

Special Inquiry into St Andrew's Hostel

Hearing

Held at: Courtroom 2, Level 18,
111 St Georges Terrace, Perth

Thursday, 23 February 2012 at 10am
(Day 3)

Before: The Hon Peter Blaxell

1 HIS HONOUR: We have counsel appearing today who have not
2 been here before. Ms Tovey, you are representing
3 Ms Dawkins?
4
5 MS A TOVEY: Yes, if your Honour pleases, I do.
6
7 HIS HONOUR: Mr Prior, you are representing Peter Kenyon?
8
9 MR J B PRIOR: That's correct, your Honour.
10
11 HIS HONOUR: Mr Elliott, you are representing Ian Carter.
12
13 MR ELLIOTT: If the court pleases.
14
15 MR URQUHART: I also see that my learned friends who are
16 appearing for the media organisations are also in
17 attendance.
18
19 HIS HONOUR: For any particular reason this morning?
20
21 MR URQUHART: I am not sure. I have not been able to
22 clarify that with them.
23
24 HIS HONOUR: Is anyone seeking to be heard at this stage?
25 No? Yes?
26
27 MR McCARTHY: Your Honour, I appear again. I anticipate
28 that there may be matters that will be raised this morning
29 in relation to the evidence of the witness this morning
30 where I may usefully be able contribute to issues that
31 arise. There is one matter that I learnt of this morning
32 that I do want to bring to your Honour's attention.
33 Perhaps if it suits everyone else, I could do that now.
34
35 Your Honour will recall that when I appeared before
36 your Honour on Tuesday, there were four suppression orders
37 that I was addressing your Honour on.
38
39 HIS HONOUR: Yes.
40
41 MR McCARTHY: The first one was at page 37. It was the
42 suppression of what was termed "the subject of ridicule".
43 That was on the transcript at page 35 in relation to
44 a person by the name of Darryl, and I understand that it
45 was Darryl, brother of Mr Stephens who was giving evidence.
46
47 HIS HONOUR: That's correct.

1
2 MR McCARTHY: Darryl Stephens is here today. He
3 approached me this morning of his own volition. Mr Hammond
4 is here, as I understand it, acting for Mr Darryl Stephens,
5 but what Mr Stephens told me was that he was here on
6 Tuesday and he heard the argument, and he said to me he
7 has, in fact, no problem with the publication of the
8 ridicule and no problem with the publication of his name.
9 I think I should bring that to your Honour's attention.
10
11 HIS HONOUR: That is extremely relevant. Mr Hammond, do
12 you confirm that?
13
14 MR HAMMOND: That is correct, sir.
15
16 HIS HONOUR: I was not told that on Tuesday, but you have
17 received instructions to that effect since, have you?
18
19 MR HAMMOND: Since that time, sir, and I have clarified
20 that this morning with Mr Stephens. I was not in
21 a position to assist the Inquiry on the day that it came
22 up.
23
24 MR McCARTHY: If I could simply say that the basis upon
25 which I sought the suppression order was that the witness
26 himself did not want to demean his brother in any way by
27 actually stating what that nickname was, so it was taking
28 into account the position taken by the witness rather than
29 his brother.
30
31 HIS HONOUR: I understand, but in all of the circumstances
32 now disclosed to me, it is obvious that it is not
33 appropriate to restrict publication of that particular
34 piece of transcript.
35
36 MR McCARTHY: Yes, your Honour, but the point of
37 significance and the reason why I want to raise the issue
38 rather than leave it to Mr Hammond is this, and it is
39 illustrated precisely by what my learned friend has just
40 said: if I assume for the moment, contrary to my position,
41 that your Honour does have power to make a suppression
42 order, and one goes to the authorities on when a
43 suppression order can be made, such as Re Robins, Bromfield
44 and the Fairfax case that I referred you to, it is simply
45 not a proper basis to make a suppression order that
46 a witness says that that witness thinks it might not be
47 appropriate, in the interests of the third party.

1
2 HIS HONOUR: I agree.
3
4 MR McCARTHY: That is simply not a basis.
5
6 HIS HONOUR: I agree.
7
8 MR McCARTHY: I raise this for this reason, your Honour,
9 and I know your Honour is reserved on the question which
10 may resolve the whole matter, but one of the reasons I came
11 down here this morning, in anticipation of what a witness
12 this morning might say, is that if those circumstances
13 arise - and this is the practice that has been employed by
14 Justice Siopis in the Federal Court when these issues have
15 arisen - your Honour may well be assisted by, firstly,
16 having a contradictor.
17
18 HIS HONOUR: Yes.
19
20 MR McCARTHY: And, secondly, by having someone appear
21 effectively as amicus curiae in relation to these issues of
22 media questions.
23
24 HIS HONOUR: That would be very helpful.
25
26 MR McCARTHY: That is something that I say, and Justice
27 Siopis has employed in the Federal Court. He has
28 effectively made a direction that I appear before him to
29 appear in those two capacities.
30
31 HIS HONOUR: I'm very happy for you to appear on those
32 occasions.
33
34 MR McCARTHY: Your Honour, the only other thing I wanted
35 to say to your Honour is this: I wanted to check that your
36 Honour has in fact received a copy of the comments of the
37 Chief Justice before the --
38
39 HIS HONOUR: I have, and they are very helpful.
40
41 MR McCARTHY: If it please the court.
42
43 HIS HONOUR: Thank you, Mr McCarthy, you are at liberty to
44 rise at any time in relation to any issue that concerns you
45 in that regard.
46
47 MR McCARTHY: If it please the court. Can I just clarify

1 then that the first suppression order that was made on
2 Monday at page 39, is now lifted?

3
4 HIS HONOUR: That is now lifted, and that is on the basis
5 of what I have been told today, without yet ruling upon
6 your original objections.

7
8 MR McCARTHY: A practical matter - the practice has been
9 for there to be, if I can use this term, redactions to the
10 transcript.

11
12 HIS HONOUR: Yes. What has been suppressed has been
13 removed, but that should now return.

14
15 MR McCARTHY: Yes. I want to clarify that, because
16 obviously your Honour will need to give a direction to the
17 persons responsible in that regard to reissue the
18 transcript.

19
20 HIS HONOUR: I should put on record that I had not
21 appreciated the basis on which Mr Urquhart was seeking to
22 have that material suppressed. My concern was for the
23 feelings of Darryl Stephens.

24
25 MR McCARTHY: Yes.

26
27 HIS HONOUR: Who, I assumed, would not want that sort of
28 information to be publicised.

29
30 MR McCARTHY: Therein lies the problem, your Honour. Your
31 Honour has probably had an opportunity to look at cases
32 like Re Robins and Fairfax since I was last here, but one
33 of the critical things on suppression orders is that the
34 cases say that there has to be cogent evidence before the
35 tribunal as to the basis for a suppression order. Not only
36 does it have to fit within the recognised categories, but
37 there has to be cogent evidence. In all of the four
38 categories I mentioned, in my respectful submission - and
39 your Honour will recall I did not take your Honour to
40 Re Robins at the end of my submissions, where I would have
41 gone through all of these things; they are helpfully
42 covered in the Chief Justice's comments, but one of the
43 issues is there must be cogent evidence before the court.

44
45 In each of those four categories there is no cogent
46 evidence. It's a supposition. So, again, I say that on
47 that basis, there were no grounds to make a suppression

1 order. If it pleases the court.

2
3 HIS HONOUR: Thank you. Mr Urquhart, are you ready to
4 proceed with the witness?

5
6 MR URQUHART: Yes, I am, sir, save and except for one
7 short matter - there may be another matter that may take a
8 bit longer, and that is just a clarification, if I can call
9 it that. In relation to Ms Sharon Parker's evidence, she
10 testified on Tuesday, when she was asked by me whether she
11 could recall the names of the relatives of Dennis McKenna
12 who were hostel staff, and this examination commences at
13 page 187, she identified Neil and Wendy McKenna, who are
14 husband and wife, and Wayne and Robin McKenna, who were
15 also married. She then stated at transcript page 188, at
16 the top, line 1:

17
18 I believe there was also Troy McKenna who
19 was there at some point. Troy was there.
20 I think he was a cousin. I'm not
21 100 per cent sure.

22
23 In order to clarify that, investigations by the Inquiry
24 have determined that Troy McKenna was in fact a younger
25 brother of Dennis McKenna, not a cousin, and whilst he did
26 board at the Katanning hostel as a student when his brother
27 was warden there, he was never employed in the hostel in
28 any capacity.

29
30 The witness that I propose calling now is Margaret
31 Allana Dawkins. However, sir, I understand that my learned
32 friend, Mr Elliott, will want to make some submissions and
33 it might be appropriate to deal with those before
34 Mrs Dawkins is actually called. I think most people
35 realise that will be via CCTV, or closed-circuit
36 television.

37
38 HIS HONOUR: Mr Prior?

39
40 MR PRIOR: Your Honour, I have an application I wish to
41 make on behalf of Mr Kenyon, which Mr Elliott, who acts for
42 Mr Carter, is aware of, and in the sequence of events, when
43 you hear the applications, it is probably better that you
44 hear this application first.

45
46 My application on behalf of Mr Kenyon is that the
47 evidence of Mrs Dawkins be adjourned to another date.

1 The basis on which I make that application is the
2 following: on 10 February this year, Mr Kenyon received
3 a letter from the executive officer suggesting that there
4 may be - and I am just supplying the words - may be some
5 adverse comments made by a witness and highlighted that was
6 Mrs Dawkins and she would be giving evidence today.

7
8 Can I hand up a copy of that letter, because your
9 Honour may not have ever seen these letters.

10
11 HIS HONOUR: I'm aware they are in a standard form.

12
13 MR PRIOR: I think I'll take you to the specific letter.
14 I have only seen Mr Kenyon's letter as his counsel, so I'm
15 handing up to you the letter of 10 February. Halfway down
16 it states this:

17
18 A brief summary of the anticipated adverse
19 evidence based on the submissions and
20 statements received [my emphasis] from
21 relevant witnesses is as follows...

22
23 I do not need to go into the detail there, but there are
24 two paragraphs there that I suspect are not the standard
25 form, because it changes from person to person. So that
26 was Mr Kenyon being placed on notice about possible adverse
27 evidence, and I do not have any quarrel with that with
28 respect to the procedural fairness of it for Mr Kenyon.

29
30 But, because of the quote in it "based on the
31 submissions and statements received", my instructing
32 solicitors then wrote to the Inquiry executive officer on
33 16 February this year and 21 February seeking copies of
34 whatever the submissions and statements were that were
35 being relied on before Ms Dawkins gives evidence.

36
37 At 5pm last night, I received from the Inquiry, via
38 I think the executive officer, and Mr Urquhart was kind
39 enough to ring me about five minutes before to tell me it
40 was coming, an eight-page statement from Mrs Dawkins and
41 a covering letter saying that effectively, because of
42 health concerns, she will be reading that as opposed to
43 giving detailed evidence-in-chief.

44
45 That statement had a facsimile cover sheet with it
46 dated 31 January 2006, so the only inference Mr Kenyon and
47 his legal advisers can draw is that that statement was

1 prepared some time ago, and possibly was in the possession
2 of this Inquiry, but nevertheless the sequence of events is
3 the statement became available at 5pm to be her
4 evidence-in-chief, subject to perhaps some additional
5 questions from counsel assisting at 10am today.
6

7 That statement obviously is going to be read at
8 a public inquiry, and also be her evidence. The
9 statement - I don't know probably - I suspect your Honour
10 has not yet seen the statement --
11

12 HIS HONOUR: I have seen the statement, yes.
13

14 MR PRIOR: I don't need to take you to it, but I think on
15 an objective analysis, you would accept there are also
16 adverse comments made in relation to these people: Ainslie
17 Evans, Elizabeth Stroud and Peter Sherlock. None of them
18 is represented here by counsel today.
19

20 HIS HONOUR: If I can pause here, I can check the list but
21 I am sure they received some letters.
22

23 MR PRIOR: My understanding from Mr Kenyon is certainly
24 he has spoken to Mrs Stroud and Mr Sherlock. They both did
25 receive letters, so obviously the particularity of what is
26 contained about Mrs Dawkins' evidence may be different to
27 the letter I've just handed up to you, but I suspect the
28 wording "a brief summary of the anticipated adverse
29 evidence based on the submissions and statements" was there
30 in the letter, the point being this statement - the
31 statement which may have come into existence in January
32 2006 - was somewhere around about for the last six years.
33 The problem about that --
34

35 HIS HONOUR: What are you saying about six years?
36

37 MR URQUHART: Can I just clarify, sir? That is an error.
38 I take it that my learned friend is referring to the
39 facsimile transmission which appears there - 13/1/2006,
40 10.37. That is clearly a wrong date.
41

42 HIS HONOUR: Did you state a different year, did you?
43

44 MR PRIOR: Yes, 2006.
45

46 MR URQUHART: My learned friend is inferring from that
47 that the statement was made --

1
2 HIS HONOUR: What is the date there?
3
4 MR URQUHART: -- six years ago, or even earlier. That's
5 not the case.
6
7 HIS HONOUR: Was there a typographical error in that date,
8 is that what you are saying?
9
10 MR URQUHART: Obviously, the facsimile machine that has
11 been used has not had the correct date fixed to it. By way
12 of explanation, Ms Dawkins indicated to me she might have
13 problems faxing that statement through to me yesterday,
14 because she has had difficulties with the fax machine.
15
16 HIS HONOUR: So that's the fax machine at the other end?
17
18 MR URQUHART: Yes, at the other end, sir, not ours.
19
20 HIS HONOUR: I understand.
21
22 MR PRIOR: I accept Mr Urquhart's version of the events --
23
24 HIS HONOUR: I am quite certain that there is no statement
25 in the possession of this Inquiry prior to the one we
26 received from Mrs Dawkins quite recently.
27
28 MR PRIOR: That having been said, it is my submission
29 possibly that statement existed before 10 February, when
30 Mr Kenyon received the letter, and Mrs Evans and Mrs Stroud
31 and Mr Sherlock. Certainly, when we wrote to this Inquiry
32 on 16 February and 21 February, I suspect the statement
33 existed. We now get it at 5 o'clock last night, and there
34 are medical reasons why it is being read, as opposed to
35 evidence-in-chief. But the concern I have is this - and
36 this is on behalf of Mr Kenyon, and he has provided a copy
37 of that statement, and it was provided to me not on
38 a confidential basis, and it was going to be read in a
39 public inquiry the next day, and a copy to Mr Sherlock and
40 Mrs Stroud last night. Mrs Stroud is in Laos working, and
41 Mr Sherlock lives in Queensland. They are both alarmed -
42 I've seen some emails they have sent to Mr Kenyon. I am
43 not Mr Sherlock or Mrs Stroud's counsel, but they first
44 became aware of this statement last night. They can't
45 physically be here.
46
47 HIS HONOUR: I suggest to you they would have previously

1 been aware as a result of a letter from the Inquiry --

2

3 MR PRIOR: I accept that.

4

5 HIS HONOUR: -- as to the substance of what was going to
6 be said.

7

8 MR PRIOR: I accept that, but the problem is the
9 eight-page statement goes into a lot more detail, in my
10 submission, and it impacts on Mr Kenyon, notwithstanding
11 I'm not counsel for those three people, as to whether they
12 would then change their instructions and their position as
13 to whether they would seek to be represented by counsel
14 today and cross-examine Mrs Dawkins. The problem I have,
15 and possibly Mr Elliott on behalf of Mr Carter, is about
16 six pages of it have nothing to do with the people
17 we represent and, obviously, if there were was any issue
18 factually to be contested by way of cross-examination, it
19 would be for those people to put it.

20

21 I accept what your Honour said a minute ago. They
22 were put on notice, so to speak - probably around
23 10 February, I suspect, the same time as Mr Kenyon -
24 I don't know - but given the principles of procedural
25 fairness and natural justice and what the Public Sector
26 Management Act says at section 24J(3)(b) and, in
27 particular, also, your practice direction, paragraph 13,
28 which talks about material being provided within 15 days -
29 one can take the view, I suppose, say, five days before the
30 hearing that the material with the letter - it is my
31 submission this is significant material. It is a statement
32 that has certainly been in existence before five days ago,
33 and I am guessing, but my learned friend for the Inquiry
34 can tell me if I'm wrong about that.

35

36 The concern we have is this: Mr Kenyon is not in
37 a position to cross-examine, obviously, about things that
38 relate to those other three witnesses. They are only aware
39 specifically what has been put by Mrs Dawkins now in the
40 statement, because of what they have heard overnight.

41

42 HIS HONOUR: Are you suggesting there is anything in the
43 statement which is different from the summary that those
44 other people were given?

45

46 MR PRIOR: I don't know. I don't know. That's the
47 problem. I'm not acting for them. I was not given the

1 letters --
2
3 HIS HONOUR: My understanding --
4
5 MR PRIOR: -- for them.
6
7 HIS HONOUR: -- and my instructions were that witnesses or
8 other people to be the subject of adverse evidence should
9 be given notice and a summary of that adverse evidence
10 should be given to them.
11
12 MR PRIOR: Yes.
13
14 HIS HONOUR: I assume that has been done, but Mr Urquhart
15 will tell me that in a moment.
16
17 MR PRIOR: He can tell you about that. I don't know,
18 because for obvious reasons I did not see the letter, so
19 I can't answer your question. That sort of highlights the
20 problem that they don't have counsel representing them
21 today. I accept implicitly what you are saying: they have
22 had the letter --
23
24 HIS HONOUR: We will hear from Mr Urquhart shortly, but
25 I suggest to you that this matter could be appropriately
26 dealt with by proceeding with the evidence today and
27 considering any application for leave that Ms Stroud and
28 the other person might have to have Ms Dawkins recalled.
29
30 MR PRIOR: That is where I am going to, your Honour. I'm
31 saying this for the benefit of Ms Tovey, and I put her on
32 notice before we convened this morning, because she acts
33 for Ms Dawkins. Potentially, there could be piecemeal
34 taking of evidence, obviously subject to your Honour's
35 leave, but what may happen today is that the evidence of
36 Mrs Dawkins will be given, primarily, one would suspect,
37 similar to her eight-page statement, and then at a later
38 stage - next week or this week - counsel may come down on
39 behalf of those three individuals I've named and seek leave
40 that she be recalled.
41
42 That may then result in myself, possibly Mr Elliott on
43 behalf of Mr Carter, seeking leave that we be allowed to
44 further cross-examine, because things may come out in the
45 cross-examination.
46
47 HIS HONOUR: I understand that.

1
2 MR PRIOR: What is at risk here, and a solution, with
3 respect, is what your Honour has raised, is this will
4 become piecemeal evidence of Mrs Dawkins, and to go back to
5 my original application, that is why I make the application
6 on behalf of Mr Kenyon. Perhaps the better option is she
7 gives her evidence at a later stage when the three people
8 I've identified have had an opportunity to consider their
9 position, having now been aware of this statement, but
10 I accept that a solution is that, but I'm just highlighting
11 that may create a problem, for example, for Mrs Dawkins.
12 I don't know. It is something you may need to hear from
13 counsel for Mrs Dawkins. That is all I wish to say.
14 Mr Elliott has a totally separate application.

15
16 HIS HONOUR: I'll hear from Mr Elliott after I've dealt
17 with this one. Ms Tovey, do you wish to say anything
18 briefly?

19
20 MS TOVEY: If your Honour pleases, my instructions are to
21 oppose the adjournment application. The witness is here,
22 she is prepared to give her evidence.

23
24 By way of background, your Honour, she is recovering
25 from major surgery and she is on considerable pain killers.
26 She has indeed reduced her pain killers over the course of
27 the past week so that she is in a position to attend today,
28 but, of course, because she has reduced her pain killers so
29 that she is in a position to attend, she is in great pain
30 at the moment.

31
32 HIS HONOUR: I am concerned about the timing of all this,
33 because I think there is a 2.5 hour difference with South
34 Australia, so it is almost lunchtime or thereabouts in
35 South Australia.

36
37 MS TOVEY: That's correct.

38
39 HIS HONOUR: We have a limited window to deal with this
40 evidence.

41
42 MS TOVEY: That's correct, sir, yes.

43
44 HIS HONOUR: I'm keen to see that window utilised.

45
46 MS TOVEY: My instructions are to oppose the adjournment
47 application. The witness is here, she wishes to give her

1 evidence. As to other people who may or may not be here,
2 I am sure counsel assisting will advise you, but my
3 understanding would be that they would receive the
4 appropriate letters and it is their choice to attend today
5 or not. In our submission, today is the day for her
6 evidence and today is the only day, your Honour.

7
8 HIS HONOUR: Thank you. Yes, Mr Urquhart?

9
10 MR URQUHART: Thank you, sir. I overlooked that my
11 learned friend, Mr Prior, was going to make that submission
12 when I suggested that Mr Elliott goes first with respect to
13 his submissions. I apologise to him for that.

14
15 The position that I submit should take place, sir, is
16 that this witness has incurred incredible difficulties in
17 making herself available today. My learned friend,
18 Ms Tovey, has already referred to the fact that she has
19 prepared some days in advance with lessening her
20 medication. The reason why her statement was provided to
21 those lawyers that we expected would be attending on behalf
22 of witnesses upon which Ms Dawkins may give adverse
23 evidence against was because of the fact that we were going
24 to take that procedure of having her just read her
25 statement into evidence.

26
27 But, in my submission, sir, with respect to the other
28 three, they were provided with a rather concise outline of
29 what the proposed adverse evidence of Ms Dawkins was going
30 to be, and that each of the three has advised the Inquiry
31 that they did not intend to have a legal representation at
32 the hearing.

33
34 HIS HONOUR: Do you say that there is anything in the
35 statement that has been supplied to counsel which varies
36 from or exceeds the summary that each of those people has
37 seen?

38
39 MR URQUHART: I can say, sir, that the statement that is
40 going to be read by Ms Dawkins will not contain any
41 additional evidence of a substantial nature in regard to
42 the adverse evidence that will be given. I do note that
43 my learned friend, Mr Prior, did not state that, with
44 respect to his client, there was anything necessarily
45 additional that should have been included in the letter
46 that went to his client, and the same summary was
47 undertaken with respect to the other three persons.

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HIS HONOUR: Thank you.

MR URQUHART: So that where the letters in the generic term said "a brief summary", in fact, in some instances, they were somewhat lengthy. I can assure my learned friend, also, that whilst the pro forma letter that was used with respect to his client indicated "a brief summary of the anticipated adverse evidence based on the submissions and statements received from relevant witnesses is as follows", to be more precise, it should have read "from the relevant witness referred to" --

HIS HONOUR: So there is only one relevant witness.

MR URQUHART: There is only one relevant witness, yes, and that will be Mrs Dawkins.

HIS HONOUR: Thank you.

MR URQUHART: I do also say, sir, that, yes, the added difficulty with Mrs Dawkins coming back to give evidence is that she has made it abundantly clear it has taken her some time to get ready for this one, and given the pain that she is suffering, she would rather she complete her evidence here today in its entirety.

HIS HONOUR: Thank you. Do you want to say something, Mr Elliott?

MR ELLIOTT: Yes, if your Honour pleases. I join in the application by Mr Prior, and I have a little more to say about that, and the application that I make I will foreshadow, because it bears upon the course that this Inquiry might take in relation to Mrs Dawkins.

To join in the exchange that you had with counsel assisting, can I indicate that the material that was outlined to us I suspect is exactly the same as the material in a letter that Mr Prior handed up. There are three statements.

Whilst the eight-page narrative from Mrs Dawkins does not contain anything further by way of adverse allegation, it does contain substantial narrative which one might think is going to bear upon the question of whether her adverse allegations are accepted. It goes to the question of her

1 credibility. I pose the question: if we have only been
2 given that which is an allegation, and the
3 adversely-affected parties that Mr Prior has spoken of have
4 been given the same thing, there is a great deal
5 potentially, by way of background and discussion, which
6 they have not seen and which might be pertinent to their
7 choice whether to be represented in this Inquiry or not.

8
9 I go further by indicating that one of my concerns
10 about the material that is proposed to be read is that it
11 contains numerous portions which, we say, are completely
12 irrelevant or scandalous and serve only to sensationalise.
13 These are matters which will affect these other parties and
14 upon which they have had no notice.

15
16 You might find that if they were in the position of
17 having the statement which we just received yesterday
18 evening, they might be here saying the same thing as me,
19 that they are concerned --

20
21 HIS HONOUR: Before you go on, what is the nature of the
22 application that you are foreshadowing?

23
24 MR ELLIOTT: I am concerned that the statement is --

25
26 HIS HONOUR: What will you be applying for?

27
28 MR ELLIOTT: That the statement not be read in its current
29 form.

30
31 HIS HONOUR: Because you object to some of the content?

32
33 MR ELLIOTT: Because I object to some of the content.

34
35 HIS HONOUR: I am intervening now, because I suspect this
36 is going to take a little time. In order to facilitate the
37 probability of - let me put it that Mrs Dawkins will be
38 giving evidence today, I think she should take some lunch
39 now, otherwise we will get to the end of your argument and
40 I'll give some rulings and then she will be starving and
41 want to go and have lunch.

