17 Q. And do you know who your mother told before you went
18 to the meeting with Ian Murray?
19 A. She probably would have told her husband George.
20 Outside of that --
21
22 Q. Do you know who she told? If you don't know --
23 A. Well, I would say she would have told George, because
24 she would have left the farm and to come down and pick me
25 up.
26
27 Q. Sure. Do you know whether she spoke to anyone else on
28 the telephone before you had the meeting with Ian Murray.
29 A. No, as far as I'm aware, having conversations with mum
30 over this many years, no, as far as I'm aware she didn't.
31
32 Q. The - and as I understand it, you subsequently went
33 back to the hostel and some of the kids at the hostel
34 suggested to you - they had a bit of a go at you, didn't
35 they, for making these allegations about Dennis?
36 A. Well, they had a go at me about the situation which is
37 obvious that they knew about the allegations, yes.
38
39 Q. Sure. They had a go at you for saying these things
40 about Dennis?
41 A. Yes, they had - yes, they were having a go about me
42 about making accusations against McKenna.
43
44 Q. Sure. And it was your understanding that Dennis
45 McKenna still had some support amongst some of the students
46 at the hostel?
47 A. I - I would suggest that he had unanimous support.

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47

Q. Okay. All right. So the - I will get back to that. Sorry, I'm just checking my notes, Mr Jefferis. I won't be too long. Do you remember at the meeting with Mr Murray that he asked you, in fact, what happened?

A. I don't know that he asked for details because we had mentioned --

Q. Right.

A. -- the nature of the abuse, and obviously some details, but he wasn't listening, because he didn't want to know about it, and he was just so quickly onto the defensive of McKenna that I don't think it would have mattered what we said.

Q. Do you recall saying to Mr Murray in the course of that meeting, "You don't believe us, whose side are you on?"

A. Yes, it's quite possible I said that, yes.

Q. Remember - right. What I'm suggesting to you is both you and your mother said, "Whose side are you on, you don't believe us?"

A. Well, that's a natural deduction when you go to an authoritarian for help, and you get no support.

Q. Sure. What I'm suggesting to you is that as soon as Mr Murray made any - asked you any questions about what had happened, that was you and your mother's immediate reaction?

A. No, I wouldn't say that.

HIS HONOUR: So just to clarify, Mr Manera, are you putting to the witness that he didn't tell Murray what had happened.

MR MANERA: What I'm suggesting, your Honour - yes, that he didn't - what I'm specifically saying, your Honour, that there wasn't a reference to sexual abuse. And further, your Honour, that when Mr Murray attempted to investigate - to find out what had happened, he was accused of not believing them and being on the other side, so to speak. That's what I'm specifically putting to the witness, your Honour.

HIS HONOUR: What do you say to that? Do you understand that proposition?

1 A. Well, I - I do, and I would say that you're completely
2 wrong. We - we went to the - to Ian Murray to discuss the
3 actual very nature of the incident, and we were reporting
4 an incident and we were reporting that there had been
5 sexual abuse, and we weren't sure what to do with it and
6 where to go with it, and we were just hit with complete and
7 utter disdain from Ian Murray, who didn't want to know
8 about it and he just wanted us to shut up and go away.

9
10 MR MANERA: Sure.

11
12 Q. Do you remember, when he told you to go to the police,
13 do you remember him saying to you as well, "Don't gossip
14 about it, and don't tell other people about it."

15
16 MR URQUHART: This, sir, according to the witness, would
17 be the second meeting and not the first.

18
19 HIS HONOUR: So are you putting this was the first meeting
20 or the second meeting that you have --

21
22 MR MANERA: Q. What I'm suggesting to the witness, your
23 Honour, is that after Mr Murray said, "Go to the police",
24 he then said, "Don't talk about - don't talk about it,
25 don't gossip about it"?

26 A. What meeting are we talking about? He told us to go
27 to the police only at the second meeting.

28
29 Q. The meeting when he told you to go to the police.
30 What I'm suggesting to you is in the context of telling you
31 to go to the police, he said, "Don't gossip about it, don't
32 circulate it, don't talk to others about it", words to that
33 effect?

34 A. No, it wasn't a case of him saying, "Don't gossip
35 about it, don't talk about it", it was - it was a very,
36 very defensive Ian Murray, and a very defensive Garth Addis
37 that were trying to protect Dennis McKenna, and the way we
38 took it was the fact that they wouldn't get McKenna to face
39 us, they didn't want to know about it, they didn't want to
40 deal with it, and they told us to go and see the police.
41 They did not want to know about it. From that we have
42 taken it that obviously they didn't believe us, and then
43 came the threats that, "You better watch out for defamation
44 if you're going to make such accusations." It was a
45 protection move from them, as far as I'm concerned.

46
47 Q. All right. That's the impression that you got, namely

1 that Mr Murray was trying to protect himself. Is that what
2 you're suggesting?
3 A. I'm suggesting that he was trying to protect Dennis
4 McKenna, and if that meant protecting himself and the
5 hostel board in the meeting, then so be it.
6
7 Q. Right. But you'd accept, and you said in your
8 evidence as much, that he told you to go to the police?
9 A. Yes, as - that's what his - his statement was that
10 they were not going to deal with it, they didn't want to
11 know about it, so go see the police. It was a case of off
12 you go.
13
14 MR MANERA: All right. Okay. Excuse me for one moment.
15 Nothing further, thank you.
16
17 HIS HONOUR: Mr Hammond.
18
19 <CROSS-EXAMINATION BY MR HAMMOND:
20
21 MR HAMMOND: Yes. Just one question, Mr Jefferis.
22
23 Q. In relation to the conduct that you were complaining
24 about, which had been perpetrated by McKenna, that was
25 conduct the night before the meeting, wasn't it?
26 A. The conduct was on the Saturday night, and the
27 meeting, from our recollection, was on the Monday night.
28
29 Q. So you made the complaint very soon afterwards?
30 A. We did.
31
32 Q. Do you know how many hours afterwards, after the
33 incident?
34 A. Well, as far as I can remember the incident - or the
35 last incident that took place with McKenna was - could
36 possibly have been as late as 10, 11 o'clock at night, and
37 we had a meeting with Murray, as far as we can remember,
38 after school on Monday.
39
40 MR HAMMOND: Thank you, sir.
41
42 HIS HONOUR: Mr Urquhart.
43
44 MR URQUHART: I don't have any re-examination, thank you
45 sir.
46
47 HIS HONOUR: Well, that completes your evidence. I can't

1 comment on your evidence because --
2
3 MR RAFFERTY: Your Honour --
4
5 HIS HONOUR: Yes, yes, I'm sorry, Mr Rafferty. Do you
6 have questions.
7
8 MR RAFFERTY: I've got a few questions.
9
10 HIS HONOUR: Sorry, I do beg your pardon, Mr Rafferty.
11
12 MR RAFFERTY: You've forgotten all about me.
13
14 MR URQUHART: Arguably a blessing.
15
16 MR RAFFERTY: And, sir, I simply just want to ask a
17 question in relation to the chronology.
18
19 HIS HONOUR: Yes, you may.
20
21 MR RAFFERTY: I like it when Mr Urquhart thinks he's being
22 funny. Thank you. I like it when Mr Urquhart thinks he's
23 being funny, but it's not. Your Honour, I just want to ask
24 some questions in relation to chronology.
25
26 HIS HONOUR: Yes, you may, you may.
27
28 MR HAMMOND: Thank you.
29
30 <CROSS-EXAMINATION BY MR RAFFERTY:
31
32 MR HAMMOND: Q. Mr Jefferis, my name is Rafferty and I
33 appear for Colin Philpott, who was Chairman of the Country
34 High Schools Hostels Authority at the time. Okay.
35 A. Yes.
36
37 Q. You had a meeting, two meetings, which involved your
38 father, Garth Addis and Ian Murray; correct?
39 A. Yes.
40
41 Q. You then go back home with your father --
42 A. Yes.
43
44 Q. -- to the farm.
45 A. Yes.
46
47 Q. Some time shortly after that, we're not sure about

1 period of time, but shortly after that you come back to
2 Katanning.

3 A. Yes.

4

5 Q. And that's when you make the complaint to police; is
6 that correct?

7 A. Well, we - we have obviously - we contacted the police
8 at some point very soon after our meeting in Katanning, and
9 made an initial statement to the Katanning police, who then
10 referred the matter to the Albany detectives, and as far as
11 exactly days and times of when all that took place, I
12 honestly, you know, I - I - I can't tell you.

13

14 Q. No.

15 A. You may get those dates off the statements off the
16 statements that we --

17

18 Q. 23 years ago, I'm not going to ask you that, I'm just
19 trying to get the --

20 A. Yes.

21

22 Q. -- sequence in order.

23 A. Yes, yes.

24

25 Q. Did the Albany police come up and see you in
26 Katanning?

27 A. Yes. They came and took a statement off us.

28

29 Q. It's not like these days where it's on video, they
30 actually - it was a handwritten statement, is that correct?

31 A. Yes, as far as I'm aware. I mean, I've only got a
32 typed copy of that, so I don't really know.

33

34 Q. Yes. Shortly after that - again we don't know the
35 time frame, but it's shortly after that where Dennis
36 McKenna is charged, is that correct - by the Albany
37 detectives office?

38 A. Yes, as far as I'm aware, it was close to a month or
39 so afterwards that there was an Operation Paradox that was
40 around the same time and I think it was about a month or so
41 afterwards that it came to light that there was, indeed,
42 more boys - as it turned out to be five - and charges were
43 laid then. And I don't know whether the charges were laid
44 with how many boys - whether it was just myself and
45 Michael, whether there were others involved in that initial
46 charge or not.

47

1 Q. Right. Some time after that you end up going back to
2 the hostel, is that correct?
3 A. No, I never returned to the hostel.
4
5 Q. You don't ever go - all right. Were you aware though
6 that as soon as he was charged, Mr McKenna - that had been
7 Dennis McKenna - was immediately suspended from being a
8 warden of the hostel?
9 A. I can't remember exactly how it unfolded. I do
10 remember seeing some footage on the news about him being
11 taken away in a car for questioning; but, you know, as to
12 the details of that - well, I don't really know.
13
14 MR RAFFERTY: If you don't know, I'm not going to ask you.
15 Thanks very much for that, Mr Jefferis. I have nothing
16 further, thank you, sir.
17
18 HIS HONOUR: Nothing for you, Mr Urquhart.
19
20 MR URQUHART: Absolutely not, sir, right at the moment.
21
22 HIS HONOUR: Q. Mr Jefferis, I can't comment on those
23 aspects of your evidence which are still in issue, I have
24 got to keep an open mind, but one thing I can say is that
25 the evidence shows that when you went to the police Dennis
26 McKenna had been abusing boys for 14 years. If you hadn't
27 have done that, who knows how much longer it would have
28 continued. So you did a very brave thing, you saved many
29 people from terrible devastation so I think the community
30 owes you a debt of gratitude.
31 A. Thank you.
32
33 Q. Thank you.
34 A. Thank you your Honour.
35
36 <THE WITNESS WITHDREW
37
38 MR URQUHART: The next witness will be Lynley Eileen Day
39 and Mrs Day is actually outside the hearing room.
40
41 <LYNLEY EILEEN DAY, affirmed:
42
43 <EXAMINATION-IN-CHIEF BY MR URQUHART:
44
45 MR URQUHART: Q. Mrs Day, your full name is Lynley
46 Eileen Day?
47 A. That's correct.

1
2 Q. And you currently reside in Northam?
3 A. Yes, I do.
4
5 Q. Have you been out of the hearing room during the last
6 witness's evidence?
7 A. I have been, yes.
8
9 Q. He is, of course, Todd Jefferis, your son?
10 A. He is my son, yes.
11
12 Q. We have already heard from your son that he was at the
13 St Andrew's Hostel from the beginning of 1989 to around
14 August of 1990. Can I just ask you some questions. Was it
15 the case, by then, that you were actually divorced from
16 Todd's father, Dale?
17 A. Yes.
18
19 Q. How long had you been divorced from him?
20 A. Since 1976.
21
22 Q. In 1990, were you living in Burracoppin?
23 A. I was, yes, yes.
24
25 Q. And that's east of Merredin?
26 A. That's correct.
27
28 Q. With your partner, George Day?
29 A. Yes, I had gone there a couple of months previous as
30 an employment arrangement, yes.
31
32 Q. And you subsequently married Mr Day in 1991?
33 A. That's correct.
34
35 Q. Mrs Day, I want to take you back, please, to a Sunday
36 in early August of 1990. Was that just shortly after you
37 arrived at Burracoppin?
38 A. Yes, it was. I think I arrived at Burracoppin
39 sometime in June.
40
41 Q. And you recall receiving a phone call from your son?
42 A. I do, yes.
43
44 Q. Can you recall what he said to you in that phone call
45 just generally?
46 A. He said "Mum, I was abused by McKenna last night. Can
47 you come and get me?"

