

Special Inquiry into St Andrew's Hostel

Held at: Courtroom 4, Level 18,  
111 St Georges Terrace, Perth

Friday, 27 April 2012 at 11.34am  
(Day 23)

Before: The Hon Peter Blaxell

1 HIS HONOUR: Please be seated. Now, I have Mr Prior here  
2 today.  
3  
4 MR PRIOR: Yes, your Honour. I seek leave to appear for  
5 Mr Kenyon, thank you.  
6  
7 HIS HONOUR: Yes, you certainly have leave. Yes,  
8 Mr Urquhart.  
9  
10 MR URQUHART: Sir, yes, there is only one witness today,  
11 and that is Mr Kenyon. I understand he is already linked  
12 up with the CCTV footage somewhere in Victoria.  
13  
14 HIS HONOUR: Very good. Yes, well we have got Mr Kenyon  
15 present. Now, Mr Kenyon, are you going to take an oath on  
16 the Bible or an affirmation?  
17  
18 MR KENYON: I'm happy to do whatever you want. I've got  
19 both here.  
20  
21 HIS HONOUR: All right. Well you can take your pick. You  
22 can take the affirmation, if you like.  
23  
24 MR KENYON: No, I'll take the Bible.  
25  
26 <PETER RICHARD KENYON, sworn:  
27  
28 <EXAMINATION-IN-CHIEF BY MR URQUHART:  
29  
30 Q. Mr Kenyon, can you hear me?  
31 A. Yes, I can.  
32  
33 Q. All right, we couldn't just hear you for the moment.  
34 Mr Kenyon, my name is Philip Urquhart. I am counsel  
35 assisting the Inquiry and I'll be starting off by asking  
36 you some questions. Okay?  
37 A. Fine.  
38  
39 Q. Now, Mr Kenyon, do you have a middle name?  
40 A. Yes, Richard.  
41  
42 Q. So it's Peter Richard Kenyon?  
43 A. Yes.  
44  
45 Q. And how old are you, Mr Kenyon?  
46 A. I am 61.  
47

1 Q. Do you still work?  
2 A. I do indeed. I am the Director of the Bank of IDEAS.  
3  
4 Q. And you are giving your evidence from a location in  
5 Melbourne, as I understand it?  
6 A. No, I'm giving this evidence from the Victorian town  
7 of Benalla, where I'm running a workshop today.  
8  
9 Q. I see, but you actually reside somewhere in the Perth  
10 metropolitan area. Is that right?  
11 A. I do indeed, yes.  
12  
13 Q. Now, Mr Kenyon, do you have any qualifications?  
14 A. Yes, I've got a masters in Philosophy, I've got an  
15 honours degree in History, I've got a postgraduate diploma  
16 in Education, a postgraduate diploma in Recreation and I am  
17 currently enrolled for PhD studies at Curtin.  
18  
19 Q. I don't want to go through your entire work history if  
20 that is going to take too long. I'll leave it up to you.  
21 Have you had many jobs or is it the case that you've had  
22 several over a number of years?  
23 A. No, I probably had a number of jobs. I was initially  
24 a bonded school teacher so I did an honours degree in  
25 History and got posted by the Education Department to  
26 Denmark, where I was a House Master and the Sports Master.  
27 I then spent two years as the Executive Officer of Frontier  
28 Youth Services working with at risk young people. While I  
29 was at uni I had a part-time job that put me through uni as  
30 a part-time youth worker, a detached youth worker working  
31 in the city of Melbourne. I - after two years with  
32 Frontier Youth Services I had to return back to complete my  
33 bonded years for the Ed Department and I spent six years as  
34 a Youth Education Officer working with early stool leavers,  
35 school to work transition, personal development at  
36 Applecross and Rockingham high schools. I then went to  
37 then the Western Australian Council of - College of  
38 Advanced Education, which has become Edith Cowan, where I  
39 set up the youth work courses for the State and the  
40 postgraduate diploma courses in career education. While I  
41 was doing that I was seconded when the new Labor government  
42 came in, in 1983, to do a youth strategy for the State, and  
43 following that I was asked if I would come and implement  
44 that strategy and that is when I joined, I think in 1984,  
45 the Department for Employment and Training and I came in to  
46 head what was then called the Community Employment  
47 Initiatives Unit, which then again evolved into what was

1 called the Employment Division of the department and I was  
2 appointed the head of that. I had about 140 staff and  
3 oversee-ed about 500 projects. In 1990, 89/90, I resigned  
4 from the department to work for the Commonwealth  
5 Secretariat in London and I was sent, in 1991 - at the end  
6 of 1991 to Namibia where I helped to set up the Ministry of  
7 Youth in Namibia. Following that I returned back and  
8 created the Bank of IDEAS, which is a consultancy business  
9 working in the areas of community development, youth  
10 development, local economic development and we have  
11 basically there undertaken projects in 53 countries around  
12 the world and all States of Australia.

13  
14 Q. I think you might have been looking at some notes as  
15 you recounted all of that. Is that right?

16 A. Not at all. No, no, I haven't got that in notes in  
17 front of me at all. I can remember that very clearly. I  
18 don't need notes for that.

19

20 Q. Right, thank you for that. So you were involved at  
21 the Department for Employment and Training for about five  
22 or six years?

23 A. Yes.

24

25 Q. We have tendered as an exhibit in this Inquiry,  
26 Mr Kenyon, a flow chart of person's positions within the  
27 Department for Employment and Training. I just want to ask  
28 you if you agree with this. It is exhibit 5, sir, for the  
29 benefit of my friends. Immediately below you there was a  
30 Deputy Director position which was held by Ian Carter, and  
31 I should add that I'm talking about 1985. Is that your  
32 recollection

33 A. Sorry, but that flow chart is not accurate at all,  
34 actually. It depends whether you are talking --

35

36 Q. Can I stop you there. You have actually seen this  
37 flow chart, have you?

38 A. 10 minutes ago when I walked in. It was sitting here  
39 waiting for me. You must have emailed it to me.

40

41 Q. Okay then. Well good. If you could have a look at  
42 that then --

43 A. Yes.

44

45 Q. -- and tell me what you don't agree with with respect  
46 to that?

47 A. Well, it depends when are you talking about. If you

1 are talking about post 1985 when I was appointed to head  
2 the Employment Division, it reflects that but not  
3 accurately. There was a fourth division there that was  
4 actually the administration division that's not included  
5 with a director there, and, secondly, I cannot recall there  
6 was a deputy director's position under me. If that's the  
7 period you are talking about, there should have been four  
8 boxes there. I had four managers in charge of four areas.  
9 Mr Carter was one of those four. There were four along  
10 there. So that's not an accurate picture. If you are  
11 talking --

12

13 Q. Can I stop you there?

14 A. Yes.

15

16 Q. We are just concerned with 1985, all right?

17 A. Okay, well all I'm saying is that it's - you've got to  
18 choose one or the other because it's not accurate. If you  
19 are talking about 1985, I was then the Director of the  
20 Community Employment Initiatives Unit and certainly  
21 Mr Carter managed a number of the employment programs but  
22 there were other people managing other sections there.

23

24 Q. Such as training --

25 A. I'm not quite sure if he had the position of Deputy  
26 Director. I can't quite remember that. For some reason  
27 I'm not quite sure that was accurate but I - it is 27 years  
28 ago. I thought he was the manager with a number of people  
29 as managers.

30

31 Q. Okay, all right then. Well insofar as the Westrek  
32 program is concerned, do you agree with that hierarchy as  
33 it appears on the left-hand side of exhibit 5?

34 A. Certainly, yes. Westrek was a bit unique. It's one  
35 of our programs in the sense that although it was initially  
36 my idea that came from a Churchill Scholarship I had and I  
37 saw the program in Canada and recommended it to the  
38 department to implement, right from the start my immediate  
39 boss, Mr Michael Cross, took a very personal interest in  
40 this and tended to probably play a much more senior role  
41 than I did, and, secondly, it was agreed very early to set  
42 up an advisory group because the Holmes à Court family had  
43 been, I suspected, approached by our minister, Mr Peter  
44 Dowding, to get involved and to contribute financially,  
45 which I think, if my memory serves me, they contributed  
46 \$1 million, and I was only involved initially I think with  
47 the first meeting with Mr Holmes à Court prior to his

1 death, then his wife took up the role as chair and this  
2 particular program was actually directly almost  
3 administered by that advisory group rather than by myself.  
4 Similar - all the other programs directly came under me.  
5 This one was a bit odd because it was a very early version  
6 of a public/private partnership.

7  
8 Q. Getting back to my question, though, insofar as the  
9 Westrek program is concerned, we have as the  
10 Manager/Executive Officer Peter Sherlock. Does that accord  
11 with your recollection?

12 A. Yes, that is indeed.

13  
14 Q. And immediately beneath that is the Training Field  
15 Officer, Elizabeth Stroud, and a Recreation Officer,  
16 Tarquin Bowers?

17 A. Yes.

18  
19 Q. And then, immediately below that, projects in the  
20 community, each with a male and female group leader?

21 A. Yes, they were co-leaders. I think in Mrs Dawkins'  
22 testimony she talked about a senior leader and a junior.  
23 That isn't true, they were co-leaders, and my - again I'm  
24 fuzzy because each of these projects was one of 250  
25 projects I was looking after but I think we had six  
26 projects each round but I may be wrong in that.