42
43 If that message could be sent through to Mrs Dawkins,
44 that she should have lunch and take no longer than half
45 an hour. If that can be arranged, thank you.

46
47 What else do you want to say, Mr Elliott?

1
2 MR URQUHART: I think my learned friend has gone on to his
3 application that he is going to make with respect to
4 redactions of the --
5
6 HIS HONOUR: Relevant to this application for
7 an adjournment, what do you want to say?
8
9 MR ELLIOTT: What I say is that the quality of the
10 statement that is to be read also bears upon the question
11 of whether we should proceed with the matter now, and if it
12 does, as I assert, contain extraneous materials which are
13 in themselves sensational and damaging - and there are
14 portions which, I say, are completely irrelevant, which are
15 going to be the portions that catch the ear of the media
16 and are going to be the portions which are reported,
17 notwithstanding that they have limited or no relevance, or
18 are scandalous in their nature, or are simply
19 self-bolstering assertions --
20
21 HIS HONOUR: I propose that we deal with your application
22 now, because I think that needs to be dealt with. If the
23 position is that Mrs Dawkins is going to be unable to read
24 from her statement, it may affect her ability to continue
25 today because she has some medical problems.
26
27 MR ELLIOTT: Indeed.
28
29 HIS HONOUR: I would like you to bring your application
30 now. What do you want to deal with?
31
32 MR ELLIOTT: Does your Honour have a copy of the
33 statement?
34
35 HIS HONOUR: I do.
36
37 MR ELLIOTT: It's probably easier for me to point to
38 illustrations of how the statement contains what I suggest
39 is inappropriate material.
40
41 HIS HONOUR: Have you discussed these objections with
42 counsel? Have you come to any agreement?
43
44 MR ELLIOTT: I have, and I can indicate that counsel
45 assisting indicated that he was happy to remove a couple,
46 and I'm grateful for that.
47

1 MR URQUHART: I put that on the record now, if I can, sir.
2 It is the fourth paragraph on the first page, starting with
3 the words, "The actual administration". It is accepted
4 that that is of marginal relevance, so that entire
5 paragraph.
6
7 HIS HONOUR: Are you saying that you are not going to have
8 her read that paragraph?
9
10 MR URQUHART: No, I will not, sir. Going on to page 2 and
11 the second full paragraph starting with the words, "The
12 relationship", I won't be leading the second sentence there
13 commencing, "She sought". I won't have Ms Dawkins read
14 that in and, indeed, the balance of that paragraph either.
15
16 HIS HONOUR: You say you won't be?
17
18 MR URQUHART: No, I won't be.
19
20 HIS HONOUR: So it will only be the first sentence of that
21 paragraph.
22
23 MR URQUHART: The first sentence and the balance of it,
24 save and except the last sentence.
25
26 HIS HONOUR: So it is the second and third sentences that
27 won't be --
28
29 MR URQUHART: The second, third and fourth sentences, sir.
30
31 That is the only agreement I've been able to come to
32 with respect to my learned friend's application.
33
34 HIS HONOUR: Returning to you, Mr Elliott, I think you
35 should deal seriatim with what you object to.
36
37 MR ELLIOTT: Thank you, your Honour. From page 1,
38 paragraph 5, which is the following paragraph, you will see
39 that in the second sentence, the witness engages in
40 self-bolstering, which should be apparent. The sentence is
41 argumentative and, indeed, this is particularly relevant to
42 the point that Mr Prior makes, because it is her immediate
43 superiors who might need to put any challenge to that, and
44 they are not here.
45
46 HIS HONOUR: Before you continue, I think we should lay
47 some ground rules. As you would be aware, under

1 section 24J(3) of the Public Sector Management Act, in
2 conducting this Inquiry, I'm not bound by the rules of
3 evidence. You need to bear that in mind.

4
5 MR ELLIOTT: Yes, I'm mindful of that, sir.

6
7 HIS HONOUR: And I can inform myself as I think fit, and
8 that means I could have just simply spoken to Mrs Dawkins,
9 but obviously the principle of open justice requires and
10 suggests that I should be hearing this evidence in public.
11 That does not mean that I have to abide by rules of
12 evidence in hearing what she has to say.

13
14 I must act according to equity and good conscience and
15 the substantial merits of the case and without regard to
16 technicalities - that's an important thing.

17
18 MR ELLIOTT: Yes.

19
20 HIS HONOUR: Or to legal form. We need to bear that in
21 mind. It may be that submissions you make to me might have
22 substance when it comes to rules of evidence, but in terms
23 of the outcome of my ruling, it might be quite different
24 and contrary to the usual position in a court.

25
26 MR ELLIOTT: I understand that the approach will be
27 different. My concern really is two-fold. The first is
28 that given what my learned friend has said, there is
29 material in here that is not in the nature of an allegation
30 which these other people seemingly have not been put on
31 notice of. That is a matter of alarm.

32
33 My second point is that this statement is going to be
34 read publicly, and whilst your Honour, I have every
35 confidence, will disregard the self-bolstering portions, as
36 I began my submission by saying, it is this sort of
37 material that is going to catch the ear of the media, they
38 are going, one supposes, to race off and report sensational
39 claims which are largely irrelevant to the allegations
40 against my client, Mr Carter, and Mr Kenyon, for whom
41 Mr Prior acts, and because of their link to the allegations
42 generally, in the sense that they appear at paragraphs 6
43 and 7 of the statement, they are going to be linked to all
44 of these other claims.

45
46 The media are not going to - history has proven this
47 time and time again - exercise the intellectual restraint

1 that we expect from your Honour and which we know your
2 Honour will bring to the task. That is why I am alarmed
3 that the material is to be read publicly when it does
4 contain assertions, claims, self-bolstering and the like,
5 which will have the effect of publicly damaging the
6 reputation of those who are spoken of. Had it been the
7 case --

8
9 HIS HONOUR: I'm obliged to apply rules of procedural
10 fairness. That means that your client and the other people
11 adversely affected by this sentence should be given the
12 opportunity to be heard and they should also be given
13 notice of the substance of what is going to be said against
14 them. It is my understanding that that has been done.
15

16 It is a simple fact that in an Inquiry such as this,
17 it is inevitable that some people's reputations are going
18 to be harmed, but that does not mean that we do not lead
19 the evidence that harms their reputation. Procedural
20 fairness requires that they be given the opportunity to say
21 what they want to say about that and to cross-examine the
22 witness, and that is what is happening.
23

24 MR ELLIOTT: But there is also the requirement to act in
25 accordance with equity and good conscience. If my learned
26 friend were leading the evidence, I dare say that he would
27 not ask the witness questions to evoke self-bolstering,
28 self-serving, self-corroborating answers. The restraint
29 that we would expect from learned counsel assisting is not
30 present in this statement, and that is the very difficulty.
31

32 If my learned friend were asking the questions, he
33 would not say, "Do you have anything that you can say that
34 is self-serving that supports that view?" He would just
35 move on, but the statement contains many such assertions,
36 and they serve to give this account, if you like, a greater
37 air of reliability --
38

39 HIS HONOUR: All right. Returning to the paragraph, which
40 particular sentences do you object to?
41

42 MR ELLIOTT: I object to the second sentence in
43 particular, and I have to say that the next sentence is
44 argumentative in its character. If it was made by way of
45 a submission, it would be fine, but it's not; it's made as
46 a factual assertion.
47

1 HIS HONOUR: In that second sentence, she is expressing an
2 opinion based on her perceptions at the time of what was
3 happening.
4

5 MR URQUHART: Which she then goes into in substantial
6 detail in the balance of the statement.
7

8 HIS HONOUR: Yes.
9

10 MR ELLIOTT: In which case, the detail that she gives will
11 allow this tribunal to reach conclusions - and the
12 witness's conclusions about these matters are irrelevant.
13 The very reason that my learned friend gives means that
14 the paragraph or the opinion that he is speaking of is
15 valueless. Her opinion as to whether or not something did
16 or didn't happen, or happened dramatically or not, is not
17 material, particularly if she sets out the basis for that
18 opinion later. You will have the basis for the claim --
19

20 HIS HONOUR: The thrust of what she says there is that
21 there is no problems with head office up until a certain
22 event which she refers to, and thereafter things were
23 different. That is basically what she is saying.
24

25 MR ELLIOTT: Yes.
26

27 HIS HONOUR: If that is a fact, that is relevant to the
28 issues that I am considering as to whether or not things
29 were said.
30

31 MR ELLIOTT: I accept that, but it's not the witness's
32 place to engage in argument. It is the function of counsel
33 appearing before the tribunal to appear to present the
34 arguments - not the witness. When we come later, you will
35 find that the witness finishes with an enormous amount of
36 argument.
37

38 HIS HONOUR: Perhaps if we deal with these seriatim,
39 I think it is helpful to hear from Mr Urquhart at this
40 stage on that particular paragraph.
41

42 MR URQUHART: Certainly, sir. It is not argument at all;
43 it is simply what the witness is saying occurred with
44 respect to her relationship with her superiors. To start
45 with, it was fine. Then there was another incident that,
46 she is saying, was the catalyst for that change in that
47 relationship. When I said that Mrs Dawkins then goes on to

1 describe in detail what is said in the statement as to why
2 that was the case, it was to say that this was not just
3 a bald-faced assertion which was left without any
4 substance.

5
6 In my submission, sir, it would stay in, and if I were
7 examining her, I would ask her what her relationship was
8 like with her superiors. To start with, she would say it
9 was fine. Then I would ask, "Did that relationship remain
10 in that same way?" She would say, "No." I would say, "Can
11 you provide us with what it was that caused that change in
12 that relationship?" Then she would say exactly what is in
13 her statement.

14
15 HIS HONOUR: Anything briefly in reply?

16
17 MR ELLIOTT: I don't think that my learned friend could
18 sensibly ask her what caused the change when the change was
19 brought about by someone else. He could ask, "Is there
20 anything else that you observed at the time?" He could not
21 ask her --

22
23 HIS HONOUR: She can give evidence of at a point in time
24 when it changed.

25
26 MR ELLIOTT: Yes, she could give evidence of that, but she
27 goes further than that here. I'm not concerned about the
28 factual assertions at all; I'm concerned about the
29 argumentative nature and the bolstering that she goes into.
30 She says --

31
32 MR URQUHART: It's not --

33
34 MR ELLIOTT: I'll give illustrations of that later.

35
36 HIS HONOUR: I am going to rule on this. In my view, that
37 paragraph should be permitted to be read. I don't see it
38 as being argumentative. I think, in essence, it states
39 facts that she perceived to be the position, and she refers
40 to a change in attitude of the head office, she says,
41 coincident with a particular event. I am going to allow
42 that to be read.

43
44 MR ELLIOTT: Thank you, sir. Can I take you to the bottom
45 of page 2, the second-last paragraph. You will see that
46 the witness poses questions beginning with the words "If
47 participants".

1
2 MR URQUHART: I'm sorry, sir, so my learned friend is not
3 maintaining the objections that he was taking between that
4 last paragraph and the paragraph he is now --
5
6 MR ELLIOTT: No, I'm not pressing the last paragraph on
7 page 1.
8
9 HIS HONOUR: You are dealing with the fourth full
10 paragraph on page 2, and you said I think it is the last
11 sentence commencing with the words "If participants".
12
13 MR ELLIOTT: Yes. It is a question that the witness
14 poses, which can only be argumentative. She makes the
15 point in the preceding sentences.
16
17 HIS HONOUR: So it is a rhetorical question that she
18 poses.
19
20 MR ELLIOTT: It is, indeed.
21
22 HIS HONOUR: What do you say about that, Mr Urquhart?
23
24 MR URQUHART: In context, sir, it just simply explains why
25 it was that this witness was unsure as to what to do about
26 this particular situation.
27
28 HIS HONOUR: Do you want to say anything on that?
29
30 MR URQUHART: No. Thank you, sir.
31
32 HIS HONOUR: The view I take it is that it is a rhetorical
33 question which is an explanation as to why she felt unsure
34 about the matter she refers to earlier. If this were
35 a court of law, I think I would exclude it, but, in these
36 circumstances, and in the context where I am the one
37 determining the substance of these matters, I feel that it
38 should be received, so I will allow it to be read.
39
40 MR ELLIOTT: Thank you, your Honour. Earlier in that
41 paragraph, you'll see that there is a bracketed portion on
42 the second line, which is an attempt at self-bolster.
43
44 HIS HONOUR: That obviously should not be read out. Do
45 you agree with that, Mr Urquhart?
46
47 MR URQUHART: It would be just a question of weight, sir.

1 It's of marginal weight, so it can come out.
2
3 HIS HONOUR: She is really suggesting there that what she
4 asserts is corroborated by others, but that is for me to
5 decide, isn't it?
6
7 MR URQUHART: Yes.
8
9 HIS HONOUR: So those six words in brackets should not be
10 read. Yes, Mr Elliott?
11
12 MR ELLIOTT: Turning to page 3, the second full paragraph,
13 you will see on the third line she speaks about gut
14 feelings, in the context of saying: I wasn't sure about
15 something; I had a gut feeling, but was uncertain how to
16 act.
17
18 HIS HONOUR: What is your objection to that?
19
20 MR ELLIOTT: My objection is to narratives about her gut
21 feelings as to whether things are or are not true.
22
23 HIS HONOUR: But how is she to express herself? She said
24 she was not sure about something, but she had a gut
25 feeling. That is probably the simplest way in which
26 an ordinary person would express that fact. It is relevant
27 to what she did.
28
29 MR ELLIOTT: What is important is what she did --
30
31 HIS HONOUR: That's right, but she's explaining --
32
33 MR ELLIOTT: -- not whether she had a belief --
34
35 HIS HONOUR: -- why she believed it.
36
37 MR ELLIOTT: Her belief is irrelevant. What is relevant
38 here, and what is the focus of this Inquiry is what she did
39 in relation to the allegations, not what she thought about
40 them.
41
42 HIS HONOUR: No, the relevance here is why she was
43 motivated to do what she did. It has to be seen in
44 the context of what might be described as the saga that
45 she describes generally. I'm going to rule that that
46 should be received.
47

1 MR ELLIOTT: Thank you. Then you will see the last five
2 lines speak about some other issue completely, which just
3 appears to be a gratuitous criticism.
4

5 HIS HONOUR: In the same paragraph?
6

7 MR ELLIOTT: Yes, the same paragraph. A gratuitous
8 criticism of the programme. I don't know what driver's
9 licences can possibly have to do with the issues about this
10 Inquiry.
11

12 HIS HONOUR: What do you want to say about that,
13 Mr Urquhart?
14

15 MR URQUHART: It just explains the relationship with that
16 particular public officer that she made her initial
17 complaint to, but if my learned friend is concerned about
18 any criticisms of that head office, we could leave it on
19 the basis that the second sentence that is objected to,
20 starting with "Head office", comes out, as does the third
21 sentence there. So the first and fourth sentences stay.
22

23 HIS HONOUR: I think that is appropriate. What is your
24 next objection, Mr Elliott, if any?
25

26 MR ELLIOTT: My next objection, sir, comes on page 7. It
27 really is the combination of paragraphs 2 and 3 read
28 together. The difficulty that I have is that, on the one
29 hand, she seeks to bolster her position by saying whether
30 other people agreed with her or not, and then she seeks to
31 become argumentative in the next paragraph by --
32

33 HIS HONOUR: Pausing there, the first paragraph you object
34 to --
35

36 MR ELLIOTT: Particularly the second sentence.
37

38 HIS HONOUR: If that person referred to there ends up
39 being a witness before me, it is relevant to know whether
40 or not she agreed with Ms Dawkins at some other time, isn't
41 it?
42

43 MR ELLIOTT: And that is one of the difficulties. I am
44 sure this is one of the reasons why Mr Prior raised his
45 concern in relation to that witness, because you can see
46 what is being asserted here is that someone who has been
47 given notice of the possibility of adverse findings --

1
2 HIS HONOUR: Can I put it to you this way: that
3 paragraph is irrelevant on its own if we don't hear
4 evidence from that person named in the paragraph, but if
5 that person does give evidence, which is a distinct
6 possibility, then that will become very relevant to that
7 person's credibility.
8
9 MR ELLIOTT: And to this person's credibility.
10
11 HIS HONOUR: Yes, Mrs Dawkins, of course. If there is
12 an issue --
13
14 MR ELLIOTT: I accept both of those propositions, your
15 Honour.
16
17 HIS HONOUR: -- between them as to what happened or what
18 was said, then that paragraph will be relevant.
19
20 MR ELLIOTT: I accept that.
21
22 HIS HONOUR: On that basis, I think it should be received.
23
24 MR ELLIOTT: And perhaps it might be material for you,
25 sir, to know whether indeed the person named in that
26 paragraph has been told about this possible contrary
27 behaviour as part of the allegations that they were
28 notified of.
29
30 HIS HONOUR: As I've said, it will only become relevant --
31
32 MR ELLIOTT: Material to Mr Prior's point.
33
34 HIS HONOUR: It will only become relevant if that person
35 gives evidence.
36
37 MR ELLIOTT: Material to Mr Prior's point. Let's go back
38 a stage. I accept what your Honour is saying, but if the
39 person named in that paragraph is not giving evidence - and
40 we don't know whether she is or she is not --
41
42 HIS HONOUR: Then obviously I'll simply disregard it,
43 because it has no relevance to the issues I'm determining,
44 other than the credibility of that person who is named.
45
46 MR ELLIOTT: Indeed, and if it is completely irrelevant,
47 there is no need to ventilate it in a public forum.

1
2 HIS HONOUR: But at this stage it could well become
3 relevant, that's the whole problem.
4
5 MR ELLIOTT: I do accept that, sir. At the end of the
6 page, your Honour will see the rhetorical questions resume,
7 and they seem to have no useful purpose whatsoever.
8
9 HIS HONOUR: Are you referring to the last full
10 paragraph on the page; is that right?
11
12 MR ELLIOTT: The last full paragraph and then the
13 paragraph that goes over the page. They are both
14 argumentative and serve no purpose.
15
16 HIS HONOUR: The second line of that paragraph you object
17 to contains an assertion of fact.
18
19 MR ELLIOTT: Yes, but that is mentioned earlier. It is
20 mentioned separately and I have not challenged the earlier
21 reference, but I challenge the resort to argument.
22
23 HIS HONOUR: Really, what has happened there, she is
24 asserting facts, but preceded by a rhetorical question.
25 Isn't that just a way of expression? I understand what you
26 are saying, it being argumentative in the sense that she is
27 putting an argument, but the argument contains assertions
28 of fact which are relevant.
29
30 MR ELLIOTT: As I've said already, I am not troubled by
31 assertions of fact, but I am troubled by the presentation
32 of argument in this form.
33
34 HIS HONOUR: When I make my findings, I am not going to
35 take that paragraph as anything other than being relevant
36 to the assertions of fact which it contains.
37
38 MR ELLIOTT: I've already indicated to your Honour that
39 I'm not so much concerned about the approach that you will
40 take, but I'm concerned about the approach that arguments
41 from a witness at a point in time now, when we don't get to
42 present arguments, leaves us in the position that a lot of
43 time will go by before we get to be able to respond to
44 these argumentative claims, and that is why you should not
45 receive argument. I'm happy for you to receive facts, and
46 it is a simple matter: if it is the case that there are
47 facts in there that my learned friend needs in, let him

1 introduce the facts, not the argument.
2
3 HIS HONOUR: It seems to me, Mr Urquhart, that these
4 objections could be dealt with - you could lead the same
5 material in a proper form --
6
7 MR URQUHART: Yes.
8
9 HIS HONOUR: -- and adduce exactly the same evidence in a
10 way which meets the objection. What do you have to say
11 about that?
12
13 MR URQUHART: I could, sir, but in my submission, dealing
14 in just a form that your Honour will take into account, and
15 it will achieve the same objective at the end of the day.
16
17 HIS HONOUR: With regard to the very last paragraph, you
18 could ask did the witness read what's referred to.
19
20 MR URQUHART: She did read it.
21
22 HIS HONOUR: Did it make sense to you?
23
24 MR URQUHART: I suppose I could, but --
25
26 HIS HONOUR: You would probably say what comment do you
27 have to make about that assertion about what she read.
28
29 MR URQUHART: The purpose of having this argument is the
30 statement was provided on the basis that the witness would
31 read it into evidence. My learned friends will have the
32 opportunity of cross-examining her with respect to those
33 last two paragraphs, should they wish to do so.
34
35 HIS HONOUR: Mr Elliott, I don't fully understand your
36 concerns. Given that I'm not going to have regard to the
37 argumentative aspect of that, what are you saying is the
38 harm that can be done?
39
40 MR ELLIOTT: This is just part of an overall package where
41 I say the witness has, on numerous occasions, engaged in
42 self corroboration and bolstering.
43
44 HIS HONOUR: Just restrict yourself to these two
45 paragraphs, what is the harm done in her reading out these
46 paragraphs, given it is not going to affect me, the aspect
47 that you refer to?

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MR ELLIOTT: I am concerned that others --

HIS HONOUR: I am not a court of law. The point you raise would be very valid in a court of law. I am not a court of law. I am not going to have regard to argumentative aspects of what she reads out.

MR ELLIOTT: Indeed.

HIS HONOUR: I am going to base my findings on the facts as I find them to be.

MR ELLIOTT: Others who read the evidence may not approach it in the same way as you, and the fact that it contains arguments will be lost on them. I don't know that these two particular paragraphs have any great moment, but it is the --

HIS HONOUR: That's my impression, too.

MR ELLIOTT: It's the fact that the statement contains this sort of argumentative and self-supporting material that concerns me, when it should not contain argument. The time for argument is later, and we don't get to respond to the argument, and people who read the evidence, they are not going to be alive to the nuances, and they may be influenced by this material when it is reported publicly on the website and/or in the media.

There is one further point --

HIS HONOUR: One further point about these paragraphs?

MR ELLIOTT: No.

HIS HONOUR: Dealing with those, if I was applying the rules of evidence, I would accept your objection and uphold it, but I'm not a court of law and I've explained why it won't have any bearing upon my handling of the evidence. You yourself have said that these two particular paragraphs are not of great moment, I agree, and I don't see any harm in them being read out as is, so I'm going to allow that to happen.

MR ELLIOTT: Thank you, sir.

1 HIS HONOUR: What's your last point?
2
3 MR ELLIOTT: My last and most important point - that's why
4 I've saved it for the end - is the third full paragraph on
5 this page. Your Honour can see --
6
7 HIS HONOUR: On page 7?
8
9 MR ELLIOTT: Page 7.
10
11 HIS HONOUR: What paragraph again?
12
13 MR ELLIOTT: It's the one that begins, "I called
14 Elizabeth". It is a paragraph I would invite you, first of
15 all, to read with particular attention to the last
16 sentence.
17
18 HIS HONOUR: I understand that. I fully understand your
19 objection there. What do you have to say about that,
20 Mr Urquhart? It is really an objection to the last
21 sentence.
22
23 MR URQUHART: It is, sir. However, if Ms Stroud's lawyer
24 were here, they would be arguing that it should stay in
25 because, as a matter of fact, that understanding of the
26 witness's evidence is important for assessing the role of
27 Ms Stroud in these telephone calls and, in fact, Ms Dawkins
28 views it as Ms Stroud not placing herself into that
29 category. So it is --
30
31 HIS HONOUR: It might be important to know on what basis
32 the understanding referred to in the last sentence was
33 arrived at. Was it because of something that was said by
34 the person she was speaking to, or --
35
36 MR URQUHART: That was one of the matters I was going to
37 ask by way of clarification of the witness.
38
39 HIS HONOUR: I'm going to rule that when she reads that
40 part of the statement, before she reads the last sentence,
41 I direct that you lead what evidence she can give in
42 respect to that last sentence.
43
44 MR URQUHART: I'm sorry, sir, I missed that --
45
46 HIS HONOUR: I am saying that rather than read that
47 sentence out, because we don't know whether it is

1 speculation or what it might be - there might be a proper
2 basis for her to assert that - but I am directing you
3 should lead evidence as to the assertions made in that last
4 sentence in the usual way.

5
6 MR URQUHART: I will simply ask her about that.

7
8 HIS HONOUR: In other words, if there is a proper basis
9 for her to make that assertion, and it is not just some
10 figment of her imagination, but if there is a proper basis
11 as a result of what she was told, then it is admissible -
12 or it should be received, I should say.

13
14 MR URQUHART: Yes, sir.

15
16 HIS HONOUR: In any event, I would want to know on what
17 basis she reached that understanding before I could give it
18 any credence.

19
20 MR URQUHART: Yes. I intended to ask her that, because, as
21 I said, I am not just --

22
23 HIS HONOUR: What I'm saying is intervene before she reads
24 that last sentence, and ask questions in the usual way you
25 would when calling evidence-in-chief to see what she has to
26 say about that.