1
2 Q. Did he go into the details or did he say how that
3 abuse was?
4 A. Just briefly but, yes, I would, you know --
5
6 Q. I know you don't want to go into the details but did
7 you make the distinction between a physical abuse as
8 distinct from sexual abuse. Can you recall. I know it's a
9 while ago?
10 A. He sort of briefly told me in that phone call, because
11 it was a hurried phone call that he had to make virtually
12 in secret. Yes, so he just said that he had - from my
13 memory, made him lie in the bed next to him and he --
14
15 Q. There is no need to go into the details but from what
16 he said to you, were you able to come to a conclusion as to
17 what type of abuse it was?
18 A. Yes, yes, of a sexual nature, yes.
19
20 Q. When your son told you that, were you at all shocked
21 or surprised by that?
22 A. Well, I was horrified, yes, and angry.
23
24 Q. Have you had any suspicions regarding Dennis McKenna
25 before you received that phone call from your son?
26 A. Yes, I have.
27
28 Q. What was that. What were those suspicions and why did
29 you have them?
30 A. Because of the fact that he very early on - I felt
31 that he was trying to drive a wedge between Todd and myself
32 almost like a jealous lover, you know.
33
34 Q. Tell us how he did that?
35 A. Well, I would go to visit Todd at school and the very
36 first time I went McKenna was all friendly and, you know,
37 all over me, "Come and have a cup of coffee" and sat down
38 in the canteen there and, you know, chat, chat, chat and he
39 sat Todd down with us and, you know, said that, you know,
40 Todd had a few little problems but, you know, he was going
41 to iron them out and, yes, I didn't think much of it but
42 each time I visited Todd at the school he made more of a
43 point of telling me Todd's faults and, you know, it didn't
44 have the desired effect because my hackles just rose and I
45 started to dislike the man very much and suspect him of
46 some ulterior motive.
47

1 Q. So you said that - "driving a wedge" I think is the
2 description you used. Did you get any feedback from Todd
3 that supported your observation in that regard?
4 A. Yes, I did because he said that McKenna would say
5 things to him about me. I don't know what things. Like he
6 would say derogatory things about me.
7
8 Q. Can I ask you, when you used to visit Todd, can you
9 recall where those visits would take place?
10 A. Yes, they would always be in that common canteen area.
11
12 Q. Did you have any privacy between the two of you if you
13 so wanted it?
14 A. Only sort of when Todd would walk me to the car, you
15 know, we would say goodbye.
16
17 Q. And apart from that?
18 A. No, no, no.
19
20 Q. So that area where you would speak to Todd when you
21 visited him, would there be other people around?
22 A. Yes, the kids were milling in and out, yes.
23
24 Q. Did you observe something else about Dennis McKenna
25 regarding what he would do on holidays and long weekends?
26 A. I - the other reason that made me sort of start to
27 smell a rat was the fact that he always seemed to be
28 organising something for himself and some boys, to do
29 something on weekends, long weekends, part of the school
30 holidays, and I just felt that that was unusual for someone
31 who is in charge of kids all year, that he wouldn't want to
32 get away from them and have a break.
33
34 Q. Can you recall one particular occasion when you had
35 taken Todd and other boys to a location in Mandurah?
36 A. Yes, it was actually Coogee Beach. There was a little
37 holiday place there right on the beach. I don't - it's
38 probably not there any more.
39
40 Q. On the way to Mandurah?
41 A. Yes, yes.
42
43 Q. Tell us about that?
44 A. I don't know what the weekend was in aid of, I don't
45 remember, but I and my partner were over in Mandurah
46 visiting his parents and I knew Todd was going to be there
47 at this little holiday place so I wanted to catch up with

1 Todd because, you know, I didn't see him very often and
2 Todd got the message through to me somehow, I can't
3 remember how, that McKenna said that he definitely didn't
4 want me visiting there, that you know, it was a closed
5 weekend and he didn't want me there so I wasn't allowed to
6 see him.

7

8 Q. Did you end up seeing him that weekend?

9 A. I did. Somehow I - I have some recollection of
10 arriving at the entrance to that little holiday place and
11 whether I told one of the kids walking in there that I was
12 there and to let Todd know, I sort of have that feeling
13 that's how it came about, and Todd came out onto the
14 street.

15

16 Q. But you didn't have permission?

17 A. No.

18

19 Q. Didn't have permission to see your own son?

20 A. No.

21

22 Q. On a long weekend?

23 A. No, that's right.

24

25 Q. Prior to Todd telling you about the sexual abuse on
26 that weekend, had you ever challenged Dennis McKenna about
27 the length of times he would spend with the boys?

28 A. I did.

29

30 Q. Can you recall what his response was to that?

31 A. I'm afraid I - I can't really recollect what he said
32 to me but by that stage, you know, he wasn't - how should I
33 say? It wasn't too accommodating of me, like I was the fly
34 in the ointment.

35

36 Q. Sorry, we got a little bit side-tracked there,
37 Mrs Day. I just wanted to clarify that with you. Going
38 back to when Todd made that phone call to you in the
39 weekend in early August of 1990, did you subsequently do
40 anything?

41 A. Yes, that was on a Sunday morning that he called me
42 after the abuse the previous night and so very early on the
43 Monday morning I hopped in the car and drove all the way
44 from Burracoppin into Katanning.

45

46 Q. About how far is that?

47 A. Approximately four and a half, five hours, I - yes,

1 around that.
2
3 Q. I gather you told someone where you were going before
4 you left?
5 A. Yes, yes.
6
7 Q. Can you recall who you would have told?
8 A. That was just my partner.
9
10 Q. That's George?
11 A. Yes, George, yes.
12
13 Q. And you would have said that you were going to
14 Katanning?
15 A. Yes.
16
17 Q. Can you recall whether you told him why it was that
18 you were going to Katanning?
19 A. Yes, I told him what the - he was there when Todd rang
20 and so after the phone call I told him all about it, yes.
21
22 Q. Are you aware whether he then told anyone about it?
23 A. No, he wouldn't have told anyone. We were out on the
24 farm and I - I don't - yes, he wouldn't have divulged that
25 to anyone. He offered to come with me and I said "No, I
26 want to do this on my own".
27
28 Q. I gather then, from what you are saying, it wouldn't
29 be in his character to gossip about that or tell anybody?
30 A. No, he's not - definitely not his character, no.
31
32 Q. So you travelled that long trip to Katanning hostel
33 and did you pick up Todd?
34 A. Yes, I picked him up when he came out at school.
35
36 Q. Can I ask you, do you know why it was that you went on
37 the Monday rather than the Sunday?
38 A. Well, I wouldn't have been able to take any action on
39 a Sunday because Ian Murray wouldn't have been in his
40 office.
41
42 Q. So was it the intention of you to see Ian Murray?
43 A. Definitely.
44
45 Q. So after you picked up Todd, did you go and see
46 Mr Murray?
47 A. Yep, we went straight there.

1
2 Q. Do you recall whether you made a prior appointment to
3 see him?
4 A. I didn't make a prior appointment, no.
5
6 Q. What did you do?
7 A. Just landed on his doorstep.
8
9 Q. And did he see you and Todd?
10 A. He did.
11
12 Q. You recall the conversation then took place between
13 you and your son and Mr Murray?
14 A. I informed Mr Murray that I was there with my son to
15 report a sexual abuse by McKenna.
16
17 Q. Upon whom?
18 A. On Todd.
19
20 Q. And did you make it abundantly clear what sort of
21 abuse that was insofar as whether it was sexual or
22 otherwise?
23 A. Of a sexual, yes, of sexual nature, yes.
24
25 Q. Can you recall whether Todd said anything to Mr Murray
26 about the actual allegation, the subject matter of it?
27 A. I can't recall what - because I - I sort of made the
28 introduction, like I said what I wanted to say and he - and
29 Ian Murray was just like angry and just didn't want to hear
30 what I was saying, you know, and he straightaway said to
31 Todd, you know, "Why would you" - you know, "Why would you
32 want to be lying about a thing like this?"
33
34 Q. It become quickly apparent to you what position
35 Mr Murray was taking on this?
36 A. Absolutely. He was - he was in defensive of McKenna.
37
38 Q. Did you say anything in response to this position
39 being taken by Mr Murray?
40 A. After Todd said to Ian Murray "I am not lying", I said
41 "Listen, I know the character of my son and I know he is
42 definitely not lying and you wouldn't get me to come all
43 this way for something that's not true".
44
45 Q. Did that change the attitude taken by Mr Murray when
46 you said that?
47 A. He said "Well this is a major allegation that you're

1 making here and I have no interest in taking it further".
2
3 Q. What did you want him to do about it. Why was it that
4 you came to speak to him. I know it sounds like an obvious
5 question but I want you to say why it was that you went to
6 the high school principal regarding this matter?
7 A. Well, because he was in the position of authority,
8 supposed to be, you know, looking after our kids. He was
9 just, you know, the person that I thought that I would go
10 to first. You know, I was expecting him to be not only
11 shocked and horrified but more receptive to me and to Todd
12 and, you know, to be interested in looking further into
13 this.
14
15 Q. So when he said that he wouldn't be taking any action,
16 did you make a response to that?
17 A. I did. I stood up and I said "Well, if you're not
18 going to take any further action into this then I certainly
19 will be taking it much higher".
20
21 Q. Do you recall Mr Murray saying anything about you and
22 Todd going to the police?
23 A. Never at any time did he mention or suggest going to
24 see the police.
25
26 Q. Did you then leave, I gather, shortly after this?
27 A. I was pretty angry.
28
29 Q. Yes, I get that impression, Mrs Day. Where did you go
30 then after that?
31 A. Todd and I drove down the street because remembering
32 this is sort of before mobile phones, or it was for us in
33 the bush anyway, so we went and found a phone box and I
34 rang his father's home and got hold of Cathy and told her
35 what had happened to Todd and that I had been - that we had
36 been to see the headmaster and - so, you know, she was
37 naturally shocked and horrified. Dale wasn't home at the
38 time and she said that she would, you know, get onto Dale
39 about it as soon as possible.
40
41 Q. And after that phone call, can you recall where you
42 went?
43 A. Well, I - I wanted - naturally I said - I said to
44 Cathy that I would have to return to Burracoppin. I had
45 nowhere in Katanning to take Todd to that night so I more
46 or less had no more choice than to drop him back to the
47 school, so that's what I did of that evening. I took him

1 back there and walked in with him.
2
3 Q. You say "the school", is that actually the hostel.
4 A. To the hostel.
5
6 Q. So you took your son back in?
7 A. Mmm-hmm.
8
9 Q. Were you at all concerned about leaving him there?
10 A. I was and I wasn't because I - I believed that Dale
11 and Cathy were going to come in that evening and pick him
12 up, and also, I felt strongly that McKenna wouldn't dare go
13 near Todd that night after, you know, blowing the whistle
14 on him.
15
16 Q. With respect to Dennis McKenna, do you recall seeing
17 him as you were taking your son back to the hostel?
18 A. I do. He was in his office with the glass windows and
19 I made a point of going to the glass windows and giving him
20 the glare.
21
22 Q. I gather you'd be very effective of that?
23 A. I am. I was one mad mother.
24
25 Q. Did you attract his attention eventually?
26 A. I did, yep. He saw me standing there and he gave me a
27 glance and looked away and busied himself.
28
29 Q. Suffice to say he didn't come out to speak to the
30 angry mother.
31 A. He knew exactly what I was there for, what I was
32 about. If he'd had nothing to hide he would have come out
33 and seen me and asked me what I was wanting or doing there
34 on a Monday.
35
36 Q. I was going to ask you that. He didn't do that?
37 A. No.
38
39 Q. So you left your son there?
40 A. Yes.
41
42 Q. You don't need to go into the details but subsequently
43 was alternative accommodation made for Todd to complete his
44 schooling at the Katanning high school?
45 A. Yes, I knew some people in Katanning and I asked them
46 if they knew of any alternative accommodation and they knew
47 a lady who they thought might take Todd in.

1
2 Q. Mrs Day, I would like to take you now to a date some
3 time around October of 1990. Had you become aware by that
4 stage that Dennis McKenna had been charged with some sexual
5 offences?
6 A. Yes.
7
8 Q. And do you recall attending a meeting?
9 A. Yes.
10
11 Q. And what was that meeting or who was at that meeting
12 to start with?
13 A. All the parents of the hostel kids and other
14 interested persons or supporters of McKenna, I assumed.
15
16 Q. Can you recall who it was that organised this meeting?
17 A. I don't know who organised it but I - I'm fairly
18 certain that Philpott was chairing it.
19
20 Q. Do you recall where this meeting took place?
21 A. At the rec centre.
22
23 Q. You said you were fairly certain that Mr Philpott was
24 chairing it. Do you know who he was?
25 A. I didn't at the time know who he was, no, other than
26 him being a member of the board/committee.
27
28 Q. Board or committee?
29 A. Yes.
30
31 Q. He had some sort of connection with hostels or the
32 hostel, right?
33 A. Yes, yes, yes.
34
35 Q. Did you say anything at this meeting?
36 A. I did.
37
38 Q. What was the central subject matter of the meeting.
39 Do you remember?
40 A. The feeling that I got from the meeting was that
41 everybody was there in support of McKenna. My partner and
42 I were there and Dale and Cathy were there and I felt like
43 we were the only ones who were, you know, anti McKenna.
44 You know, the feeling was that they were all supportive.
45
46 Q. Somehow I get the feeling though that didn't stop you
47 from having your say?

1 A. No.
2
3 Q. So what did you do?
4 A. Well, there was someone on the table out the front
5 stood up and gave a glowing character reference for McKenna
6 and then I remember Philpott asking if there was anyone who
7 wanted to get up and say something and I stood up and said
8 "Yes, I want to tell my story of my son's sexual abuse and
9 what happened and how I went and saw Ian Murray" and he was
10 not in the least bit interested in what had happened to
11 Todd, and that my son's character had been sullied by
12 McKenna to cover his own dirty track.
13
14 Q. And did you say what type of sullyng that way?
15 A. Yes, he had been accused of stealing from the canteen,
16 that he had lied about the sexual abuse from McKenna and
17 that he had been expelled, which he hadn't, because we had
18 taken him out of the school.
19
20 Q. You said "school", you mean --
21 A. Out of the hostel, sorry.
22
23 Q. Were you able to give this account uninterrupted?
24 A. No.
25
26 Q. What happened?
27 A. Well, you know, I had murmurings and boings around me
28 and also Philpott told me to sit down.
29
30 Q. Was that after you had completed --
31 A. No. No, I said "I'm not going to sit down, I'm going
32 to finish what I have to say".
33
34 Q. And what was the manner in which he told you to sit
35 down?
36 A. Very abrupt.
37
38 Q. You mentioned those murmurings. Did something happen
39 after you did sit down, after you had completed your say,
40 that you can remember?
41 A. Yes, a woman in front of me with a boy about 13 said
42 "Now see what you've done, you've made my child cry.
43 You've upset him because of what you said about McKenna"
44 and then a man behind me said "This is just a kangaroo
45 court" and walked out.
46
47 Q. Do you know who that man was?