27  
28 HIS HONOUR: Q. If I could just ask a question here,  
29 Mr Kenyon. You said that exhibit 5 is incorrect because  
30 Ian Carter is one of four managers, I think you said?

31 A. Yes, as long as - it depends when this flow - when you  
32 are talking about this flow chart because the way it's  
33 written up is post '85, when the unit I headed called the  
34 Community Employment Initiatives Unit evolved, with a whole  
35 pile of other responsibilities, to become the Employment  
36 Division under which I then had four managers who looked  
37 after - we had an Enterprise Manager, an Employment Manager  
38 and two other managers, and Ian Carter was one of those  
39 four managers.

40  
41 Q. Now, if you look at the box on exhibit 5 where your  
42 name appears, it says "Employment Division initially called  
43 CEIU" which would be the Community --

44 A. Employment Initiative Unit.

45  
46 Q. Now, do you remember at the time of the Westrek pilot  
47 project, which is the period we are concerned with in the

1 last of 1985, whether it was still then the Community  
2 Employment Initiatives Unit or were you in the Employment  
3 Division then?

4 A. I think, and I - I think we were still the Community  
5 Employment Initiatives Unit but it may have been during '95  
6 or early '96, I cannot be certain, is when the department  
7 was restructured and created as a much bigger arrangement  
8 and that is when I became the head of the Employment  
9 Division, but I think when it was launched it was still the  
10 Community Employment Initiatives Unit, where I probably in  
11 the end had up to 50 staff, whereas under the new structure  
12 I had 140 staff.

13

14 Q. You mentioned 1995. This was 1985?

15 A. Sorry, '85, sorry, I made a mistake. I'm talking  
16 about '85, yes.

17

18 Q. All right. Now, when it was the Community Employment  
19 Initiatives Unit, was Mr Carter the only  
20 manager/coordinator under you?

21 A. I had people coordinating different initiatives. We  
22 had a Major Enterprise Program helping unemployed people  
23 set up their own businesses. I had someone managing that  
24 area or coordinating that area. I'm not even sure if we  
25 used the word "manager". We had coordinators for different  
26 areas. It was much smaller then. It wasn't until we  
27 evolved into the Employment Division that we actually  
28 started using the word "manager", is my memory, but again,  
29 can I please say it is 28 years ago. I may not have got  
30 that right but that's what I think was the position.

31

32 Q. At the time of the Westrek pilot program, the initial  
33 program, and when you had the Community Employment  
34 Initiatives Unit, what was Mr Carter coordinating?

35 A. He was coordinating a number of kind of like  
36 employment initiatives and I think as you have there, they  
37 certainly were the ones that I can remember. There was  
38 Westrek, there was the employment development, the Job Make  
39 Job Link, but he also, if I remember rightly, had  
40 responsibility for cooperative - we were looking at co-ops  
41 as an employment option. The unit was very much set up to  
42 pilot a whole pile of initiatives and, as I said, at the  
43 time when Westrek was launched we had 11 different program  
44 areas and I had at least probably close to 250 projects of  
45 which the Katanning Westrek was one of those 250. It's a  
46 lot bigger than that implies even when it was under CEIU.  
47 When it evolved into the Employment Division it was even

1 bigger again with four actual branches within my division,  
2 which Mr --

3

4 Q. All right, thank you. That's all I need to ask.

5 A. Yes.

6

7 MR URQUHART: All right, thank you sir.

8

9 Q. Now, Mr Kenyon, I gather you can see me again on the  
10 screen in front of you?

11 A. Yes, I can, yes.

12

13 Q. Can you tell us, please, from your recollection, who  
14 was responsible for the day-to-day running of the Westrek  
15 program?

16 A. I think initially --

17

18 Q. I'm talking about 1985?

19 A. Sorry. I think initially when it - we initially were  
20 told to launch it we received that instruction from above  
21 from the minister's office. At that stage we had employed  
22 I think Elizabeth Stroud because she had experience in the  
23 Katimavik program. She had Canadian background. And then,  
24 if my memory serves me again, I keep saying it is 28 years  
25 ago, somewhere Peter Sherlock was brought in as the  
26 executive officer/manager of that program reporting to Ian  
27 Carter. The other thing that I keep - just want to keep  
28 reminding you, it was a bit complicated because of this  
29 involvement of the Holmes à Courts, that an advisory group  
30 was set up of which I was not a member and it was chaired  
31 by Janet Holmes à Court, who took a very strong interest in  
32 this program, and I think she chaired that for about a five  
33 year period. Again I'm just guessing that but I think she  
34 had a long involvement and she personally kind of like took  
35 interest in it. I, for example, because it was one of 250,  
36 I never went to Katanning, I never knew any of the  
37 personalities at Katanning, I didn't actually get involved  
38 in the nitty-gritty at all of the program. I had people  
39 that I trusted and who I thought were quite competent to  
40 actually run the program.

41

42 Q. And do you maintain that view today?

43 A. I do.

44

45 Q. That in your view they were competent to run this  
46 program?

47 A. Yes. I agree with one of those observations that

1 Mrs Dawkins makes in her testimony. It was set up very  
2 hurriedly. That wasn't our decision. We were forced from  
3 above to basically launch this program in a very short  
4 time, which did mean that we weren't able to recruit  
5 particularly ideal people at the group level, but certainly  
6 when I recruited people Mr Carter is a superb - he had a  
7 long history of involvement in youth development, community  
8 development, and has proved that where he has gone on to.  
9 He has done amazing things. Peter Sherlock we recruited  
10 from the department - the Commonwealth department. He had  
11 been heavily involved in the Community Youth Employment  
12 Scheme, a long history as a federal officer and I felt he  
13 was appropriate for that, and Ms Stroud, again a very  
14 competent, very committed and again I think, you know,  
15 she's gone on to do amazing things as well. So yes, all I  
16 can say is the program had its challenges because of the  
17 expectations of people above us who were trying - you know,  
18 it was the Year of the Youth and we had to do all this  
19 thing in a hurry. That was not wise. We obviously ran  
20 into issues and most of those issues related to the  
21 selection of staff.

22

23 Q. Thank you for that. Could you tell us, please, and if  
24 you can confine your answer to this because there are some  
25 areas there that you have told us about which I will be  
26 asking you questions about, I can assure you, but if you  
27 can confine your answer, please, to what your recollection  
28 was of Ian Carter's role, again confining ourselves to  
29 1985?

30 A. Ian was responsible for this program and probably was  
31 the person who directed Peter Sherlock. I - it was one of  
32 those four or five program areas he was responsible for.  
33 And so yes, he was heavily involved in this particular  
34 program and I saw him as the person managing it with Peter  
35 Sherlock as the person on the ground.

36

37 Q. Thank you. I think you have emphasised, and I don't  
38 criticise you for this, three times now, that this was just  
39 one of 250 projects that you were involved with at the  
40 time. So what was your role there in relation to this  
41 Westrek program?

42 A. My main contribution was it was my idea simply because  
43 I had earlier, either that year or in 1984, had a Churchill  
44 Scholarship that allowed me to look at community employment  
45 initiatives across the globe. I went to probably a dozen  
46 countries, one of which was Canada, another was the United  
47 States where they had a conservation corps program. I came

1 back in the 70s. Part of my report was to recommend a pile  
2 of things, including as you can see there, job make  
3 programs, job link, enterprise programs. This was one of  
4 those suggestions and it was particularly taken up by I  
5 think the minister's office and the Policy Division. They  
6 thought it was a great idea. I think they thought as part  
7 of the Year of the Youth, you know, 1985 was the Year of  
8 the Youth, that this was one that should be launched. It  
9 didn't follow the Canadian model, which was making it  
10 available to any young people. This was primarily targeted  
11 as an employment program but very - I was probably  
12 initially involved in trying to give it some direction but  
13 I certainly played a very peripheral part, the Advisory  
14 Group, and certainly I was not a Kevin Rudd micro-manager.  
15 I left that to Ian Carter because I - as you stated, did  
16 have a whole pile of other things that I was overseeing.  
17 So I didn't really get involved in the nitty-gritty. As I  
18 said, I never even - I never visited Katanning. I didn't  
19 actually visit, I think, any of the Westrek projects.  
20

21 Q. Would you be consulted with respect to any major  
22 decisions that had to be made regarding the running of the  
23 program?

24 A. It would determine what you mean by major decision. I  
25 think increasingly I found myself not making any decisions  
26 about this program because my immediate boss, Michael  
27 Cross, took a personal interest in it. I'm not even - I  
28 think he may even have been on the Advisory Group. He  
29 particularly wanted to liaise with the Holmes à Courts and  
30 so much of what I learnt about the program was actually  
31 learnt informally or from him. I - you know, on most days  
32 I had a briefing with Michael where a whole pile of issues  
33 would be raised. He certainly was hearing things and  
34 whatever that he would raise with me. As for the others,  
35 I'm not sure.  
36

37 Q. Can I ask you this then: what would you expect to be  
38 told about the running of the Westrek program?

39 A. Certainly I would expect, through Mr Carter and  
40 Mr Sherlock, to, you know, have reports on it, awareness of  
41 any issues that were coming up with it, any challenges that  
42 the program actually had that we might need to go to the  
43 department with. But it was, as I keep saying to you, it  
44 was a strange program compared to everything else because  
45 we suddenly had this other group who really was overseeing  
46 it called the Advisory Group. They were the ones who were  
47 visiting the project and were making more and more of the

1 decisions. By the end of that year, I'm under the  
2 impression the program had actually moved right out of the  
3 department and was sitting up in the hills and it evolved  
4 into its own independent foundation. So right from the  
5 start, yes, early on, but as it went on I had less and less  
6 to do with it.