27
28 MR URQUHART: Perfect, sir. I don't have any problems
29 with that.

30
31 HIS HONOUR: Are you happy with that?

32
33 MR ELLIOTT: I am, thank you, your Honour.

34
35 The second reason I left that to the very end is
36 because that whole contention is not something that was
37 the subject of the letter to Mr Carter of 10 February 2012,
38 which brings me back to the proposition that my learned
39 friend, Mr Prior, was making earlier, and that is that
40 there is a distinct possibility - in fact, we would say
41 a likelihood - that there is much disclosed here that is of
42 moment, and might be of moment to the witnesses Stroud,
43 Sherlock and Evans, and this is simply an illustration.

44
45 Your Honour will see the significance of that
46 paragraph to us. If that is something that was not set out
47 in the letter to Messrs Kenyon and Carter, one might have

1 to have concerns along the lines that Mr Prior has already
2 articulated, and I repeat that I join in the submissions
3 that he has made concerning their involvement.
4

5 We would like to see them here to test this person's
6 credibility on important matters of credit and reliability
7 now, when the public hears about all of her claims, rather
8 than later.
9

10 HIS HONOUR: May I say that the rules of procedural
11 fairness require that I allow you - your client - and the
12 other persons represented here today - to call their own
13 witnesses if they wish, so I'm offering you that
14 opportunity. If you want to call them, that can be
15 arranged.
16

17 MR ELLIOTT: I very much doubt that it can be arranged
18 today.
19

20 HIS HONOUR: No, I have to deliver a report on 31 May, so
21 you have all the time until April to call evidence. That
22 can be done at any time by arrangement. So you have that
23 opportunity, and that deals with that position.
24

25 MR ELLIOTT: Thank you, sir.
26

27 HIS HONOUR: I need to rule on the application for
28 an adjournment. In my view, it should be refused because,
29 for reasons which have been explained by counsel assisting,
30 it is highly desirable that Mrs Dawkins' evidence be heard
31 today, because of her medical condition and the medications
32 that she takes.
33

34 We do not in fact have any application for an
35 adjournment from the people whose concerns have been
36 expressed about, namely, Elizabeth Stroud and Peter
37 Sherlock. If they do decide to bring an application to
38 have Mrs Dawkins recalled at some future time, I'll deal
39 with those applications on their merits.
40

41 We can proceed, and I'm aware that Mrs Dawkins should
42 be there now, because I sent her away until 11.35.
43

44 MR PRIOR: Can I raise one matter before she starts, which
45 hangs off the back of Mr Elliott's submissions?
46

47 HIS HONOUR: Yes.

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MR PRIOR: My understanding is now, either by agreement or by your Honour's ruling, there are parts of her statement which are redacted or deleted. My understanding is that in terms of the website and the public information made available to the public and the media, at the moment it is just, subject to suppressed items, the running transcript. I just want to clarify in the event that this statement is tendered as an exhibit, to make sure --

HIS HONOUR: It won't be. What will happen is it is going to be read and what is on the transcript is what will appear on the website.

MR PRIOR: You can understand where I was going.

HIS HONOUR: Yes. I think we need a brief adjournment to establish the video link again, so I will adjourn for about five minutes.

SHORT ADJOURNMENT

MR URQUHART: The next witness will be via video link, and I now call Margaret Allana Dawkins.

<MARGARET ALLANA DAWKINS, SWORN:

<EXAMINATION-IN-CHIEF BY MR URQUHART:

HIS HONOUR: If you could stand, Mr Urquhart.

Q. Can you see Mr Urquhart, Mrs Dawkins?

MR URQUHART: Can you see me?

A. Yes, I can.

Q. Mrs Dawkins, at any time where you hear someone speaking to you and you can't see them, just let us know.

A. Yes, I will, Mr Urquhart.

Q. We can also see that there is a noticeable delay at this end, so much so that it looks like you are performing some acts of ventriloquism at times, so we are going to, hopefully, bear that in mind with the delay back here.

A. Yes.

Q. We didn't get that answer. Can you just say that

1 again?
2 A. Yes.
3
4 Q. We have you there. Mrs Dawkins, are you 54 years of
5 age?
6 A. Yes, that's correct.
7
8 Q. Do you reside in South Australia?
9 A. Yes, I do.
10
11 Q. With your husband, John?
12 A. Yes.
13
14 Q. Can I ask you when you got married?
15 A. 2 March 1987.
16
17 Q. So it was after 1985. What was your maiden name in
18 1985 - what was your surname?
19 A. Maruff.
20
21 Q. Is "Maruff" spelt M-A-R-U-F-F?
22 A. That's correct.
23
24 Q. You are a farmer by occupation now?
25 A. I sure am.
26
27 Q. And what qualifications do you have?
28 A. I have a BA, DipEd.
29
30 Q. When did you obtain those degrees?
31 A. I beg your pardon - where?
32
33 Q. When? Was it before 1985?
34 A. Yes, it was, my BA, but my DipEd I think I finished
35 after 1985.
36
37 Q. Mrs Dawkins, is it the case that you are recovering
38 from major surgery?
39 A. Yes, that's correct, Mr Urquhart.
40
41 Q. In fact, did you sustain a compound tibial plateau
42 fracture of your right leg late last year?
43 A. Yes, I did.
44
45 Q. And that was as a result of being kicked by one of
46 your horses on the farm?
47 A. That's correct.

1
2 Q. You have two metal plates; is that right?
3 A. Yes, I have two metal plates. I have a bone - I've
4 got - a donor has given me a bone. I've had an operation
5 to transplant some of my hipbone into my leg. Some of my
6 hammy has gone down somewhere else, and I've got half of
7 Bunnings in screws and bolts.
8
9 Q. Whilst it is expected that you'll make a full recovery
10 at this stage, at this point in time it's a gradual
11 process?
12 A. It's a very slow process, and I'm unable to walk at
13 this stage. I'm on crutches at the moment.
14
15 Q. Are you also on pain killing medication?
16 A. Yes, I am, Mr Urquhart.
17
18 Q. Have you advised your doctor of you giving evidence at
19 this particular hearing?
20 A. Yes, I have.
21
22 Q. Did he advise you that whilst he thought you would be
23 able to participate as a witness, he insisted that the time
24 involved would be kept to a minimum?
25 A. Yes, he did.
26
27 Q. And that is because you could become tired by long
28 periods of exertion or concentration?
29 A. That's correct, yes, Mr Urquhart.
30
31 Q. As a result of that, did you request that in order to
32 shorten the length of your testimony in these proceedings,
33 that you simply read into evidence a statement that you
34 have prepared?
35 A. Yes. Yes, that's correct.
36
37 Q. Before I ask you to go to that statement, Mrs Dawkins,
38 I need to stress to you that if you require an adjournment
39 at any stage during the course of your evidence, then you
40 need only to ask. Okay?
41 A. Thank you very much, yes.
42
43 Q. Mrs Dawkins, do you have a copy of your statement
44 there in front of you?
45 A. I do have, yes.
46
47 Q. Is it an eight-page statement that you have signed at

1 the end and also initialled at the bottom of the first
2 seven pages?

3 A. Yes.

4
5 Q. Mrs Dawkins, I'm going to ask you to read that out.
6 Could I ask you to read it slowly, because there will be,
7 moments from time to time when I will ask you to not read
8 out certain portions of that statement. Okay?

9 A. Okay.

10
11 Q. If you can go to the first page, and if you could
12 begin, thank you.

13 A. Yes:

14
15 In 1985 I was employed by the WA Department
16 of Employment and Training as a Group
17 Leader for the pilot project Westrek. This
18 was a 9 month secondment from my position
19 as Electorate Research Officer for the
20 Federal Member for Swan.

21
22 Westrek was an attempt to adopt the
23 Canadian community programme Katimavik for
24 youth in Western Australia. My role as
25 a Group Leader was to manage 12 young
26 people referred to as "participants" at
27 my allocated project location, Katanning.
28 There were a number of projects in
29 different locations throughout the State.
30 The first group of participants stayed for
31 around 10-12 weeks, then moved (known as
32 the "rotation") to another location and
33 a second group came to Katanning for
34 a similar length of time. The participants
35 were young people from a wide variety of
36 educational and social backgrounds. They
37 were aged between 16 and 25. While at
38 Katanning they worked full time planting
39 trees and building pine log fencing for the
40 Shire of Katanning, the project's sponsor.

41
42 The Westrek experience focused on giving
43 young people the confidence to make
44 creative decisions about all aspects of
45 their lives from study, or work related
46 training to personal life choices. 1985
47 was the International Year of Youth and

1 I wanted to contribute by making a
2 practical difference.
3
4 Q. I'm going to stop you there.
5 A. For me --
6
7 Q. Forget that fourth paragraph and continue on as you
8 were about to do. Thank you.
9 A. Yes:
10
11 For me my relationship with Head Office at
12 the start of the project was fine. I was
13 reasonably self-sufficient and didn't give
14 Head Office any cause for concern. This
15 only changed and rather [drastically] with
16 Mrs Ainslie..."
17
18 Q. Stop there. Did that word read "dramatically"? Just
19 go back, "This only changed and rather dramatically",
20 rather than "drastically".
21 A. Oh:
22
23 ... dramatically..."
24
25 Q. Start that sentence again, if you can, please?
26 A.
27
28 This only changed and rather dramatically
29 with Mrs Ainslie Evans reaction to my
30 suggestion that allegations of Dennis
31 McKenna's sexual abuse of [young men] be
32 investigated.
33
34 Q. Stop there. Does that read "of a young man"?
35 A. Sorry:
36
37 ... a young man be investigated.
38
39 Q. Stopping there, that sentence reads:
40
41 This only changed and rather dramatically
42 with Mrs Ainslie Evans reaction to my
43 suggestion that allegations of Dennis
44 McKenna's sexual abuse of a young man be
45 investigated.
46
47 Is that correct? Thank you.

1 A. Yes, that's correct.
2
3 Q. If you could read on.
4 A. Yes:
5
6 Mrs Evans was a Shire Councillor for
7 Katanning and was my community liaison
8 officer.
9
10 The participants..."
11
12 Q. Sorry, Mrs Dawkins, can you try that again -
13 "Mrs Evans as a Shire Councillor"?
14 A. Yes:
15
16 Mrs Evans as a Shire Councillor for
17 Katanning was my community liaison officer.
18
19 The participants, an assistant group leader
20 and I lived together at Kartanup on Amherst
21 Street. The building was a former convent
22 known as St Rita's. I recall from my
23 initial briefing that the State Government
24 owned these premises. From the outset
25 Mrs Ainslie Evans and Dennis McKenna were
26 unable to respect the privacy of those of
27 us who lived at Kartanup. For reasons
28 I have never comprehended they felt it was
29 their right to enter the premises without
30 invitation or consultation. Dennis McKenna
31 appeared to have a proprietorial interest
32 in the Kartanup property. Even with
33 intervention and assistance from my
34 superior Elizabeth Stroud and later Peter
35 Sherlock, for the duration of my stay at
36 Kartanup, neither Mrs Evans nor Dennis
37 McKenna adhered to the simple courtesy of
38 knocking and waiting to be invited in.
39
40 My working relationship with Dennis McKenna
41 was tolerable - for the sake of the project
42 - I tried to ensure it remained workable.
43 From the outset we viewed each other with
44 suspicion. He spent a lot of energy
45 demonstrating to me that he had power over
46 Mrs Evans. I remember a conspiratorial
47 wink from Dennis when he got Mrs Evans to

1 do as he requested after she had first
2 objected to whatever it was. Dennis was at
3 pains to let me know that he knew my every
4 move. An elderly woman also lived at
5 Kartanup. I can't remember her name but
6 I do recall that she worked in a domestic
7 capacity at the Hostel. Dennis told me
8 that she was his "plant", his "spy" and
9 would inform him of my every move. He also
10 said he would twist whatever information
11 she gave him to his own advantage. I was
12 on notice from the early days.

13
14 Q. If I can stop you there, for this next paragraph,
15 could you please read the first sentence that goes just
16 past halfway down the second line, and then the last
17 sentence, which is five words long on the last line. Can
18 you see that, and have you heard that correctly?

19 A. Yes, I have.

20
21 Q. So the first sentence.

22 A. :

23
24 The relationship I witnessed between Dennis
25 McKenna and Mrs Evans was that Mrs Evans
26 was deferential to Dennis McKenna.

27
28 And now this doesn't make sense, but however I'll read it.

29
30 Q. Just read it out.

31 A. :

32
33 I felt alone and isolated.

34
35 A Westrek participant named Simon, I do not
36 recall his surname, became very friendly
37 with Dennis McKenna. Simon became more
38 interested in spending time with Dennis
39 McKenna at St Andrew's Hostel. This
40 culminated in Dennis McKenna arranging
41 a position for Simon as a supervisor at
42 [a] high school hostel in Albany.

43
44 I raised with Ms Elizabeth Stroud the
45 Coordinator for all Westrek projects, my
46 suspicion (corroborated with ..."

47

1 Q. Just stop there. Sorry, I didn't get that in time.
2 Could you just not read out what is in brackets there in
3 the second line?

4 A. Okay.

5

6 Q. Mrs Dawkins, if I could ask you to read that sentence
7 again without what's in the brackets?

8 A. Okay:

9

10 I raised with Ms Elizabeth Stroud the
11 Coordinator for all Westrek projects, my
12 suspicion that Dennis and Simon may have
13 been in a sexual relationship. I was
14 unsure whether it was an issue for me as
15 a Group Leader or not? Because Simon was
16 supposed to have been in our care, yet he
17 was around 23 years old. I certainly felt
18 uncomfortable about it and sought
19 direction. Elizabeth advised sexual
20 tolerance. I remained uncomfortable
21 because of what I perceived as a conflict
22 of rules for participants to adhere to and
23 [for] me to attempt to enforce. If
24 participants were not allowed to have sex
25 with each other - whether heterosexual or
26 homosexual how was it then OK for a person
27 in a position of power, such as a warden of
28 a hostel for secondary students to be able
29 to come into our residential project and
30 recruit sexual partners?

31

32 In the course of raising Simon's departure
33 from the project in a meeting with
34 Mrs Evans I suggested that there might be
35 more to the relationship between Dennis
36 McKenna and Simon. Mrs Evans was delighted
37 that Dennis had recruited a supervisor for
38 the Albany hostel, they were hard to come
39 by she said, and politely but categorically
40 refused to be drawn into firmer discussion
41 on the matter.

42

43 However, during my time as Group Leader at the
44 Katanning project, a Westrek participant had met a former
45 resident of St Andrew's Hostel at a pub and came to me with
46 his new friend's account of being sexually abused by Dennis
47 McKenna. The young man who had been a former resident of

1 St Andrew's Hostel told me of his experiences first hand
2 and asked me to have the activities of Dennis McKenna
3 investigated.
4

5 Q. I'll just stop you there, Mrs Dawkins. Just for the
6 next paragraph, could I ask you not to read out the
7 second-last sentence. If you have a pen there and you want
8 to put a line through that one, by all means do so, but it
9 starts "Head office", and then also the very short sentence
10 after that commencing with "In fact". All right? So, just
11 those two sentences, but you should read out the last
12 sentence. Do you have that?

13 A. Okay. Yes, I have.
14

15 Q. Thank you.

16 A. :

17
18 I was unsure how to handle this situation.
19 I was 27 years old and had had limited
20 training by Westrek in youth work.
21 I wasn't sure if these serious allegations
22 were true, I had a gut feeling they were
23 but I was uncertain how to act
24 appropriately, to have them investigated.
25 I first went to see the local policeman
26 Mr Bill Todd. We had a warm working
27 relationship. He had assisted me when
28 I first arrived in town with a 14 seater
29 bus and no licence to drive it. Mr Todd
30 kindly gave me some lessons and then took
31 me through the test.
32

33 I felt comfortable going to Mr Todd seeking
34 advice on this matter. He said that he
35 needed a statement with names, dates, times
36 et cetera. Mr Todd warned me of the
37 severity of the allegations being made
38 against "the golden boy" of Katanning
39 Dennis McKenna, who was then Citizen of the
40 Year. I recall Mr Todd making a comment
41 along the lines that he had to live in the
42 town, while I would leave when my contract
43 expired. I asked him what I should do to
44 have the allegations brought to someone in
45 authority who could act to investigate
46 them. Mr Todd advised me that I had very
47 little to go on - maybe I should contact my

1 supervisor.
2
3 I telephoned Elizabeth Stroud who was at
4 Head Office in Perth. She advised me to
5 raise my concerns with Mrs Evans.
6
7 I sought Mrs Evans assistance to have the
8 allegations of sexual abuse by a former
9 resident of St Andrew's investigated, she
10 did not for a moment focus on the
11 allegations but lost her composure berating
12 me for daring to besmirch the glowing
13 reputation of Dennis McKenna who was
14 Citizen of the Year.
15
16 I tried in vain to convince Mrs Evans that
17 it wasn't a case of believing me against
18 Dennis McKenna. I appealed to her to have
19 the allegations investigated. I became a
20 pariah for raising these concerns and was
21 on the receiving end of a tirade of verbal
22 abuse.
23
24 My vivid recollection of this meeting was
25 that I was surprised at Mrs Evans' loss of
26 control and her down right refusal to agree
27 to raise these allegations with anyone else
28 let alone to have them investigated.
29
30 With Ms Elizabeth Stroud's support,
31 I assumed we, that is Mrs Evans, Ms Stroud
32 and I would have Dennis McKenna's
33 activities at St Andrew's Hostel
34 investigated. Naively, as it turned out,
35 I thought that Mrs Evans would alert
36 others, for example, the board of the
37 hostel to these allegations.
38
39 I made it clear to Mrs Evans that it was
40 not up to her to judge whether these
41 allegations had substance or not, it was
42 important that others, such as the Country
43 Hostels Association, or the Education
44 Department investigate or some other body
45 outside of Katanning. Mrs Evans asked me
46 to name the boy who had come to me. When
47 I divulged his name she dismissed him as

1 being nothing but trouble. I volunteered
2 to Mrs Evans that it was quite possible
3 that his "troublesome" behaviour was [a]
4 direct result of sexual abuse by Dennis
5 McKenna. She was not interested in my
6 views or in having these concerns
7 investigated. [She] told me that she would
8 contact my superiors and have me removed
9 immediately. During the course of the
10 meeting Mrs Evans turned from a warm
11 motherly person into an aggressive
12 vindictive woman out to have me sacked.

13
14 Directly after my meeting with Mrs Evans
15 I drove to the hostel and confronted Dennis
16 McKenna. I was beyond mad. I was furious.
17 I told him I knew what he was doing and
18 I made it clear that I would do what
19 I could to have his disgusting activities
20 stopped. Dennis never denied what I
21 accused him of [he] laughed in my face. He
22 threatened me by saying that he would have
23 me sacked. He told me he had friends in
24 high places. He would crush me. I had
25 been a tutor in Fremantle and Canningvale
26 Prisons, and [I] told him I had friends in
27 low places and that he would meet them
28 soon.

29
30 I am unclear who phoned whom. Whether
31 I contacted Ms Elizabeth Stroud at Head
32 Office or she contacted me at Kartanup.
33 I am unclear whether it was later that day
34 or the next day but I remember her
35 directing me to pack up and move to the
36 Westrek project at Bunbury. I was given
37 48 hours to do so. Ms Stroud informed me
38 that Dennis McKenna had threatened to
39 withdraw the accommodation of Kartanup from
40 Westrek. This would have put an end to
41 the project I had worked so hard to set up.

42
43 HIS HONOUR: We have lost the call, have we?

44 A.

45 He asked for my removal in exchange for the
46 project's continuation.

47

1 MR URQUHART: Hold on - Mrs Dawkins --
2 A. :

3
4 Ms Stroud appeared as upset as I was with
5 the unexpected outcome of the meeting I had
6 with Mrs Evans. It was unclear I did not
7 have the support of Mrs Evans. I felt that
8 I had..."

9
10 HIS HONOUR: Q. Just pause there, Mrs Dawkins, you have
11 misread that sentence. If you start again with the
12 sentence, "It was clear".

13
14 MR URQUHART: In fact, sir, I was going to suggest that if
15 we could just start, when we had that problem with the
16 screen.

17
18 HIS HONOUR: We didn't miss anything from the statement.
19 It was just something went wrong with the picture. I am
20 sure that the full paragraph was read.

21
22 MR URQUHART: Maybe if we can go back, sir.

23
24 HIS HONOUR: Mrs Dawkins, we had a problem at this end
25 with something going wrong with the video link, but we're
26 going to ask you to go back and read again. Where from,
27 Mr Urquhart?

28
29 MR URQUHART: I think if we just start again from the
30 sixth line from the bottom of that paragraph starting with,
31 "This would have put an end".

32
33 HIS HONOUR: If you read from that point.

34 A. Yes, Mr Blaxell:

35
36 This would have put an end to the project
37 I had worked so hard to set up. He asked
38 for my removal in exchange for the
39 project's continuation. Ms Stroud appeared
40 as upset as I was with the unexpected
41 outcome of the meeting I had had with
42 Mrs Evans. It was clear I did not have the
43 support of Mrs Evans. I felt I had no
44 option but to acquiesce and depart
45 Katanning.

46
47 By raising the need to investigate the

1 sexual activity of Dennis McKenna with
2 Mrs Evans and her over the top reaction,
3 which was unexpected, it appeared that the
4 department had formed a view that it was
5 impossible for me to continue at Katanning.
6 This was always the reason I was given for
7 my move to Bunbury. I followed the advice
8 of my superior Ms Stroud to raise the
9 allegations of sexual abuse of Dennis
10 McKenna with Mrs Evans. Advice that even
11 today I think was appropriate.
12

13 MR URQUHART: Q. Mrs Dawkins, a small point, but you read
14 out "I followed the advice of my superior Ms Stroud", but
15 it actually reads "supervisor" there.

16 A. I'm sorry. I'll read it again.
17

18 HIS HONOUR: No, that won't be necessary. Just go to the
19 next paragraph, thank you.

20 A. :
21

22 Once at Bunbury I am unclear with the
23 passage of time how many meetings I had
24 with [supervisors] and where the meetings
25 were held. At some stage soon after
26 meeting Mrs Evans I was required to meet
27 with Elizabeth Stroud and Peter Sherlock.
28 Mr Sherlock worked at the Department of
29 Employment and Training and though I cannot
30 recall his precise position, I believe he
31 was senior to Ms Stroud. I do not recall
32 the location of these meetings. However,
33 I do have a lasting impression that
34 Elizabeth Stroud and Peter Sherlock took
35 the approach that I was a politically savvy
36 person, who understood the sensitivity of
37 the programme. When I expressed a lack of
38 understanding [for] their lack of support
39 for me, I was told that I had put the
40 Katanning project in jeopardy by upsetting
41 Mrs Evans and Dennis McKenna. When
42 I pressed them about how to get my concerns
43 addressed, they made it clear to me that
44 I was sticking my neck out about mere
45 suspicions of allegations made by an
46 unreliable troubled youth, who refused to
47 make a police statement. I did not have

1 much to go on. It was Elizabeth Stroud who
2 advised me to put in writing what the young
3 man had told me of his allegations of
4 sexual abuse and my concerns to have Dennis
5 McKenna investigated. I did as advised and
6 I handed Elizabeth Stroud and Peter
7 Sherlock a copy of that account. I recall
8 Peter Sherlock giving me an undertaking
9 that even though it was very little to go
10 on, he would try to alert the relevant
11 authorities.

12
13 I continued to work managing the Bunbury
14 project. Around this time Elizabeth Stroud
15 seemed to have been removed from the
16 Coordinator's position. I recall having
17 more to do with Peter Sherlock at Head
18 Office. I remember being [summonsed] to
19 Perth for a day of meetings.

20
21 Prior to driving to Perth I received a
22 phone call from another Group Leader
23 Patricia Thomson who was working in Head
24 Office and she advised me that my superiors
25 were going to demand my resignation.

26
27 With the passage of time I do not recall
28 the sequence of events that day in Head
29 Office. I do remember meeting with Peter
30 Sherlock, Peter Kenyon and Ian Carter.
31 I recall [that] Mr Kenyon and Mr Carter
32 held positions senior to Mr Sherlock.
33 I recall Peter Kenyon or Ian Carter
34 informing me that I had caused serious
35 damage to the working relationship with
36 Mrs Evans and Dennis McKenna at Katanning.
37 I remember being told that Vic, the Group
38 Leader who replaced me was experiencing
39 difficulties with Mrs Evans and Dennis
40 McKenna was continuing to insist that I be
41 sacked. I recall being presented with a
42 prepared letter of resignation to sign. It
43 was only a few lines on a page. I refused
44 ...

45
46 MR URQUHART: Q. Just read that out again, that last
47 sentence, "It was only"?