1 A. No, I didn't know who he was. I - see, because I felt
2 that everyone was against us, I took that to mean that as
3 anti me, you know. It's just - I suppose that's just the
4 feeling I got, yes, but --
5
6 Q. Where you thought he was anti you?
7 A. Yes, yes. Well, you know.
8
9 Q. Did you subsequently find out that that wasn't the
10 case?
11 A. Yes, well - yes, in a witness this morning, yes, I
12 realise now that that wasn't against me.
13
14 Q. Just with respect to witnesses, I don't know if I have
15 asked you this but I will clarify it if I haven't, but you
16 were outside the hearing room when your son gave evidence.
17 A. That's right, that's correct.
18
19 Q. Do you recall whether doing something else in relation
20 to this matter involving your son after that meeting?
21 A. Yes. My partner and I went back over to the school
22 office where I wanted to confront Ian Murray yet again.
23
24 Q. About what?
25 A. About the fact that Todd had this terrible accusation
26 that he had stolen from the canteen, that he had been
27 expelled and that he had lied about the sexual abuse from
28 McKenna and I wanted to know what he was going to do about
29 it and I expected an apology to be made publicly to Todd
30 about this.
31
32 Q. And how was Mr Murray's reaction to this?
33 A. Very aggressive, "Don't want to know any more about
34 it. I'm not discussing it. Now leave my office".
35
36 Q. So he didn't agree with the request that you were
37 making?
38 A. Didn't want to know.
39
40 MR URQUHART: Yes, I thank you, Mrs Day. That's the
41 evidence-in-chief with respect to the evidence.
42
43 HIS HONOUR: Mr Hammond.
44
45 MR HAMMOND: No, sir.
46
47 HIS HONOUR: Mr Manera?

1
2 MR MANERA: Thanks, your Honour.
3
4 HIS HONOUR: Mr Manera represents Mr Murray.
5
6 THE WITNESS: Yes, thank you, your Honour.
7
8 MR MANERA: Indeed, yes.
9
10 <CROSS-EXAMINATION BY MR MANERA:
11
12 MR MANERA: Q. Ms Day, I am just going to ask you about
13 the meeting that you attended with Mr Murray and your son.
14 That was on the Monday, wasn't it?
15 A. That's correct.
16
17 Q. And in the course of that meeting, did your son, Todd,
18 give any detail about what the sexual abuse was?
19 A. I don't recall.
20
21 Q. What I am suggesting to you is that in that meeting
22 the word "abuse" was mentioned but no specific reference to
23 "sexual"?
24 A. Yes, there was reference to "sexual abuse". I said to
25 Murray that my son had been sexually abused by McKenna.
26
27 Q. Sure, and understandably, you and Todd were upset and
28 angry?
29 A. Yes, we were.
30
31 Q. I think you said that at no time in that meeting did
32 Mr Murray suggest that Todd go to the police with you?
33 A. That's correct.
34
35 Q. Did you subsequently get told that Mr Murray did later
36 tell Todd to go to the police?
37 A. No.
38
39 Q. Has Todd ever told you that Mr Murray told him at a
40 later meeting, after that first one, to go to the police?
41 A. Not that I recall.
42
43 Q. Has Cathy Jefferis, Todd's step mum, ever told you
44 that at a second meeting with Ian Murray he said to go to
45 the police?
46 A. No, she has not told me that.
47

1 Q. And Todd's dad, has he ever told you that at that same
2 second meeting Mr Murray said to go to the police?
3 A. No, he's not.
4
5 Q. Now, as I understand it, there were two meetings on
6 the one day. Is that correct. I will be more specific.
7 Todd went to one meeting with yourself and Mr Murray?
8 A. Correct.
9
10 Q. That's the first meeting?
11 A. Correct.
12
13 Q. And then later on the same day Todd went to another
14 meeting with Mr Murray that his dad and his stepmum were
15 at?
16 A. Apparently.
17
18 Q. And were you later told what was said in that second
19 meeting?
20 A. No, I was not.
21
22 Q. But shortly after that second meeting Todd went to the
23 police?
24 A. I believe so.
25
26 Q. You have told us that when you went to the hostel with
27 Todd you glared, understandably I might add, at Dennis
28 McKenna through the glass?
29 A. Correct.
30
31 Q. And he appeared to see you do that?
32 A. Yes.
33
34 Q. And you got the - unless I have got it wrong -
35 impression that he knew what it was all about?
36 A. Exactly.
37
38 Q. And that subsequent to that your son, Todd, told you
39 that other people at the hostel appeared to be aware of the
40 sexual abuse?
41 A. That's correct.
42
43 Q. Do you know whether, after you glared at Dennis
44 McKenna, he then circulated or told people about it?
45
46 HIS HONOUR: You wouldn't know.
47

1 MR MANERA: Q. Told people what Todd was suggesting?
2 A. I don't know, I don't know.
3
4 HIS HONOUR: I don't think the witness can answer that.
5
6 MR MANERA: Q. Well, perhaps I will be more specific.
7 Has anyone ever told you that Dennis McKenna then
8 circulated amongst the hostel community that Todd was
9 saying these things about him?
10 A. I'm sorry, can you rephrase that?
11
12 Q. No-one has told you that Dennis McKenna then told
13 people that Todd was saying these things about him?
14 A. No.
15
16 Q. You are not aware of that?
17 A. No.
18
19 Q. Thank you very much Ms Day?
20 A. Thank you.
21
22 HIS HONOUR: Mr Rafferty, do you have any questions?
23
24 MR RAFFERTY: I do, thank you sir.
25
26 <CROSS-EXAMINATION BY MR RAFFERTY:
27
28 MR RAFFERTY: Q. Mrs Day, my name is Rafferty. I
29 represent Colin Philpott and I won't be very long.
30 A. Thank you.
31
32 Q. I just want to ask you some questions in relation to
33 that meeting in October of 1990. By that stage, by the
34 time of that meeting, McKenna had been charged, hadn't he,
35 with what he had done to your son?
36 A. Yes, I believe that's correct.
37
38 Q. And to your knowledge he had been suspended as a
39 warden at St Andrew's?
40 A. Sorry, didn't quite catch that.
41
42 Q. That's all right, I'll speak up. To your knowledge,
43 at the time of that meeting McKenna had been suspended as
44 the warden at St Andrew's?
45 A. I believe so.
46
47 Q. In fact, he had been kicked out of Katanning full

1 stop?
2 A. I don't know.
3
4 Q. Were you aware of that?
5 A. No.
6
7 Q. Sorry, there's a time gap. It's terrible, it's hard,
8 I appreciate that?
9 A. Yes.
10
11 Q. In relation to the meeting, are you aware that that
12 was requested by some parents in the town of Jerramungup?
13 A. No, I am not aware of that.
14
15 Q. But were you aware that the meeting came about because
16 a number of parents, from at least their eternal regret,
17 wanted McKenna to be reinstated as the warden at St
18 Andrews?
19 A. I wasn't aware of that, no. I just knew - was aware
20 that there was a meeting called and I thought it was in
21 support of McKenna.
22
23 Q. Yes, and quite properly you wanted to attend that
24 meeting and have your say. Correct?
25 A. That is correct.
26
27 Q. You agree with me that there was probably - I
28 appreciate you weren't counting but there would have been
29 about 150 people at that meeting?
30 A. Well my - my husband took notice of the number of
31 people there. I didn't, but he seemed to think there would
32 have been in excess of 200 people.
33
34 Q. A sizable crowd?
35 A. Yes.
36
37 Q. And again the undying regret or the eternal regret of
38 those involved, there was an overwhelming sense of support
39 for Dennis McKenna at that meeting, wasn't there?
40 A. There seemed to be to my awareness, yes.
41
42 Q. The way the meeting was set up was, as you said
43 before, there was a table at the front with some people
44 sitting at it and then there was a crowd that was seated in
45 front of that table?
46 A. That's correct.
47

1 Q. The meeting was chaired by Colin Philpott. Correct?
2 A. I'm sorry, repeat that?
3
4 Q. The chairman of that meeting was Colin Philpott?
5 A. I believe that he was the chairman at the meeting.
6
7 Q. What his role was to run the meeting in an orderly
8 way?
9 A. Yes.
10
11 Q. Somebody at that front table, we don't know who, it
12 wasn't Colin Philpott, got up and gave McKenna some kind of
13 glowing reference. Correct?
14 A. Yes.
15
16 Q. But that wasn't Colin Philpott, that was simply
17 someone else at that front table?
18 A. In my recollection it was someone else but Philpott
19 could have also said something in his favour, I don't know.
20
21 Q. No, no, I understand that, but you have no
22 recollection of him saying anything, other than being the
23 chairman?
24 A. You know, like it's 20 years ago. That's my
25 recollection.
26
27 Q. At some point in time you were given the opportunity
28 to have your say. Correct?
29 A. Correct.
30
31 Q. Stand up, and entirely understandably and quite
32 properly you were extremely emotional when you were
33 speaking, given the sensitive nature of what you were
34 discussing and the despicable things that had happened to
35 your son?
36 A. Well depends what you mean by "emotional". I wasn't
37 sobbing and, you know, screaming or anything. I - my voice
38 was calm, but yes, I was angry.
39
40 Q. Yes, that's my point. There's this way we can show
41 emotion but you were emotional as you were giving that
42 speech because of the nature of what you were discussing
43 and the evil things that had happened to your son?
44 A. Correct.
45
46 Q. Given the pro McKenna call within that meeting, you
47 were getting a very difficult time as you were speaking,

1 weren't you?
2 A. I felt that I was, yes.
3
4 Q. People in that meeting were being incredibly unfair to
5 you and were effectively trying to drown you out from
6 having your say?
7 A. That's correct.
8
9 Q. People were booing you?
10 A. I heard murmuring.
11
12 Q. They were effectively trying to stop you from having a
13 say?
14 A. That's correct.
15
16 Q. And at that point in time that meeting was not being
17 conducted in an orderly manner, was it?
18 A. It didn't seem to be, no.
19
20 Q. No. In fact, the way in which you were treated by
21 those at that meeting was entirely inappropriate, wasn't
22 it?
23 A. Well, I felt so at the time. I didn't feel like I was
24 getting much support but then, you know, I guess everybody
25 was just not prepared to believe that this wonderful
26 McKenna could do - could be guilty of such crimes.
27
28 Q. Exactly. As is so often the case, the person who
29 makes the complaint is vilified and that's what was
30 happening at this meeting?
31 A. Correct.
32
33 Q. And whilst that was going on, as you were having a say
34 and these people were effectively trying to stop you from
35 having a say, it was at that point where Colin Philpott
36 asked you to sit down in what you say was an abrupt manner
37 but it is at that point in time that he has asked you to
38 sit down?
39 A. Well, I felt that Colin Philpott didn't want me to
40 consider in - with my story and my evidence. He was the
41 one who was angrily telling me to sit down.
42
43 Q. At a point in time where the meeting, not because
44 through any fault of yours but at a point in that meeting
45 where the meeting was not being conducted in an orderly
46 manner?
47 A. That's correct.

1
2 Q. And a person who seemed to be very much in the
3 minority was being vilified by the greater majority of
4 people who were there?
5 A. Well that's how I felt.
6
7 Q. Were you aware that it was eventually Colin Philpott
8 who had actually suspended Dennis McKenna the day he was
9 charged?
10 A. I'm sorry, you'll have to run that by me again.
11
12 Q. Prior to this meeting, were you aware that it was
13 Colin Philpott who had suspended Dennis McKenna from his
14 position--
15 A. No, I was not.
16
17 Q. -- on the day that he was charged?
18 A. I was not aware of that, no.
19
20 Q. Are you aware that it was he who was the one who had
21 requested him to leave Katanning immediately?
22 A. No, I was not aware of that.
23
24 Q. You have made certain assumptions in relation to what
25 Mr Philpott did at that meeting but you agree on an
26 objective thing, that Philpott told you to sit down at a
27 point in time where you were trying to have your say and
28 all of those around you were vilifying you because they
29 didn't like what they were hearing?
30 A. Well, it felt like more to the fact that Philpott
31 didn't want me to say what I wanted to say.
32
33 Q. But you agree at the point in time when he told you to
34 sit down was at a point in time where everyone around you,
35 the greater majority of those people who were there, were
36 vilifying you and treating you in a most inappropriate
37 manner?
38 A. Look, they weren't booing and hissing, if that's what
39 you mean.
40
41 Q. No, that's not what I said. But you agree with me
42 that you were not the most popular person at that meeting
43 at that time?
44 A. Yes, I would agree with you on that.
45
46 Q. And you have agreed with the proposition already that
47 people were vilifying you at the point in time when you

1 were speaking and saying those things about the so-called
2 wonderful Mr McKenna?
3 A. That's correct.
4
5 Q. And that was the point in time where you were asked to
6 sit down when effectively the meeting had lost order?
7 A. Well, I wouldn't say it had lost order, no. No,
8 I've - I still felt --
9
10 Q. Well, it wasn't being --
11 A. I felt that Philpott still had good control of the
12 meeting but he didn't want me to finish my story.
13
14 Q. You can't say that, that's your opinion, but at the
15 time, you agreed with me earlier the point in time when he
16 stopped you was at a point in time where people were
17 vilifying you in that meeting. Do you agree with that?
18 A. Yes, but not loudly. They weren't vilifying me
19 loudly, they were just murmuring around me.
20
21 Q. And you were one of the only people at that meeting
22 who was against McKenna, it would appear that --
23
24 MR URQUHART: I'm objecting. My learned friend has asked
25 the witness that now four or five times and the witness has
26 agreed. I don't know why we are going over it again, with
27 respect.
28
29 HIS HONOUR: I don't think you can take it any further.
30
31 MR RAFFERTY: No, sir, I won't. I won't, and I have no
32 further questions.
33
34 HIS HONOUR: Thank you for that.
35
36 THE WITNESS: Thank you.
37
38 HIS HONOUR: Very well. Any re-examination?
39
40 MR URQUHART: Just very briefly.
41
42 <RE-EXAMINATION BY MR URQUHART:
43
44 MR URQUHART: Q. Did Mr Philpott ask the man who was
45 giving that glowing reference about Dennis McKenna to sit
46 down?
47 A. No, he didn't.