7

8 Q. Mr Kenyon, I can assure you that my questions, unless  
9 I state otherwise, will be confined to 1985?

10 A. Yes.

11

12 Q. Okay. You mentioned there that you would be advised  
13 of any challenges that the program was facing. Would you  
14 agree that one such challenge would involve any disharmony  
15 between a community and the Westrek program that was  
16 operated within that community?

17 A. Yes.

18

19 Q. Having said that, I want to confine myself to 1985. I  
20 just want to move on now to a period up to towards the end  
21 of last year. Okay?

22 A. Yes.

23

24 Q. So between when you left the Department of Employment  
25 and Training in the late 80s, or 1989 or 1990, and up  
26 until, let's say, September of last year. Did you keep in  
27 contact with any of those people we have discussed whose  
28 names appear in exhibit 5, and I will start with Elizabeth  
29 Stroud?

30 A. No, not at all. It was after that period of time I  
31 certainly had discussions when this issue came up but not  
32 before, no.

33

34 Q. Peter Sherlock?

35 A. No, I hadn't seen Peter since I left in 1990 -  
36 1989/'90. Hadn't seen him in all those years.

37

38 Q. Ian Carter?

39 A. Ian and I would get together for a meal maybe once a  
40 year, once every two years, but certainly we don't -  
41 hadn't - didn't socialise, but because we were both caught  
42 up in different areas or similar areas, we would get  
43 together occasionally for a meal, but that - you know, if  
44 that happened once a year that was a good year. Ian and I  
45 have - I need to say, have a back - we both worked at  
46 Rockingham High School together where I first discovered  
47 Ian so we had a friendship going way back.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. And are you still friends to this day?

A. We are but we don't see much of each other. We are friends. I wouldn't say we are close friends but every now and then we would get together maybe once a year, once every 18 months.

Q. Thank you, Mr Kenyon?

A. We have common friends.

Q. Can you tell me about when you became first aware of the Inquiry. I'm staying now with when?

A. Great. I became first aware not just of the Inquiry but the issue of pedophilia in Katanning and the horrific things that happened there I imagine around that September, October, November. I can't quite remember. It seems like about five or six months ago when I was rung by the ABC to say they were doing, that Friday night, a 7.30 Report where a former coordinator of one of our projects, a Mrs Dawkins, was making statements that she told people about this episode. I knew nothing about the whole issue. I hadn't even - I wasn't even aware that there had been this going on. Spent a considerable --

Q. Sorry, when you said you didn't know about anything that was going on, what are you referring to there?

A. About the whole issue of the whole pedophilia and the gaoling and conviction of this Mr McKenna. I knew nothing about any of that stuff until September, October or around that latter part of last year when the 7.30 Report rang me, and it shocked me, because the accusation being simply that this woman was claiming she was sent off to Bunbury because she was a whistleblower, to me that was all news. I knew nothing about the issue and it certainly didn't kind of like relate to the knowledge I had at the time about why she was moved. So that was a bit of a shock.

Q. Were you aware of the name "Dennis McKenna" and his relationship to the Westrek program in 1985?

A. No. I mean I may have been told that, like I might have been told of all the projects, who might have been the local provider of accommodation, but certainly I have no knowledge of the name "Dennis McKenna", I never spoke to a Dennis McKenna, and certainly when the name was mentioned as the person who was the perpetrator of this crime, it was news to me. It is certainly not a name I knew at all.

1 Q. What information, if any, did you provide to the ABC  
2 reporter who contacted you?  
3 A. Simply "This is a surprise. I know nothing about the  
4 particular issue", and my simple understanding is that  
5 Mrs Dawkins was moved because of her own inappropriate  
6 behaviour in the town of Katanning and I was clearly told  
7 by my superior we could never sack her, we had to manage  
8 her and that she was moved to Bunbury because there was the  
9 feeling a place like Bunbury, a bigger centre, could absorb  
10 her shocks better than a small town. That was the memory I  
11 had of it. I certainly have no memory of it being linked  
12 to pedophilia and I'm a person, because of my background  
13 and involvement with at risk young people, if that had been  
14 shared with me it would have been a stand-out comment that  
15 I would have remembered. I certainly have no record of it  
16 being associated with that. That is simply what I conveyed  
17 to the 7.30 Report and then, to my surprise, as that week  
18 went on I was contacted to say they were dropping it  
19 because they couldn't collaborate the evidence.  
20  
21 Q. Okay?  
22 A. And then it was about a month or two later that the  
23 west came back with the article, so that's the (inaudible).  
24  
25 Q. Mr Kenyon, I don't want to interrupt but I'm going to  
26 ask you if you could just confine your answers to my  
27 questions, the topic of my questions?  
28 A. Sure. Just trying to help you, Mr Urquhart. I'm just  
29 trying to help.  
30  
31 Q. I can assure you, I will be asking you about those  
32 other matters?  
33 A. Okay.  
34  
35 Q. Okay. Don't worry about that?  
36 A. Sure.  
37  
38 Q. If I miss anything that you regard as important, I'm  
39 sure your lawyer here, Mr Prior, will raise those matters  
40 with you?  
41 A. Sure.  
42  
43 Q. So my question now is, and it is only confined to  
44 this, is: were you told by anybody else about this matter,  
45 about Maggie Dawkins and Dennis McKenna, prior to the ABC  
46 contacting you?  
47 A. No, not at all.

1  
2 Q. Are you aware of the evidence that's been given by  
3 Elizabeth Stroud to this Inquiry?  
4 A. No, because your office informed me that it was in my  
5 advantage not to read her testimony or whatever and I have  
6 tried to follow that.  
7  
8 Q. And is that the same with the evidence of Peter  
9 Sherlock?  
10 A. Yes and --  
11  
12 Q. And the evidence of Ian Carter?  
13 A. And Mr Carter, yes.  
14  
15 Q. Are you aware of the contents of any written  
16 statements that have been made by any of those three people  
17 that have been provided to the Inquiry?  
18 A. No, not at all. Again, there was the - I thought of  
19 it, but when your office contacted me, I made sure that I  
20 did not follow those people up for any of their statements.  
21  
22 Q. Were you aware that some of them had provided  
23 statements?  
24 A. I'm aware because I did talk to them prior to them  
25 speaking, that they were preparing to give statements; so  
26 yes, I was aware that people were going to give it, and I'm  
27 aware that, you know, you've probably received a number of  
28 statements. Who did it, I'm not quite sure, because I have  
29 not followed that up.  
30  
31 Q. Have you spoken to Elizabeth Stroud about the subject  
32 matter of this Inquiry?  
33 A. I have spoken to Elizabeth Stroud. This was well  
34 before I was called and your office informed me. I spoke  
35 to her in the hope that she would clarify what actually did  
36 go on, because it all came as a lot of surprise to me. I  
37 had no knowledge of it at all.  
38  
39 Q. Was it the case then that that would have been some  
40 time late last year you first spoke to her?  
41 A. No, I think it was earlier this year. I mean,  
42 basically there was three things happened. One was the  
43 ABC, and then that dropped in. I think there was a  
44 newspaper article. I certainly didn't speak to her at all  
45 during any of that time. It wasn't until I received  
46 notification from your Inquiry about the fact that a  
47 certain Mrs Dawkins was making a statement. That's when I

1 spoke to her.  
2  
3 Q. Okay. Can you recall how many times you either spoke  
4 to her in person or by email or over the phone?  
5 A. Probably two or three times.  
6  
7 Q. Okay.  
8 A. Might have been four; but, yes, probably two, three or  
9 four. I can't remember. It was certainly a couple. It  
10 wasn't once.  
11  
12 Q. All right, then. And how many one-on-one meetings did  
13 you have?  
14 A. One.  
15  
16 Q. How many telephone conversations did you have - I'm  
17 not asking you to be precise, but approximately?  
18 A. Two or three.  
19  
20 Q. And was there any email exchanges?  
21 A. I can't recall that. There might have been one or  
22 two, but it was more about the fact that both of us are  
23 working out of the country, and it was more about when we  
24 could have a conversation. She was working overseas, and I  
25 was working overseas.  
26  
27 Q. Did you contact her the first time you spoke to her,  
28 or communicated with her? Did you --  
29 A. Yes, I did.  
30  
31 Q. -- make the initial contact?  
32 A. I did, indeed.  
33  
34 Q. And why was that?  
35 A. Because I knew nothing about the circumstances at all.  
36 It was a shock to hear that Mrs Dawkins had been moved  
37 because of this case of paedophilia. I knew nothing. It  
38 wasn't what my memory of the situation recalled, and I was  
39 really needing to say, "What's going on?"  
40  
41 Q. And did she respond to that?  
42 A. Yes, she certainly helped to remind me of the  
43 circumstances.  
44  
45 Q. All right. And what did she remind you of?  
46 A. Simply, you know, the issues that we had, particularly  
47 in Katanning, and the reasons why there was a decision made