1 A.

2
3 It was only a couple of lines on a page.
4 I refused to cooperate, as I had sought and
5 had followed the advice of my supervisor.
6 I do not recall where Elizabeth Stroud was
7 during these meetings. I am unclear
8 whether she attended them. I asked what
9 they had done to have the allegations of
10 sexual abuse investigated, which to me
11 remained at the centre of the issue.
12

13 I do not recall who said the actual words,
14 but the view I came away with that day and
15 remains with me to this day is that the
16 sexual abuse of a former secondary school
17 student at a government hostel was not
18 a "Westrek" concern. This has always been
19 the major difference between me and my
20 superiors at the Department of Employment
21 and Training.
22

23 During the course of that day I spoke
24 informally to the Head of Department Mike
25 Cross and asked him to intervene to have
26 the allegations investigated and [to] have
27 Peter Kenyon and Ian Carter leave me alone
28 as I had followed the advice of Ms Stroud
29 and I would therefore not resign.
30

31 Later I think it was the same day I was
32 given an assurance by Peter Kenyon and Ian
33 Carter that they would have my concerns
34 raised with the appropriate authorities.
35 I was advised by them to return to my
36 project and keep my head down. They
37 complimented me on my running of the
38 Bunbury project. I was told not to discuss
39 with anyone the contents of these meetings.
40

41 To this day I do not know whether my
42 concerns were followed up by anyone from
43 the Department of Employment and Training.
44

45 After the 1991 court case when Dennis
46 McKenna was first convicted I phoned
47 Mrs Evans and asked her how she felt about

1 what had transpired between us in 1985.
2 She explained to me that she felt an
3 obligation to the town, as the economic
4 benefits of having the hostel were
5 considerable. Mrs Evans said I threatened
6 the continuation of this economic
7 prosperity and she was not concerned that
8 I had suffered as a result. When I pressed
9 Mrs Evans to express any remorse towards
10 the victims, she refused.

11
12 Also after the 1991 conviction of Dennis
13 McKenna I was interviewed by a television
14 current affairs programme and wrote a
15 letter to the Great Southern Herald
16 newspaper expressing my relief that he had
17 been revealed for what he was. My family
18 moved to South Australia in 1994. In
19 preparation for the move I disposed of all
20 notes and files relating to Dennis McKenna,
21 as I wrongly thought that his conviction
22 was the end of the matter.

23
24 In September 2011 I was contacted by the
25 office of the Member for Albany Peter
26 Watson and asked to assist victims of
27 Dennis McKenna who were seeking
28 compensation from the State Government.

29
30 During that September I phoned Elizabeth
31 Stroud on her mobile and reached her in
32 Africa. She was warm and friendly readily
33 assisting me when I told her the purpose of
34 my call. I requested Elizabeth's
35 assistance to refresh my memory, as
36 I couldn't recall the Katanning
37 Councillor's name. Elizabeth recalled
38 Ainslie Evans's name immediately. We
39 chatted comfortably with Elizabeth and
40 I agreeing on the key points regarding the
41 circumstances of my departure from
42 Katanning.

43
44 Q. Mrs Dawkins, if I could just stop you there. For this
45 next paragraph, I just want you to not read out the last
46 sentence commencing with "It is" on the second-last line.
47 A. Yep.

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Q. But when you finish that paragraph with the words "long ago", if you could just stop there, I'm just going to ask you some questions. Okay?

A. Sure.

Q. So not the last sentence but everything else. Thank you.

A.

I called Elizabeth a second time, this time on her work landline in Perth, a few weeks later and received a very different reception. She appeared tense and warned me that "they" were out to bring my reputation into disrepute. I would be portrayed as unprofessional and unreliable if I named my superiors either in the media or in court. Elizabeth asked me to think very carefully about the personal cost of having my character impugned. She told me that "they" now had contrived alternative reasons for having me removed from Katanning. Elizabeth Stroud now said she was "hazy" about details we had agreed with only a few weeks before - and it was now a case of being so long ago.

Q. I stop you there now. In that paragraph, Mrs Dawkins, have you actually quoted two words there - put two words there in italics, and are they the words "they"?

A. Yes.

Q. So on the second line and going on to the third line:

She appeared tense and warned me that "they" were out to bring my reputation into disrepute.

A. That's correct.

Q. And later on in that paragraph you also put in quotation marks the word "they" and also the word "hazy"; is that correct?

A. That's correct, yes.

Q. Mrs Dawkins, can I ask you this: did Ms Stroud, during

1 the course of that conversation, identify who "they" were?
2 If you can just answer "Yes" or "No" to that?

3 A. Yes.

4
5 Q. Did she identify them, or did she not identify who
6 "they" were?

7 A. She identified them along with other names. Do you
8 want me to give you all the names?

9

10 Q. Yes.

11 A. Are you sure?

12

13 HIS HONOUR: Q. Before you go on, what I would like you
14 to do, as best you can, is to say what the words were that
15 you were used, like "she said", "I said", et cetera. Do
16 you understand? Do you understand that? I'm asking you to
17 give evidence of that part of the conversation you had with
18 Elizabeth Stroud when she identified who "they" were. I'm
19 asking you, as best you can, to say the exact words used,
20 if you can.

21 A. We had a conversation where a number of names -
22 additional names, Mr Blaxell, were included in this. They
23 were not only departmental people, but they were a former
24 politician, they were Ainslie Evans, they were a prominent
25 West Australia businesswoman. There was a number of other
26 names included with Mr Peter Kenyon and Mr Ian Carter's
27 names. It was my understanding --

28

29 HIS HONOUR: Q. In what context did she say those
30 names - what was she saying about those people?

31 A. It's my understanding, Mr Blaxell, that Ms Stroud was
32 trying to --

33

34 HIS HONOUR: Q. Just one moment. I don't want you to
35 say what your understanding was, do you understand? I'm
36 trying to get you to give evidence of the conversation that
37 you had with Ms Stroud and you say that she mentioned some
38 names. What did she say about those people?

39 A. That they were together in conversation, sort of
40 concocting a different or an alternative - they were making
41 up another story. It was very clear to me that it was
42 a warning that these were people that were very well-versed
43 in being able to talk to each other and make up another
44 story. It was quite plain to me, really.

45

46 HIS HONOUR: Q. In the statement you read out, you used
47 the word "they". You said:

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[Ms Stroud] appeared tense and warned me that "they" were out to bring my reputation into disrepute.

Did these names have anything to do with that?

A. Yes.

HIS HONOUR: Q. You also said in that context she gave these names, is that what you are saying?

A. Yes, that's correct.

HIS HONOUR: Q. In your statement you also said:

She told me that "they" now had contrived alternative reasons for having me removed from Katanning.

Was it in that context that she mentioned those names?

A. Yes, that's correct.

HIS HONOUR: Q. That being so, I think you should now state those names.

MR URQUHART: Perhaps those names that are relevant to the terms of reference of this Inquiry, sir.

HIS HONOUR: I think she should state all names. This may have consequences in terms of adverse notices to other people, but the effect of the evidence is that she was told by Elizabeth Stroud that a group of people was out to bring her reputation into disrepute and that they had now contrived alternate reasons for having her removed from Katanning. That goes, in my view, directly to the terms of reference and I believe that, in all the circumstances, she should state those names. As I say, it may well result in changes to the way in which this hearing proceeds, but I think it should happen.

MR URQUHART: Sir, the names to be stated in open court or by another means?

HIS HONOUR: No, they should be stated now.

Q. Do you understand, Mrs Dawkins? Be careful about this. I'm asking you to state the names that you clearly remember that Ms Elizabeth Stroud said to you were doing

1 these things.
2 A. Ms Stroud named Peter Kenyon and Ian Carter, and Peter
3 Dowding.
4
5 HIS HONOUR: Q. Were there any other names mentioned?
6
7 MR ELLIOTT: Who is the witness talking to, sir?
8
9 THE WITNESS: No.
10
11 MR ELLIOTT: You turned to someone and I heard a voice
12
13 HIS HONOUR: Q. Is there someone talking to you there,
14 Mrs Dawkins?
15 A. I'm sorry, what - I beg your pardon, Mr Blaxell?
16
17 HIS HONOUR: Q. Were you talking to anyone just then?
18 A. My husband is in the room. He just wanted to know if
19 I wanted to have my Panadol, but I'm fine, thank you.
20
21 HIS HONOUR: Q. Thank you. You've given three names.
22 Were there any others that were mentioned by Elizabeth
23 Stroud?
24 A. No.
25
26 MR URQUHART: Q. Mrs Dawkins, would you go on to the
27 next paragraph now, please, which commences "After my
28 contract"?
29 A.
30
31 After my contract expired and I returned to
32 my position as Electorate Research Officer
33 for the Member for Swan, I received
34 a complimentary unsolicited reference from
35 Peter Sherlock of Westrek. The reference
36 mentioned my leadership abilities in a
37 positive light and my personal integrity
38 when dealing with participants and the
39 local community.
40
41 Since making it known that I would support
42 the victims of Dennis McKenna in their
43 quest for adequate compensation it has been
44 brought to my attention by Ms Elizabeth
45 Stroud as referred to above, that I now
46 have a questionable work history with the
47 WA Government.

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Why in 2012 has there been a revision of my employment record? Especially when I was provided with an unsolicited favourable reference when I was offered an employment contract only 2 years later with the same department in 1987. Then again in 1991-92 I was employed in another government position as a teacher at Rockingham TAFE.

It did not make sense to me, when I read in the West Australian newspaper in November 2011 that Mr Peter Kenyon claimed I was unsuitable for the Katanning position and that is why I was removed from my project. In fact, the Bunbury project had exactly the same responsibilities and pressures as the Katanning position. Then after my contract expired, I was sent a letter thanking me for my participation in the pilot programme of Westrek by Peter Sherlock, which I later used as a reference.

MR URQUHART: Q. Is that the conclusion of your statement?

A. Yes, it is, Mr Urquhart.

Q. Thank you, Mrs Dawkins. Would you like a break now, because that took a little while, or are you happy to continue?

A. No, I'm fine. I'm happy to continue.

Q. Do you need to take a Panadol?

A. Ta.

Q. Mrs Dawkins, I was going to ask you, I have some areas to clarify. This one is at page 3.

A. Mr Urquhart, I've just dropped it all on the floor. Can you wait a tick?

Q. I thought you might have done that. Get somebody else to do that. Has your personal assistant done that, has he?

A. He's got a crook knee, sir.

Q. Do you now have the statement there in front of you?

A. I have now, Mr Urquhart.

1
2 Q. Maybe he should take the Panadol now.
3 A. I'll suggest it.
4
5 Q. I'll ask you about the first paragraph on page 3 - the
6 first full paragraph, where you recount about the young man
7 who spoke to you and told you he was a former resident of
8 the St Andrew's Hostel. You said here in your statement
9 that he told you of "his experiences first-hand". Did he
10 actually say to you what had happened to him?
11 A. Yes, he did. Do you want me to graphically describe
12 what I was told?
13
14 Q. If you can recall what he said, yes.
15 A. He told me that he'd been given alcohol - I think it
16 was Scotch, but it was alcohol - it was spirits, and he was
17 fondled in his private, you know, business, and that he was
18 made to perform oral sex with Mr McKenna and he was raped
19 and it happened repeatedly; it wasn't just once.
20
21 Q. Mrs Dawkins, are you able to remember about how old he
22 was when he spoke to you in 1985?
23 A. I think he was about 18 or 19. He may have been as
24 young as 17, but I have a feeling - I didn't ask him his
25 age. I think, because he was drinking in a pub, I just
26 assumed he was about 18 or 19.
27
28 Q. You then said that you spoke to the police officer,
29 Mr Bill Todd?
30 A. Yes.
31
32 Q. When you spoke to him, what details did you give of
33 what this young man had said to you?
34 A. In the beginning of the conversation, I didn't name
35 the young man; I just said that, you know, this guy had
36 come and spoken with me and this is what he told me and
37 I gave as graphica description about the sexual activity,
38 and Mr Todd asked me if I would name him and I originally
39 preferred not to, but then I did tell him who he was,
40 and --
41
42 Q. That's fine. Is it the case now that you can't
43 remember that young man's name?
44 A. That is the truth. I wish I could.
45
46 Q. It's all right. When police officer Todd said to
47 you - and I'm looking halfway down page 3 of your

1 statement - that he needed a statement with names, dates
2 and times, can you recall who he said would need to make
3 that statement?
4 A. The young man - the young boy.
5
6 HIS HONOUR: Q. Did you see Mr Todd make any note of any
7 sort while you were talking to him?
8 A. No, not at all. No.
9
10 MR URQUHART: Q. Can you recall where you saw Mr Todd?
11 A. Well, it was at the police station. It was just sort
12 of in the front of the - you know, inside the police
13 station. We were just chatting.
14
15 Q. Then, Mrs Dawkins, you go down to the bottom of that
16 page when you refer to seeking Mrs Evans' assistance.
17 A. Yes.
18
19 Q. Do you see that?
20 A. Yes.
21
22 Q. Can you recall where it was that you spoke to
23 Mrs Evans about what this young man had told you?
24 A. I have a vague recollection it was at her house, in
25 her front yard, but I'm not really sure about that. I feel
26 it was sort of in front of her house.
27
28 Q. Again, Mrs Dawkins, are you able to recall how it was
29 that you described to her what the young man had told you?
30 A. I referred to it as sexual abuse - I referred to it
31 that Dennis had been sexually interfering. I used the word
32 "rape". I can't really remember if I - I don't know if I
33 remember - I can't recall saying "oral sex", but I remember
34 using the word "rape", "sexual abuse", "sexual
35 interference", those sorts of terms.
36
37 Q. With respect to you following the advice of Ms Stroud
38 to speak to Mrs Evans, was it the case that Ms Stroud also
39 suggested that you speak to Dennis McKenna, or was that
40 something that you did on your own volition?
41 A. That was something I did on my own volition.
42
43 Q. You also, Mrs Dawkins, referred to the fact that you
44 spoke informally to the head of the Department of
45 Employment and Training at one stage, and you named him as
46 Mr Mike Cross, and that's at page 6.
47 A. Yes.

1
2 Q. Is it your understanding that Mr Cross is now
3 deceased?
4 A. That's correct. That's what I've been told.
5
6 Q. Finally, Mrs Dawkins, insofar as the questions I have
7 for you, you mentioned at the bottom of page 6 that you
8 wrote a letter to the Great Southern Herald newspaper.
9 A. Yes, that's correct.
10
11 Q. I'm going to now have something put on the screen for
12 you. If you look at that - I think you also have a copy of
13 it on your laptop that you have there.
14 A. Yes.
15
16 Q. Is that the letter that you wrote to the Great
17 Southern Herald newspaper? Can you see the writing up on
18 the screen there, or not?
19 A. No.
20
21 Q. You can only see me.
22 A. No. I can only see you.
23
24 Q. You have a copy there. Is it titled "Hurried
25 departure explained"?
26 A. Yes, it is.
27
28 Q. If we can go up to the top right-hand portion of that
29 page, and we'll get a date there - if we're able to.
30 A. It was Wednesday, 26 June.
31
32 Q. 1991, at page 3. I think we're looking at that now.
33 A. Yes.
34
35 MR URQUHART: I tender that page insofar as it relates to
36 the letter written by the witness which appears in the
37 bottom left-hand --
38
39 HIS HONOUR: That is exhibit 4.
40
41 EXHIBIT #4 LETTER WRITTEN BY WITNESS TO THE GREAT SOUTHERN
42 HERALD NEWSPAPER BEARING DATE 26/6/1991
43
44 MR URQUHART: Thank you, Mrs Dawkins. Those are the
45 questions that I have.
46
47 HIS HONOUR: Ms Tovey, do you want to ask any questions of

1 your client?

2

3 MS TOVEY: There may be one or two questions, your Honour.
4 As a matter of procedure, though, it would be my submission
5 that my learned friends, Mr Prior and Mr Elliott,
6 cross-examine the witness first and that I go third.

7

8 HIS HONOUR: I can invite you to effectively re-examine
9 afterwards, but if you are going to lead any evidence from
10 her, I think you should do that now.

11

12 MS TOVEY: If your Honour pleases.

13

14 <EXAMINATION-IN-CHIEF BY MS TOVEY:

15

16 MS TOVEY: Q. Mrs Dawkins, can you see me and hear me?

17 A. Yes, I can.

18

19 Q. A couple of questions from me, Mrs Dawkins. You told
20 us or read in your statement that you were directed to pack
21 up and leave Katanning and you were given that 48 hours to
22 do so. What reasons were you given for having to do so?

23 A. Well, it was very clear. I had only one reason given,
24 that I had damaged the relationship with the local
25 community by upsetting Mrs Evans and Dennis McKenna, and
26 you know how I did this, I've made it plain in my
27 statement. By asking for Mrs Evans' support at the
28 suggestion of my supervisor, I wanted Mrs Evans to
29 investigate, or help get an investigation into what we now
30 know to be the criminal abuse of boys by Dennis McKenna.
31 This was the only reason I was ever given for why I was to
32 be removed, because Westrek was a community-based
33 programme, and I had damaged the relationship of Westrek by
34 following, I might add - I followed the direction and
35 advice of my supervisor.

36

37 Q. From what you are saying, was any reason given to you
38 that related to your work performance?

39 A. No, not at all - not at all. That was never - there
40 was no other reasons ever given or ever raised with me at
41 that time, or within my employment in relation to my
42 performance at work. This was all about that I had upset
43 Mrs Evans and Dennis McKenna, and I had broken the
44 relationship of Westrek with the community.

45

46 Q. I take it, given what you said, that nothing was
47 indicated about your personal behaviour as any reason for

1 being transferred or being told to pack up within 48 hours?
2 A. No, not at all. Not at all.
3
4 Q. You've told us in your statement that you were
5 transferred to the project in Bunbury?
6 A. Yes, I was.
7
8 Q. And that had the same duties and responsibilities as
9 the project in Katanning?
10 A. Exactly the same. It was exactly the same
11 responsibilities, the duties, and the salary and
12 conditions. They were all the same.
13
14 Q. In your evidence - and someone will ask you this
15 question - you mentioned that one of the persons Ms Stroud
16 mentioned was a prominent businesswoman. Was a name given?
17 A. Look, I can't remember - I just don't want to go
18 there, all right? I'm not sure...
19
20 Q. That's all right.
21
22 HIS HONOUR: Q. What aren't you sure about?
23
24 MS TOVEY: Q. What aren't you sure about, Mrs Dawkins?
25 A. I'm not sure - Mr Blaxell asked me to remember
26 a conversation and whether Ms Stroud or I mentioned names,
27 and I mentioned the names that Ms Stroud mentioned in that
28 conversation, and I was clear about that. I'm not clear
29 about the other name - of who mentioned that name at the
30 time, so therefore I'd rather not raise it, because I'm not
31 100 per cent sure.
32
33 MS TOVEY: If your Honour pleases, those are the only
34 questions I have.
35
36 HIS HONOUR: Thank you. Mr Prior?
37
38 MR PRIOR: I'm going to be about 30 minutes, your Honour,
39 if that helps everyone.
40
41 HIS HONOUR: I think we'll do that, and then take a very
42 brief lunch break.
43
44 I should explain to you, Mrs Dawkins, it's nearly
45 1 o'clock here, but we want to minimise the time that you
46 are sitting there giving evidence. We are going to go with
47 Mr Prior, who is the first of counsel who wishes to

1 cross-examine you, and when he completes, we'll take a very
2 short lunch break.

3

4 Do you want to say something, Mrs Dawkins?

5

6 THE WITNESS: No, Mr Blaxell, not at all.

7

8 <CROSS-EXAMINATION BY MR PRIOR:

9

10 MR PRIOR: Q. Mrs Dawkins, at any stage if you can't see
11 me or hear me, could you please tell us?

12

13

14 Q. Can you hear me all right?

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1 words, you are mentioned a former politician, a prominent
2 businesswoman, Peter Kenyon and Ian Carter. Do I have that
3 correct?
4 A. Yes, that's correct.
5
6 Q. And, also, Ainslie Evans; is that correct?
7 A. Yes, but that was in the conversation. I didn't say
8 who mentioned what names precisely.
9
10 Q. So five names, or five entities were mentioned - Peter
11 Kenyon, Ian Carter, Ainslie Evans, and a former politician
12 and a prominent businesswoman. Is that what was mentioned
13 to you, or were actual names given?
14 A. Yes, there were names given, and I can explain --
15
16 Q. Well, who was the - sorry. Who was the former
17 politician? What name was given?
18 A. I mentioned his name, it was Peter Dowding, and he was
19 minister for that department.
20
21 Q. So the other person, the prominent businesswoman, was
22 her name mentioned?
23 A. Yes, there was a name mentioned.
24
25 Q. Who was it?
26 A. She was Janet Holmes a Court.
27
28 Q. Thank you.
29 A. She was the chair of the Westrek programme.
30
31 Q. So your evidence under oath is the "they" that you
32 referred to in your statement and in the evidence you've
33 given comprised five people - Peter Kenyon, Ian Carter,
34 Peter Dowding, Ainslie Evans, and Janet Holmes a Court; is
35 that correct?
36 A. I don't understand what your question is. Are you
37 saying that these were names that were mentioned in
38 a conversation, is that the question?
39
40 Q. Yes, in the conversation that you've given evidence
41 about today.
42 A. Yes, there was a conversation, and those names were
43 mentioned.
44
45 Q. Any others besides those five I've just named?
46 A. No.
47

1 Q. So that I can completely understand what you are
2 saying, those five names came out of the mouth of Elizabeth
3 Stroud as she was talking to you on the phone.
4 A. I didn't say that --
5
6 Q. Well, who --
7 A. -- Mr Prior.
8
9 Q. Who said that?
10 A. I said there was - well, I said there was a
11 conversation. We were discussing the fact that I was going
12 to make a statement and assist Mr Hammond, who was seeking
13 compensation for the victims of Dennis McKenna. Elizabeth
14 mentioned to me the names of your client, of Mr Ian Carter.
15 I'm not sure whether Elizabeth mentioned Mrs Holmes
16 a Court, and that's why I hesitate, because I'm not sure
17 whether she mentioned her first or I - it may have been - I
18 don't know which one of us did, but that was discussed
19 because Mrs Holmes a Court was the chair, the patron, of
20 Westrek, and Peter Dowding was mentioned by Elizabeth.
21
22 Q. So that we understand, what were the names that you're
23 sure Elizabeth mentioned?
24
25 HIS HONOUR: Perhaps in what context.
26
27 MR PRIOR: Q. Elizabeth Stroud, yes, and in what context.
28 A. Look, you're asking me two questions there, Mr Prior.
29 You're asking me in what context. Do you want the names or
30 the context?
31
32 HIS HONOUR: I think if we pause here, we could be getting
33 at cross-purposes. You are asking the witness to specify
34 the names mentioned by Elizabeth Stroud in the context of
35 the "they" --
36
37 MR PRIOR: Yes.
38
39 HIS HONOUR: -- who allegedly were "out to bring my
40 reputation into disrepute", and that "'they' now had
41 contrived alternative reasons for having me removed from
42 Katanning", is that what you are asking, Mr Prior? .
43
44 MR PRIOR: Yes.
45
46 HIS HONOUR: Q. Do you understand that, Mrs Dawkins?
47 You might have mentioned other names in the course of

1 the conversation between you, but you are being asked to be
2 more specific --
3 A. Well, I don't understand - to be absolutely specific,
4 when - it was my understanding that the "they" that
5 Elizabeth referred to were Peter Kenyon and Ian Carter, and
6 that was it - Peter Kenyon and Ian Carter were the ones,
7 and in the course of the conversation we named - we talked
8 about other people such as Peter Dowding and Mrs Holmes
9 a Court, but --

10
11 MR PRIOR: Q. The transcript will reveal this - I don't
12 have a running transcript - but when Mr Urquhart was asking
13 you who was the "they", my note is you identified the
14 "they" as being a former politician, a prominent WA
15 businesswoman, Peter Kenyon, Ian Carter and Ainslie Evans.
16 That's what you said before, when Mr Urquhart was asking
17 the questions. Were "they" --

18 A. Well, hang on a minute, Mr Prior. Mr Blaxell has
19 tried to clarify the situation for me and he made it very
20 clear to me exactly what the question was. The question
21 was what was my understanding for the "they" that Elizabeth
22 referred, you know, to in that conversation, and they were
23 your client and Mr Ian Carter. There was a subsequent
24 question asking me what other names were mentioned in that
25 conversation, and I have tried to give that answer to the
26 best of my ability.

27
28 Q. So does your answer that you have just given this
29 Inquiry mean that the "they" that she mentioned - the only
30 people she mentioned in the "they" were Mr Kenyon and
31 Mr Carter - and if you don't know --

32 A. Yes.

33
34 Q. -- tell us.

35 A. No, I'm saying it was my understanding that the "they"
36 Elizabeth mentioned to me was your client, Mr Kenyon, and
37 Mr Ian Carter.

38
39 Q. Why was it your understanding? What was said by her?

40 A. I don't know what you mean.

41
42 Q. Did she name them, or did you name them?

43 A. She named them.

44
45 Q. Did she name Janet Holmes a Court, did she name Peter
46 Dowding and did she name Ainslie Evans?