1
2 Q. Did Mr Philpott at any time try and restore order when
3 you were speaking by telling people to let you have your
4 say?
5 A. No, he did not.
6
7 Q. Mr Rafferty had suggested to you that Mr Philpott
8 simply asked you to sit down. Would you agree with that
9 description?
10 A. No, he didn't ask me, he told me to sit down.
11
12 MR RAFFERTY: Your Honour, I object to that. That's
13 actually not properly how it was put. I actually said "at
14 some point in time", agreed with the proposition that she
15 had put before. I don't think I used the word "abruptly"
16 but I said "in a particular manner". So I would ask my
17 learned friend to put it in a proper context, that he is
18 misrepresenting what I said.
19
20 MR URQUHART: The question was - I have made a note of
21 it - he was putting to the witness that Mr Philpott asked
22 her to sit down and I am asking the witness to clarify
23 whether she agrees with that description given.
24
25 MR RAFFERTY: And I had also said, your Honour, that it
26 was very abrupt.
27
28 HIS HONOUR: In any event, I don't think we can take this
29 further.
30
31 MR URQUHART: No.
32
33 MR RAFFERTY: Thank you, sir
34
35 MR URQUHART: Q. Finally, from what you saw how
36 Mr Philpott chaired this meeting, would you say that he was
37 acting in an impartial manner?
38 A. The feeling that I got was that he was very much for
39 McKenna and wasn't interested in hearing any evidence
40 against the man.
41
42 MR URQUHART: Yes, thank you. That's the extent of the
43 re-examination.
44
45 HIS HONOUR: Thank you Mrs Day. That completes your
46 evidence.
47

1 WITNESS: Thank you, your Honour.
2
3 HIS HONOUR: Yes, you've got a question?
4
5 MR HAMMOND: Yes, I have one question.
6
7 HIS HONOUR: Yes, please.
8
9 MR HAMMOND: I will be much more brief than Mr Rafferty.
10
11 <FURTHER CROSS-EXAMINATION BY MR HAMMOND:
12
13 MR HAMMOND: Q. Is it the case that Cathy Jefferis and
14 yourself haven't been on speaking terms for some years?
15 A. Wouldn't say that. We just haven't had the necessity
16 to --
17
18 Q. Going back to that period when Todd might have been
19 speaking about what happened at the hostel and those two
20 meetings that we have discussed earlier on, would there
21 have been any reason for you to have discussed that with
22 Cathy at the time?
23 A. Well, not really because, you see, Dale was
24 financially, like, responsible for paying for Todd's
25 schooling there so, really, like there was no need for us
26 to be communicating, you know, over --
27
28 Q. What I am putting to you is there wasn't a high level
29 of communication at that point?
30 A. There wasn't a high level of communication, no.
31
32 MR HAMMOND: I don't have any further questions.
33
34 HIS HONOUR: All right, thanks Mrs Day. You can now leave
35 the witness box.
36
37 THE WITNESS: Thank you, your Honour.
38
39 <THE WITNESS WITHDREW
40
41 HIS HONOUR: Yes, Mr Urquhart?
42
43 MR URQUHART: Thank you, sir. I am now calling Catherine
44 Mary Jefferis, please. I think she is outside still.
45
46 HIS HONOUR: Yes, she can be asked to come in.
47 Do you think we should take a five-minute break?

1
2 MR URQUHART: If that suits your Honour, yes.
3
4 HIS HONOUR: And we will be sitting late, aren't we?
5
6 MR URQUHART: We are. We will be, yes.
7
8 HIS HONOUR: All right, we will just take a short break, a
9 very short one.
10
11 SHORT ADJOURNMENT
12
13 MR URQUHART: Mrs Jefferis is actually in the witness box
14 already and Mrs Jefferis will take the oath. Thank you,
15 sir.
16
17 HIS HONOUR: Yes.
18
19 <CATHERINE MARY JEFFERIS, sworn:
20
21 <EXAMINATION-IN-CHIEF BY MR URQUHART:
22
23 MR URQUHART: Q. Now, Mrs Jefferis, your full name is
24 Catherine Mary Jefferis?
25 A. That's correct.
26
27 Q. Were you outside the courtroom during the testimony of
28 Todd Jefferis?
29 A. Yes, I was.
30
31 Q. Who is your stepson?
32 A. Yes.
33
34 Q. Now, you were married to Todd's father, Dale?
35 A. That's correct.
36
37 Q. Who has since passed away?
38 A. Yes.
39
40 Q. I want to take you, Mrs Jefferis, back to the years
41 1989 and, more specifically, 1990 and into 1991 as well.
42 Was it the case that your stepson started at the Katanning
43 high school in 1989 and because of the distance that he
44 lived away from the high school he boarded at the hostel?
45 A. That's correct.
46
47 Q. My understanding, am I correct, is that in Wagin,

1 where you were living with his father, there was no senior
2 high school there?
3 A. No.
4
5 Q. And the Narrogin hostel was already full?
6 A. That's correct.
7
8 Q. Which only really left the choice of Katanning, is
9 that right?
10 A. Yes, that's right.
11
12 Q. Before I ask you about something that happened in
13 August of 1990, can I ask you whether you recall something
14 happening before that particular month when you went to the
15 hostel to pick up Todd?
16 A. Yes, I went down one evening to pick him up and it was
17 fairly late, about 7pm, and I remember wandering up the
18 corridor and found Dennis's flat and I stood at the door.
19 I didn't go in but I could see enough, and there were dim
20 lights and I was looking for Todd particularly and there
21 were dim lights and about six or so boys sitting around on
22 couches. I can't remember if the lights were blue or red
23 but it was a dim lit thing, they were watching TV, and Todd
24 came out then, he saw me.
25
26 Q. Do you know if Dennis McKenna was there with the boys
27 on that occasion?
28 A. I can't recall.
29
30 Q. Did you say anything to Todd as you both left the
31 hostel about what you had seen?
32 A. Yes, I did. I felt it was quite strange. I said "Why
33 are all these boys in this room?" I thought it was
34 inappropriate and I mentioned. He said "That's okay, we
35 all watch TV quite often" so that was his answer and I put
36 it aside.
37
38 Q. Mrs Jefferis, I want to take you now, please, to an
39 afternoon late in the afternoon in August of 1990. Do you
40 recall the particular afternoon I'm talking about?
41 A. Yes, I do. I can remember a phone call from Todd and
42 he was beside himself saying "You've got to come down and
43 get me. I've got to get out. I can't stand the hostel any
44 longer. I'm not allowed" and --
45 Q. Did he give a reason as to why?
46 A. He said - he said "Dennis has tried to have sex with
47 me".

1
2 Q. Did he say anything else to you about what he had done
3 in relation to that?
4 A. At that time I can't recall. No, because that was -
5 I'm sure that was the afternoon - yes, yes, he did. He
6 told me he had been with his mother in the morning to see
7 the headmaster. I do recall that, and they had - Ian's mum
8 had reported it to the headmaster. That's what I can
9 recall, yes.
10
11 Q. And do you recall whether there were any other reasons
12 why he had to leave the hostel?
13 A. Well, he had said - he had said at some stage in that
14 conversation "They are making up stories about me. They
15 are telling people that I'm stealing, I've been stealing
16 and that's the reason why I've got to leave".
17
18 Q. Was your husband at home at the time, Todd's dad, was
19 he there. Can you recall?
20 A. No, he wasn't at the time. He was obviously out
21 working or - but we did go down together when he came home
22 from work or golf, I can't remember, either - we both - I
23 had young children and I found a baby-sitter, someone to
24 come and watch them, and we left immediately. So we
25 mightn't have got down there, because it is an hour away
26 from the farm, probably 7 o'clock by the time we got there.
27
28 Q. When you arrived at the hostel, were you taken
29 anywhere, you and your husband?
30 A. Yes, we were directed into an office to the right of
31 the main door. Didn't go to the hostel very often. I
32 wasn't very familiar with it but I do remember going in -
33 being directed into the office by the headmaster,
34 Mr Murray, and another board member, Garth Addis.
35
36 Q. So did you know that Mr Addis was a board member prior
37 to that meeting?
38 A. I don't think I did. Dale would have, yes, my
39 husband, yes.
40
41 Q. So Mr Addis, Mr Murray, yourself, Dale --
42 A. Yes.
43
44 Q. -- and Todd?
45 A. Yes, correct.
46
47 Q. Did you get an impression of how it came to be that

1 those two were already there, that is Mr Addis and
2 Mr Murray?
3 A. Well, I felt as if they knew we were coming. There
4 had been - the feeling was they knew we were coming, we
5 were coming to discuss what Todd had told us, or me and I
6 had told Dale, and we were going to talk about this problem
7 of what Dennis had done to Todd. I thought that's what we
8 were going to talk about but --
9
10 Q. Did you notice anything after the three of you come
11 into the office there. Did you notice anything happen to
12 the door?
13 A. I'm sure it was shut.
14
15 Q. Yes, and when you saw that happen, did you ask
16 something of the other two gentlemen?
17 A. Well, I did. I said "Well where's Dennis? Why
18 doesn't he come in? Why isn't he coming here to talk about
19 this?" and Mr Murray said "He's far too upset to come out
20 of his room" and, of course, that made me think immediately
21 "Well if he can't talk to us", I felt then, my guilt - my
22 main gut feeling was he was guilty of what Todd was saying.
23
24 Q. And at that meeting, do you recall Todd saying
25 anything about what had happened to him?
26 A. He did go over it. I can't remember all the exact
27 words but it was, you know, "He tried to pull me into the
28 bed, he was - in a sexual way". It wasn't anything more
29 graphic. The word "sex" and "pulling into the bed" was
30 about the most of it, I think on my recollection.
31
32 Q. Did he say anything about having already said that?
33 A. He had already told us and he had already told the
34 headmaster before with his mum.
35
36 Q. Can you recall whether Mr Murray responded in any way
37 after Todd had given that description?
38 A. He sat there very - he was to my left past Dale and he
39 sat there very calculated and he just didn't - he put it -
40 in fact, he didn't talk much at all, but he said "I don't
41 believe it, it can't be true. Dennis is an upstanding
42 citizen. That would not be right" and the whole feel of it
43 was "Right, we are not going to be believed here".
44 Immediately I felt that, and then following that even
45 Mr Addis was saying the same, at the same time telling us
46 that if we did continue with these allegations and Todd
47 continue with the allegations that we actually could be

1 sued for defamation if we were going to talk about this
2 outside this room.

3
4 Q. So Mr Addis said that?

5 A. Yes, they both did, and did Mr Murray. They were both
6 talking about defamation. It was the whole feel of that
7 meeting. Not - and I actually said to Mr Murray "Well, are
8 you going to investigate that Todd actually could be
9 telling the truth? What about his side of it?" and he just
10 kept ignoring us. It was just like we were consequential
11 and not important enough to even give us a decent answer.

12
13 Q. What was your reaction to this when Mr Addis, a board
14 member, and the headmaster of the high school, were
15 responding in this way?

16 A. I think - I thought - we were - well, I know my
17 husband was confused, where do we go? We felt as if we
18 were - we had no-one else to turn to. We had told one
19 authority so we felt there was no other options, we have to
20 take Todd out and just deal with it. We were scared. Dale
21 felt - he said to me after the meeting, he said "We could
22 lose the farm over this, you know" and I was shocked, I
23 said "Really" and I - maybe I was a bit naive. I thought
24 that he was very worried.

25
26 Q. What did you expect these other two gentlemen to do
27 with Todd making this serious allegation?

28 A. I felt that they should have actually said "Well, we
29 will investigate". They should have not believed Todd but
30 actually investigated into the allegations but they were
31 just dismissing it. They didn't - they didn't want to
32 even - they wanted to push it under the carpet. They
33 didn't want to find any evidence themselves.

34
35 Q. Do you have any recollection whether either of the two
36 other men, Mr Addis or Mr Murray, mentioned the police?

37 A. I can't recall because I can remember afterwards we
38 said - Dale and I said "Well maybe we will have to go to
39 the police" but I can't remember if it was actually being
40 told to us at the meeting, no.

41
42 Q. Did you take Todd, remove Todd from the hostel that
43 very night?