1 to move Mrs Dawkins.  
2  
3 Q. What did she say?  
4 A. It was very much due to her own personal leadership  
5 within the - within the community. Probably inappropriate  
6 unprofessional-type behaviour, and that certainly concurred  
7 with my recollection of why we had to do something about  
8 Mrs Dawkins.  
9  
10 Q. All right. So who - who - can you recall who went  
11 first in describing their recollections?  
12 A. I - sorry, that's not a question I can respond. It  
13 was mine or other, I'm not sure.  
14  
15 Q. All right. So --  
16 A. I mean, it's me mainly asking questions, because I'm  
17 the one who seemed to - you know, I knew - I knew the least  
18 of anyone in terms of people caught up in the alleged  
19 accusations, so it was more likely to be me kind of like  
20 trying to find out what did go on, "What's your  
21 recollection?"  
22  
23 Q. How did you know that, that you had the least amount  
24 of knowledge?  
25 A. Because I had the least involvement in the program,  
26 and certainly, as I said, I had absolutely no knowledge of  
27 the circumstances behind all of this until I was rung by  
28 the ABC back there six months ago.  
29  
30 Q. You're not saying, are you, by that answer - I'm not  
31 suggesting you are - you're not saying though, are you,  
32 that you weren't aware back in 1985, that Maggie Dawkins  
33 was moved from Katanning to the Bunbury Westrek program,  
34 are you?  
35 A. No, no, I'm saying I am aware that she was moved.  
36 It's why she was moved --  
37  
38 Q. Okay. Well --  
39 A. -- is what I - is the issue.  
40  
41 Q. Sorry. And were you aware in 1985 of the reasons why  
42 she was moved?  
43 A. Yes. Her inappropriate unprofessional behaviour in  
44 that small town, and the need for her to be moved out of  
45 it.  
46  
47 Q. All right. And your recollection of that when the ABC

1 spoke to you was clear?  
2 A. Well, they didn't raise that. They were just  
3 basically saying, "This person is going to make these  
4 statements on the '7.30 Report', and are you willing to  
5 respond to them?" All I can say is, "Listen, what she's  
6 talking about is news for me. My recollection is simply  
7 she was moved because of her inappropriate behaviour."  
8 That's all I knew.  
9  
10 Q. Okay. I've assumed then - the question was though,  
11 that when the ABC spoke to you, your recollection was clear  
12 as to why she was moved?  
13 A. Yes.  
14  
15 Q. Yes. All right.  
16 A. From my knowledge it was her behaviour.  
17  
18 Q. All right.  
19 A. And that's what I think I commented, and I made the  
20 same comment, I think, to the newspaper when they contacted  
21 me.  
22  
23 Q. Okay. I'm not going to ask you about that. All  
24 right.  
25 A. Yes.  
26  
27 Q. Why then did you need to confirm that with Elizabeth  
28 Stroud?  
29 A. Because all this new information to do with Mr McKenna  
30 and this horrific crime of paedophilia suddenly surfaced  
31 that I knew nothing about, and so, "Hang on, I thought  
32 that's why she went, and were there other things involved."  
33 Now, why is it that we're all suddenly now being accused of  
34 not acting on this? From my knowledge that wasn't part of  
35 why she was moved. I certainly wasn't told that.  
36  
37 Q. And I gather you asked Ms Stroud whether there were  
38 any other things involved; is that right?  
39 A. Yes.  
40  
41 Q. Right. And do you recall her answer to that?  
42 A. She certainly said, "Look, there were then  
43 circumstances that Maggie had made to do with accusations  
44 of Mr McKenna and she indicated that in that conversation"  
45 --  
46  
47 Q. And what did she say?

1 A. -- and that was news to me.  
2  
3 Q. What did she say about that?  
4 A. Just simply the fact that - that - that Maggie might  
5 have told her then or - or recently when she talked to her,  
6 about the fact that this was the reason why she was moved.  
7 Certainly my understanding of the conversation with  
8 Elizabeth Stroud was that - confirmed what I knew, that the  
9 fundamental reason why she was moved was because of her  
10 behaviour. It wasn't an instant thing. She was not moved  
11 because she was a whistleblower, it was the product of her  
12 inappropriate behaviours which, whilst certainly a  
13 discussion point between --  
14  
15 Q. Okay.  
16 A. -- me and Mr Cross --  
17  
18 Q. All right. No, I'm going to stop you there because  
19 again we're going off on tangents again, Mr Kenyon. Do I  
20 ask you --  
21 A. Sure. That's okay.  
22  
23 Q. Yes. Confine yourself to the questions I'm asking  
24 you.  
25 A. Yes, sure.  
26  
27 Q. Otherwise I'm going to appear rude by cutting you off,  
28 and I don't want to do that.  
29 A. No, that's fine.  
30  
31 Q. Okay.  
32 A. Only trying to help you, Mr Urquhart.  
33  
34 Q. I realise that, and you can help --  
35 A. Yes.  
36  
37 Q. -- by just confining your answers --  
38 A. Yes.  
39  
40 Q. -- to the questions I'm asking you.  
41 A. Yes, sure.  
42  
43 Q. And I said before I have no doubt you'll have the  
44 opportunity of adding anything further, either in my later  
45 questions of you or when Mr Prior questions you?  
46 A. Yes, sure.  
47

1 Q. Okay. Now, you've said there in that answer when you  
2 initially answered my question, that Maggie Dawkins might  
3 have told her then she - that was the reason why she was  
4 moved, or that Maggie might have told her later, or  
5 something just more recently. Is that as I understand your  
6 evidence?

7 A. Yes, look, I'm not sure. I mean, for me, as I keep  
8 saying, the reason that was being quoted for the move was  
9 not what I knew, and so I was basically trying to say,  
10 "This is what I thought it was all about", to which you  
11 replied, "Yes, it was", but then this other issue has  
12 emerged. Now, when she was told that, I'm not quite sure,  
13 I cannot remember exactly the order in terms of when Mrs -  
14 when Ms Stroud was kind of like made aware of it.

15  
16 Q. You are aware of Mrs Dawkins' account of what she told  
17 Ms Stroud and when she told Ms Stroud?

18 A. I have read her testimony, yes.

19  
20 Q. And Ms Dawkins says that she brought to Ms Stroud's  
21 attention that she was concerned about Dennis McKenna's  
22 sexual abuse of a boy back in 1985. She raised that --

23 A. Yes.

24  
25 Q. -- with Ms Stroud in 1985?

26 A. Yes, yes.

27  
28 Q. Now, you can't recall, but it may well have been the  
29 case that when Ms Stroud spoke to you - you can't recall  
30 precisely, but it may well have been the case that Ms  
31 Stroud was saying to you, "Yes, that - that was when Ms  
32 Dawkins raised it", but on the other hand you're not sure  
33 whether it was something that Ms Stroud said to you that Ms  
34 Dawkins told her subsequently?

35 A. Yes, I'm not - I cannot say that at all either way.  
36 All I can know is that my memory of the conversation with  
37 Ms Stroud was this has now been raised as the factor, and I  
38 think we both agreed it wasn't the real reason why, and  
39 that was our discussion, so where Ms Stroud heard it -  
40 whether it was in '85 or recently, I'm not quite sure. I  
41 can't - I can't recall that from the conversation, but what  
42 I can recall is simply that she confirmed with me what my  
43 memory was about why she was fundamentally moved.

44  
45 Q. And so - and was that the first conversation you had  
46 with Ms Stroud regarding this?

47 A. Yes.

1  
2 Q. All right. However, nevertheless, there were at least  
3 one, maybe two further telephone conversations and a  
4 meeting; is that right?  
5 A. Yes, yes.  
6  
7 Q. So the reason for those further communications was  
8 what?  
9 A. Was simply we were being called before this Inquiry,  
10 and I was shocked to find this out, and shocked to realise  
11 that I'm one of the people that was being labelled as  
12 having been told that isn't my memory, and I certainly  
13 wanted as much background information possible, and  
14 28 years is a long time, it's not what my memory serves me  
15 being the reason, so certainly that was the purpose of the  
16 conversations.  
17  
18 Q. Okay. So what did you raise with Elizabeth Stroud in  
19 subsequent conversations that you hadn't raised with her at  
20 the first one?  
21 A. I suppose it was just - I mean, most of our  
22 conversations were fairly brief - you know, the initial  
23 conversations, "Are you aware of this Inquiry?" "Have you  
24 been called for it?" "I've just got this in the mail."  
25 "I'm being asked to appear before it." I know nothing  
26 about what's happening, so any subsequent one was more  
27 about what - what really went on then, and really me just  
28 trying to clarify what I thought was the case, was  
29 certainly reality.  
30  
31 Q. Hadn't you already done that with Ms Stroud at the  
32 first conversation?  
33 A. Mr Urquhart, this is a fairly serious matter --  
34  
35 Q. Yes.  
36 A. -- that you're aware of and certainly being called to  
37 an Inquiry like this is a very serious thing. I certainly  
38 wanted to know more because I keep saying to you, and  
39 you're perhaps not hearing me clearly, I had not been aware  
40 of any of this until I, out of the blue, had this call from  
41 the ABC. So the background to it all came as a surprise,  
42 and it certainly wasn't what my recollection of what that  
43 time was all about.  
44  
45 Q. So were you provided with any more information at  
46 these subsequent communications with Ms Stroud?  
47 A. Yes. Probably not. Probably not. It was just mainly

1 reinforcing and clarifying the difficulty of those days in  
2 Katanning, in terms of Mrs Dawkins' behaviour. Certainly  
3 that was kind of like the main thing that was actually  
4 clarified. As I said, it's 28 years ago, I needed to kind  
5 of like have this stuff kind of like clarified for me, but  
6 certainly there was not a lot of new revelation in terms of  
7 what actually went on. I also, as I said, had very little  
8 to do with the program.  
9

10 Q. Can I stop you there? So I gather that might well  
11 have been the case after you had the second communication  
12 with her. So why again did you have the subsequent ones?