47

1 MR URQUHART: That's three questions there, sir. If you
2 can break them down.
3
4 MR PRIOR: We'll go through them one at a time.
5
6 Q. Did she name Janet Holmes a Court?
7 A. I've said to you I don't remember which one of us
8 mentioned Mrs Holmes a Court by name.
9
10 Q. So one of the two of you - because there were only two
11 people in the conversation - you or Mrs Stroud mentioned,
12 during that conversation, Janet Holmes a Court; correct -
13 that's your memory?
14 A. That's correct.
15
16 Q. Which of you said her name you don't know now;
17 correct?
18 A. Not now. I've said that all along I can't remember.
19
20 Q. What about Peter Dowding?
21 A. Are you asking me who named Peter Dowding first?
22
23 Q. Yes.
24 A. It's my recollection that Elizabeth raised his name
25 first.
26
27 Q. So, like Mr Kenyon and Mr Carter; is that correct?
28 A. I don't - I can't hear what you're saying. Did you
29 say "like"?
30
31 Q. Yes. You said a minute ago that Kenyon and Carter's
32 name were raised by Mrs Stroud. Did she also raise
33 Mr Dowding's name?
34 A. In the course of the conversation, his name was
35 raised, but it wasn't my understanding that he was
36 the "they" that were changing the reasons for my departure
37 from Katanning. Yes, he may have had something to do with
38 it. I don't know.
39
40 Q. When you keep talking about "understandings", I'm
41 talking about what people actually said over the telephone,
42 either you or Mrs Stroud. So, Mr Urquhart initially asked
43 you earlier who constituted the "they", and you named four
44 or five entities, some by name and some by description. So
45 just tell me who you can say accurately were mentioned by
46 Mrs Stroud.
47 A. Mr Prior --

1
2 MR URQUHART: In the context of those involved in bringing
3 her reputation into disrepute.
4
5 MR PRIOR: Q. Yes. You mentioned three people by name
6 originally and two by description. Was it those five or
7 a subset? That's what I want to know. If you don't
8 know --
9 A. I don't really - I just don't understand what you're
10 asking me to do.
11
12 Q. I won't pursue it any further. We heard what you
13 said. The statement that is still in front of you,
14 approximately when did you prepare that statement?
15 A. Around Christmas time.
16
17 Q. So Christmas 2010, last year?
18
19 HIS HONOUR: 2011.
20 A. 2011.
21
22 MR PRIOR: Q. Last year?
23 A. Yes. Yes.
24
25 Q. So am I correct from what you said in your evidence in
26 your statement, all your notes and documents relating to
27 Mr McKenna and the hostel, you destroyed them back in about
28 mid-1994, around then, when the criminal proceedings had
29 been completed?
30 A. I think I destroyed them prior to that. I think
31 they - after the court case of 1991, I did a clean out.
32
33 Q. So Christmas 2011, when you prepared this statement,
34 you didn't have any documentation to work from because it
35 had been destroyed; correct?
36 A. Yes, that's correct.
37
38 Q. So the statement you've just read to this Inquiry
39 in February 2012 is a statement you prepared back
40 in December 2011; is that correct?
41 A. Well, I made slight additions to it over the last few
42 weeks, but it's basically that statement.
43
44 Q. So, prior to December 2011, you hadn't prepared that
45 statement. You might have added to it or altered it since,
46 that's what you are telling us.
47 A. That's correct, yes.

1
2 Q. So when you prepared the statement back in December
3 2011, you had none of your notes available - that's
4 correct?
5 A. That's correct.
6
7 Q. And you were preparing a statement about your
8 recollections of events, including telephone discussions,
9 in 1985; is that correct?
10 A. That's correct, yes.
11
12 Q. And other years but, in particular, 1985.
13 A. Yes.
14
15 Q. Because 1985 is the year that you were at the Westrek
16 project in Katanning and, subsequently, the project in
17 Bunbury; is that right?
18 A. Yes, that's correct.
19
20 Q. The purpose you prepared that statement was in
21 relation to some sort of compensation claim that the
22 victims were making and Mr Hammond was helping them with;
23 is that right?
24 A. No, the purpose of the statement was for this Inquiry.
25
26 Q. I want to go some of the things, and if you need to
27 look at your statement to answer the question, by all means
28 do, but some of the things you referred to in your evidence
29 and statement. Peter Kenyon, who I mentioned I act for,
30 you've mentioned meetings you had that he was present and,
31 on my count, a maximum of two; is that right?
32 A. I don't know how many meetings he was present. I was
33 under instruction to go to a number of meetings. He did
34 attend not - he didn't attend all of them; he attended some
35 of them. I don't know if it was one, two or three, but
36 he was definitely there on the day that I was called in and
37 I was asked to sign a letter of resignation.
38
39 Q. So you don't know whether in fact he was at one, two
40 or three meetings, but at least one.
41 A. Well, at least.
42
43 Q. All these meetings were in Perth at the head office,
44 as you describe it in your statement; correct?
45 A. In relation to your client, yes.
46
47 Q. All these meetings occurred after you had left

1 Katanning and went to Bunbury.
2 A. That's right, yes.
3
4 Q. And you've just given evidence a minute ago, and you
5 gave it earlier on, that at one of those meetings at least
6 he was present, you claim, and you were given a letter of
7 resignation to sign.
8 A. I'm sorry, I didn't hear that. Can you repeat it?
9
10 HIS HONOUR: Can you shift the microphone a bit closer? .
11
12 MR PRIOR: I'll repeat it.
13
14 Q. At one of those meetings, you told us that Peter
15 Kenyon was present and you were presented with a letter of
16 resignation to sign.
17 A. I'm unclear whether Peter Kenyon was at that - look,
18 it was a meeting in a meeting room and I'm unclear if he
19 was in that room when that letter was in front of me, but
20 I had meetings with him during that day. I'm not clear
21 whether he was there when I was asked to sign the letter.
22 Is that the question you were asking me?
23
24 Q. Yes, because that's exactly where I'm going, which is
25 you're not in a position to say Peter Kenyon was there,
26 when, and if, you were presented with a letter of
27 resignation. He might not have been in that meeting or
28 that room.
29 A. That's correct.
30
31 Q. You've told us in your evidence - and this is when
32 your counsel in particular, Ms Tovey, was asking you
33 questions - that the reasons you were given by departmental
34 heads that you were asked to leave the Katanning hostel
35 project was that you had upset Mrs Evans and Mr McKenna and
36 so on. Do you remember saying that?
37 A. Yes, I do. Yes.
38
39 Q. Isn't it the position that at some of those meetings
40 in Perth, at least one, you were told that you had been
41 transferred to Bunbury because they weren't happy with your
42 personal performance working at the hostel in Katanning?
43 A. Mr Prior, that was never raised with me.
44
45 Q. Never said that you weren't --
46 A. They may have --
47

1 Q. I'll let you finish, yes? Go ahead. Because I'll
2 suggest to you --
3
4 MR URQUHART: Let her finish. You invited her to do it.
5
6 MR PRIOR: The delay is not helping.
7
8 HIS HONOUR: Perhaps ask the question again.
9
10 MR PRIOR: Q. I'll suggest to you that at these meetings,
11 at least one of them, it was put to you that you were being
12 transferred to Bunbury from Katanning because of your work
13 behaviour.
14 A. That is incorrect, Mr Prior. That never happened.
15 There was only one reason I was ever given for being
16 transferred from Katanning to Bunbury, and that was that
17 the community contact between Westrek and Katanning had
18 broken down because I - with the advice that I was given,
19 with the support I was given from Ms Elizabeth Stroud, my
20 supervisor, she asked - I asked her what I should do about
21 these allegations. She told me to go and see Mrs Evans.
22 I did so. I didn't expect the reaction that I got and,
23 from then on, I was the one in the firing line because
24 Mrs Evans and Dennis McKenna were upset and - they were
25 threatening to remove, you know, the Westrek programme from
26 Katanning. Mr McKenna was going to withdraw the
27 accommodation, which was Kartanup, and, with that, the
28 project would have folded. There was no - there was never
29 any suggestion that I had any other reason to be going from
30 Katanning.
31
32 Q. To summarise what you're saying, really you are
33 telling the Inquiry that the only reason you were moved to
34 Bunbury was your complaint that you had relayed that had
35 been made by this young man concerning the behaviour of
36 Mr McKenna?
37
38 MS TOVEY: One moment, that was not her evidence.
39
40 MR PRIOR: Q. And that had affected the relationship with
41 other people at Katanning involved at the hostel, such as
42 Mrs Evans and Mr McKenna.
43 A. That's correct, but I've said that. How many times do
44 I have to --
45
46 Q. Okay. So your sworn evidence is that at no stage
47 whatsoever did anyone in the department say you were being

1 moved because of your behaviour. That's your evidence,
2 isn't it?
3 A. It is.
4
5 Q. On another topic, you made a complaint around 1985 to
6 the policeman at Katanning, whose name you mentioned is
7 Bill Todd; correct?
8 A. I did not make a complaint.
9
10 Q. All right. You told him about the man's complaints to
11 you, and then he told you what to do about it. That was
12 the evidence you gave.
13 A. No, it wasn't the evidence I gave, with due respects
14 to you. If you go and have a look at my statement, and
15 I can read it to you again if you like.
16
17 Q. Go to page 3, I think.
18 A. It says:
19
20 I felt comfortable going to Mr Todd...
21
22 I sought his advice on the matter.
23
24 Q. I won't use the word "complaint".
25 A. It wasn't a complaint - it wasn't anything other than
26 I was asking somebody I had a good working relationship
27 with what I should do.
28
29 Q. So did you seek advice from any other police officers
30 in Western Australia around 1985?
31 A. Not that I recall, no.
32
33 Q. If I understand correctly, around 1985, when you
34 obtained this employment working down at Katanning in the
35 Westrek position, you had a Bachelor of Arts; is that
36 right?
37 A. Yes, that's correct.
38
39 Q. And you qualified with a Diploma of Education at
40 a later stage after 1985; is that correct?
41 A. Yes, that's correct.
42
43 Q. So how did it come about that you obtained that
44 position in 1985 working on the Westrek project first in
45 Katanning and then Bunbury?
46 A. I applied for the position.
47

1 Q. What was your Bachelor of Arts majoring in?
2 A. Social science.
3
4 Q. Am I correct that at the time you were working as
5 an electoral officer for Mr Kim Beazley, the member for
6 Swan, the Federal member?
7 A. Yes, that's correct.
8
9 Q. How long had you been working for him for,
10 approximately?
11 A. About a year or 18 months before that.
12
13 Q. And you had a reasonable relationship with Mr Beazley?
14 A. Yes, I did.
15
16 Q. He was a Federal Minister at that point of time -
17 Minister of Defence; is that correct?
18 A. Was it defence or was it aviation and Special Minister
19 of State? I'm not really clear on his portfolio.
20
21 Q. He was a Minister.
22 A. He was.
23
24 Q. Your now-husband, John Dawkins, he was also a Federal
25 Minister; is that correct?
26 A. He wasn't my husband then, Mr Prior.
27
28 Q. That's not the question I asked. Mr Dawkins, were you
29 in a relationship with him in 1985?
30 A. No, I wasn't.
31
32 Q. Did you know him?
33 A. I did.
34
35 Q. Did he go down to Katanning to see the hostel project
36 or to visit you, for example?
37 A. He came down to see me. We were friends, Mr Prior.
38
39 Q. I'm not suggesting anything sinister in that, but is
40 your answer --
41 A. No.
42
43 Q. -- that you've just given that he went down to
44 Katanning to see you, not the project?
45 A. I beg your pardon? I don't - what distinction are you
46 making?
47

1 Q. Did Mr Dawkins go down to Katanning to see you --
2 A. Yes, he did.
3
4 Q. -- to visit you. At the time, he was a Federal
5 Minister as well, wasn't he?
6 A. As well as --
7
8 Q. Mr Beazley.
9 A. Yes.
10
11 Q. And one of Mr Dawkins' jobs was he was the minister
12 advising the Prime Minister on youth affairs, wasn't he?
13 A. Yes, that may have been correct.
14
15 Q. The extent of your relationship is you knew Mr Dawkins
16 well enough as a friend for him to visit you in Katanning;
17 is that right?
18 A. I didn't - I didn't know that the Westrek project
19 prohibited me from having friends, whether they were male
20 or female.
21
22 Q. You might have answered my question indirectly, but
23 I'll go to my next question. Did you tell Mr Dawkins or
24 Mr Beazley in 1985 about what this young man had told you
25 was going on with Mr McKenna down at the hostel?
26 A. I didn't tell Mr Beazley, I'm pretty sure of that, in
27 that year. In 1985 I don't think I said anything to
28 Mr Dawkins either, because I was somebody that tried very
29 hard to solve my work problems myself.
30
31 Q. You were a friend of Mr Dawkins', he's visiting you in
32 Katanning and you become aware of what this man has
33 complained about going on. You didn't see fit to say,
34 "Look, Mr Dawkins, you're a Federal Minister. I've got
35 some concerns"?
36 A. I don't recall raising them in that way. I had other
37 concerns. I had participants who were distressed. One boy
38 used to go and lie in the middle of the road waiting for
39 sheep trucks to run over him. I had other boys that used
40 to howl at night. I had - I had - I had a lot of other
41 participants doing other things, and this was something
42 that I don't recall raising with Mr Dawkins at the time.
43 Maybe I did --
44
45 Q. Did you ever raise it with him?
46 A. -- but at the time I don't remember it.
47

1 Q. Did you ever raise it with him, your concerns about
2 what --
3 A. I raised it - yes, I did raise it --
4
5 Q. When?
6 A. I did raise it.
7
8 Q. When?
9 A. I can't remember the exact date or the exact time --
10
11 Q. In 1995?
12 A. I probably raised it after I left the project, because
13 I was - I was sort of sworn to secrecy that I wasn't to
14 mention why I left Katanning. The department had told me
15 not to discuss any of those details, and I didn't, but --
16
17 Q. Do you think you --
18 A. -- I did raise - what did you say?
19
20 Q. Do you think you told him about it before you got
21 married on 2 March 1987, your concerns?
22 A. Yes, I did.
23
24 Q. So, some time between 1985 and March 1987, you told
25 him?
26 A. Yes, I did.
27
28 Q. Going back to how you came to get the position you
29 held at Katanning, you told us a minute ago you applied for
30 the job. Did you get any people to recommend you or give
31 you references for the job?
32 A. I don't remember.
33
34 Q. Mr Dowding, did he recommend you for the job?
35 A. I don't remember. I don't know. He recommended me
36 for another job two years later, but I don't know whether
37 he recommended me for this one.
38
39 Q. Mr Beazley?
40 A. I've just answered the question, Mr Prior. I don't
41 remember.
42
43 Q. So you don't know if anyone recommended you for the
44 job - possibly, but you can't remember; is that right?
45 A. I didn't say "possibly". I just said I don't
46 remember.
47

1 Q. In the meetings you had with the department heads, if
2 I can call them that, in Perth, and you think at least one
3 of them, Peter Kenyon, was present, was anyone taking
4 minutes, or was there any recording keeping of these
5 meetings that you're aware of?

6 A. No, I don't remember any record keeping at all. It
7 was really a sort of - a crisis management programme.
8 There were people running sort of here and there and - the
9 administration was just a shambles. I don't remember any
10 order or any calmness or any minute taking or anything that
11 would normally happen in a department.
12

13 Q. When you got the job at Westrek which started at
14 Katanning, you had limited training - you were 27 years old
15 at the time; is that right?

16 A. Well, I was 27 years of age and I felt I had limited
17 training to handle allegations of sexual - of this sort of
18 sexual nature. This had never come up in any training that
19 I had been given.
20

21 Q. No, no, I'm talking about when you got the job before
22 you were aware of the allegations that your experience in
23 youth work was limited, wasn't it?

24 A. Yes, it was. They did employ me.
25

26 Q. I understand that. So at the time you had a Bachelor
27 of Arts degree, with no or limited experience in youth work
28 and you were 27 years of age; is that right?

29 A. Yes, that's correct.
30

31 Q. And you went from that job - you had previously worked
32 as an electoral officer in Mr Beazley's office in Swan?

33 A. Yes, and I went back to that position.
34

35 Q. That was after you left Bunbury; is that right? Is
36 that the sequence of events?

37 A. That's the sequence of events - when my contract
38 expired.
39

40 Q. How many times did Mr Dawkins, to your memory, go down
41 to Katanning when you were there?

42 A. I can only remember once, actually.
43

44 Q. How long, approximately, were you at the Katanning
45 project for?

46 A. I've tried to work this out myself. It must have been
47 about three or four months, because a rotation was 10 to

1 12 weeks and my first group of participants had moved on
2 and my second group had arrived, and then I was removed
3 soon after.
4
5 Q. Did Mrs Holmes a Court visit the project at Katanning
6 while you were there?
7 A. Yes, she did.
8
9 Q. Did you tell her about your concerns?
10
11 MR URQUHART: When? .
12
13 MR PRIOR: Q. When she visited --
14 A. No, I didn't tell her - the concerns had not been
15 raised with me, Mr Prior, at that stage. When Mrs Holmes
16 a Court came down to visit, these allegations had not been
17 raised with me.
18
19 Q. Subsequent to her visit, then the allegations came to
20 you from this young man; is that right - that's the
21 sequence?
22 A. I'm sorry, I can't hear you. Would you say that
23 again?
24
25 Q. After Mrs Holmes a Court visited the hostel down at
26 Katanning, then was when you became aware of these
27 allegations from the young man who told you in the bar; is
28 that right?
29 A. Yes, that's right. Yep.
30
31 MR PRIOR: Thank you. That's all my cross-examination.
32
33 HIS HONOUR: Mrs Dawkins, we're going to take a relatively
34 short break of half an hour for lunch. If you could be
35 back there in half an hour from now, thank you very much.
36
37 THE WITNESS: Okay, thank you.
38
39 HIS HONOUR: We'll now adjourn.
40
41 LUNCHEON ADJOURNMENT
42
43
44
45
46
47

1 UPON RESUMPTION
2
3 HIS HONOUR: Please be seated. Now, Mr Elliott, would you
4 like to cross-examine?
5
6 MR ELLIOTT: I would, if the Inquiry pleases.
7
8 HIS HONOUR: Q. Mrs Dawkins, can you see Mr Elliott?
9 A. (No audible answer).
10
11 Q. Mrs Dawkins, can you see Mr Elliott? Do we have a
12 sound link?
13 A. I beg your pardon?
14
15 Q. Can you see Mr Elliott? Can you see Mr Elliott on the
16 screen --
17 A. Is it Mr Elliott, is it?
18
19 Q. -- wearing the bright tie?
20 A. Yes, I can see Mr Elliott. How do you do?
21
22 <CROSS-EXAMINATION BY MR ELLIOTT:
23
24 MR ELLIOTT: Q. Mrs Dawkins, can I just begin by asking
25 you - following up something Mr Prior inquired about.
26 First of all, I'll tell you, I appear for Mr Ian Carter. I
27 assumed that you'd know that. When you prepared --
28 A. I didn't know that.
29
30 Q. All right. When you prepared your statement, is it
31 fair to say that you had absolutely no aids to your memory
32 whatsoever?
33 A. Well, the only - that's not fair. I did have aid. I
34 had - if you have a look at the letter I wrote to the
35 'Great Southern Herald' in 1991 --
36
37 Q. Yes.
38 A. -- I had that, and I had the article - that whole
39 page. I had that.
40
41 Q. I see. All right. And did you refer to that in
42 preparing your statement of eight pages that we've seen?
43 A. Yes, I did. I - I read it and that - you know, that
44 jogged my memory.
45
46 Q. All right. And when you wrote the article that went
47 to the 'Herald' - what was it?

1
2 HIS HONOUR: You mean the letter to the --
3
4 THE WITNESS: The 'Great Southern Herald'.
5
6 MR ELLIOTT: Q. That's the one. In 1991, were you using
7 any --
8 A. Yes.
9
10 Q. -- aids to recollection then?
11 A. In 1991?
12
13 Q. Yes, when you wrote that letter?
14 A. Yes, I would have because at that stage I still had my
15 notes and other details. I had a file that was a McKenna
16 file, a Katanning file.
17
18 Q. Now, the location you're in right now, is that at the
19 hospital or somewhere else?
20 A. No, it is - it's somewhere else.
21
22 Q. Okay. Apart from Mr Dawkins, who was there with you
23 earlier, is there anyone else in the building?
24
25 HIS HONOUR: Well, in the room? Perhaps you mean the
26 room, do you?
27
28 MR ELLIOTT: No, I really mean in the building. Your
29 Honour, you'll see where I'm going with it in a minute.
30
31 HIS HONOUR: All right. Very well.
32
33 MR ELLIOTT: Q. Anyone else in the building?
34 A. Yes, there is.
35
36 Q. Now, Mr Dawkins is in the room with you, isn't he?
37 A. Yes, he is.
38
39 Q. He's close enough for you to see him?
40 A. Yes.
41
42 Q. And close enough for you to hear him?
43 A. He's not talking.
44
45 Q. I didn't ask that question, Mrs Dawkins. I asked
46 whether he was close enough for you to hear him?
47 A. Well, I - I suppose, but he hasn't been talking to me.

1
2 MR ELLIOTT: I'm concerned, if the court pleases, or the
3 Inquiry pleases, that there should be someone in the room
4 with Mrs Dawkins, who possibly has an interest in her
5 answers --
6
7 THE WITNESS: Now, listen, Mr Elliott.
8
9 MR ELLIOTT: Excuse me, I'm talking.
10
11 THE WITNESS: Now, listen, Mr Elliott, I want to tell you
12 this. I need somebody here because I can't walk. I can't
13 even stand up without having somebody next to me to assist
14 me to stand. That's why I need my husband here.
15
16 MR ELLIOTT: Right.
17
18 THE WITNESS: I don't need him as a crutch in an emotional
19 or in a memory sense. I need somebody physically here to
20 keep me safe.
21
22 HIS HONOUR: Mr Elliott, I'm going to rule that it is
23 appropriate to have her husband present.
24
25 MR ELLIOTT: If you say so, sir. Thank you.
26
27 Q. Now, at the time when you prepared that letter to
28 the - I'll get the name right eventually, the 'Southern' --
29 A. It's the 'Great Southern Herald' newspaper.
30
31 Q. Yes, it's not one of my usual reads. You'll have to
32 forgive me, Ms Dawkins.
33 A. I recommend it to you, Mr Elliott.
34
35 Q. What aids do you say that you had at that time?
36 A. I've already answered that question.
37
38 Q. Yes. But I'm sorry I've forgotten your answer, and I
39 need to ask you again.
40 A. I had a file that I had retained from 1985. It had
41 notes about Dennis McKenna. It had notes about my time at
42 Katanning with Mrs Evans. It had notes about my dealings
43 with Westrek. It was the file on Katanning and Dennis
44 McKenna.
45
46 Q. Okay. And did it have your papers relating to your
47 employment with the Westrek project?

1 A. No, no.
2
3 Q. Did you have any of those?
4 A. I had a few papers of those, but that wasn't - this
5 file that I had, that I used to write the - the article or
6 the - the letter, it was a letter, this was about notes and
7 about my time at Katanning. It wasn't anything other than
8 that.
9
10 Q. All right. Now, before you went to the Westrek pilot
11 project, you've already indicated you were working for the
12 Federal Member for Swan?
13 A. Yes.
14
15 Q. That was Mr Beazley?
16 A. Yes.
17
18 Q. And you're - if I can use the phrase "diversion to the
19 Westrek pilot project" was on secondment, wasn't it?
20 A. It wasn't a diversion.
21
22 Q. Well, don't worry about that phrase, just worry about
23 whether you were going on secondment for nine months?
24 A. Yes.
25
26 Q. Okay. So your position with Mr Beazley was secured?
27 A. Do you mean was I going back to Mr Beazley?
28
29 Q. No, I mean your position with Mr Beazley was secured?
30 A. I do - what do you mean by that? I was - I was
31 spending nine months with Westrek, and then after Westrek
32 had finished, I was going to go back to my job at Mr
33 Beazley's.
34
35 Q. All right. I wasn't asking you about your intention,
36 I was asking you about whether the job remained open for
37 you, but you've answered that now. And your involvement, I
38 gather, with the Westrek pilot project came about because
39 you thought that it was a matter of some interest; is that
40 fair?
41 A. I did have an interest in it, very much.
42
43 Q. Okay. And in relation to that project, is it fair to
44 say that that was undertaken under the overall supervision
45 of the Department of Employment and Training?
46 A. That's correct, yes.
47

1 Q. And you became an employee of that Department?
2 A. Yes, that's - that's my understanding.
3
4 Q. Thank you. And have you been shown a flow diagram or
5 organisational chart which is headed "Westrek", in the top
6 left-hand corner?
7 A. Yes, I've got it in front of me, Mr Elliott.
8
9 MR ELLIOTT: Thank you. Can I provide a copy to you, sir?
10
11 HIS HONOUR: Yes.
12
13 MR ELLIOTT: I have provided a copy to counsel assisting
14 previously.
15
16 Q. Have you had an opportunity to examine that chart,
17 Mrs Dawkins?
18 A. I have, and, Mr Elliott, there are a few things here
19 that don't look quite right.
20
21 Q. All right. That's why I'm inviting you to look at it.
22 Which things don't seem quite right?
23 A. Well, I don't recall a Wyndham project. I recall a
24 project at Norseman and Geraldton that are not listed here,
25 but I don't remember Wyndham, and also I didn't know that -
26 I didn't know there was a board of a Westrek Advisory
27 Group. I didn't know there was anyone else other than - we
28 were introduced, or my recollection is that Janet Holmes a
29 Court was the patron --
30
31 Q. Yes.
32 A. -- I didn't know that she was a chair.
33
34 Q. Okay.
35 A. I believe that that happened later, after the pilot
36 program.
37
38 Q. Okay. When you say "the pilot program", was that
39 Katanning or were there a number of these operations
40 happening in tandem?
41 A. They're - the 1985 program that I was a part of was
42 known as a pilot program, and then it went on in a modified
43 capacity in 1986, but I'm - I don't recall there being an
44 advisory group or a board and I don't - I don't believe to
45 my recollection that her role - the role of Mrs Holmes a
46 Court was anything but a ceremonial role, and she was the
47 patron.