44 A. Yes, under cover of darkness. By this stage I'm sure
45 it was 9 o'clock, getting late. Dennis wasn't to be seen,
46 never saw him again, and we took his things and we had to
47 come home and I think after that we then had to find

1 private board for Todd, which his mum and her family found
2 a lovely lady in Katanning.
3
4 Q. So that was organised?
5 A. Yes. It was only six weeks before he had to sit his
6 TE. It was really, you know, a difficult time for him.
7
8 Q. About a month after that, did you become aware of a
9 police operation at the time called Operation Paradox?
10 A. Yes, I did.
11
12 Q. Do you know that that was in relation to reporting
13 those who have committed child sexual abuse?
14 A. Yes, I did. Heard it on the radio.
15
16 Q. And the reason for you contacting officers at that
17 Operation Paradox was what?
18 A. What had happened to Todd, and I thought "Right, this
19 is - I've got to ring this up", and I know I was late to go
20 out somewhere and I thought "I've got to do it" and I'm
21 pleased I did.
22
23 Q. Were you advised of something that you weren't aware
24 of before?
25 A. Yes, I said - I said "Look, I'm - you know, it might
26 be just inconsequential because it wasn't - you know, it
27 was a big thing". I said "This man's running a hostel" and
28 they said "Don't worry". The policeman actually told me,
29 he said "I've had four or five other complaints about him
30 today" and I was so shocked, so I knew from that phone
31 call.
32
33 Q. So Todd went back to school?
34 A. Yes, he was already back at school and living in town.
35
36 Q. At that stage, yes?
37 A. Yes.
38
39 Q. Would you speak to him after he had gone back to
40 school and left the hostel?
41 A. Yes. Yes, look, he did ring up one day and he was
42 telling me that the teachers were being very - not all the
43 teachers, he said two were very good. He said "Most of the
44 teachers are giving me a hard time". He was getting a hard
45 time all around and he said "And they won't let me go to
46 the school ball at the end of the year".
47

1 Q. Now, as a result of what your stepson was telling you,
2 did you contact anyone yourself?
3 A. Yes, so I rang Mr Murray and I got hold of him on the
4 phone and I said "Todd feels as if he is being victimised".
5 I said "Do you realise that your teachers have been giving
6 him a hard time and that he is not allowed to go to the
7 school ball" - to the school ball I think it was. It was
8 actually being held at the hostel, and he said "Well, he is
9 not allowed to go there because he has left the hostel" and
10 I said "What about these dealings of the complaint that
11 Todd has made? Are you going to do anything? You are a
12 person of position. You are an advocate for children. Why
13 don't you look into the situation" and I had no other prior
14 concept of Ian Murray - I mean, of Dennis McKenna being
15 fiddling with children, as it was put before. I had no
16 concept of it but I was adamant that I wanted someone to do
17 something about this and Ian Murray seemed to be the one
18 that should have been doing it. He should have actually
19 processed it.
20
21 Q. And what was his recall. Do you recall?
22 A. And he just - he told me, he said "The boy's lying"
23 and I really was dismissed again.
24
25 Q. That was it, that was his attitude?
26 A. Very serious allegations. Just - he said "You can't
27 say things like that" and I said "Well don't you worry", I
28 got angrier then, I said "There will be things come to
29 light that you will find out in due course that he has been
30 interfering with other boys", and that was from my - what I
31 had then heard on the Operation Paradox.
32
33 Q. So you conveyed to him what the police officer from
34 the Operation Paradox --
35 A. Didn't tell him it was that.
36
37 Q. No?
38 A. My, yes, instigation.
39
40 Q. Can I ask you this: Do you recall going to a public
41 meeting at the recreation shed at the hostel some time
42 around this time?
43 A. I think it was after he was charged, yes.
44
45 Q. Yes?
46 A. Yes, yes, Dale and I went.
47

1 Q. Do you recall Lynley Day making her point rather
2 strongly at that meeting?
3 A. I do.
4
5 Q. Do you recall yourself standing up and making any
6 public comment.
7 A. I can't - I cannot recall myself standing up and
8 talking.
9
10 Q. Is that something you would ordinarily do?
11 A. I would but I think Lynley had said it and I think I
12 thought "That's enough".
13
14 Q. So you may have, you may not have, you just can't
15 recall?
16 A. I may have. Look, it's just because of time and the
17 anxiety of it probably. I cannot recall getting up and
18 saying anything.
19
20 Q. Going back now to that phone call that you had with
21 Mr Murray in which he said that your stepson was just
22 simply lying, do you recall receiving a letter from a law
23 firm?
24 A. Yes, I did, and it wasn't long after that I - from
25 Dennis McKenna's lawyers with a letter saying that I would
26 be sued for defamation of character for saying things
27 regarding Dennis's character. I can't remember the
28 contents, and I actually threw the letter out after a few
29 years.
30
31 Q. Thankfully not everyone threw that letter out. I am
32 just going to show you a document now which is number 0030.
33 Mrs Jefferis, if you could just have a look at that letter,
34 do you recognise that?
35 A. Yes.
36
37 Q. If we were in Perth we would have a big screen up on
38 the wall here which would show the letter and everybody
39 could have a read of it but because we haven't got that
40 here would you be able to be so kind as to read it out for
41 us, and before you do that, I will just simply ask you to
42 confirm a couple of things; that it's on a letter of Corser
43 & Corser barristers and solicitors letterhead; yes?
44 A. It's got --
45
46 Q. And it is dated 20 November 1990?
47 A. Yes.

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Q. And it's addressed to Mrs KL Jefferis, PO Wagin WA 6315?

A. Well, I certainly got it.

Q. You certainly got that, and even though there is no post office box number?

A. No, people - people in the post office usually know your names because it's got the Jefferis but the K is incorrect, it should have been a C.

Q. It should have been a "C" but apart from that - it looks like they might have got the middle name wrong as well?

A. Yes.

Q. Never mind, they were close with the "L"?

A. Yes.

Q. Can you read that out for us, please?

A. :

"Dear Mrs Jefferis,

I act for Mr Dennis McKenna. It has come to our client's attention that at a public meeting in Katanning on 15 October 1990 and about 7 November 1990 in a telephone conversation with Mr Ian Murray of Katanning senior high school, you said words which implied that Mr McKenna had taken part in activities involving child molesting of a sexual nature in relation to Todd Jefferis and others.

It has also come to our client's attention that similar allegations have been spread by word of mouth around the community in which you live and there is a possibility that you may be the source of such allegations. These allegations are completely untrue and constitute grave defamation upon our client.

We are, therefore, writing to demand that you:

1 (1) write a letter containing a suitable
2 withdrawal and apology in terms to be
3 approved by us on our client's behalf to
4 Mr Murray;
5 (2) that you publish in the 'Great Southern
6 Herald' and the 'Wagin Argus' and
7 'Dumbleyung Lake Grace Express' and the
8 'Western Australian' newspapers a
9 withdrawal of your allegations and apology
10 in terms to be approved by us on our
11 client's behalf;
12 (3) indemnify our client in respect of the
13 legal cost to which he has been put in the
14 matter;
15 (4) provide us with the immediate proposal
16 as to a sum which our client claims by way
17 of damages he is entitled to for the injury
18 to our client's reputation.

19
20 We must ask that you let us have your reply
21 by 23 November. In the meantime, it must
22 be clearly understood that our client
23 reserve all rights to take legal
24 proceedings in respect of this matter.

25
26 Yours faithfully,
27 Corser & Corser
28

29 Q. All right. And then there is a name that appears
30 there. There is no need probably to go into that but just
31 one thing, you had to reply by 23 November 1991. Is that
32 what it says there in the last paragraph?

33 A. Yes.

34
35 Q. And the letter is dated 20 November 1990?

36 A. Yes.

37
38 Q. I will first ask, what was your husband's reaction.
39 Firstly, I will ask you, did you show your husband this
40 letter?

41 A. Yes, and he --

42
43 Q. What was his reaction to this?

44 A. Well, he was really worried but I didn't tend to be
45 because I said "Look, he's been charged with offences. If
46 he's not guilty they can defame us" and he said "But what
47 if he is?", and I said "No", I said "We know the truth" and

1 I sort of had to tell him that not to worry. I was - just
2 dismissed it, ignored it.

3
4 Q. So you had no intention of responding to any of those
5 four demands that had been made of you in the time frame
6 of, probably by the time you got the letter, 24 hours?

7 A. Must have been - must have been after it too,
8 probably, because we wouldn't have got it straightaway,
9 yes.

10
11 Q. Mrs Jefferis, it refers to, the first paragraph, a
12 telephone conversation with Ian Murray about 7 November
13 1990. What you have said to us now, would that appear to
14 be the telephone conversation with Mr Murray--

15 A. Yes.

16
17 Q. -- where you spoke to him about the victimisation
18 that Todd was getting at the school?

19 A. Yes, yes.

20
21 Q. And, in light of his response, you mentioned what you
22 had heard by that police officer on Operation Paradox?

23 A. And what Todd was saying.

24
25 MR URQUHART: Yes, thank you Mrs Jefferis. I tender that
26 letter, please, sir.

27
28 HIS HONOUR: Exhibit 17.

29
30 EXHIBIT #17 LETTER TO MR AND MRS JEFFERIS FROM CORSER &
31 CORSER LAWYERS DATED 20/11/1990

32
33 MR URQUHART: Q. Did either you or your husband, or
34 Todd, to your knowledge, ever receive an apology from the
35 board or the high school following Dennis McKenna's
36 convictions?

37 A. No, we never heard anything, to my knowledge.

38
39 Q. And what impact did this have on your husband, Dale?

40 A. He was absolutely - it shook him up a lot because he
41 was a, you know, good citizen, a good man and he - he felt
42 that all this was just terrible - people - especially the
43 Dennis McKenna accusing us of defamation and things like
44 that rather than - I mean he was feeling terrible for Todd
45 but he - he - it was upsetting, it upset him a lot.

46
47 MR URQUHART: Thank you, Mrs Jefferis. That's the

1 questions I have, sir, of this witness.

2

3 HIS HONOUR: Right. Now, Mr Manera, do you have some
4 questions? Mr Manera represents Mr Murray.

5

6 MR MANERA: Thank you, your Honour.

7

8 <CROSS-EXAMINATION BY MR MANERA:

9

10 MR MANERA: Q. Ms Jefferis, as I understand your
11 evidence, the first time you became aware that Todd had
12 been sexually abused by Dennis McKenna was in a telephone
13 call by Todd to you. Is that right?

14 A. Either he or his mother had - yes, I think Todd had
15 told me first. I know I had a conversation with his mum
16 but I can't remember what was first.

17

18 Q. So you did have a telephone conversation with his
19 mother?

20 A. Yes, about this, but I can't recall the conversation
21 in-depth. It was she had told me and then that was all.
22 It was Todd's conversation that I remembered in-depth about
23 things.

24

25 Q. Now, in the meeting that you say occurred with
26 Mr Murray at which Todd and Mr Addis and your husband were
27 present, you said that Todd mentioned that he had been
28 sexually abused?

29 A. I'm pretty sure he did, yes. That's what the - the
30 accusations were there and that's why we were sitting in
31 the room.

32

33 Q. Sure. Absolutely, I have got no issue with that.
34 What I'm suggesting to you is that Todd didn't actually
35 mention sexual abuse in that meeting with Ian Murray?

36 A. I am - I - to my ability - to my memory, because it is
37 20 years ago, I think he did. I thought he did, felt as if
38 he did.

39

40 Q. If I suggest to you that "abuse" was referred to and
41 not "sexual abuse", what would you say to that?

42 A. No, there was no - no - there was nothing to do with
43 abuse, it was to do with sex. All I can remember is Todd
44 being adamant about the sex thing that McKenna had --

45

46 Q. Was the word --

47 A. It is a long time ago.

1
2 Q. Of course, of course. And you have said that you
3 don't recall if Ian Murray told Todd to go to the police?
4 A. No, I can't - I can't particularly really focus in on
5 that. I remember us talking about the police afterwards
6 but I can't recall Mr Murray saying that to us.
7
8 Q. If I suggest to you that shortly after that meeting
9 with Ian Murray that Todd did go down to the police, that's
10 what happened, didn't it?
11 A. Well yes, but I - not with me or Dale.
12
13 Q. No, but your understanding is that shortly after that
14 meeting with Ian Murray --
15 A. Yes.
16
17 Q. -- Todd did go down to the police?
18 A. He told me that.
19
20 HIS HONOUR: Q. Can I just clarify something there? You
21 said that you were the one who rang Operation Paradox?
22 A. I rang, yes, but that wasn't immediately --
23
24 Q. No, I just want to get the sequence. I mean, did Todd
25 go of his own volition to the police as far as you are
26 aware?
27 A. I don't know because I didn't find out until - we
28 didn't talk about it at the time. He had obviously gone -
29 I don't know if he went with his mum.
30
31 Q. So it is your understanding he did go to the police
32 and that --
33 A. Yes, he told me. He told me and I believed he had
34 been.
35
36 Q. -- and you contacted Operation Paradox off your own
37 back, did you?
38 A. Yes, yes, yes.
39
40 Q. All right, thank you?
41 A. And I can't remember if it was before or after that.
42
43 MR MANERA: Thank you, your Honour.
44
45 MR MANERA: Q. But your understanding is that Todd, with
46 someone else, went to the police shortly after that meeting
47 with Ian Murray?

1 A. I don't know when it was. It was either short - I
2 don't know. When you said "shortly", what does that mean?
3 I mean I don't know when - Todd never gave me a date. I
4 have never talked about it in-depth with him.

5

6 Q. I will be more specific. Within a day or so of that
7 meeting with Ian Murray, you became aware that Todd had
8 gone to the police?