13 A. Because, as I said, some of these conversations  
14 weren't very long. We were both in and out, flying - we  
15 were both out of the country and certainly any  
16 communications I had with her weren't very long. So I  
17 suppose it was all about, "Let's just" - I was quite keen  
18 to try to discover what was - what is the issue. I  
19 certainly wasn't provided with much. I was purely sent  
20 information from your office that I was to appear. I  
21 certainly had very little to go on, and I was purely trying  
22 to find out a bit of background information. I couldn't  
23 talk to Mr Cross who I was mainly involved with, because as  
24 you're aware --

25  
26 Q. Yes, okay.

27 A. -- he's not --

28  
29 Q. Okay. I'll stop you there. And I'm still staying  
30 with Ms Stroud for the moment.

31 A. Yes.

32  
33 Q. How many of these communications did you have with Ms  
34 Stroud after the transcript of Maggie Dawkins' evidence  
35 became available?

36 A. I think once, yes, and that certainly may have been a  
37 reason why we did talk, because suddenly we had this  
38 massive kind of like testimony from her that went into the  
39 detail, so I suspect that might have been a reason why we  
40 had a further conversation.

41  
42 Q. And was that the meeting that you had with Ms Stroud?

43 A. Yes, I think so. I'm not sure. I can't be certain on  
44 that, so I don't want to say yes or no. I can't recall the  
45 order.

46  
47 Q. Well, in one of - in any of these conversations, did

1 you both have in front of you, or at least did you have in  
2 front of you, the transcript of Ms Dawkins' evidence?  
3 A. No, I don't think I did, no. I don't think so.  
4  
5 Q. Not even the subsequent?  
6 A. No, I don't think - no, I don't think I did. I can't  
7 recall holding - I've got it in front of me now with a big  
8 clip. I can't remember it being there. I may be wrong,  
9 but I don't think I did.  
10  
11 Q. Can you recall if Ms Stroud ever told you at any of  
12 these conversations that her recollection was that it was  
13 Ainslie Evans who was responsible for having Maggie Dawkins  
14 moved from Katanning?  
15 A. No, I don't believe she did. I think I read that in  
16 Mrs Dawkins' testimony, but I don't believe that Ms Stroud  
17 told me that.  
18  
19 Q. May have she?  
20 A. May, but I don't think so. I can't remember that.  
21 I'm sorry, I - I mean, I can't tell you what I don't know.  
22 I cannot remember her mentioning that at all.  
23  
24 Q. Were there any differences that you had in your  
25 recollection of things or events as compared to Ms  
26 Stroud's?  
27 A. Not that I can recall. I mean, my recollection was  
28 pretty minor compared to her knowledge, because she was  
29 involved in the program, and I, in many ways, wasn't.  
30  
31 Q. So no major differences?  
32 A. Not that I can recall, not at all.  
33  
34 Q. Right.  
35 A. I - I - the only thing I can recall - one of the  
36 reasons why it may have been why I needed to have a further  
37 conversation with her, was Mrs Dawkins' accusation that Ms  
38 Stroud had told her that a group of people were going to  
39 get her, which I read in the testimony, and I suppose that  
40 I found a little bit - bit stunning and surprising, so I  
41 think I was seeking clarification on that.  
42  
43 Q. Yes. All right. I'm going to ask you something about  
44 that a bit later. For the moment, just stay with Elizabeth  
45 Stroud. Would you describe these conversations you had  
46 with her as a soul-searching exercise?  
47 A. I'm not sure what you mean by "soul-searching".

1  
2 Q. No.  
3 A. You might want to elaborate.  
4  
5 Q. Well, I can't, it's not my description. You've heard  
6 the phrase though, haven't you, "soul-searching"?  
7 A. I have, but I've heard it in many contexts. I don't  
8 know which context you're implying.  
9  
10 Q. Is there any context in which you would describe these  
11 discussions with Ms Stroud as soul-searching?  
12 A. No, I would say it was seeking to have a better  
13 understanding of the reality that I knew, and I suppose I  
14 was testing that because, as I keep saying, the whole thing  
15 came as a total surprise. Now, if you call that  
16 soul-searching, it's soul-searching, but it's not what I'd  
17 call soul-searching.  
18  
19 Q. Mr Kenyon, before you spoke to Ms Stroud, were you  
20 aware of any specific, or were you able to recall any  
21 specific instances that were examples of Mrs Dawkins  
22 supposed unprofessional or inappropriate behaviour?  
23 A. I certainly had some memories, and let me say again  
24 after 28 years they were a little bit fuzzy, but I suppose  
25 it was about clarifying, but I certainly did have memories  
26 of her own personal behaviour with the co-worker, their  
27 sexual relations, which I certainly was strongly  
28 disapproving of. There were issues to do with --  
29  
30 Q. Okay. So --  
31 A. -- participants getting drunk and whether she was  
32 supervising that. There were issues to do, I think, with  
33 the desecration of public art that I remember. I mean,  
34 these are issues I particularly raised with Michael Prost,  
35 the Director-General, when we were talking about how do we  
36 cope with her behaviour in Katanning.  
37  
38 Q. Okay. Did you raise any of those matters in 1985 with  
39 Maggie Dawkins?  
40 A. I'm not quite sure how many meetings I had with Maggie  
41 Dawkins, whether it was one or two. I can only remember  
42 specifically meeting with her prior to her going there,  
43 when I was informed from above that she would be a project  
44 leader, and so I met her then. Whether I met her  
45 afterwards, which she is claiming, but she's a bit fuzzy  
46 whether I was in or out of those meetings - I cannot recall  
47 whether I was a major part of any of those meetings. I

1 cannot recall --  
2  
3 Q. Mr Kenyon, I'm going to stop you there. Do you recall  
4 raising any of these matters with Maggie Dawkins in 1985?  
5 A. I can recall raising these matters with a number of  
6 people in '85 --  
7  
8 Q. No, no, don't worry about that?  
9 A. -- whether she was one of those --  
10  
11 Q. No, only --  
12 A. -- I'm not sure.  
13  
14 Q. That's where I'm going to stop you. Did you raise it  
15 with Maggie Dawkins?  
16 A. There was supposedly that final meeting where she came  
17 after she'd gone to - to Bunbury, and certainly I believe  
18 that would have been the purpose of me being in that  
19 meeting, but it was clearly about behaviour, not about what  
20 she claims.  
21  
22 Q. Did you raise - yes, I gather that you have no  
23 recollection - I'm going to suggest to you that you  
24 actually did not raise these matter with Maggie Dawkins  
25 prior to her removal from Katanning. Am I right there?  
26 A. No, I believe the meeting would have happened after  
27 she left there.  
28  
29 Q. So, therefore, the answer to my question is, "Yes,  
30 that's right". You accept that, that you didn't raise that  
31 with her, provided that --  
32 A. I directed people to raise these things with her. As  
33 I said, I didn't --  
34  
35 Q. Okay. Stop there, stop there.  
36 A. -- get involved in the nitty-gritty.  
37  
38 Q. Stop there.  
39 A. Yes.  
40  
41 Q. Who did you direct?  
42 A. It would have been discussions I imagine I would have  
43 had with Mr Carter and Mr Sherlock about the behaviour and  
44 how were we going to deal with it. The complication I had  
45 all the time was --  
46  
47 Q. No. Okay. No, no, stop there, stop there.

1 A. Yes.  
2  
3 Q. Did you direct one of those two gentlemen to raise  
4 these matters with Maggie Dawkins before she was moved from  
5 Katanning?  
6 A. Again, I cannot specifically recall what meeting, but  
7 that certainly would have been my instructions.  
8  
9 Q. When you say "would have been", you don't have a  
10 recollection though of doing that?  
11 A. Look, I can't recall the order of all of these things.  
12 All I know is we had a problem, and she was inappropriate,  
13 but a very difficult person to actually have to deal with.  
14 Certainly she would have been made aware of her behaviour.  
15  
16 Q. Well, she should have been made aware of her behaviour  
17 if this was the reason why she --  
18 A. Yes.  
19  
20 Q. -- was moved?  
21 A. Without doubt.  
22  
23 Q. Do you agree with that?  
24 A. Yes. I agree with that, yes.  
25  
26 Q. And if she wasn't advised of that, that would be a  
27 major oversight by management. Would you agree with that?  
28 A. Probably, yes.  
29  
30 Q. Not probably, definitely?  
31 A. Definitely, yes. Certainly my position would be her  
32 behaviour was inappropriate.  
33  
34 Q. And given that, she should have been directed as to  
35 how to behave; yes.  
36 A. Yes, yes.  
37  
38 Q. Given some warnings about her behaviour - yes?  
39 A. Yes, depending on the severity of it.  
40  
41 Q. Yes. And advised that should she not change her  
42 behaviour, then consideration had to be given to moving her  
43 out of, at the very least, the Katanning Westrek project?  
44 A. Maybe. I mean, certainly those warnings - the one  
45 thing I do know is that we could not get rid of her, and so  
46 how it was conveyed, I am not quite sure. You're asking me  
47 to comment on other people's ways of doing things, I do not