1
2 Q. Okay. Well, you've said that.
3 A. Excuse me, there's something along the screen saying
4 that this is going to end in five minutes.
5
6 HIS HONOUR: Do you know what that's referring to?
7
8 Q. That's at your end, there's something about ending in
9 five minutes?
10 A. Yes. Look, I'll - I'll send the person you didn't
11 want in the room, Mr Elliott, out to help, to keep the link
12 going, if you don't mind.
13
14 HIS HONOUR: If your husband could leave and speak to
15 whoever is necessary to have the connection continued, that
16 would be appreciated, thank you.
17
18 THE WITNESS: Thanks, Mr Blaxell. He's trying to do that.
19 We can keep going.
20
21 HIS HONOUR: Yes.
22
23 MR ELLIOTT: Q. Katanning wasn't the only operation that
24 was part of the pilot program, was it?
25 A. No, that's correct.
26
27 Q. Right.
28 A. And that's what I tried to explain to you.
29
30 Q. Yes.
31 A. I remember Bunbury and Northam, and I also remembered
32 Norseman and Geraldton.
33
34 Q. Yes.
35 A. And I'm not sure if there was a Carnarvon one as well.
36
37 Q. There were a number --
38 A. It could have been --
39
40 Q. I'm sorry, you continue.
41 A. It could have been that Geraldton was Carnarvon. It
42 was somewhere - you know, either Geraldton or Carnarvon.
43
44 Q. And did you understand that the groups of young people
45 rotated amongst these various locations?
46 A. There was only one rotation, so a group from one -
47 it's in my statement, Mr Elliott. There was a group that

1 came to my project, and they were there for 10 to 12 weeks,
2 and then there was a changeover and there was - known as a
3 rotation, and then another group came, but I don't know
4 where - why are we dealing with Westrek. I'm here about a
5 totally different matter.
6

7 Q. Well, wasn't Mr Ian Carter one of the managerial staff
8 in Westrek?

9 A. Yes, that's correct.

10

11 Q. And - and wasn't he the subordinate to Peter Kenyon?

12 A. Well, on this form he - he is. I wasn't aware of
13 that.
14

15 Q. Okay.

16 A. I didn't know what his role was. I just knew that he
17 and Peter Kenyon were superior to Peter Sherlock.
18

19 Q. And Peter Sherlock's subordinate position to those two
20 is shown there?

21 A. Yes, it is.
22

23 Q. As is Elizabeth Stroud's subordinate position to Peter
24 Sherlock?

25 A. That's correct.
26

27 Q. And ultimately your subordinate position to her is
28 also shown?

29 A. Yes, I'm - well, I was definitely the bottom of the
30 food chain, wasn't I?
31

32 Q. Well, only you can answer that, Mrs Dawkins. The
33 question that I pose from this is leaving aside your
34 criticism about Janet Holmes a Court being the patron
35 rather than being on a Westrek --
36

37 HIS HONOUR: Just a moment, that wasn't a criticism.

38

39 MR ELLIOTT: No, she criticised the document.
40

41

42 THE WITNESS: I did not criticise at all.
43

44

45 HIS HONOUR: No, no, I thought you were saying - you were
46 putting to her that she criticised Janet Holmes a Court.
47

48

49 MR ELLIOTT: No, I haven't finished the question. If your
50 Honour will just bear with me, I'll finish the question and
51

1 you'll see the point.
2
3 HIS HONOUR: All right, yes.
4
5 MR URQUHART: Well, I am still going to object to the word
6 being used "criticise". The witness made a correction to
7 the document, not a criticism of the document.
8
9 THE WITNESS: Thank you, Mr Urquhart, that's correct.
10
11 HIS HONOUR: Please ask your question.
12
13 MR ELLIOTT: Q. Apart from your criticism that Mrs Janet
14 Holmes a Court was a patron rather than the head of the
15 advisory group, does the document generally speaking
16 represent, and with the qualification you've said about
17 Kenyon and Carter - you thought that they were of a similar
18 level, does it fairly represent the structure as you knew
19 it?
20 A. I was not aware of an advisory group.
21
22 Q. Yes. We've heard that now three times. I asked you
23 leaving that to one side, and leaving to one side --
24
25 MR URQUHART: Look --
26
27 MR ELLIOTT: Please don't interrupt, Mr Urquhart.
28
29 MR URQUHART: I can shortcut this, and that might be of
30 assistance to everyone. If my learned friend is trying --
31
32 MR ELLIOTT: I don't need your help.
33
34 MR URQUHART: If my learned friend is trying to tender
35 this document through the witness, I don't have any
36 objection if it's tendered now.
37
38 HIS HONOUR: Is that what you want to do?
39
40 MR ELLIOTT: Yes, that's what I'd like to do.
41
42 EXHIBIT #5 FLOW DIAGRAM/ORGANISATIONAL CHART HEADED
43 "WESTREK"
44
45 HIS HONOUR: Have we lost the connection? The IT expert
46 is here. How long do you think it will take to reconnect?
47 Right now. Very good.

1
2 MR URQUHART: Sir, originally we were advised that the
3 connection would only be open until 5 o'clock
4 South Australian time, but --
5
6 HIS HONOUR: That's now.
7
8 MR URQUHART: -- I understand there were some changes.
9 Yes, it may - I was going to say, it is 5 o'clock there
10 now. Sir, shall we adjourn for a moment?
11
12 HIS HONOUR: I'll just check with the IT man. Is there
13 any hope, do you think? I'm told it's been booked until
14 6 o'clock. What I'll do is I'll adjourn and I'll come back
15 when we're ready to proceed.
16
17 SHORT ADJOURNMENT
18
19 HIS HONOUR: Be seated, thank you. Would you stand, Mr
20 Elliott.
21
22 Q. Mrs Dawkins, do you see Mr Elliott?
23 A. No, I can see you, Mr Blaxell.
24
25 HIS HONOUR: We'll just have that fixed. Can we have the
26 camera on Mr Elliott, please.
27
28 THE WITNESS: Yes.
29
30 HIS HONOUR: Very good. Yes, Mr Elliott.
31
32 MR ELLIOTT: Q. Now, Mrs Dawkins, I know it's been a
33 long run. If for any reason you're tiring, please let me
34 know, to be fair to you?
35 A. Well, how about making the questions to the point and
36 getting on with it. I've been here for six hours.
37
38 Q. As have I, Mrs Dawkins. I'm doing my best. Now --
39 A. That's lamented.
40
41 Q. Well, thank you for that. At the time you were 27 in
42 1985 --
43 A. Mr Elliott --
44
45 Q. Bear with me, please, it will go a lot faster,
46 Mrs Dawkins.
47 A. Well, come on, get on with it.

1
2 Q. At the time you were 27?
3 A. I've said that a number of occasions today.
4
5 Q. Yes.
6 A. Yes.
7
8 Q. And is it fair to say that from your observation, Ian
9 Carter was only slightly older than you - about 30?
10 A. I have no idea how old he was.
11
12 Q. And did you know anything of his background?
13 A. No.
14
15 Q. All right. You had very little dealings with him,
16 didn't you?
17 A. I only had dealings in a work-related way when he was
18 chastising me because I had upset the project at Katanning.
19
20 Q. Okay. He chastised you on what occasion?
21 A. On the occasion that I mentioned in my statement, the
22 occasion when I went to head office.
23
24 Q. Yes. But you mentioned there being a number of
25 meetings in head office that day, so please bear with me
26 and tell me which specific occasion. Please don't look, I
27 don't need you to look. I want you to tell me,
28 Mrs Dawkins, on what occasion did he chastise you?
29 Describe it for me?
30 A. On the day that I went to head office I had a number
31 of meetings. I can't remember in what order, how they
32 happened, but Mr Carter and Mr Kenyon chastised me because
33 I had put the Westrek project at Katanning at risk. And I
34 could - look, I've gone over this so many times, and I said
35 to Mr Carter and Mr Kenyon that I was following the
36 direction, the advice of Ms Stroud. Now, how many times do
37 I have to answer the same question?
38
39 Q. Well, I haven't asked you the question before, and the
40 question I'm asking you was what was the occasion, where
41 was it, what happened when he chastised you? Who else was
42 there?
43 A. I've already answered the question.
44
45 Q. Who else was there, Mrs Dawkins?
46 A. There were a number of people going in and out of the
47 room. There was Ian Carter, there was Peter Kenyon, there

1 was Peter Sherlock. I know that in the course of the day
2 it was those three, but there were other people moving
3 about the building and moving about the rooms. I don't
4 know all their names. I don't know who they all were.
5
6 Q. Was this one meeting or a series of --
7 A. It was - I said - I've said in my statement it was a
8 series of meetings throughout the day, or it could have
9 even been over two days. I can't remember how long they
10 were. It was - it was a bombardment, like you're doing to
11 me right now.
12
13 Q. I'm not bombarding you at all, I'm just asking you
14 questions. Now --
15 A. Is that what you call them?
16
17 MR ELLIOTT: Could you perhaps instruct the witness? The
18 comments are unnecessary.
19
20 HIS HONOUR: Mrs Dawkins, I understand you are feeling
21 under strain, but it doesn't help to make comments. Just
22 wait for his question and answer as succinctly as you can.
23 Thank you very much.
24
25 THE WITNESS: Thank you, Mr Blaxell.
26
27 MR ELLIOTT: Q. Now, if I can get back to the question I
28 was asking, which was: you didn't have many dealings with
29 Mr Carter, did you?
30 A. No, that's right, I didn't.
31
32 Q. Was he involved in training when the project first
33 began?
34 A. I don't recall him being there, no.
35
36 Q. Were you a group leader --
37 A. Yes, I was.
38
39 Q. -- was that your title?
40 A. Yes.
41
42 Q. Was there training delivered to group leaders?
43 A. Yes, there was.
44
45 Q. Okay. And you don't remember if Mr Carter was a part
46 of that?
47 A. Well, I don't recall him being a part of that. I

1 recall Tarklyn being there in, like, outdoor ed work, and I
2 remember Elizabeth Stroud and a number of other women. I
3 can't recall their names.
4
5 Q. All right. And is it fair to say he was not someone
6 to visit the project site regularly?
7 A. He - to my recollection he never visited my project.
8
9 Q. And you only remember seeing him at head office?
10 A. That's correct.
11
12 Q. Okay. And is it fair to say that your chain of
13 command was Elizabeth Stroud and then Peter Sherlock?
14 A. Yes, that was right. That's according to what you've
15 given me, yes.
16
17 Q. And according to your observations of things, that's
18 how it worked --
19 A. That's correct, yes.
20
21 Q. -- Elizabeth first, and Peter above her?
22 A. Let me just clarify that. That was up until I was
23 removed from Katanning and there was - as I explained in my
24 statement, there was something that happened that - listen,
25 I don't remember Elizabeth being around much after that,
26 and it was really then Peter Sherlock.
27
28 Q. All right. And is it fair to say that - well, I'll
29 withdraw the question. When this business about the move
30 to Bunbury occurred, who were you speaking to about that -
31 it was Elizabeth Stroud or Sherlock?
32 A. I said in my statement that I don't know whether I
33 phoned Elizabeth or Elizabeth phoned me, but she informed
34 me that I was to move to Bunbury.
35
36 Q. Okay. Did you have any dealings with Peter Sherlock
37 about your move to Bunbury?
38 A. That's a rather open-ended question. I probably did
39 have dealings with him once I got to Bunbury, or maybe just
40 as I was leaving, but I don't really recall the details of
41 those. They're sort of procedural things.
42
43 Q. So far as being told, "You have to move, you're going
44 to Bunbury, you've upset the apple cart", was that
45 Elizabeth Stroud who said those sorts of things to you?
46 A. Yes, Mr Elliott, yes, it was, in a telephone
47 conversation.

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Q. Now, is it correct to say that when you were at Katanning, you lived in the same accommodation as the participants - to use your word?

A. Yes, that's correct.

Q. And were there two group leaders?

A. Yes, there were.

Q. And the other person, was that a man?

A. Yes, yes, he was.

Q. And sometimes would you and he go to the local pub?

A. Yes, that's correct. We usually used to go to the pub because the participants - you know, they were a group of young people. They were aged, as I've said in my statement, between 16 and I think about 25, and on a Friday or Saturday night, you know, they'd want to have some sort of recreation and let their hair down and they - they were given a small - like a pocket money, a stipend - and it wasn't much - and these kids would often go - sounds funny now, but they enjoyed dancing to a jukebox, Mr Elliott, and they had fun. And we went along more in a supervisory role because I've had a conversation with Mr Todd and he pointed out to me that it would be a good idea in keeping those participants who were under age - and I had a number of, you know, I think - I don't remember exactly the number, but it might have been two or three participants who were not 18, but they wanted to go and dance in the lounge of the pub - but my co-worker and I to go along and, you know, keep an eye on what was going on. And one of the things that Westrek was about, was they - they never prohibited alcohol. There was no mention of prohibiting alcohol for participants who were of the legal age, but I - you know, it was my duty to make sure that the younger ones didn't partake.

Q. Did people ever get drunk in the pub from the project?

A. There wasn't - there wasn't that much money to get drunk in the pub.

Q. Right.

A. They may have - I don't remember anyone getting drunk in the pub.

Q. Did anyone ever moon anyone?

A. I beg your pardon?

1
2 MR URQUHART: I gather there's some relevance to this
3 questioning, your Honour
4
5 MR ELLIOTT: Yes, there is. You can trust me, Mr
6 Urquhart.
7
8 MR URQUHART: Well, I'm - proceed at the moment.
9
10 HIS HONOUR: I accept your assurance it's relevant.
11 Please continue, yes.
12
13 MR ELLIOTT: Q. Did anyone ever moon anyone? Do you
14 know what I mean by the phrase?
15 A. Yes, I do, but I don't remember.
16
17 Q. All right. You don't remember. Whilst drinking was
18 permitted, is it correct to say that sexual relations were
19 not?
20 A. Are you talking about participants?
21
22 Q. I'm talking generally, but we can confine it to
23 participants if you wish?
24 A. Well, there's a very big difference between
25 participants and group leaders.
26
27 Q. We'll come to group leaders in a minute. I'll confine
28 my question to participants for the moment. There was a
29 rule about participants, was there not?
30 A. Yes, there was. Yes, there was.
31
32 Q. They weren't allowed to have sex; is that true?
33 A. That was correct, yes.
34
35 Q. There was no rule about group leaders, was there?
36 A. Having sex?
37
38 Q. Having sex?
39 A. No, there was no rule.
40
41 Q. All right.
42 A. But there couldn't have been a rule, Mr Elliott,
43 because there were two group leaders that were a husband
44 and wife team that were in the project. How could you
45 prohibit a husband and a wife from having - having - not
46 having sex for nine months?
47

1 Q. Sorry, I thought there was only two group leaders.
2 Was there more than two?
3 A. At another project.
4
5 Q. All right.
6 A. At another project there were two more.
7
8 Q. Don't worry about another project, I'm just concerned
9 about your --
10 A. But you're asking.
11
12 Q. Mrs Dawkins --
13 A. But you're asking.
14
15 Q. I'm asking about your project. If you will just
16 confine yourself to your project, and my question was,
17 relevantly, there was no rule about group leaders not
18 having sex, was there?
19 A. That's correct.
20
21 Q. Okay. Was there any rule about having relationships,
22 and by that I mean something not simply intimate?
23
24 HIS HONOUR: Between whom though?
25
26 MR ELLIOTT: Group leaders.
27
28 HIS HONOUR: Between group leaders.
29
30 MR ELLIOTT: I'm still on the same topic, sir.
31
32 HIS HONOUR: All right.
33
34 THE WITNESS: What do you mean by --
35
36 MR ELLIOTT: Q. A relationship --
37 A. -- relationship?
38
39 Q. -- Mrs Dawkins. You can put your own --
40 A. So.
41
42 Q. -- your own meaning on that, it's an ordinary word.
43 A. Well, if you mean that group leaders could have a
44 relationship with each other, is that what you mean?
45
46 Q. Indeed.
47 A. Yes, that was fine.

1
2 Q. Okay. Now, did you ever get drunk at the pub?
3 A. Not that I recall, Mr Elliott.
4
5 Q. Were you ever involved in raucous behaviour --
6
7 MR URQUHART: At the pub?
8
9 THE WITNESS: I don't remember being raucous.
10
11 MR ELLIOTT: Q. And were you ever involved in a
12 relationship --
13
14 MR URQUHART: I'm going to object to this, sir, because of
15 the previous answers that have been given by the witness.
16 I cannot therefore see how this is possibly relevant.
17
18 HIS HONOUR: But you're going to put to the witness that
19 there was a rule against a sexual relationship between
20 group leaders.
21
22 MR ELLIOTT: Sorry?
23
24 HIS HONOUR: Just take out the relevance.
25
26 MR ELLIOTT: I'm not saying she breached the rule, I just
27 would like to know that there was a relationship, and the
28 reason for it would become apparent in due course with
29 further questions.
30
31 HIS HONOUR: Well, I'll allow you to proceed at the
32 moment. I don't see the relevance, but continue, yes.
33
34 MR URQUHART: Well, as long as my learned friend has given
35 that assurance --
36
37 HIS HONOUR: Yes. Well, I don't want to interrupt, so
38 please continue.
39
40 MR URQUHART: Because at the moment, sir, I can't see the
41 relevance of it. If, in fact, my learned friend is not
42 challenging the fact that this wasn't against any rules
43 laid by the Westrek program. It would be different if it
44 was otherwise, but my learned friend has said that's not
45 his contention.
46
47 HIS HONOUR: Well, I presume that the rules apply to all

1 of the programs at each location. If there's a husband and
2 wife group leader - well, that speaks for itself. But
3 you're not putting to the witness that there was some rule
4 governing sexual relationships between group leaders.

5
6 MR ELLIOTT: I'm not suggesting she breached any rule,
7 sir.

8
9 HIS HONOUR: All right. At the moment I don't see the
10 relevance of where you're going, but I'll allow you to
11 continue.

12
13 MR ELLIOTT: Well, it will become apparent.

14
15 HIS HONOUR: Well, continue.

16
17 MR ELLIOTT: Q. Now, you've had time to think about my
18 question, Mrs Dawkins. Do you need me to repeat it or can
19 you tell me the answer?

20
21 MR URQUHART: You'll need to complete it because I
22 interrupted it before you completed it.

23
24 THE WITNESS: What was the question?

25
26 MR ELLIOTT: Q. Did you have a relationship with the
27 other group leader?

28 A. Yes, I did. I did have a relationship. We were
29 single, we were --

30
31 Q. You don't need to go into any more detail than that,
32 Mrs Dawkins. Can I ask you was that a matter that was
33 raised by your superiors?

34 A. No departmental officer raised this as a problem with
35 me, Mr Elliott.

36
37 Q. All right. Is it the case or otherwise that you were
38 informed that the reason for your transfer was because of
39 behaviour within the local community, including getting
40 drunk at the pub and having a relationship with your
41 co-worker and - I won't give any more details - but
42 inappropriate behaviour, Mrs Dawkins?

43 A. Well, I - I can assure you, Mr Elliott, that no
44 departmental officer ever raised either of those
45 allegations with me, either verbally or in writing. And
46 it's news to me now that you refer that I had inappropriate
47 behaviour.

1
2 Q. Now, when you left the gossip was running hot in
3 Katanning about your departure?
4
5 HIS HONOUR: Well, just a moment, how can she comment on
6 that or answer a question about that if she wasn't there.
7
8 MR ELLIOTT: Well, she can, if your Honour pleases.
9
10 HIS HONOUR: Very well. But perhaps frame your question
11 another way.
12
13 MR ELLIOTT: Q. You became aware of the local gossip,
14 didn't you, Mrs Dawkins?
15 A. Yes, I was aware of the local gossip after I left.
16
17 Q. About the reason for your departure?
18 A. The gossip wasn't anything to do with the reason that
19 I was given by the department. The local gossip was that
20 I - I - I was not suitable for - not fit or something along
21 those lines, and it was Dennis McKenna and Ainslie Evans
22 making these allegations. It bore no relation to the
23 community, you know, the fact of why I left. But it
24 wasn't - there was never - even in the gossip it didn't say
25 that I was - what, getting drunk in the pub and what did
26 you say I'd done?
27
28 Q. Involvement in --
29 A. You know, I find this --
30
31 Q. Involved in a relationship.
32 A. -- just - I don't know where you're going with it.
33 This is --
34
35 Q. Well, don't worry about where I'm going, Mrs Dawkins,
36 that's for me to worry about.
37 A. But the --
38
39 Q. You just answer my questions, if you don't mind.
40 A. Well, well, I --
41
42 Q. This gossip was speculating throughout the town,
43 wasn't it --
44 A. I didn't --
45
46 Q. -- about you being an inappropriate person for the
47 position?

1 A. No, Dennis McKenna referred to me as being
2 inappropriate.
3
4 Q. So was it circulating the town or not?
5
6 MR URQUHART: Again, sir, it's a bit difficult for this
7 witness to say that when she's in Bunbury.
8
9 HIS HONOUR: Well, perhaps you could ask how she became
10 aware of the gossip.
11
12 MR ELLIOTT: Yes.
13
14 Q. How did you become --
15
16 MR ELLIOTT: Well, I'd like to stay with question, if I
17 can, sir.
18
19 HIS HONOUR: Well, she wasn't there, and you were asking
20 what was circulating in the town when she wasn't there.
21
22 MR ELLIOTT: Yes.
23
24 Q. Did you know what gossip was circulating the town?
25 A. I had heard a very - a few words that another group
26 leader had told me who replaced me.
27
28 Q. You wrote about this to the 'Great Herald Sun', didn't
29 you - the 'Great Southern Herald', I should say, when you
30 wrote to them?
31 A. That's correct, yes.
32
33 Q. You said that after leaving Katanning you heard
34 malicious gossip defaming your character, circulating the
35 town; yes?
36 A. Yes.
37
38 Q. You're nodding. And this was about you being
39 unsuitable, wasn't it? This was what people were
40 apparently saying.
41 A. Well, it was Dennis McKenna, it wasn't "people". The
42 only group leader --
43
44 Q. How do you know it was Dennis McKenna?
45 A. I beg your pardon?
46
47 Q. How do you know it was - it originated from him?