9 A. No, I only became aware a long time afterwards.

10

11 Q. That meeting with Ian Murray and Mr Addis, is it the
12 case that it was quite a tense meeting?

13 A. Yes, it was - he sat there like he is sitting there
14 now.

15

16 Q. Sure, and voices were raised?

17 A. No, I don't think voices were raised.

18

19 Q. But there was quite a tense air in the room?

20 A. Very tense, and - yes.

21

22 MR MANERA: Thank you, nothing further.

23

24 HIS HONOUR: Mr Rafferty, do you have anything?

25

26 MR RAFFERTY: No, sir.

27

28 HIS HONOUR: Mr Jenkin?

29

30 MR JENKIN: No. Thank you.

31

32 HIS HONOUR: Yes, Mr --

33

34 MR URQUHART: No re-examination, thank you sir.

35

36 HIS HONOUR: Thank you, Mrs Jefferis. That completes your
37 evidence. You are free to leave the witness box.

38

39 <THE WITNESS WITHDREW

40

41 MR URQUHART: The next witness is Karen Lesley Davies.
42 Mrs Davies will take the oath.

43

44 <KAREN LESLIE DAVIES, sworn:

45

46 <EXAMINATION-IN-CHIEF BY MR URQUHART:

47

1 MR URQUHART: Q. Mrs Davies, your full name is Karen
2 Lesley Davies?
3 A. It is.
4
5 Q. And you reside in Wagin.
6 A. Yes.
7
8 Q. And you were there in Wagin in 1990. Is that right?
9 A. I was.
10
11 Q. And you are Todd Jefferis's aunt?
12 A. Yes.
13
14 Q. And Lynley's sister?
15 A. That's right.
16
17 Q. Now, we have already heard, and it is not in dispute,
18 that Todd was a boarder at the Katanning hostel in 1990 and
19 he made an allegation, which was subsequently proven, that
20 he was sexually abused by the warden there, Dennis McKenna.
21 Did you know Dennis McKenna at the time when Todd's
22 allegation came to light?
23 A. No, I did not.
24
25 Q. Never met him?
26 A. Never met him.
27
28 Q. Nor had you ever met the headmaster of the high
29 school, Mr Ian Murray?
30 A. No, (indistinct).
31
32 Q. However, did you find out from your sister, Todd's
33 mum, about what had taken place in the aftermath of Todd
34 coming forward with his allegation?
35 A. Yes, that's right.
36
37 Q. And in particular can you recall whether she said
38 anything to you regarding the position taken by Mr Murray?
39 A. Yes, that he had virtually - didn't want to know about
40 it and felt that - yes, he was very unfairly treated, or
41 they were very unfairly treated at the time.
42
43 Q. And your reaction to that?
44 A. I was mad as hell.
45
46 Q. I get the impression this might run in the family?
47 A. It does, it does.

1
2 Q. But as a result of that, what you had been told by
3 your sister, did you do something?
4 A. Yes, she does the glaring, I do the writing, the
5 letters.
6
7 Q. Can you recall who you wrote any letters to regarding
8 this?
9 A. Yes, I wrote to Colin Philpott and to Mr Sheriff.
10
11 Q. Did you have any connection to the Katanning high
12 school or the hostel?
13 A. No, none at all.
14
15 Q. So do you know how then you came to write these
16 letters to those two people?
17 A. I must have investigated from somebody who was in
18 charge of the hostel and the board.
19
20 Q. Did you receive a response to either of the letters
21 that you wrote to either Mr Philpott or Mr Sheriff?
22 A. No, I did not receive any correspondence back from
23 either fellow.
24
25 Q. Did you, however, receive some correspondence back in
26 relation to the letter that you had written from a third
27 party?
28 A. Yes.
29
30 Q. Can you tell us about that?
31 A. I received the letter from McKenna's solicitor.
32
33 Q. Can you recall what that letter said?
34 A. Virtually that if I didn't retract and print apologies
35 in the papers that I would be sued for libel.
36
37 Q. Did you do anything with that particular letter?
38 A. Yes, I took it to our solicitor in Wagin.
39
40 Q. Who was he?
41 A. Peter Marks.
42
43 Q. And has he since passed away?
44 A. Yes.
45
46 Q. Was he from the law firm Marks Healy Sands?
47 A. That's right.

1
2 Q. Did Mr Marks give you some advice as to what to do
3 regarding this letter?
4 A. Yes, he said "Look, we'll sit on this for a while".
5 He - I think he said he would write to the people concerned
6 but he felt that because McKenna was under investigation
7 that - and if he was charged and convicted, nothing would
8 happen.
9
10 Q. So did you take comfort from that?
11 A. I did.
12
13 Q. Is it the case that you no longer have a copy of that
14 letter --
15 A. No, unfortunately.
16
17 Q. -- that you sent to Mr Philpott and Mr Sheriff. You
18 don't?
19 A. No, because once he was convicted and gaoled I
20 probably threw it out.
21
22 Q. Did you, however, make a note in your diary at the
23 time about posting those letters?
24 A. I did.
25
26 MR URQUHART: If I can just show you a copy of a diary
27 page, and its barcoded number, sir, is 0261.
28
29 Q. Have a look at that. Do you recognise that, the
30 handwriting there?
31 A. It is my handwriting.
32
33 Q. And underneath the title on the bottom left-hand side
34 of the page "High priority" and "must do", have you written
35 "Posted letters to Philpott and Sheriff re Dennis McKenna"?
36 A. Yes.
37
38 Q. Which suggests that you posted the letters somewhere
39 or probably on 9 October?
40 A. I would have done because I have given it a tick there
41 that it's been done.
42
43 Q. I'm very impressed with your organisation skills
44 there, Mrs Davies. So you have said, however, that you
45 didn't have a copy of that letter any more. Was it the
46 case that you may well have left that with your lawyer?
47 A. I would say so, yes.

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Q. You also mentioned that your lawyer was going to do some follow-up letters so I'm now going to show you two documents which have the barcode number 0029.

MR URQUHART: First, sir, I will tender that diary entry.

HIS HONOUR: It is exhibit 18.1.

EXHIBIT #18.1 DIARY ENTRY BARCODED 0261

MR URQUHART: Q. Just have a look at those two letters. Have you had an opportunity of looking at those before you have given your evidence?

A. Mmm-hmm.

Q. In dealing with the first one which is dated 26 November 1990, can you see it's been written by a lawyer from Marks Healy Sands?

A. Yes, that would be Peter.

Q. It would be Peter, and it is addressed to St Andrew's Residential College, Round Drive, Katanning 6317?

A. Yes.

Q. Marked to the attention of Mr Ron Sheriff?

A. Yes.

Q. Would you be able to read for us please, after that, starting with "Dear sir"?

A. :

Dear sir,

We act for Mrs Karen Davies of Wagin who wrote to you on 5 October 1990 concerning Mr McKenna. We have received a demand for an apology and retraction from Mr McKenna's solicitors in respect of that letter and before advising our client on this we would be pleased if you could let us know as soon as possible to whom you showed the letter and the whereabouts of the original. We also ask you not to disclose the contents of the letter to any other person.

We would be most grateful to hear from you.

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Yours faithfully

Q. And then, over the page, is there a copy of a letter dated 29 November addressed to Marks Healy Sands, barristers and solicitors, PO Box 6385, East Perth WA 6004, with a reference number that bears the same reference number as to the letter that your letter writes and it says "Dear Sir", title "Re Mrs Karen Davies". Could you read out the rest of that letter please?

A. :
In response to your letter of 26 November 1990, I advise that Mrs Davies' letter was received at that office. I in turn handed same to St Andrew's Residential College school board chairman, Mr G Addis, for his attention.

Whilst the said letter was under my control, I confirm that the contents of the letter was not disclosed to any person other than Mr Addis. I have attempted to contact Mr Addis with regards to the whereabouts of the original letter but to no avail.

Mr Addis is in the middle of harvest and is difficult to track down. Yours sincerely,
RT Sheriff, Branch Manager".

Q. I was going to ask you about that description there, "Branch Manager". Are you able to shed any light on what Mr Sheriff might be referring to there?

A. I have a feeling that he was a bank manager in Katanning.

HIS HONOUR: Q. When you wrote the letter, what was your understanding of Mr Sheriff's connection with St Andrew's hostel?

A. Your Honour, I must have found out from somebody that Mr Sheriff was maybe the secretary of the hostel board or something like that.

MR URQUHART: Thank you, sir. I tender those two letters and I understand you are probably going to give it 18.2.

HIS HONOUR: 18.2 and 18.3, yes.

1
2 EXHIBIT #18.2 LETTER DATED 26/11/1990 FROM MARKS HEALY
3 SANDS BARRISTERS AND SOLICITORS TO KAREN DAVIES
4
5 EXHIBIT #18.3 LETTER DATED 29/11/1990 TO MARKS HEALY SANDS
6 BARRISTERS AND SOLICITORS
7
8 MR URQUHART: Q. Finally, Mrs Davies, is it the case
9 that you never received any further letters of demand from
10 Mr McKenna's lawyers?
11 A. No, sir.
12
13 MR URQUHART: Yes, I thank you Mrs Davies. That's the
14 questions I have.
15
16 HIS HONOUR: Any questions from Perth?
17
18 MR RAFFERTY: Just briefly, sir.
19
20 HIS HONOUR: Yes, Mr Rafferty.
21
22 <CROSS-EXAMINATION BY MR RAFFERTY:
23
24 MR RAFFERTY: Q. I represent Colin Philpott?
25 A. Mmm-hmm.
26
27 Q. What organisation did you write to in relation to
28 Mr Philpott. Do you recall?
29 A. No, I don't but I am assuming it was the hostel, the
30 State Hostel Association or something like that perhaps.
31
32 Q. Just to confirm, the notes of the letter which we
33 don't have were the complaint about the inaction of Ian
34 Murray. Correct?
35 A. Yes, yes, that's correct.
36
37 Q. Who at that time was the principal of the high school?
38 A. Yes.
39
40 MR RAFFERTY: Thank you sir. I have nothing further, sir.
41
42 HIS HONOUR: Anything from you, Mr Manera?
43
44 MR MANERA: Nothing your Honour, thank you.
45
46 HIS HONOUR: Very well.
47

1 MR URQUHART: Nothing from me, sir. You have covered the
2 same matters that I had asked Mrs Davies.
3
4 HIS HONOUR: Thank you very much Mrs Davies. That
5 completes your evidence, yes.
6
7 <THE WITNESS WITHDREW
8
9 HIS HONOUR: Yes, Mr Urquhart.
10
11 MR URQUHART: Sir, we have got two more witnesses to go
12 and the reason why we are calling Mr and Mrs Reddington
13 today is that they would prefer it was today rather than
14 tomorrow and Mr Dobson will be taking them. Is your Honour
15 minded to have a break now or shall we --
16
17 HIS HONOUR: I think we will press on.
18
19 MR URQUHART: Okay.
20
21 HIS HONOUR: Yes, Mr Dobson.
22
23 MR DOBSON: We call Margaret Anne Taylor, please, your
24 Honour, and she will be sworn.
25
26 <MARGARET ANNE TAYLOR, sworn:
27
28 <EXAMINATION-IN-CHIEF BY MR DOBSON:
29
30 MR DOBSON: Q. Your full name is Margaret Anne Taylor?
31 A. Yes.
32
33 Q. And for the purpose of the transcript, Anne is with an
34 A-N-N-E?
35 A. Yes.
36
37 Q. You are now retired. I understand you had previously
38 been an education support teacher?
39 A. Yes.
40
41 Q. And that was at the Katanning senior high school?
42 A. Yes.
43
44 Q. From about 1986 to 1985?
45 A. 1995.
46
47 Q. I beg your pardon?

1 A. Yes.
2
3 Q. 1986 to?
4 A. 1995.
5
6 Q. Thank you. We need to speak with you today about some
7 concerns you had about students who were at the Katanning
8 senior high school but living at the hostel. All right?
9 A. Yes.
10
11 Q. Now, please don't name the students but how many
12 students are we talking about?
13 A. Two.
14
15 Q. In broad terms, initially, what were your concerns,
16 please?
17 A. The behaviour of the students changed - well, one of
18 them in particular changed from being a happy, easy-going,
19 pleasant year 8 and after a couple of years he became very
20 withdrawn, and that concerned me.
21
22 Q. So we will call that particular student the first
23 student.
24
25 HIS HONOUR: Q. So both students were males?
26 A. Yes.
27
28 MR DOBSON: All right, thank you your Honour.
29
30 MR DOBSON: Q. So that first student you say pleasant
31 and happy in Year 8?
32 A. Yes.
33
34 Q. And by the end of what year?
35 A. I think it was Year 10 that he left.
36
37 Q. Did you make any inquiries with that student as to
38 why?
39 A. Yes, I asked him - he wouldn't say anything but the
40 other student told me - who was sort of very unable to sort
41 of control himself, sort of hyperactive, I said "There's
42 something going on because of the way he was acting" and he
43 said "We're not allowed to say anything about the hostel".
44
45 Q. Now, initially, were you concerned about those two
46 children in relation to abuse. Was that a view that you
47 formed?

1 A. Yes, well, I just noticed the change and being a
2 mother of five and being very protective of my ed support
3 students, being the underdogs so to speak, I really cared
4 about them and I noticed the change in the first student's
5 behaviour. He was a lovely looking boy and I thought
6 "Something strange is happening that he is withdrawing into
7 himself and hardly speaking to me at all".
8
9 Q. When you say "the first student", we are talking about
10 the one that you spoke of observations in Year 8?
11 A. Yes.
12
13 Q. And then left in Year 10?
14 A. Yes. Yes, they were both in that category. I had
15 them both together.
16
17 Q. Why in particular do you recall these two boys?
18 A. Well, they were the only two hostel boys I ever had.
19
20 Q. So they stood out in your mind for that reason?
21 A. Yes.
22
23 HIS HONOUR: Q. What year was this?
24 A. I think - it's a bit hard. I remember the boys. I
25 think it was about 1988 or 1989 or something. Yes, about
26 1988, I think. Yes, I can't exactly remember.
27
28 MR DOBSON: Q. Regardless of the year, do you recall who
29 the principal was at the time?
30 A. Yes, Ian Murray.
31
32 Q. Did you express your concerns to anyone about those
33 two boys?
34 A. Yes, I spoke to the then psychologist at the school,
35 Pierre Brescianini.
36
37 Q. Now, I will do my best with this. You tell me if I am
38 wrong, please. Is Brescianini B-R-E-S-C-I-A-N-I-N-I?
39 A. Yes, I think that's right.
40
41 Q. And Pierre is with two "R"s?
42 A. Yes.
43
44 Q. So you spoke with Mr Brescianini?
45 A. Yes.
46
47 Q. Are you aware what came of that?