1 know.  
2  
3 Q. Well, Mr Kenyon, I'm going to say to you that it  
4 wasn't raised at all with her?  
5 A. I would be surprised it wasn't.  
6  
7 Q. And, as I say, if that was the case you would be not  
8 just surprised, but you would be extremely surprised?  
9 A. Yes.  
10  
11 Q. And --  
12 A. I would be disappointed.  
13  
14 Q. -- disappointed that this direction you had given  
15 seemed to have been blatantly ignored?  
16 A. Yes, I'm not quite sure if you call it a blatant  
17 direction on my part, but I certainly had a number of  
18 discussions with people in this program about the  
19 difficulties of this person, and expected - and we needed  
20 to kind of like do something about it. The one option we  
21 didn't have, as I keep saying, is we couldn't get rid of  
22 her. So I would be disappointed if that wasn't conveyed.  
23  
24 Q. Getting back to the conversations you had with Ms  
25 Stroud, would you agree with this proposition, that she  
26 didn't see the same enormity of the circumstances in  
27 Katanning as you did?  
28 A. No, not at all. I think we both had a fairly common  
29 agreement that her behaviour was unprofessional,  
30 inappropriate. I think we share that view probably then,  
31 and we do now.  
32  
33 Q. Peter Sherlock now. Did you have any conversations  
34 with him?  
35 A. Yes, I think --  
36  
37 Q. -- since the ABC contacted you?  
38 A. Yes. I certainly did also try and track him down. I  
39 certainly had one or two conversations with him over the  
40 telephone. I found out that he was in McKay and, again, I  
41 was just quite keen to hear whether he was aware of this,  
42 and I think when I spoke to him, I wasn't actually - hadn't  
43 been contacted by you or your Inquiry at that stage, which  
44 again I found surprising, and he may have rung me back  
45 later when he was - we had a couple of conversations over  
46 the phone about - about the whole Inquiry and what was  
47 being claimed.

1  
2 Q. And you told Elizabeth Stroud that you would be  
3 contacting Peter Sherlock?  
4 A. I can't recall. I probably did. I'm a fairly open  
5 person. I don't talk behind people's backs, and play  
6 people off, one off the other, but I can't specifically  
7 recall that I told her - I think she expected - in fact, I  
8 think she might have been the person who told me where he  
9 was.  
10  
11 Q. Yes. And is it the case that you sent him an email  
12 and he rang you back?  
13 A. Could have been. I can't remember whether I emailed  
14 him or phoned him. One or the other.  
15  
16 Q. So what was the main --  
17 A. It's whatever I was given.  
18  
19 Q. What was the main reason why you wanted to contact  
20 him?  
21 A. Exactly the same reason I wanted to talk to  
22 Mrs Stroud. Simply I needed kind of like clarification of  
23 what had happened there 28 years ago, because what I was  
24 reading in this testimony by Mrs Dawkins wasn't my  
25 recollection.  
26  
27 Q. And did you say to him what your recollection was?  
28 A. Probably.  
29  
30 Q. Most certainly wouldn't it have been the case?  
31 A. Probably, yes. As I said, I certainly had a clear  
32 thing, and I probably would have said, "This is what I  
33 thought, Peter".  
34  
35 Q. Right. And he agreed with what you said?  
36 A. He certainly agreed with all the behaviour stuff and  
37 so on. He did, I think, mention the issue that I think Mr  
38 McKenna had rung him or - or something like that, following  
39 it. But certainly --  
40  
41 Q. Okay.  
42 A. -- I was --  
43  
44 Q. I want to stay with that.  
45 A. Yes.  
46  
47 Q. What did he say to you about Dennis McKenna contacting

1 him?  
2 A. I think he just said that there was - that Mr McKenna  
3 was quite annoyed with her behaviour, and there was a  
4 contact - well, they must have talked - I mean, he dealt  
5 with Mr McKenna apparently on the accommodation issue.  
6  
7 Q. Yes. And did you ask him why it was that Dennis  
8 McKenna was annoyed?  
9 A. Yes. And then it was - you know, he was saying it was  
10 primarily Mrs Dawkins' behaviour and so on that filled  
11 them - he gathered did not relate very well.  
12  
13 Q. What behaviour of Mrs Dawkins, did he say to you that  
14 it was causing Dennis McKenna to be annoyed and make that  
15 phone call?  
16 A. Look, I don't think - I can't remember him  
17 specifically describing the type of behaviour. I suppose  
18 it was within the context of the type of behaviour that  
19 people knew Mrs Dawkins for, a very opinionated, had an  
20 opinion on everything, that type of approach that I suspect  
21 the two of them may or may not have related very well  
22 generally, but certainly at no stage did I get the  
23 impression or that it - that Mr McKenna had rung  
24 Mr Sherlock re the accusations that Mrs Dawkins was making.  
25  
26 Q. Are you sure about that, Mr Kenyon?  
27 A. Yes, I am sure that in my conversations, and I may be  
28 wrong, but the impression was simply that I'm not under the  
29 impression that - and certainly Mr Sherlock never told me  
30 this - that McKenna rang in because of her accusations  
31 about him. It was, I got the impression again, the  
32 difficulty that they had in working with her.  
33  
34 Q. Is that your impression you got from what Mr Sherlock  
35 told you --  
36 A. Yes.  
37  
38 Q. -- were the contents of this telephone conversation?  
39 A. Yes.  
40  
41 HIS HONOUR: Q. What did he tell you?  
42 A. Sorry. Just simply that.  
43  
44 MR URQUHART: Q. What did he tell you that Dennis  
45 McKenna was complaining about?  
46 A. I get the impression just the difficulty --  
47

1 Q. No, Mr Kenyon, I want to know what he told you about.  
2 I don't want your impression. I want you to recall as best  
3 you can what he said to you?

4 A. That's what I recall. Sorry, the thing is, I can't  
5 tell you what I don't know. I simply had the impression I  
6 had, and it wasn't a major part of any of the conversation  
7 I had with him, it was simply the fact that he seemed to be  
8 very annoyed with her and that's all I can recall from that  
9 conversation. About - it just seemed to be the way, you  
10 know, the difficulty that the two of them had relating to  
11 each other. It could have been that but certainly I was  
12 not told by Mr Sherlock that he rang him because she was  
13 making accusations about his sexual behaviours.  
14

15 Q. Well, Mr Kenyon, the evidence of Mr Sherlock is that  
16 is precisely the reason why?

17 A. Well, all I can say is I cannot recall that as part of  
18 the conversation I had with him. He certainly didn't go  
19 into those details.  
20

21 Q. You see, Mr Kenyon, if, in fact, you and Mr Sherlock  
22 were having discussions as to why it was that Maggie  
23 Dawkins was moved from Katanning to Bunbury and if, in  
24 fact, this telephone conversation was pivotal in that  
25 decision, I'm going to suggest to you that Mr Sherlock  
26 would have told you why it was that Mr McKenna was  
27 complaining about Maggie Dawkins?

28 A. Certainly that - are you talking about a few months  
29 ago or are you talking about in 1985?

30 Q. I'm talking about the conversations he had with you in  
31 the last few?

32 A. Yes, certainly I was not led to change my opinion  
33 following the conversation with Mr Sherlock about what was  
34 the reason why she was moved. It was because she had put  
35 the town offside through her behaviours and attitudes, and  
36 that is the view I had then and I suspect that he just  
37 reinforced that, and I suspect if Mr McKenna had rung him  
38 that was actually part of that scenario.  
39

40 Q. So I gather then, what you are saying then is that  
41 Mr Sherlock didn't go into the details then of what --

42 A. No.  
43

44 Q. -- Mr McKenna was saying to him?

45 A. No. Look, I think my impression of Peter was he was  
46 struggling after 28 years to remember specific details of  
47 the conversation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. And nor did you ask him, by the sounds of it?

A. No, I didn't think I did. I particularly asked him about the - it is true that this woman, my memory and the conversations I had with people at the time, were that she was this square peg in a round hole in Katanning, and my understanding is the reason why she was moved is that a place like Bunbury could absorb her shocks a lot better than a small town like Katanning.

Q. Yes, I know, you have said all that. You see, Mr Kenyon, apart from what Maggie Dawkins was saying, wasn't this the first time that you became aware that Dennis McKenna had contacted Mr Sherlock back in 1985?

A. Yes, yes. Yes, no-one else had told me that.

Q. No-one else had told you that?

A. No.

Q. Either in the last few months or are you saying in 1985?

A. Well definitely in 1985 I wasn't told at all, but I am just saying that recently this conversation that supposedly happened between Mr Sherlock and Mr McKenna that became new news to me in that period, and that, I suspect, was in that conversation from Mr Sherlock but definitely not back in 1985. I was definitely not told about that.

Q. You see, Mr Kenyon, given the fact now that this was the first time you had heard of Dennis McKenna's name being linked to all of this, apart from what Maggie Dawkins was saying, I suggest to you this would be a matter that you would be most interested in exploring further with Mr Sherlock?

A. No, I think your assumption is wrong there. It wasn't the first time his name was raised. It was raised with me by the ABC reporter who mentioned that name. So that's where I first discovered it, yes.