1
2 MR URQUHART: She's about to tell you.
3
4 THE WITNESS: Because - because you asked me who did I
5 hear the gossip from, and - or how did I know it was
6 gossip, and I said to you I heard it from the - the next
7 group leader that took over from me. He relayed in a few
8 words that Dennis McKenna and Ainslie Evans had been
9 spreading, you know, untruths about me, and he was having
10 to deal with them and, you know, it wasn't very nice.
11
12 MR ELLIOTT: Q. Okay. All right. Now, it's fair to say
13 that as to the person on the ground in Katanning, Ainslie
14 Evans would have been an important liaison for you?
15 A. She was my community liaison officer.
16
17 Q. And she was associated with the council?
18 A. She was a shire councillor.
19
20 Q. And it was important from the point of view of if you
21 needed vehicles or you wanted to know what projects they
22 wanted done on, you would have a liaison within the
23 community. Is that the way it worked?
24 A. What do you mean by "vehicles"?
25
26 Q. A vehicle - you know, a bus, a car, a truck, whatever?
27 A. The bus was - the bus was allocated to me by - by head
28 office, and I didn't have a licence for the bus.
29
30 Q. Okay, I understand that.
31 A. Because they hadn't organised a licence. They - they
32 told me that I didn't need a licence for it --
33
34 Q. Just --
35 A. -- and then I arrived in Katanning and I did need a
36 licence.
37
38 Q. I'm sorry to interrupt. But just listen to the thrust
39 of my question, which was this person was an important
40 person for you to have because you had to deal with the
41 local community, and then I elaborated by giving examples
42 to explain it to you. Let's just get back to my question,
43 if you wouldn't mind, rather than talking about whether you
44 had a licence or not. She was an important person because
45 you had to deal with the local community, and she was the
46 conduit for that. Is that right?
47 A. I have a - I have agreed with you and said she was my

1 official community liaison officer.
2
3 Q. All right. But that's just a title. I'm exploring
4 the purpose. Have I got the purpose right, Mrs Dawkins?
5 A. Yes, I think so.
6
7 Q. Thank you. Now, it was not your responsibility, was
8 it not, to be involved in questions about staffing levels?
9 A. Did you say it was not or it was?
10
11 Q. It was not. It was not.
12 A. It was - yes, that's correct. It was not anything to
13 do with me.
14
15 Q. Where they live?
16 A. What do you mean where they live?
17
18 Q. Where the staff live, it wasn't --
19 A. Where we live?
20
21 Q. -- your responsibility to deal with questions such as
22 where you live?
23 A. No.
24
25 Q. Okay. What projects you do?
26 A. What do you mean, I --
27
28 Q. The specifics of what projects the group does. Just
29 listen to my questions please, Ms Dawkins.
30 A. Well, they're not questions. You just say a few
31 words. I don't know if that's a question or not.
32
33 MR ELLIOTT: All right. I'll put the question again.
34
35 HIS HONOUR: So when you mean "projects", you mean the
36 work that was to be done by the participants.
37
38 MR ELLIOTT: Indeed.
39
40 Q. These were all questions dealt with substantially
41 above your level, weren't they?
42 A. Yes, they were.
43
44 Q. These were the focus of people like Mr Kenyon and
45 Mr Carter?
46 A. I don't think that's quite right. I think that was
47 actually the focus of Elizabeth Stroud.

1
2 Q. Okay. Thank you. Now, you say the one reason you
3 were given for your departure was to do with you upsetting
4 the apple cart relating to Mr McKenna and Ainslie Evans.
5 Am I right in my understanding that you say that was
6 conveyed to you by Elizabeth Stroud, first of all?
7 A. Mr Elliott - Mr Elliott, I've never used the term
8 "upsetting the apple cart".
9
10 Q. Yes, I realise that.
11 A. I just want to - I just want to say to you I followed
12 advice from my supervisor, my superior, to go to Mrs Evans.
13 I didn't go there unsolicited. I didn't go there off my
14 own bat. I went there because my superior, my supervisor,
15 advised me that this was the best possible way to deal with
16 what had come to me.
17
18 HIS HONOUR: Can I just interrupt at this stage. I've got
19 a note that this video link will come to an end at 4.30pm,
20 so you will need to bear that in mind. Can I just check,
21 Mr Jenkin, will you be having any questions?
22
23 MR JENKIN: No, I don't think so, sir.
24
25 HIS HONOUR: And Mr Saayman.
26
27 MR SAAYMAN: No, sir.
28
29 HIS HONOUR: All right. So that only leaves us some brief
30 re-examination no doubt.
31
32 MR URQUHART: Yes.
33
34 MR ELLIOTT: I'm not sure Mr Urquhart is capable of brief,
35 sir.
36
37 Q. Ms Dawkins, my question was directed to you had some
38 trouble and you had some trouble that you've told us about.
39 My question was - was the only person who talked to you
40 about that trouble, and why you were moving, Elizabeth
41 Stroud?
42 A. Are you asking me before I left Katanning?
43
44 Q. Yes, before you left Katanning?
45 A. Mr Elliott, to the very best of my ability to
46 remember, I can only remember a conversation with Elizabeth
47 Stroud prior to leaving for Bunbury. That may - after that

1 I know that I spoke to Peter Sherlock and Elizabeth Stroud
2 in the early settling period in Bunbury.
3
4 Q. And is this within days of your confrontation with
5 Ainslie Evans and McKenna?
6 A. What is this - I'm sorry?
7
8 Q. This communication from her, that you have to move, is
9 this within days?
10 A. From Elizabeth?
11
12 Q. Yes.
13 A. It was either that day or the very next day. It was a
14 very short period of time.
15
16 Q. There was no letter, just the call?
17 A. No letter. That's right.
18
19 Q. And was it distressing?
20 A. It was very distressing. I worked very, very hard to
21 make Katanning for Westrek work.
22
23 Q. All right. If you just answer my questions, it will
24 go quicker.
25
26 MR URQUHART: With respect to my learned friend, the
27 witness was doing precisely that.
28
29 HIS HONOUR: All right. Well, let's continue.
30
31 MR ELLIOTT: Either a yes or no would have sufficed to,
32 "Was it distressing?"
33
34 THE WITNESS: Mr Elliott, if you wanted me to answer yes
35 or no, just tell me that. I've never done this before.
36
37 MR ELLIOTT: Q. Were you upset that you had to move from
38 this project?
39 A. Yes.
40
41 Q. Yes. So did you take it further with any of her
42 superiors?
43 A. Who's her?
44
45 Q. Mrs Stroud?
46 A. Not that I can recall. I may have, but I don't
47 recall.

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Q. Well, who might you have taken it up with?

A. If I had of, I may have taken it up with Peter Sherlock, but I don't recall doing so. It doesn't say that I didn't.

Q. Did you canvas with him at any later stage your discontent at having been moved?

A. Mr Elliott, I wasn't discontent. I accepted that because of the situation, because I had followed the advice of my supervisor and the subsequent turn of events, that the relationship I had personally with Elizabeth - with Mrs Elliott - what's her name, Mrs Evans, and Dennis McKenna, that it was unreasonable to assume that I could be a part of that project. I actually, when I got to Bunbury, really enjoyed the Bunbury project.

Q. Weren't you literally run out of Katanning?

A. Well, they're the words I used, yes.

Q. Yes. And are you telling us that having been run out of Katanning, a project that you really loved and wanted to see succeed, and being distressed at being told that you had to go, that you didn't raise it with the supervisor of the person who told you you had to leave, particularly when they told you that the reason you had to leave was that someone who was doing the wrong thing had complained about you? Is that what you're telling us?

A. Mr Elliott, I thought I had told you that I may have spoken to Peter Sherlock prior to leaving Katanning. I --

Q. Sorry, continue.

A. I feel you're trying to confuse me. I can't make it much plainer than what I've told you. I - while I understand that it was untenable for me to be at the Westrek project at Katanning, I did, however, raise concerns about doing something about the allegations of sexual abuse by Dennis McKenna. I raised that with Elizabeth - well, Elizabeth knew already, and when - by the time I got to Bunbury, or maybe it was even before I got to Bunbury, I'd raised that with Peter Sherlock, and from that moment on I didn't let up about what they were going to do about it. And I was a broken record. I drove them nuts, apparently. That's what I was told by one of them. I don't recall which one. But, yes, I realised that my time at Katanning was untenable. I moved to Bunbury, and I always believed - and I still believe to this day that one

1 of these - my superiors took this matter further. And, so,
2 for me to move to Bunbury and keep advocating and
3 requesting what they were going to do about - I understand
4 there wasn't much to go on, but what they all said to me
5 was that this matter would be handed on to the relevant
6 authorities, and that's the crux of it. Look, you know,
7 the major difference between me and these bureaucrats were
8 that they were interested in saving that project, the
9 Katanning project. They did not put as a priority the care
10 or the - any feelings about this abused boy that had come
11 to me.
12

13 Q. Now, is that your opinion, or is that something that
14 they said?

15 A. Well, it was an opinion that I formed over a period of
16 meetings and times between the time that I left Katanning
17 and those meetings I had in head office in Perth.
18

19 Q. So I take it that it wasn't something that was said,
20 it was your opinion?

21 A. Yes, yes.
22

23 Q. Thank you. Now, if I can go back to your narrative
24 about the young man who you met, who told you of his
25 experiences first hand. He went into some graphic detail
26 with you; correct?

27 A. Yes.
28

29 Q. Did you, when speaking with Elizabeth Stroud, share
30 that with her?

31 A. I don't know the words I used. I can't remember them,
32 but I made it known what it was about.
33

34 Q. Okay. You went into some detail in talking to her
35 about what could have happened?

36 A. I don't - I don't recall the detail, Mr Elliott, but I
37 let it be known what affect - you know, what sexual abuse
38 had happened.
39

40 Q. I'm not trying to pin you down to the words,
41 Mrs Dawkins, and I'm not going to be asking you were they
42 the same, but you conveyed with some details, according to
43 your recollection, the sort of misbehaviour that you'd been
44 told about to Elizabeth Stroud.
45

46 HIS HONOUR: Well, she said that she let Elizabeth Stroud
47 know what sexual abuse had happened?

1
2 MR ELLIOTT: Yes.
3
4 Q. Had you written this down anywhere, the account from
5 the young man?
6 A. After I went to head office, Elizabeth Stroud
7 suggested that I put something in writing of my account of
8 what the young man had told me, and in my statement I have
9 already said that I did as she suggested, and I gave her a
10 copy and I gave Peter Sherlock a copy, and I kept a copy --
11
12 Q. Yes.
13 A. -- and you asked me before - just a minute, Mr
14 Elliott, you've just reminded me of something. You asked
15 me before the link collapsed - I can't remember what you
16 were - the nature of it, but you've - I know, when you
17 asked me how I was preparing --
18
19 Q. Indeed.
20 A. -- the article, I used those notes, the written
21 statement that I had given Elizabeth, under her direction,
22 and Peter - I'd given - I used that copy and other notes
23 about that time to write the 1991 piece to - for the 'Great
24 Southern Herald'.
25
26 Q. All right. Now, I'm just trying to tie you down on
27 time here, Mrs Dawkins. When you were first told about
28 this by the boy, around about the time when you first went
29 to Bill Todd, did you make any notes then, or did you make
30 them when the issue arose when you were called in to head
31 office?
32 A. Mr Elliott, I kept a journal - you know, like a daily
33 journal of the project. It was a personal journal. It
34 wasn't a - it wasn't a work document, it was - you
35 understand that? So, yes, I did write in my journal about
36 that, and then I - I did make - I - from my journal, from
37 the account I did put down that, you know, what Bill had
38 said and what I should do.
39
40 Q. Okay.
41 A. They were just sketchy notes, but they were notes.
42
43 Q. All right. Now, dealing with the account that you say
44 you prepared later, that was something you gave to
45 Elizabeth Stroud and Peter Sherlock only, is that right -
46 kept one for yourself?
47 A. That's correct, and one for me, yes.

1
2 Q. All right. Now, when you spoke to Bill Todd, at that
3 time you remained unconvinced about the reliability of the
4 allegations that had been made, didn't you?
5 A. No, no. I --
6
7 Q. Well, stop for a second.
8 A. I wasn't - I --
9
10 Q. No, stop please. Can you have a look at page 3 of
11 your statement, paragraph 3, the second sentence. Didn't
12 you say, talking about the allegations that had been made
13 to you:
14
15 I wasn't sure if these serious allegations
16 were true.
17
18 A. Okay, you're right.
19
20 Q. Right.
21
22 HIS HONOUR: Put it in full context, please.
23
24 MR ELLIOTT: Yes.
25
26 THE WITNESS: I had a gut feeling that they were - I felt
27 they were, because I couldn't understand why a boy would
28 come and tell me such shocking things, disgusting things,
29 if they weren't true. But I didn't know how to handle it,
30 you see, Mr Elliott.
31
32 MR ELLIOTT: Q. Yes, please. Please --
33 A. I realised it was a criminal offence, I realised it
34 was serious, and I just wanted some guidance.
35
36 Q. Please just answer my questions, and my question was,
37 earlier --
38 A. I'm trying very hard to.
39
40 Q. Just try to answer my question, rather than telling me
41 a wealth of background information that we've already
42 heard.
43
44 MR URQUHART: Perhaps if Mr Elliott just asks the
45 questions, sir, we'll get through this a lot more quickly.
46
47 HIS HONOUR: Yes.

1
2 MR ELLIOTT: Q. Now, my question to you was when he told
3 you the allegations, you weren't, yourself, certain about
4 their truth; is that correct?
5 A. Yes, I wasn't quite - I didn't know - yes, all right.
6 Just say yes.
7
8 Q. Now, the reason that I'm asking you --
9 A. I felt that I wasn't sure.
10
11 Q. -- is that I want to know if you expressed your - I'll
12 call them doubts, or your concerns to any of the people
13 that you spoke to?
14 A. No.
15
16 Q. No?
17 A. I didn't have doubt. I had a gut feeling they were
18 true, but I didn't know - I'd never been in a situation
19 like this before, Mr Elliott, and I hope I never will be
20 again. I didn't know.
21
22 Q. So do I, Ms Dawkins. Did you express it in the way
23 you've expressed it to us when you spoke to others, "I
24 don't know, but I have a gut feeling", when you talked to
25 Mr Todd, when you talked to Elizabeth Stroud, when you
26 talked to other people? Did you talk like you said here?
27 A. No, no, I didn't.
28
29 Q. Okay.
30 A. Because I --
31
32 Q. I don't need you do explain why --
33 A. -- when I was --
34
35 Q. -- the question is just --
36 A. No, but --
37
38 Q. -- the question is just whether you did or you didn't
39 express any doubts, and if you didn't, then that's as far
40 as I need take it. At the time when you were approaching
41 Mr Todd, that was because you thought that the allegation
42 should be investigated, didn't you?
43 A. I thought the allegations should be investigated, but
44 I didn't know how to go about it.
45
46 Q. Yes. And you went to Mr Todd and is it fair to say he
47 effectively brushed you off?

1 A. I used that term, or somebody used that term and it
2 was - I suppose I was hoping that Mr Todd would be able to
3 do more, and he explained to me that he needed a very clear
4 statement. I just wanted him to - to help, and to do it -
5 to do whatever it was that needed to be done, and he said
6 he needed a detailed statement from the board. So I felt I
7 was being brushed off.
8
9 Q. Yes. It's fair to say the boy didn't want to go to
10 the police?
11 A. That's correct.
12
13 Q. And having raised it with Mr Todd, you didn't raise it
14 with any other police officers, did you?
15 A. No.
16
17 Q. No. But what you did was you consulted Elizabeth
18 Stroud, who said you should go to Evans?
19 A. That's correct.
20
21 Q. Okay. Now, can you just explain to me, please, what
22 did you think Mrs Evans - if the police were unable to do
23 anything, what did you think Mrs Evans was able to do?
24 A. Well, she was my community liaison officer --
25
26 Q. Yes.
27 A. -- she was there for me to take those sorts of
28 concerns to her.
29
30 Q. Yes.
31 A. She was also - she was also, I was led to believe, on
32 the hostel board.
33
34 Q. Yes. I see. Are you saying that what you thought she
35 might do would be to take it up with his superiors in order
36 that action could be taken from another angle?
37 A. Yes, that's correct.
38
39 Q. I understand. And so far as you were aware, did that
40 ever happen?
41 A. As far as I'm aware, no.
42
43 Q. All right. Is it correct to say that that was the
44 only likely avenue you thought that she might take it, or
45 did you have an expectation that she might take it to the
46 police, or she might take it to some other authority, apart
47 from the hostel's authority?

1 A. I was hoping - I was hoping that she would - she would
2 take it far and wide.
3
4 Q. All right. But instead is it fair to say that she
5 made it very plain that she wasn't going to do anything?
6 A. Yes.
7
8 Q. And you'd been told by Elizabeth Stroud that that was
9 the lady that you should put your trust in, is that right -
10 you're nodding yes.
11 A. She didn't use those words. She didn't use those
12 words.
13
14 Q. But that was the effect of what she was telling you,
15 "Go to this lady, she could help"?
16 A. That's right, she could help.
17
18 Q. And you went to this lady and she didn't help. Did
19 you go back to Elizabeth Stroud?
20 A. I didn't have to.
21
22 Q. Is that because she came to you first?
23 A. Well, Ainslie Evans and Dennis McKenna had contacted
24 head office and called for me to be sacked or removed or
25 whatever.
26
27 Q. And that's a narrative you get from Elizabeth Stroud?
28 A. That's correct.
29
30 Q. Now, what you said in your statement was that when you
31 confronted McKenna, he told you that he had friends in high
32 places, yes.
33 A. Yes.
34
35 Q. Yes.
36 A. Yes.
37
38 Q. And the next thing that happened was apparently those
39 friends in high places had done something to have you
40 removed from the town.
41
42 MR URQUHART: I don't know whether this witness could
43 answer that, sir.
44
45 MR ELLIOTT: Q. Apparently?
46 A. I don't know, I have no idea.
47

1 Q. Well, he threatened you with that. The next thing
2 that happened is you get told, "Well people above Elizabeth
3 Stroud want you moved", or something to that effect?
4
5 MR URQUHART: No, she wasn't. That wasn't her evidence
6 either, sir.
7
8 MR ELLIOTT: Q. Moved within 48 hours?
9 A. She - Mrs Evans and Dennis McKenna contacted the
10 Department. I don't know who else did.
11
12 Q. Okay. But you see, my question for you is at this
13 stage you had friends in - not just high place - very, very
14 high places?
15 A. I didn't consider that to be an issue.
16
17 Q. Did you mention this issue about being run out of
18 Katanning to them?
19 A. Who's "them"?
20
21 Q. Your friends in high places.
22
23 MR URQUHART: Well, name them, Mr Elliott.
24
25 MR ELLIOTT: Q. Mr Beazley, Mr Dawkins.
26 A. Well, definitely no to Mr Beazley, and definitely no
27 to Mr Dawkins, because by the time this event occurred, Mr
28 Dawkins and I had severed our relationship, our friendship.
29 It was - it - we - I didn't speak to him much. I barely
30 spoke to him again until long after the project had
31 finished. So the answer is definitely no to both people.
32
33 Q. Okay. Why not talk to Mr Beazley, who was your boss,
34 who was to do - to do with your ongoing employment, who was
35 a powerful man by any measure of the situation, where
36 you've done the right thing, you've gone to the police,
37 you've gone to your boss, you've gone to the shire lady to
38 complain about this man's wrongdoing, and you've been run
39 out of town. Why didn't you mention it to him?
40 A. I didn't have that sort of relationship with him,
41 Mr Elliott. And also this was a state matter, it wasn't a
42 federal matter. We - he was in parliament, in Canberra. I
43 didn't even - he was - he was not my boss at the time. I
44 was employed by the Department of Employment and Training.
45 That was my workplace, and that was my - they were my
46 bosses. He wasn't. I didn't even consider him to be my
47 boss.

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Q. But you were his electorate research officer. You were here on a short-term secondment. You were going back to him and you said it was your intention. He - he was a man surely that if all of what you say is accurate, you could have very easily spoken to him, "Look, Mr Beazley, I don't know who to talk to, but this is what's happened". Is it correct to say --

A. Well, first --

Q. -- that you could have talked to Mr Beazley?

A. I don't think that's correct, because we didn't have access to mobile phones in those days. I would have had to have gone and placed a - a long distance call down at the post office or some such place. It's very difficult to find a politician in Parliament House and then hook up a mutually convenient time. I couldn't be apart from my project. This is all fantasy. This is just fantasy. I didn't even consider it. That's my answer. I did not consider it.

Q. And just a moment ago when you said that this was a state issue not a federal issue, is that something that you considered at the time, or something that you just grasped on to now when you were trying to avoid an answer to my question?

MR URQUHART: With all due respect, sir, the witness was not trying to avoid an answer to Mr Elliott's question at all.

MR ELLIOTT: I will put it another way.

MR URQUHART: It's unnecessary to make a comment like that.

MR ELLIOTT: I will put it another way.

Q. When you mentioned it's a state issue, not federal, just a few moments ago, what was that all about?

A. There was nothing about it. I just stated it. It had nothing to do with the federal government issue. It was an issue, it was a criminal offence in the State of Western Australia. That's all I knew.

Q. But I asked you --

A. I couldn't see why a Minister in a Federal Government

1 had anything to do with it, but I didn't think of that at
2 the time. I thought of that just then five seconds ago to
3 try to clarify to you that I don't understand where this is
4 leading me.

5

6 Q. Is it possible, Mrs Dawkins, that there are other
7 things amongst what you've said that are things that have
8 popped into your head some time long after the events that
9 we are really concerned with, and you've grasped them the
10 way you grasped the Federal/State dichotomy just minutes
11 ago?

12

13 MR URQUHART: Well, I don't know what the value of that
14 question is, sir, unless my friend puts specific matters to
15 the witness.

16

17 HIS HONOUR: I think it is difficult for her to answer
18 that question. You'll probably have to repeat it. Perhaps
19 you could cut it down to chunks.

20

21 MR ELLIOTT: It may well be that the comment having been
22 made, I don't need to take it any further. We have
23 mutterings at the bar table. I don't know if --

24

25 MR URQUHART: I would have thought that my learned friend,
26 in his many years of experience, would know he's not
27 supposed to make a comment to a witness but actually ask
28 questions. He has just conceded to your Honour that that
29 was a comment that he made.

30

31 MR ELLIOTT: No, I have not.

32

33 MR URQUHART: That's what you said.

34

35 HIS HONOUR: In any event, let's not pursue this. Let's
36 just get on with the questions.

37

38 MR ELLIOTT: Q. When you were at Bunbury, is it correct
39 to say that you had some sort of meeting or conversation
40 with Elizabeth Stroud and Peter Sherlock about the events
41 at Katanning?

42

43 HIS HONOUR: Are you saying at Bunbury, in person, or what
44 are you putting?

45

46 MR ELLIOTT: I'm not exactly sure.

47

1 Q. When you're at Bunbury, and you've either had a
2 meeting or a conversation with both Elizabeth Stroud and
3 Peter Sherlock about the Katanning events; is that correct?
4 A. I don't understand your question, Mr Elliott. Are you
5 asking me did I have a meeting or can I recall a meeting at
6 the Bunbury project --

7

8 Q. No.

9 A. -- or during my time at the Bunbury project?

10

11 HIS HONOUR: Let's just pause here. She has given
12 evidence that after going to Bunbury she had a number of
13 meetings with him at the Perth office. Are you referring
14 to one of those or --

15

16 MR ELLIOTT: No, I'm not referring to one of those.

17

18 HIS HONOUR: Are you referring to a meeting at Bunbury?

19

20 MR ELLIOTT: I'm referring to a meeting when the witness
21 was at Bunbury, and she said that she was required to meet
22 with Elizabeth Stroud and Peter Sherlock.

23

24 Q. And they discussed you being a politically savvy
25 person, or that that was something you picked up on, and
26 the Katanning events were seemingly examined or discussed.
27 Do you remember the meeting or the conversation that I'm
28 describing?

29 A. Yes, I remember the conversation you are describing.

30

31 Q. And you've said, to be fair, that you can't remember
32 the location of these meetings in your statement at page 5;
33 correct?

34 A. That's correct, yes.

35

36 Q. There was more than one?

37 A. Yes, there was more than one meeting. Yes.

38

39 Q. Am I right in thinking that they were meetings rather
40 than telephone conversations - or could they have been a
41 combination?