1 A. I was under the impression he was going to speak to
2 Ian Murray or I assumed that that's - because I sort of
3 told him it, because I spoke to him on several occasions
4 and he actually I think suspected that all was not well at
5 the hostel and I assumed - well, I believed he passed that
6 information on.
7
8 Q. Do you recall what exactly you told Mr Brescianini
9 about those two boys?
10 A. Well, I said I think sort of something is going on
11 because of the change in the first boy's behaviour
12 particularly and just the behaviour of the second one, he
13 couldn't sit down, couldn't settle down, and I thought not
14 sexual behaviour for the second one but psychological, that
15 he was putting pressure on him. That's how it struck me,
16 that McKenna dealt with this child, not what the child
17 needed.
18
19 Q. I may have missed this earlier. Was it one or both
20 boys who said they couldn't tell you, they couldn't answer
21 you what was going on?
22 A. The hyperactive one told me that straight-out. The
23 other one wouldn't say anything, he just wouldn't --
24
25 Q. In any event, you tried to do something about it by
26 going to Mr Brescianini?
27 A. Yes.
28
29 Q. And it was your understanding from, what, dealing with
30 him, that he was going to take it to Mr Murray?
31 A. Yes, I - I - yes, that's what I believed.
32
33 Q. You didn't go to Mr Murray directly?
34 A. No.
35
36 Q. Are you able to say why?
37 A. Am I allowed to?
38
39 Q. Yes, you are.
40 A. I thought he was so narcissistic and conceited that he
41 was easy prey for anybody who had half a chance of fooling
42 anybody with flattery. I have experienced dealing with him
43 when one of my town children he wanted to expel for bad
44 behaviour and he showed no compassion at all, and as a
45 practising christian I had a lot of compassion for these
46 children and I stood up for the child while his mother was
47 in the room with Mr Murray and it ended up that the boy

1 didn't get expelled and he didn't like me standing up about
2 that to him.

3

4 Q. At the time of you making observations about these two
5 boys, who was the warden at the hostel, the St Andrew's
6 Hostel. Who was that?

7 A. Dennis McKenna.

8

9 Q. Did you make any observations at that time as to any
10 relationship between Mr Murray and Mr McKenna?

11 A. Well, I - yes, I stood and watched them walking down
12 to the hostel rubbing shoulders, which made me think that
13 was pretty weird, and he just seemed too friendly with him.
14 He just seemed so friendly with Dennis. I knew there is
15 nothing I could say against Dennis but, yeah.

16

17 Q. When you say there's nothing you could say against
18 Dennis, are you saying that's why you went to
19 Mr Brescianini, to pass the information on to him and let
20 him deal with it?

21 A. Yes, yes. I knew there was no point because he - he
22 was just in Dennis's hands and he just wouldn't hear a word
23 because I had also confronted Ian.

24

25 Q. In the past?

26 A. Yes, yes, when Dennis - my husband is a minister and
27 was part of - can I say this?

28

29 Q. Yes?

30 A. My husband was a minister and the church had these
31 discussions, I can't remember the word, where all the kids
32 got together and had discussions about life and everything
33 and after one of these that my husband was attending we got
34 a phone call from the church hierarchy saying that Dennis
35 had either phoned or written a letter to them about my
36 husband saying that his children were conceited or
37 something, questioning my husband's credibility and I
38 understood he was trying to get him demoted as a minister
39 or whatever and I just sort of lost it, and I went up and
40 really - well, slipped into Ian and told him that how dare
41 any of this be done over our heads because we didn't - we
42 didn't know anything about this to start with, and I said
43 if he - if I heard anything else from Dennis about this all
44 hell would break loose because I was really angry.

45

46 Q. You have spoken about your husband in his role as a
47 minister and you said "all the kids". Who are all those

1 kids. Which kids are we referring to?
2 A. Well, there were hostel children and the high school
3 children. I wasn't particularly involved in that but sort
4 of a seminar sort of thing where they used to have them I
5 think once a term or something and discuss life. Nothing
6 terribly deep, I think it was just to --
7
8 Q. And your husband, his name is John, I understand?
9 A. Yes.
10
11 Q. And he was doing that in his role as a minister?
12 A. Well, he was part of it. He was there and I
13 understood he had - you know, part of discussion, yes.
14
15 Q. I just want to ask you a couple more things, thanks,
16 Mrs Taylor. You mentioned about they would be walking
17 along rubbing shoulders. I am just wondering, you are
18 talking about Mr McKenna and Mr Murray?
19 A. Yes.
20
21 Q. Is that a turn of phrase. Are you saying they were
22 physically touching each other?
23 A. Well, I don't mean rubbing with their hands. I mean
24 like --
25
26 Q. They are so close?
27 A. So close walking down there and I used to think that's
28 pretty weird.
29
30 Q. Where would they be walking?
31 A. To the hostel.
32
33 Q. From where?
34 A. From the high school.
35
36 Q. And over what distance would you observe this?
37 A. Well, from the veranda where I was standing where they
38 walked down, probably 100m to all the buildings sort of
39 they went around the buildings down to the hostel.
40
41 Q. Did you ever learn what, if anything, may have come of
42 you having spoken to Mr Brescianini about those two boys?
43 A. No, I didn't find out anything, what happened.
44
45 MR DOBSON: All right, those are the questions I have of
46 this witness. Thank you, your Honour.
47

1 HIS HONOUR: Mr Hammond.
2
3 MR HAMMOND: Just a couple of brief questions, your
4 Honour.
5
6 <CROSS-EXAMINATION BY MR HAMMOND:
7
8 MR HAMMOND: Q. Mrs Taylor, you spoke to those two boys
9 and noticed that they had become withdrawn and you were
10 concerned about them and you related that concern that you
11 held to the hostel?
12 A. I didn't speak to - ever speak to Dennis. He had
13 nothing to do with me. I think he was - he seemed to be
14 afraid to come near anybody who might react.
15
16 Q. What made you realise or believe it was the hostel
17 that was causing the issues for the two boys?
18 A. Because that's where they lived. That was their whole
19 life and just - I don't know, I sort of just knew enough
20 about Dennis to know that he - because I mean you hear lots
21 of things in the town without being able to prove anything
22 and, yes, just the dealings of - yes, because, that's
23 right, one of my - my daughter, who was there in '86, had
24 sort of a boyfriend from the school who was at the hostel
25 who got expelled because he stood up and spoke out about
26 Dennis and he got ridiculed, his name was made mud and he
27 even started to question his sexuality before he got
28 expelled from there too.
29
30 Q. And you knew about that boy before you had come across
31 these two boys that you have just spoken about?
32 A. Yes, but I - I didn't know much about it. I found out
33 more about that after but I knew that the treatment that
34 that boy got was really cruel and that's the way I sort of
35 got the picture of Dennis being at the heart of that, and
36 when this child, who obviously didn't obey for whatever
37 reasons, I suspected that he was getting psychologically
38 dealt with because, you know, I had heard that Dennis was
39 really cruel to children who stepped out of line and didn't
40 do what he wanted.
41
42 Q. But what really alarmed you about what you had heard
43 from these two boys was the statement about "We are not
44 allowed to say anything about what happens"?
45 A. Yes, yes, yes. They clammed right up and wouldn't say
46 a word about the hostel.
47

1 Q. Was that in response to you asking questions about the
2 hostel?
3 A. Well when I noticed the change in the children and I
4 said, you know, "Are you okay? Is something going on
5 there?" and one of them said "We are not allowed to say a
6 word", you know, not allowed to say anything and the other
7 one just didn't say anything.
8
9 Q. And your suspicions were of abuse but not necessarily
10 sexual abuse?
11 A. Well, the quieter one, I felt he was such a lovely
12 looking child that he could have well been involved in
13 sexual abuse. I mean I could be quite wrong, that's just
14 how I thought. The other one, I felt, was more
15 psychological abuse because he wasn't the sort of child
16 that I would imagine Dennis would be attracted to.
17
18 Q. And those thoughts that you had about psychological
19 abuse and sexual abuse, did you convey both of those
20 thoughts to Pierre Brescianini?
21 A. Yes, I think so, when I - yeah, when I spoke, yes.
22
23 MR HAMMOND: I don't have any further questions
24
25 HIS HONOUR: Mr Manera?
26
27 MR MANERA: Thank you, your Honour.
28
29 HIS HONOUR: Mr Manera represents Mr Murray.
30
31 MR MANERA: I was going to say, your Honour, I represent
32 Ian Murray.
33
34 <CROSS-EXAMINATION BY MR MANERA:
35
36 MR MANERA: Q. Mrs Taylor, you don't know what
37 Mr Brescianini did with your concern, do you?
38 A. No. I understood that he was going to speak to Ian
39 Murray about it.
40
41 Q. You hoped that he would speak to Mr Murray about it.
42 Is that right?
43 A. Well, I understood that's what he was going to do.
44
45 Q. And you thought that that's what he should do?
46 A. I thought - yes, I thought that that's what he should
47 do because that was - I felt that was, like, his role.

1
2 Q. Sure, and I understand that, but you don't know
3 whether he, in fact, told Mr Murray?
4 A. I don't know what he actually said to him, no.
5
6 Q. In relation to your belief that Dennis McKenna and Ian
7 Murray had a close relationship, are you suggesting that
8 the basis for that belief is seeing them walk 100m or so
9 side by side?
10 A. No, I wasn't saying they had a sexual relationship. I
11 mean I don't know.
12
13 Q. I know, I'm just asking you to clarify that?
14 A. No. Who knows?
15
16 Q. I must say, I didn't think you were but what is the
17 basis for you saying that they had a close relationship?
18 A. Well, things like when Ian walked into a classroom
19 with Dennis he used to say "Rise for the official guest",
20 rise to receive the official guest, which was a bit weird,
21 and he was always very happy when he was with Dennis and he
22 sort of just wouldn't hear a word against him. So I
23 assumed that they must have had a pretty close
24 relationship, closer than he had with the rest of staff.
25
26 Q. Can I ask you this: did you ever see them socialise
27 out in the town together of an evening?
28 A. No.
29
30 Q. Did you ever hear of them taking holidays together?
31 A. No, no.
32
33 Q. Did you ever hear of them interacting in relation to
34 anything other than school or hostel matters?
35 A. No, he was just over there a lot.
36
37 Q. These two boys that you say you had concerns about, do
38 you know whether those boys or anyone acting on their
39 behalves went to the police and made complaints about
40 McKenna to the police?
41 A. No.
42
43 Q. So you don't know whether these boys are, in fact, the
44 victims of sexual or any other type of abuse, do you?
45 A. No, I don't know any of that. I'm just saying what I
46 felt by their reaction, like their change of behaviour.
47

1 MR HAMMOND: Thank you, nothing further.
2
3 HIS HONOUR: Mr Rafferty, have you got anything?
4
5 MR MANERA: He has disappeared, your Honour
6
7 HIS HONOUR: Well, that solves that. Mr Dobson?
8
9 MR DOBSON: Thank you, your Honour. Just a couple, your
10 Honour.
11
12 <RE-EXAMINATION BY MR DOBSON:
13
14 MR DOBSON: Q. Mrs Taylor, you have made mention that in
15 your view Mr Murray had a closer relationship with
16 Mr McKenna than he did with the rest of the staff. You
17 just said that a minute to go to my learned friend,
18 Mr Manera. At this time, how many staff were there at the
19 Katanning senior high school?
20 A. I don't know, maybe 20 to 30, something like that.
21
22 Q. So it was your observation that the then principal had
23 a much closer or just closer relationship?
24 A. Well, he was always happy and laughing every time he
25 came out of this office with Dennis. Well, he didn't make
26 a habit of that with anyone else that I witnessed.
27
28 Q. Over what period of time did you observe these things?
29 A. Well, I was - I suppose I was most aware of it
30 probably about '87, would it be, to 90 - about three years,
31 I think. Yes, I know when Nicki MacLennan was there there
32 was a lot of upset too and he was very, very down on Nicki.
33 She was like a friend and --
34
35 Q. When you say "he", which one of those?
36 A. MacLennan - Murray. He was a very sort of anti-Nicki
37 because Nicki, I used to talk to her and she had concerns.
38 She never really discussed cases or anything like that but
39 when she stood up about trying to do something I noticed
40 she ended up losing her job.
41
42 Q. When you say "concerns", Ms MacLennan what sort of
43 concerns?
44 A. Something to do with the hostel students, that all was
45 not well.
46
47 Q. Similar concerns to yours?

1 A. I think so, yes. Yes, she didn't ever tell me
2 anything specific but I know, you know, she was quite
3 depressed by the whole business.
4
5 Q. It is correct to say that Ms MacLennan was the school
6 psychologist prior to Mr Brescianini?
7 A. As far as I remember, yes.
8
9 Q. Or Brescianini?
10 A. Yes, Brescianini, yes.
11
12 MR DOBSON: Those are my questions, your Honour, thank
13 you.
14
15 HIS HONOUR: Mr Manera, there is some new material there.
16 Is there anything you have arising from that?
17
18 MR MANERA: I just wanted to ask Ms Taylor this, your
19 Honour.
20
21 <FURTHER CROSS-EXAMINATION BY MR MANERA:
22
23 MR MANERA: Q. Ms Taylor, you mentioned that there was a
24 problem, as I understand your evidence, in the relationship
25 between Ms MacLennan and Mr Murray. Is that right?
26 A. Yes.
27
28 Q. Yes?
29 A. Yes, that's what I --
30
31 Q. And you expressed that was in 1987?
32 A. I can't remember the exact date but it was before - it
33 was before Pierre came. Well, it must have been I think.
34 I don't remember the exact date but I know it was around
35 '87 - I can't exactly remember but I just remember talking
36 to her and then she --
37
38 Q. If I suggest to you Mr Murray and Ms MacLennan didn't
39 start at the school until 1988--
40 A. Well, that's what I'm saying. I can't be exactly sure
41 because I think Pierre was there for a while after that.
42 That's what I'm saying, but I do - I do know that it was
43 with Nicki and Mr Murray that this happened because it was
44 specifically what she was talking to me about and she lost
45 her job not long after. It was a long time ago and I don't
46 remember the dates but I know that happened. That's one
47 thing I am sure and I remember her talking to me about it

1 and saying that he was trying to get her out of that job.