Q. I suppose I will confine my answer to those that were involved in the Westrek program?

A. Yes.

Q. Okay. So I am going to repeat the question. That it would have been a matter that you would have explored further with Mr Sherlock, surely?

A. I could have, and certainly the memory I have of the

1 conversation with Mr Sherlock was that he raised the issue,  
2 which probably reinforced my image that this guy had rung  
3 him because they were annoyed about her behaviour in the  
4 town, and that actually is --  
5  
6 Q. But, see, Mr Kenyon, you were trying to see whether  
7 there was anything to support what Maggie Dawkins was  
8 saying and you were doing that by ringing up your fellow  
9 Westrek --  
10 A. Yes.  
11  
12 Q. -- employees. Do you agree with that?  
13 A. I do.  
14  
15 Q. Yes, okay. Mr Sherlock says to you that Dennis  
16 McKenna did have some involvement in making complaints  
17 about Maggie Dawkins in 1985. Correct?  
18 A. Right.  
19  
20 Q. Yes?  
21 A. Yes.  
22  
23 Q. Maggie Dawkins is saying that the reason why she was  
24 moved from Katanning was because Dennis McKenna threatened  
25 to throw the Westrek participants out of their  
26 accommodation unless she was moved. Do you accept that?  
27 A. No, I don't because I wasn't aware of that type of  
28 threat. That certainly hasn't been raised with me and it  
29 certainly isn't something in 1985 that I would have  
30 responded to.  
31  
32 Q. No, no, no. I'm staying with the conversation you had  
33 with Mr Sherlock?  
34 A. Yes.  
35  
36 Q. Okay?  
37 A. Yes.  
38  
39 Q. You were aware, when you had the conversation with  
40 Mr Sherlock, that that's what Maggie Dawkins was saying?  
41 A. Yes, and I cannot - and sorry, I - no, let me answer  
42 your first question, and that is simply, I do not have a  
43 recollection that Mr Sherlock went into the threat that we  
44 were going to be chucked out of the thing. My  
45 understanding, and it was confirmed --  
46  
47 Q. Okay, look. No, I'm going to cut you off there,

1 Mr Kenyon, because you are not answering the question. I'm  
2 just going back to what your knowledge was of what Maggie  
3 Dawkins was alleging. Okay?

4 A. Yes.

5

6 Q. So given that, I'm going to suggest to you that you  
7 would have been asking Mr Sherlock what was it that Dennis  
8 McKenna was complaining about to see whether, what he was  
9 saying to Mr Sherlock, was what, in fact, Maggie Dawkins  
10 was alleging?

11 A. Sure, and I may have asked that but the knowledge and  
12 the memory I have - I think you want me to answer what I  
13 can recall.

14

15 Q. You said you may have but I'm just going to suggest to  
16 you that you would have; that's something you definitely  
17 would have done?

18 A. Whether I specifically asked that question or whether  
19 we had that conversation about here is a guy complaining,  
20 certainly I was not told, in that conversation, the guy  
21 said "I want her moved because she's making these  
22 accusations against me and what I am meant to have done to  
23 boys here". What I was led to believe from the  
24 conversation is here is a person who was like other people  
25 in Katanning and what we knew was someone who wasn't happy  
26 about her behaviour in the town. I have no doubt that if  
27 he was a major person caught up in that program he would  
28 have been one of those people complaining. I mean that  
29 doesn't come as a surprise or as a new knowledge thing to  
30 me. He was the person that obviously Mr Sherlock was  
31 negotiating with re accommodation. I gathered that he was  
32 not at all happy with her behaviour. That is what was  
33 communicated. Certainly Mr Sherlock did not tell me that  
34 he had a conversation about the accusation that Mrs Dawkins  
35 was making about Mr McKenna.

36

37 Q. Mr Kenyon, it seems to me what you are saying is that  
38 you cannot recall asking Mr Sherlock, when he was telling  
39 you about this telephone call with Dennis McKenna, whether  
40 his complaint, that is Dennis McKenna's complaint, was the  
41 same as the complaint that Maggie Dawkins says he was  
42 making. Is that right?

43 A. Yes, I mean I am under --

44

45 Q. Okay.

46 A. No, let me clarify it. I am under totally the  
47 understanding that what Mr Sherlock had shared with me was

1 the whole issue that he was a person who was very upset  
2 with Mrs Dawkins and her behaviour. That was what that  
3 conversation was actually all about, and we talked about  
4 that. I don't need to specifically push him on it, it was  
5 the theme of the conversation. I am under the impression  
6 that certainly her accusations that he was engaging in this  
7 horrific behaviour wasn't something that he was complaining  
8 about. He was complaining about her generally, and it  
9 seems to me, who would raise that anyway.

10  
11 Q. I'm going to stop you there. You keep on saying your  
12 impression and I want to know why it was that was your  
13 impression rather than something that you clarified with  
14 Mr Sherlock?

15 A. Look, the conversation clarified that he was one of  
16 those people who contributed in terms of his annoyance  
17 about her. What I was trying to clarify was, was this kind  
18 of like a decision based just then or was this a decision  
19 that was in the pipeline for a while? Because certainly  
20 that is my understanding.

21  
22 Q. All right, and what did he say to that when you asked  
23 him about that, whether this decision was in the pipeline  
24 or whether the decision made to move her was because of  
25 Dennis McKenna's conversation?

26 A. Look, I cannot recall that I used those type of words  
27 but I am sure we had a conversation which would have  
28 included questions by me really trying to clarify when,  
29 kind of like Maggie Dawkins kind of like was moved in terms  
30 of it. Because certainly, as I said, I had then, and as I  
31 have now, the belief that this was kind of like a long-term  
32 kind of like problem we had and certainly this was kind of  
33 like a thing that was actually in the pipeline. How do we  
34 deal with this issue, and the issue being how do you deal  
35 with someone in a country town who just is going down like  
36 a limp balloon?

37  
38 Q. Mr Kenyon, I'm going to put squarely to you that this  
39 version of this decision being in the pipeline is something  
40 that has been reconstructed since 1985?

41 A. I disagree with you strongly on that interpretation.  
42 I do not agree with that at all.

43  
44 Q. I'm going to read out to you what Mr Sherlock said was  
45 the contents of the telephone conversation he had with  
46 Dennis McKenna back in 1985. Okay?

47 A. Okay.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. I know you haven't read this?

A. Yes.

Q. It's a rather long answer. If you want me to repeat it or if you don't hear me properly, please say so. Okay?

A. Fine.

Q. It is at page 1564 of the transcript from 11 April. It is the first question that appears at the top of the page. I asked him, Mr Kenyon:

In any event, very shortly, is it the case after that conversation you say you had with Mrs Dawkins, you received the telephone call from Dennis McKenna.

Here's the answer:

I did. My recollection was on my home phone on a Saturday. He was completely irate. The substance of that call was that Mrs Dawkins had been to see him, had said that she was unsatisfied with the way things were going, and that she was going to the press. Now, his concern, and he was totally furious, was that it would ruin his reputation and the reputation of the hostel. He went on at a fair amount - at a fair length and wanted Maggie moved - wanted Mrs Dawkins moved out of there immediately. I talked to him about it. I did say to him, but I'm asking you to recall that I've still got this image in my mind about how he was basically the saviour of the town. I did ask him if there was any truth in the rumour that he was involved with boys, and he denied it emphatically and sort of laughed in a kind of a offhand way, as though, of course it wasn't true. Yes. That's not a phone conversation that I will forget.

Q. Do you accept that he may well have also said that he would kick the Westrek participants out of their accommodation unless Mrs Dawkins was moved?

1 A. I don't recall that precisely, but he  
2 could well have said that, because that  
3 would have been in the context of his rage  
4 on that particular day.

5  
6 Okay?

7 A. Right.

8  
9 Q. I gather from what you are saying, Mr Kenyon, is that  
10 Mr Sherlock did not go into the details of what Mr McKenna  
11 was saying to him when he told you about this phone call in  
12 the last several months. Is that right?

13 A. I stand by that. I certainly wasn't - I certainly  
14 didn't have, what you have just read out, shared with me in  
15 any of that type of detail. I was under - and I hate using  
16 this word - at the end of those conversations, the  
17 impression is that Mr McKenna was quite annoyed with her  
18 behaviour and that that was a phone call that he received  
19 about it. Now, I still believe, and you have kind of like  
20 cleared that, as you are aware, I have not read his  
21 testimony but I believe that it was kind of like his "This  
22 is the last straw with this type of woman. Now she's  
23 making all accusations and different things and whatever".  
24 Certainly to me, my understanding is that she was removed  
25 from that town and, to confirm what I believe, it was about  
26 her own personal behaviours rather than being a  
27 whistleblower.

28  
29 Q. And are you saying that this was a matter that was  
30 constantly discussed during her time at Katanning and  
31 before she was moved?

32 A. It certainly was a common discussion point amongst  
33 lots of people.

34  
35 Q. And are you saying that these matters that have been  
36 spoken about regarding her behaviour were enough in  
37 Westrek's management's view to have her moved on?

38 A. Yes.

39  
40 Q. And whose decision would it have been to recommend  
41 that Maggie Dawkins be moved from Katanning to Bunbury?

42 A. I suspect Mr Sherlock's decision. It was an  
43 operational matter. I suspect he would have consulted  
44 Mrs Holmes à Court on that, as the chair of that meeting,  
45 but I'm sure you've already asked her that question.

46  
47 Q. Asked who, sorry?