42 A. There was - yes, there was a combination of both.

43

44 Q. Nothing particularly turns on whether they were
45 meetings or phone conversations. My point is there was a
46 number of them, were there not, and you expressed concern,
47 or a lack of understanding for their lack of support; is

1 that right?
2 A. Yes, yes.
3
4 Q. You pressed them about how to get your concerns
5 addressed; is that right?
6 A. Yes.
7
8 Q. Am I right in thinking that your concerns are concerns
9 about, first of all, the misconduct of McKenna that you had
10 been told about?
11 A. Yes.
12
13 Q. Did it go further and cover the reaction of Mrs Evans
14 when you confronted her?
15 A. I don't recall that. What do you mean by that?
16
17 Q. What I'm asking is, you've already indicated that when
18 you went to see Mrs Evans about it, she dismissed you.
19 A. That's right.
20
21 HIS HONOUR: Just to clarify the question, are you putting
22 it to the witness, or asking her, what concerns were
23 discussed --
24
25 MR ELLIOTT: Exactly.
26
27 HIS HONOUR: -- with Ms Stroud and Peter Sherlock?
28
29 MR ELLIOTT: That's exactly --
30
31 HIS HONOUR: Q. You are being asked what concerns you
32 discussed with them.
33
34 MR ELLIOTT: Yes.
35
36 Q. The first concern you said certainly discussed was
37 McKenna's behaviour. I'm going further to ask did you tell
38 Elizabeth Stroud and Peter Sherlock at these meetings post
39 move to Bunbury about the dismissive behaviour by Ainslie
40 Evans - do you recall, "Yes" or "No"?
41 A. I don't recall, but I think what you are asking me is
42 was this sort of - was there a debriefing of this, is that
43 what you are asking me? Did they debrief me about how
44 I had reacted to Ainslie Evans dismissing me and asking me,
45 you know - and asking them to remove me from Katanning. Is
46 that what you're asking, was that discussed?
47

1 Q. That's not quite the way I would have put it, but if
2 you can answer that question, I'm sure we will cover most
3 of the ground, yes. That's what I'm asking.
4 A. It was discussed, yes.
5
6 Q. Did you press with them your view that this matter
7 needed to be investigated?
8 A. Yes.
9
10 Q. McKenna needed to be investigated.
11 A. I felt that we should follow it up. I felt that that
12 should happen.
13
14 Q. Did you explain to them the difficulties about him not
15 having made a police statement and alert them to
16 complications such as that?
17 A. I felt they were aware of that, yes.
18
19 Q. And this was something that was discussed more than
20 once?
21 A. I would imagine so, but I can't recall how many times.
22
23 Q. Elizabeth Stroud seemingly took it seriously, because
24 she told you to put things in writing and make a record?
25 A. Yes.
26
27 Q. But that was a record that you never gave to Ian
28 Carter?
29 A. I didn't, no.
30
31 Q. Nor to Peter Kenyon?
32 A. No.
33
34 Q. Is it correct to say that when it came to departmental
35 officers, the people that you really entrusted your story
36 to were Elizabeth Stroud and Peter Sherlock?
37 A. That's correct, yes.
38
39 Q. They were the ones who got the details about the oral
40 sex and the rape and all of that other stuff. You're
41 nodding "yes". That's never something you confronted Ian
42 Carter with, was it?
43 A. No, I didn't confront him with that. What
44 I confronted him with was the fact that I had followed my
45 supervisor's advice, and that is what I confronted him
46 with, but I did, however, say that I wanted the
47 allegations - I wanted it investigated, but I didn't go

1 into details, because I - well, I felt that it had already
2 been made known and obvious to both your client and
3 Mr Kenyon.
4

5 Q. Am I right in thinking you assumed that that had been
6 done by your supervisors?

7 A. Yes, that's right.
8

9 Q. You've mentioned head office in your statement a
10 number of times. Can you just tell me was the project
11 initially - the Westrek project initially managed out of
12 the office in May Holman Centre, to your recollection?

13 A. I don't think so. I can't remember the address.
14

15 Q. Was there later an office at the Hillston Centre in
16 Stoneville; do you recall that?

17 A. Is that - Stoneville, is that also Parkerville?
18

19 Q. I imagine that's probably right. My impression is
20 that it's out that way - certainly not in the city.

21 A. Yes, we were in the city. I don't know the name of
22 the building. I can't recall the name of the building, but
23 the meetings were in the city; they weren't out at -
24 I think it was called Parkerville - it was out in the
25 country, but that was - that was really where we did other
26 things. It wasn't where the offices were.
27

28 HIS HONOUR: Before you continue, it's now nearly 4.15.
29 Do you mind me restricting you to another 10 minutes? .
30

31 MR ELLIOTT: I'm getting near the end. I'm trying to go
32 as quickly as I can, your Honour.
33

34 HIS HONOUR: Very well.
35

36 MR ELLIOTT: Q. The day or two of meetings that you've
37 spoken of, do you recall them being in the city?

38 A. Yes, I think they were in the city. It was a building
39 that had a lot of light on the left-hand side. I just
40 can't - I just can't tell you the address.
41

42 Q. I'm not sure that will help us, so let's move on. Do
43 you recall who presented the resignation letter to you?

44 A. I think it was Mr Sherlock.
45

46 Q. Was anyone else in the room at the time?

47 A. I tried to answer this question before, Mr Elliott,

1 and I can't recall. I felt there were other people in the
2 room. I know that day that I was also spoken to by your
3 client and by Mr Kenyon, but I can't tell you precisely who
4 else was in the room at that stage, but it wasn't just
5 Mr Sherlock. There were - you know, people were coming in
6 and out.

7

8 Q. Do you have a clear recollection that at some stage
9 during the day, Mr Carter and Mr Kenyon each complimented
10 you on the running of the Bunbury project?

11 A. That was - yes, there was a discussion either at
12 the end of that day or it may have been the next day, I'm
13 not really clear on that at the moment, but it was a sort
14 of a wrap-up meeting where, you know, they realised that
15 I wasn't going - well, that they had been told or
16 something - they realised I wasn't going to voluntarily
17 resign and, you know, they said that I was going - I was
18 going off back to Bunbury and they said that I was doing
19 a good job and it was going well, and --

20

21 Q. So you remember that?

22 A. Yep.

23

24 Q. And you remember seeing Carter and Kenyon around
25 the place from time to time?

26 A. In the building that day, is that what you're asking?

27

28 Q. Yes.

29 A. Yes. Yes.

30

31 Q. And maybe having more than one dealing with them.

32 A. Possibly.

33

34 Q. Is it a sensible possibility that Mr Carter wasn't
35 there when Mr Sherlock, you think, presented the
36 resignation letter to you?

37 A. That could be - yes, it could be sensibly - it could
38 be so.

39

40 Q. Is it fair to say that by the time of this meeting,
41 you had been gone from Katanning for a number of weeks,
42 perhaps?

43 A. Yes, I'd say a number of weeks.

44

45 Q. When you were in Bunbury, you weren't, if I can use
46 the phrase, rocking the boat the way you had been when you
47 were in Katanning?

1 A. Well, nobody had come forward with some child sex
2 allegations to me, sir, so nobody - so I wasn't rocking
3 the boat.

4
5 Q. What I'm saying is that the position when you were in
6 Bunbury was very different, and when you were in Katanning,
7 you were making trouble - I don't use that phrase in a
8 disparaging way - you were making trouble for McKenna, and
9 when you --

10 A. No, I wasn't making trouble.

11
12 Q. Let me finish. I'm not saying you were doing anything
13 wrong. What I'm saying is when you were there you were
14 making noise in Katanning, and when you were in Bunbury --

15 A. I didn't make noise. I did not make noise. I had
16 a meeting with my community liaison officer.

17
18 Q. Mrs Dawkins, it's a shorthand term so that I don't
19 have to describe all of the things that you have described
20 about what you did in Katanning to you again. My
21 proposition is that when you were in Katanning, you were
22 letting people know about things in Katanning and --

23 A. I let one person know about it.

24
25 Q. Let's not split hairs. What I'm trying to do is to
26 say that when you went to Bunbury, you were no longer doing
27 the same sort of thing that you were doing in Katanning;
28 isn't that true?

29 A. I don't know what you're trying to get at. What are
30 you trying to say? I didn't - the situation did not
31 present itself, because in Bunbury, no boy came to me with
32 an allegation of sexual abuse, and my supervisor then had
33 no need to advise me to go and see my there, in Bunbury,
34 community liaison officer. I wasn't making trouble,
35 I wasn't causing whatever you call it. I went - I can't
36 see - what do you want to know?

37
38 Q. What I'm saying - what I'm putting to you,
39 Mrs Dawkins, is that, at least according to McKenna, when
40 you were in Katanning, you were causing trouble. I'm not
41 saying that you were, but your account is that McKenna
42 thought you were causing trouble and he said he was going
43 to make life difficult for you. That might not be your
44 words but that's the thrust of the picture you painted.

45
46 HIS HONOUR: Perhaps if you put it on the basis she was
47 having a difference of opinion with McKenna and Evans.

1
2 MR ELLIOTT: Yes.
3
4 Q. But by the time you got to Bunbury, that was no longer
5 occurring; you were no longer a thorn in their side, were
6 you?
7
8 HIS HONOUR: In whose side?
9
10 MR ELLIOTT: McKenna and Evans'.
11
12 HIS HONOUR: I see.
13
14 THE WITNESS: I don't know whether they thought I was
15 a thorn in their side or not.
16
17 MR ELLIOTT: Q. But from your point of view, when you
18 were in Bunbury, you weren't rocking the boat about the
19 issue, were you?
20 A. I was.
21
22 Q. All right.
23
24 HIS HONOUR: Another five minutes, if you don't mind.
25
26 MR ELLIOTT: Thank you, I'm just about done, your Honour.
27
28 Q. If I understand the position, you say that on this
29 day, or a couple of days of meetings, you effectively were
30 warned that they were going to sack you?
31 A. Yes.
32
33 Q. They never sacked you; is that correct?
34 A. I missed that, because you turned away.
35
36 Q. I'm sorry, they never sacked you?
37 A. They never sacked me?
38
39 Q. Yes.
40 A. That's correct.
41
42 Q. But you say they then invited you to resign, but you
43 wouldn't?
44 A. That's right.
45
46 Q. They then said they were going to assist you by having
47 the allegations investigated?

1 A. Yes.
2
3 Q. Then they said you were doing a great job running the
4 Bunbury project and they complimented you.
5 A. Yes.
6
7 Q. It didn't strike you as a remarkable, if you like,
8 fluctuation of their attitude towards you in the course of
9 this day or day and a half?
10 A. Considering how Westrek was run and considering how
11 these bureaucrats or officials ran a shambolic programme,
12 it didn't surprise me at all. I wasn't sacked or I wasn't
13 removed, but other group leaders were sacked, removed,
14 shifted. I was just one in a series of crisis, sort of,
15 management situations that they were dealing with.
16
17 Q. I infer from what you say that they had no hesitation
18 in sacking people where they thought the need arose.
19 A. No, I wasn't making an inference, Mr Elliott. I was
20 just saying that it was a tumultuous time, and it wasn't
21 unusual to be whacked on the head one minute and
22 complimented and patted on the head the next.
23
24 HIS HONOUR: Another two minutes, Mr Elliott.
25
26 THE WITNESS: Am I able - how much longer, because I would
27 like --
28
29 HIS HONOUR: It will be no more than another seven
30 minutes. I'm asking Mr Elliott to wind up.
31
32 MR ELLIOTT: I'm trying to wrap up, sir.
33
34 Q. There's a comment in your statement about a revision
35 of your employment record. Have you seen your employment
36 record in 2012?
37 A. No, I was told that there was a revision of it.
38
39 Q. By whom?
40 A. By Ms Stroud and also - yes, by Ms Stroud. Look,
41 Mr Elliott, I know that this link is going to go because it
42 is flashing and I want to clear up a couple of things that
43 I got very confused about, so can I have the opportunity to
44 do that, please?
45
46 MR ELLIOTT: I wonder if I might be permitted to finish.
47 I have one or two questions.

1
2 HIS HONOUR: You had better be very quick.
3
4 MR ELLIOTT: Yes, I'm trying. Sir, the witness --
5
6 HIS HONOUR: Just ask the question.
7
8 THE WITNESS: Yes, but I've only got five minutes.
9
10 MR ELLIOTT: Q. You spoke, on page 5, about one of these
11 meetings being told by Peter Kenyon or Ian Carter that
12 serious damage had been caused by you to the working
13 relationship at Katanning. Is it fair to say that you
14 don't recall with any precision who that was?
15 A. I knew it was one or the other, sir.
16
17 HIS HONOUR: I'm going to have to cut you off, I'm sorry.
18 We have six minutes.
19
20 <RE-EXAMINATION BY MR URQUHART:
21
22 MR URQUHART: Q. Mrs Dawkins, I want to talk to you
23 only about that second phone call you had with Ms Stroud
24 towards the end of last year, okay?
25 A. Mr Urquhart, could you get the camera to move to you,
26 please?
27
28 Q. Can you see me now?
29 A. Yes, thanks.
30
31 Q. From what I understand from the questions by Mr Prior,
32 there are a number of names mentioned in that second
33 conversation you had with Ms Stroud; is that correct?
34 A. Yes. I got confused.
35
36 Q. That's all right.
37 A. Could I --
38
39 Q. No, Mrs Dawkins --
40 A. Could I --
41
42 Q. No, Mrs Dawkins, please, I'll ask you. Some names
43 were raised by you; is that correct?
44 A. Yes.
45
46 Q. And some names were raised by Ms Stroud.
47 A. Yes.

1
2 Q. Did this conversation concern topics other than
3 the one that you've been questioned about, and that is --
4 A. Yes.

5
6 Q. And were names of people being mentioned in those
7 other topics that were discussed?
8 A. Yes, that's correct.

9
10 MR ELLIOTT: My friend shouldn't lead. If we would like
11 a narrative from the witness --

12
13 HIS HONOUR: All right then. Do not lead.

14
15 MR URQUHART: That's as far as I'm going to go now with
16 the leading questions.

17
18 Q. Who can you say with certainty that Ms Stroud said
19 were the persons out to bring your reputation into
20 disrepute by making up alternative reasons for you leaving
21 Katanning? Can you just say --

22 A. Mr Urquhart, we used nicknames, because Ms Stroud
23 referred to "Tweedledum" and "Tweedledee", or "Tweedledumb"
24 and "Tweedledumber", and that was nicknames we used for
25 Mr Kenyon and Mr Carter, and this morning I felt that that
26 was disrespectful, so I tried very hard not to use it, but
27 Ms Stroud, when she's cross-examined, may say she never
28 used Mr Carter's or Mr Kenyon's name, and she would be
29 telling the truth, because we knew those people as those
30 names.

31
32 Q. So when you said in your statement - if I can take you
33 now to page 7 - and there is only the third paragraph on
34 that statement that deals with your recollection of this
35 conversation.

36 A. Yes.

37
38 Q. Can you read out the last sentence there?

39 A. :

40
41 It is my understanding [that] the "they"
42 Elizabeth referred to [to] be Peter Kenyon
43 and Ian Carter.

44
45 Q. Is that your explanation then as to why it was your
46 understanding that those are the people that she was
47 referring to, both "Tweedledum" and --

1 A. Yes, Mr Urquhart.
2
3 Q. -- "Tweedledee"?
4 A. That's right.
5
6 Q. Are they the only names you have put in your statement
7 as being what you understood to be the persons that
8 Ms Stroud was speaking about when she used the word "they"?
9 A. Yes, Mr Urquhart. Thank you.
10
11 Q. Why is the fact that you've only named those two
12 persons?
13 A. Because they are the two that I believe were trying to
14 create a difference or other reasons for why I was removed
15 from Katanning. Ms Stroud was saying that that was the
16 case.
17
18 Q. Ms Stroud had not used the word "we" to describe those
19 who were --
20
21 MR ELLIOTT: My friend should not lead.
22
23 HIS HONOUR: No, we have two minutes.
24
25 MR URQUHART: I know.
26
27 Q. Did she use an expression other than the word "they"?
28 A. No.
29
30 Q. You said in your statement she was actually warning
31 you about this; is that correct?
32 A. I felt it was a warning, yes.
33
34 Q. Tell me this, in your impression of this, was she
35 including herself in that group or not?
36
37 MR ELLIOTT: I object to the question.
38
39 THE WITNESS: From time to time, she did include herself
40 in that, yes. She did --
41
42 HIS HONOUR: It's going to be too late to rule on it and
43 I'll strike it out if I have to. Please continue.
44
45 THE WITNESS: I - Ms Stroud did --
46
47 MR URQUHART: Q. I want to ask you who you --

1 A. The link's dying.
2
3 Q. Who can you be certain with, about the names of those
4 people who were in this group, or this group that's
5 referred to as "they"?
6 A. Ian Carter and Peter Kenyon.
7
8 MR URQUHART: Thank you. That's all the questions I have,
9 sir.
10
11 MR ELLIOTT: Can I address a concern?
12
13 MS TOVEY: Oh - okay.
14
15 HIS HONOUR: Ms Tovey, do you have anything of great
16 importance? We have lost it anyway. If we can connect
17 again, we will. Express your concern while that is going
18 on.
19
20 MR ELLIOTT: I'm concerned that the narrative has
21 transmogrified from, "Well, I had a conversation with
22 Elizabeth Stroud where she said they were out to bring
23 my reputation into disrepute", and now, in re-examination,
24 counsel assisting is leading from the witness that it's not
25 "they" who were mentioned; it was "Tweedledumb" and
26 "Tweedledumber", and the whole substance of the
27 conversation seems to have moved from: well, I was told
28 about "they", and the following names were mentioned in the
29 course of the conversation, to we were told that "they" was
30 them.
31
32 HIS HONOUR: What are you asking me to do about it? .
33
34 MR ELLIOTT: I'm expressing my concern, because it comes
35 out in re-examination, number one, at the end of the
36 proceedings, when we don't have a chance to explore this
37 whole "Tweedledumb" and "Tweedledumber" thing with the
38 witness, and it seems that the narrative that my learned
39 friend is dealing with now is somewhat different than
40 we are given to believe from page 7.
41
42 HIS HONOUR: I think we've got --
43
44 MR URQUHART: With respect, it's not at all certain. This
45 is a matter that my learned friend can make by way of
46 submissions in due course.
47

1 HIS HONOUR: What I'm going to do is allow Ms Tovey a few
2 minutes - would that be enough?
3
4 MS TOVEY: Yes, sir, thank you.
5
6 HIS HONOUR: Be quick. Then I might give you the
7 opportunity to further cross-examine if the link is still
8 there.
9
10 <RE-EXAMINATION BY MS TOVEY:
11
12 HIS HONOUR: Mrs Dawkins, can you see Ms Tovey? Can you
13 hear me, Mrs Dawkins?
14
15 THE WITNESS: Yes, I've got the sound on again. It had
16 gone off.
17
18 HIS HONOUR: Can you see Ms Tovey?
19
20 THE WITNESS: Yes, I can.
21
22 MS TOVEY: Q. Mrs Dawkins, a couple of questions. You
23 were asked some questions about when Mr John Dawkins
24 visited you?
25 A. Yes.
26
27 Q. When was that in relation to when the young boy told
28 you of the allegations involving the sexual abuse?
29 A. It was prior to me learning about those allegations.
30
31 Q. You were also asked some questions about speaking with
32 Mr Dawkins about the allegations?
33 A. I think I've said earlier that Mr Dawkins and I didn't
34 have very much to do with each other for most of that year,
35 and it was - he did come down and visit and then, after
36 that, we sort of severed ties, so to speak, and weren't in
37 contact until well after the project. However, as you
38 might have worked out, we've been married for 25 years next
39 week.
40
41 Q. Later, though, you did discuss it with Mr Dawkins?
42 A. After the project had ended, yes, I did, and John
43 talked to me about - I told him that I had provided
44 a written statement, and that I had provided that to
45 my supervisor and to Mr Sherlock, and he considered that
46 was the appropriate course of action and, with that,
47 I expressed a bit of frustration that I hadn't heard from

1 anyone, and he said, "Look, just leave it with them.
2 They'll handle it in their own way and their own time" and
3 I believed they would, and I still haven't heard.
4

5 Q. Mrs Dawkins, you were asked some questions about
6 having a relationship with a co-worker. Can you hear me?

7 A. Did I ask - what did you --
8

9 HIS HONOUR: Bring the microphone closer to you.
10

11 MS TOVEY: Q. You were asked some questions about
12 having a relationship with a co-worker.

13 A. Yes, I was asked questions - yes.
14

15 Q. Did any of your supervisors say anything to you about
16 that shouldn't happen?

17 A. It was never raised, my relationship with my
18 co-worker. Look, we were two people that were obviously
19 adults, we were on the same money, we had the same sort of
20 conditions. There was nothing in my contract to say that
21 I was prohibited from having a relationship with my
22 co-worker. Look, I did live in a former convent. I didn't
23 have to adopt the former occupants' sexual practices.
24 You've got to remember, my sexual practices in 1985 were
25 legal. Dennis McKenna's weren't. That's the difference
26 here, and nobody is talking about that. They're talking
27 about a 27-year-old that had friends and sex with people
28 that were, you know, legal and with adults and normal, as
29 far as I can see.
30

31 Q. You were asked some questions about your personal
32 behaviour whilst you were at Katanning. Were you ever
33 given any verbal warnings about your personal behaviour
34 whilst you were at Katanning by your supervisors?

35 A. No, Ms Tovey, neither verbal or written. It was
36 never, ever raised, and Mr Elliott's suggestion that I was
37 somehow rather wild is - it's just never, ever been raised
38 or even discussed.
39

40 HIS HONOUR: Ms Tovey, have you finished?
41

42 MS TOVEY: If your Honour pleases, yes.
43

44 HIS HONOUR: Mr Elliott, I'm permitting you further
45 cross-examination. Bear in mind that the link may cut out
46 at any moment.
47

1 <FURTHER CROSS-EXAMINATION BY MR ELLIOTT:
2
3 MR ELLIOTT: Q. Can I just follow, in relation to your
4 conversation with Elizabeth Stroud, your statement says
5 that you received a warning that "'they' were out to bring
6 my reputation into disrepute". Did Elizabeth Stroud use
7 the word "they"?
8 A. Yes.
9
10 Q. Did she say that you would be portrayed as
11 unprofessional and unreliable if you named your superiors?
12 A. Yes.
13
14 Q. Was Peter Sherlock one of your superiors?
15 A. Yes.
16
17 Q. Indeed, was he the person who was seemingly
18 responsible for your move to Bunbury?
19 A. I don't know who was - who made that decision.
20
21 Q. He was at head office at the time?
22 A. Yes, yes.
23
24 Q. And you later spoke to him about your activities - and
25 I just mean in connection with work - once you moved to
26 Bunbury? Yes?
27 A. Mr Elliott, I've tried to answer that. I don't know
28 who directed Elizabeth to make the phone call. You'll have
29 to ask her that. I don't know.
30
31 Q. Again, when you used the word "they" later on in your
32 statement, that's the word that she used. She said "they
33 had contrived alternative reasons". Is that correct?
34 A. Yes.
35
36 Q. Am I right in thinking that, in the course of this,
37 she never said: well, Ian Carter or Peter Kenyon or
38 Tweedledum or Tweedledumber did these things, that they
39 contrived --
40 A. Did what things?
41
42 Q. -- and they were going to bring your reputation into
43 disrepute. Do you follow me?
44 A. I'm a bit confused with - no, I don't follow you.
45
46 Q. She said "they" were going to do it, but she didn't
47 tell you who "they" were.

1 A. In the context of the conversation when we were
2 talking about Tweedledee and Tweedledum and having a laugh
3 about that, it was then raised that "they" were going to -
4 you know, were already working at saving their butts,
5 basically, and this is how they were going to do it.
6
7 Q. So there was an earlier discussion about them and you
8 say it was followed by this series of questions or comments
9 about "they". Have I understood correctly?
10 A. I can't be sure about this, Mr Elliott. I'm just all
11 jumbled up. I am trying, but I just can't get clear. It's
12 been a long day.
13
14 Q. I understand. Do you recall whether the other people
15 you mentioned earlier - Peter Dowding, Janet Holmes a
16 Court, Ainslie Evans - whether they were mentioned before
17 or after the use of the word "they"?
18 A. What I was trying to explain, and I thought I would
19 make clear, I think, with Mr Urquhart, his questioning, was
20 that we had a conversation about all of these people, and
21 these names were raised, but it wasn't in that context, if
22 you get what I mean. I thought that all of these names
23 were what - every name that was mentioned in the
24 conversation you wanted to know, or somebody wanted to
25 know, I can't remember who it was. But what I'm saying now
26 is that in relation to who was trying to create a new
27 reason for why I left Katanning, it was Mr Kenyon and
28 Mr Carter. That was what I - the way it came out to me, or
29 my understanding or - that's how I remembered the
30 conversation.
31
32 Q. I concluded from something you said earlier that at
33 some point substantially earlier in time in 1991, there was
34 some alternative explanation that was going around the town
35 of Katanning that we spoke about; do you remember that?
36 A. Mr Elliott --
37
38 MR URQUHART: This is to cover what?
39
40 THE WITNESS: -- I don't remember, and I really - it's 10
41 past 7 here.
42
43 MR URQUHART: That doesn't cover, sir --
44
45 THE WITNESS: -- I can't keep going.
46
47 MR URQUHART: -- what your Honour was going to allow my

1 learned friend to cross-examine on.
2
3 MR ELLIOTT: Well, the question is are those two related,
4 because Ainslie Evans came up in this conversation as
5 well - that's where it was going, sir.
6
7 HIS HONOUR: Can you put the question again more
8 succinctly.
9
10 MR ELLIOTT: Q. I'm reminding you of that, because you
11 said that Ainslie Evans was mentioned in the conversation
12 and I'm wondering whether this alternative reason came up
13 in that context, or could conceivably have been raised in
14 that context in this discussion with Elizabeth Stroud?
15 A. I can't answer that question, Mr Elliott. I'm feeling
16 terrible.
17
18 Q. Thank you. I'm sorry.
19 A. I've been here for seven hours.
20
21 MR ELLIOTT: Thank you, sir.
22
23 HIS HONOUR: That completes your evidence, Mrs Dawkins.
24 I do apologise for the fact that you've been kept much
25 longer than what was planned and I'm sorry for the
26 inconvenience, but I thank you for your cooperation. We'll
27 now cut the link and you are free to go. Thank you.
28
29 THE WITNESS: Thank you very much.
30
31 <THE WITNESS WITHDREW
32
33 HIS HONOUR: I shall now adjourn
34
35 AT 4.42PM THE HEARING ADJOURNED
36 TO FRIDAY, 24 FEBRUARY 2012 AT 10AM
37
38
39
40
41
42
43
44
45
46
47