2

3 MR MANERA: Thank you, nothing further, your Honour.

4

5 HIS HONOUR: Yes. Thank you Mrs Taylor. That completes
6 your evidence. You are free to leave the witness box.

7

8 <THE WITNESS WITHDREW

9

10 HIS HONOUR: Yes, Mr Dobson?

11

12 MR DOBSON: Hopefully, I think this is the last witness.

13

14 MR MANERA: Sorry, your Honour, can I just raise this
15 matter? I am going to leave, your Honour, because what I
16 am led to believe is that none of the other witnesses to be
17 called relate to Mr Murray. I just wanted to raise a
18 couple of matters, your Honour, and that is, that I was
19 provided with a summary of the matters which were to be
20 raised in a general sense by the witnesses as it relates to
21 Mr Murray. I know that particularly in relation to this
22 last witness, not just the matters that your Honour gave me
23 the opportunity to re-examine on, but there are other
24 matters in the last witness and also the previous witness,
25 your Honour, that relate to going to the lawyers that was
26 never disclosed to me. So I just raise that, your Honour,
27 in terms of if there are to be any future issues that
28 relate to Mr Murray, then certainly myself as his counsel
29 should be advised of it.

30

31 HIS HONOUR: Well, I agree with that. You should have
32 notice of the substance of allegations which might be taken
33 to be adverse so certainly I'm sure counsel will note that.

34

35 MR DOBSON: I can assist there, your Honour.

36

37 MR MANERA: For example, your Honour, the whole issue of
38 the lawyers' letter was never told to me at all, your
39 Honour, and that relates to the evidence, of course, of
40 Catherine Jefferis.

41

42 HIS HONOUR: Do you want to say anything, Mr Dobson?

43

44 MR DOBSON: I was just simply going to say, your Honour,
45 that in relation to the whole of the rubbing shoulders
46 segment, never disclosed, not mentioned until --

47

1 HIS HONOUR: No, I'm aware of that. That was something
2 new, yes.
3
4 MR DOBSON: And the business about Mrs MacLennan, your
5 Honour, whilst it is in the proof, it is not something that
6 is brand new. Ms MacLennan has given that in evidence and
7 it is on transcript, I would have thought, your Honour.
8
9 HIS HONOUR: In any event, Mr Manera, we do our best --
10
11 MR MANERA: Had I known --
12
13 HIS HONOUR: I was just going to say we do our best to
14 ensure that people who are likely to be adversely affected
15 by the evidence are given reasonable notice. Given the way
16 in which this inquiry is proceeding and we have got
17 investigations continuing alongside hearings, it does lead
18 occasionally to problems, but whatever can be done to
19 rectify any omissions in that regard will be done.
20
21 MR MANERA: Of course, and, of course, your Honour, had I
22 had notice of the MacLennan issue, I would have put it to
23 Ms MacLennan but thank you for hearing me, your Honour.
24
25 HIS HONOUR: Right, thank you. Now, Mr Dobson, your next
26 witness?
27
28 MR DOBSON: Yes, your Honour. We call John William Taylor
29 and Mr Taylor will be sworn as well. Thank you, your
30 Honour.
31
32 MR MANERA: Your Honour, perhaps just before this witness
33 gives evidence, am I to assume that there is nothing in
34 this witness's evidence that relates to my client?
35
36 HIS HONOUR: Mr Dobson, what do you say about that?
37
38 MR DOBSON: Nothing that I'm aware of.
39
40 HIS HONOUR: Nothing that Mr Dobson is aware of. So I
41 think you can safely leave, Mr Manera.
42
43 MR MANERA: Thank you, your Honour.
44
45 <JOHN WILLIAM TAYLOR, sworn:
46
47 <EXAMINATION-IN-CHIEF BY MR DOBSON:

1
2 MR DOBSON: Q. Your full name is John William Taylor?
3 A. That's correct.
4
5 Q. I understand you are 78 years old?
6 A. That's good. Actually, I'm 82.
7
8 Q. Thank you, Mr Taylor. Now, I understand you live in
9 Katanning and you are now retired?
10 A. That's right.
11
12 Q. You were previously a minister with the Uniting
13 Church?
14 A. That's correct.
15
16 Q. And you worked here in Katanning?
17 A. Mm.
18
19 Q. And also, I understand that you were a member of the
20 St Andrew's hostel board?
21 A. At one stage, yes.
22
23 Q. I would like to take you to events leading up to the
24 resignation of a particular person, one of the McKenna
25 family?
26 A. Yes.
27
28 Q. Do you know which McKenna I am talking about?
29 A. Ian. Neil, I meant, isn't it?
30
31 Q. I think we had this earlier today. You call him Ian
32 and I call him Neil?
33 A. Right.
34
35 Q. Are we talking about the same person?
36 A. I guess we are.
37
38 Q. Now, is it correct that some time in the early 80s you
39 attended a high school seminar and you were there in your
40 role as a minister for the Uniting Church?
41 A. That's correct.
42
43 Q. And you go along and you lead some of the students in
44 a discussion --
45 A. That's right.
46
47 Q. -- about life and issues that they might face. And

1 were these children simply from the Katanning high school
2 and they were day children, as in townies, or were they
3 boarders or can you explain, please?
4 A. Well, I didn't know - I guess they were mostly day
5 students but apparently there were a couple of boarders in
6 that group.
7
8 Q. Were there some matters that arose out of those
9 discussions that gave you concern?
10 A. Yes, yes.
11
12 Q. Can you tell us what they were, please?
13 A. Well, the outcome of it was that it seemed that -
14 seemed to me that this whole school was like the third
15 rite, that they were, you know, being really a select group
16 and that didn't sit very well with me.
17
18 Q. A select group of who; the students who boarded the
19 hostel.
20 A. Yes, yes.
21
22 Q. When you say "the third rite", it seems to me you are
23 likening it to the regime of a Nazi party or that era in
24 Germany?
25 A. Yes, yes.
26
27 Q. So what do you mean. Rather than give that the label,
28 what sort of behaviour. Can you recall any particular
29 behaviour that was --
30 A. Yes, they were superior.
31
32 HIS HONOUR: Q. When you say "they", who are you
33 referring to?
34 A. The hostel kids seemed to be that they were a cut
35 above.
36
37 Q. The kids as a whole. Hostel children as a whole or
38 not?
39 A. Well, that I don't know because I can't - but the
40 ones - some of those I encountered felt that they were.
41
42 MR DOBSON: Q. As a result of this seminar and this
43 discussion, did you later receive a letter from Mr Dennis
44 McKenna?
45 A. I did.
46
47 Q. I wonder if this can perhaps be shown to Mr Taylor,

1 your Honour. It is barcoded finishing 0027?
2 A. Yes.
3
4 Q. Have you had a look at that document?
5 A. Yes, yes.
6
7 Q. Do you recognise that as a document sent to you by
8 Mr Dennis McKenna?
9 A. That's correct.
10
11 Q. On the right-hand side it is dated 31 August 1988?
12 A. Yes.
13
14 Q. Addressed to the Reverend John Taylor at an address in
15 Katanning?
16 A. Yes.
17
18 MR DOBSON: If I may, your Honour, I will read that into
19 the transcript.
20
21 HIS HONOUR: Yes, please do.
22
23 MR DOBSON: Thank you:
24
25 Dear Mr Taylor,
26
27 I write to strongly object to the singling
28 out of hostel students by yourself at your
29 religious seminar last week:
30
31 (a) You asked the class how many are from
32 the hostel;
33 (b) Do you think there is a division
34 between the hostel and town students;
35 (c) After no answer from the students, you
36 stated "I think there is", then went on to
37 giving your personal views, ending in that
38 our students have so much pride they are
39 bordering on conceit;
40 (d) Furthermore, bringing up views of your
41 wife handling a class with dumb and stupid
42 kids is beyond what a religious
43 seminar is all about.
44
45 Your personal views should not be given in
46 these sessions and I am appalled in your
47 role as a minister that you make statements

1
2 Q. When you say "on his part", who are we talking about?
3 A. Neil.
4
5 Q. And the sexual misconduct by him involved who?
6 A. Well --
7
8 Q. No, not the name, don't say the name?
9 A. No, that's it. Their daughter.
10
11 Q. So a female student?
12 A. That's right.
13
14 Q. Do you recall what the parents wanted done about it?
15 A. They - they wanted - to the best of my knowledge, they
16 wanted action taken on it but they definitely didn't want
17 the girl involved in any scandal or - well, any hassle at
18 all to do with it.
19
20 Q. And you were on the board at the time?
21 A. Yes.
22
23 Q. Is that how you became aware of this?
24 A. Yes.
25
26 Q. Was anything done about that complaint?
27 A. That I don't know because I assumed --
28
29 Q. No, I don't mean done in the sense of the police or
30 anything. Was there a board meeting or similar?
31 A. Yes, there was, yes, that's right. There was a board
32 meeting.
33
34 Q. Do you know who called that board meeting?
35 A. No, I do not.
36
37 Q. Would it help you if I mentioned the name Garth Addis?
38 A. It will.
39
40 Q. He called the board meeting?
41 A. It possibly was him. I don't know what his status was
42 at that particular time.
43
44 Q. What about Neil McKenna, was he present. Do you
45 recall?
46 A. They called him in, yes.
47

1 Q. And what happened then?
2 A. He came in. They laid - they laid the accusations
3 before him.
4
5 Q. Okay, if I could just stop you there. I don't want to
6 keep interrupting you but when you say they laid the
7 accusations before him, do you know exactly what was put to
8 him. Was it put in some detail, do you recall?
9 A. No, to the best of my knowledge it was only they had
10 received a complaint regarding his conduct towards this
11 girl.
12
13 Q. Was it as bare as that or did they actually go into
14 the fact that there was sexual misconduct?
15 A. Well, they said there was sexual mis - but they didn't
16 detail, no detail.
17
18 Q. Do you know who was present, who other than you and
19 Neil McKenna. Can you name anyone else who was present?
20 A. Well Garth Addis was there but I cannot name anybody
21 else. I just don't remember.
22
23 Q. Other board members?
24 A. Yes, but I don't remember.
25
26 Q. Do you recall what, if any, response Neil McKenna made
27 to the allegation?
28 A. Yes, he cried.
29
30 Q. Crying as in weeping, tears?
31 A. Yes.
32
33 Q. Anything else?
34 A. No. He - to the best of my knowledge, he denied
35 having, you know, any misconduct there.
36
37 Q. Did you take part in any discussion with Mr McKenna
38 or any conversation?
39 A. Yes, following this I said - I said "Look, mate, if
40 you are guilty you are guilty" or words to that effect. I
41 said "If you are guilty you are guilty", I said, "And if
42 you claim you are innocent", I said "I think we will have
43 to bring the police in to verify that", I said, "But if
44 you're, you know, guilty", I said "It seems to me that it
45 is the parents' wish that you resign, get out of it and
46 that's the end of the matter".
47

1 Q. And what, in fact, did he do?
2 A. He resigned.
3
4 Q. And left the St Andrew's Hostel?
5 A. I assume he did, yes.
6
7 Q. He no longer worked there in any capacity thereafter
8 that?
9 A. Not to my knowledge, no.
10
11 MR DOBSON: Those are the questions I have.
12
13 HIS HONOUR: Q. Was there only one girl involved at that
14 time?
15 A. Yes.
16
17 MR DOBSON: Q. With the benefit of the passage of time
18 and looking back, it is now your view that you should have
19 gone to the police about those allegations?
20 A. Well, not really because the parents - I was given the
21 impression that the parents wanted no fuss at all and they
22 were quite happy with McKenna out of the way.
23
24 Q. So you took your cue from the parents of the young
25 lady involved?
26 A. That's correct, yes.
27
28 MR DOBSON: I have nothing further. Thank you, your
29 Honour.
30
31 HIS HONOUR: Q. I will just ask you: did you have any
32 knowledge of the seriousness or otherwise of the nature of
33 the sexual misconduct alleged?
34 A. No, I didn't know if he'd - you know, there was
35 nothing explicit.
36
37 Q. You weren't given any details?
38 A. No.
39
40 Q. Did you have any concerns about whether someone who
41 had allegedly committed sexual misconduct should be brought
42 to the police because of the risk there might be further
43 offending in the future?
44 A. I suppose in hindsight, yes, but at the time, no. I
45 felt that we were doing the right thing by the parents not
46 to take it any further.
47

1 Q. And are you quite sure that at that time at that board
2 meeting there was only one girl involved, there weren't two
3 or three?
4 A. Yes.
5
6 Q. Only?
7 A. Mmm. Only one name was mentioned and I - yes.
8
9 HIS HONOUR: Are there any further questions of anyone?
10 No?
11
12 MR DOBSON: Nothing arising, thank you, your Honour.
13
14 HIS HONOUR: Right, thank you. Well, that completes your
15 evidence. You are free to go?
16
17 THE WITNESS: Thank you
18
19 <THE WITNESS WITHDREW
20
21 MR URQUHART: We will have four witnesses tomorrow and I
22 anticipate I will also be reading in the statement of one
23 witness and I don't expect we are going to be here for as
24 long as we have been today.
25
26 HIS HONOUR: Very well.
27
28 MR URQUHART: It may well be the case I anticipate that we
29 will finish at or about the lunchbreak tomorrow.
30
31 HIS HONOUR: Right.
32
33 MR URQUHART: Thank you, sir.
34
35 HIS HONOUR: Thank you. We will adjourn now until 10
36 o'clock tomorrow.
37
38 AT 5.20PM THE HEARING ADJOURNED
39 TO FRIDAY, 2 FEBRUARY 2012 AT 10AM
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