1 A. Asked Mrs - I'm sure you've spoken to Mrs Janet Holmes  
2 à Court about these issues.  
3  
4 Q. Don't assume anything, Mr Kenyon. I am just going to  
5 read out to you now an answer that was given to a question  
6 that I asked of Mr Sherlock at page 1590. It is at line  
7 16. I asked Mr Sherlock this:  
8  
9 If Dennis McKenna had not made that call to  
10 you, she would have remained in Katanning.  
11  
12 "She" being Maggie Dawkins, and his answer was:  
13  
14 Yes.  
15  
16 A. That surprises me, that very --  
17  
18 Q. Yes, Mr Kenyon, because your account and that of  
19 Elizabeth Stroud's, and I can also say to you Ian Carter,  
20 is that Maggie Dawkins was removed because of her  
21 inappropriate behaviour?  
22 A. Yes. That is what I believed then and that's what I  
23 believed right up to now. Now, if you're saying that  
24 Mr Sherlock has a different view on that, well that's his  
25 view, but that certainly isn't what he or any of the other  
26 staff gave me the impression.  
27  
28 Q. Well, it's not just Mr Sherlock who has that different  
29 view, Mr Kenyon. It is Maggie Dawkins' view as well?  
30 A. I have no doubt about that, yes.  
31  
32 Q. So, you say that you were surprised when you heard the  
33 account given by Mrs Dawkins and I now gather that you are  
34 also now surprised by that answer given by Mr Sherlock?  
35 A. I am. I'm definitely surprised by that answer because  
36 that certainly isn't what I was led to believe.  
37  
38 Q. Am I right in saying that you would not have expected  
39 Mr Sherlock to give that answer?  
40 A. Definitely.  
41  
42 Q. Am I right in saying that you would have expected from  
43 your conversations with them for Ms Stroud and Mr Carter to  
44 give a similar account to you as to why Maggie Dawkins was  
45 moved?  
46 A. In 1985?  
47

1 Q. Yes?  
2 A. Yes.  
3  
4 Q. And in conversation - I should confirm with you, you  
5 have also spoken to Ian Carter, haven't you --  
6 A. No.  
7  
8 Q. -- in the last few months?  
9 A. No. Mr Carter made it very clear right from the time  
10 that you commissioned him. I spoke to him when he was  
11 requested to appeal and he took legal action. He made the  
12 decision he would not communicate with anyone. So I have  
13 had no communications with Mr Carter for several months.  
14  
15 Q. Hold on. What about since the ABC contacted you?  
16 A. Well, around the ABC we talked because I was rung by  
17 the ABC and I - he was the first person I rang because he  
18 was the one I had in contact to say "Hang on, are you aware  
19 this is happening?". Yes, then, but as for any recent  
20 contact in any of the last months, it was - Mr Carter took  
21 a very strong line he did not communicate to anyone.  
22  
23 Q. I'm not taking issue with that but, Mr Kenyon, you had  
24 a discussion with him initially and you had a discussion  
25 about what you each could both recall. Isn't that right?  
26 A. I imagine you could interpret it that, Mr Urquhart,  
27 but, you know, obviously when we have a conversation we are  
28 naturally relating what we can remember.  
29  
30 Q. Didn't you say to him that you could not recollect  
31 this issue about Dennis McKenna making threats and  
32 insisting that Maggie Dawkins be removed. You mentioned  
33 that to --  
34 A. Yes.  
35  
36 Q. -- Mr Carter --  
37 A. And I stick with that.  
38  
39 Q. That that wasn't raised; yes?  
40 A. No, the name "McKenna" I have no recollection of  
41 whatsoever until it was raised by the 7.30 reporter.  
42  
43 Q. And you conveyed that to Mr Carter when you first  
44 spoke to him; yes?  
45 A. Yes.  
46  
47 Q. Right?

1 A. Yes. That is not the reason why I believed she was  
2 removed.

3  
4 Q. And you also both agreed with each other that your  
5 recollections were that that reason wasn't raised with  
6 either of you in 1985?

7 A. Yes.

8  
9 Q. Yes?

10 A. Well that's what I would have said. I'm not quite  
11 sure what he said but I can tell you that's what I said and  
12 that's what I still say.

13  
14 Q. So getting back to my original question, now that we  
15 have clarified that you did speak to Mr Carter about this  
16 matter sometime in the second quarter of last year --

17 A. Yes.

18  
19 Q. -- you were expecting Mr Carter and Ms Stroud to give  
20 a similar account that you have given to the Inquiry this  
21 morning?

22 A. I'm not sure what Ms Stroud might have said but I  
23 would suspect that that's the conversation I had with Ian  
24 Carter back there in the latter part of 2011 and I  
25 suspect - I have no reason why he would want to change his  
26 impression. Maybe he's remembered something that I didn't  
27 but I keep reminding you, it is 28 years ago, but my  
28 knowledge is simply I was not told about this in 1985.

29  
30 Q. I know all that. I know all that.

31 A. Good.

32  
33 Q. I just want to clarify and establish with you that's  
34 what you expected Ms Stroud would say and Mr Carter would  
35 say about their memories based on the conversations you had  
36 with them in the last several months?

37 A. I imagine so. Look, I'm not quite sure what  
38 Mrs Stroud remembered of those days. She was much more  
39 immersed in it, but when it comes to Mr Carter, I am  
40 assuming that what we talked about back then in the latter  
41 part of 2010 is what he still - unless he had other  
42 recollections. I haven't talked to him so I cannot - again  
43 I keep reminding you, I cannot give you an answer to what I  
44 don't know.

45  
46 Q. No.

47

1 MR URQUHART: Might that be an appropriate time, sir?  
2  
3 HIS HONOUR: Yes, we will adjourn for lunch. Make it 2  
4 o'clock?  
5  
6 MR URQUHART: Yes. Once second. Can I just clarify when  
7 we have the video until, you mentioned?  
8  
9 ASSOCIATE: In the afternoon (inaudible).  
10  
11 HIS HONOUR: I don't mind making it a shorter lunch hour,  
12 if you prefer.  
13  
14 MR URQUHART: I will just approach my learned friend.  
15  
16 HIS HONOUR: Yes.  
17  
18 MR URQUHART: Mr Prior tells me he is going to be 30  
19 minutes. Better see if we can get some extension to the  
20 link, if we can. Sir, can we still make it, if that suits  
21 everybody, quarter to 2?  
22  
23 HIS HONOUR: Quarter to 2? I'll adjourn until quarter to  
24 two.  
25  
26 MR URQUHART: Thank you, sir.  
27  
28 LUNCHEON ADJOURNMENT  
29  
30 UPON RESUMPTION:  
31  
32 HIS HONOUR: Please be seated. Yes, Mr Urquhart.  
33  
34 MR URQUHART: Thank you, sir.  
35  
36 Q. Mr Kenyon, can you see and hear me?  
37 A. I can, indeed.  
38  
39 Q. All right. Thank you. Mr Kenyon, I'll just go back,  
40 please, to what you spoke to Mr Sherlock about when you  
41 contacted him on those - I think you said two occasions.  
42 Can you remember that you were interested in one particular  
43 matter when you first contacted him, and that was to do  
44 with whether he knew if the Westrek records still existed?  
45 A. Yes, I think I can remember asking him about that.  
46  
47 Q. Yes. Can I ask you why you did that?

1 A. Well, I was hoping that there would be some records,  
2 particularly staff records, available re that particular  
3 project.  
4  
5 Q. Yes. And can you recall what his response was?  
6 A. I'm trying to remember, but I think it was around the  
7 response to do with, "No, there would not be any records  
8 left; the organisation had moved from its - you know, its  
9 site; the organisation involved in something else", and he  
10 wasn't certain where any of the records - he certainly  
11 didn't have any, and couldn't actually - didn't believe  
12 they would be there.  
13  
14 Q. Something like that?  
15 A. Yes.  
16  
17 Q. Did you follow that up with either Mr Carter or Ms  
18 Stroud?  
19 A. No. I didn't - I haven't spoken to Mr Carter, as I  
20 mentioned, since this actually happened, so certainly no -  
21 and I certainly didn't follow it up with Ms Stroud.  
22  
23 Q. I thought we established that you did have one  
24 conversation with Mr Carter?  
25 A. Not after I spoke to Mr - Mr Sherlock, no.  
26  
27 Q. No, I'm just saying --  
28 A. No, it's ages since I spoke to Mr Carter. Well,  
29 before Mr Sherlock.  
30  
31 Q. I was asking you whether you asked Mr Carter at that  
32 stage whether you had raised this question --  
33 A. I can't remember us - no, I honestly can't remember if  
34 I asked him that question or not.  
35  
36 Q. Did you speak to anyone else, or have any email  
37 exchanges with anyone else involved in the Westrek program,  
38 apart from Ms Stroud, Mr Carter and Mr Sherlock?  
39 A. No, I think they are the only people. There was the  
40 Tarquin Bowers involved; but, no, I certainly haven't  
41 followed him up at all. And I didn't have a relationship  
42 with Janet Holmes a Court. Other people dealt with her, so  
43 I certainly didn't speak to her either. I haven't spoken -  
44 I haven't really run in or met her for 20-odd years.  
45  
46 Q. Were you aware if any of the others that you had  
47 spoken to had contacted her?

1 A. Not that I recall. I - I know when the '7.30 Report'  
2 came, I think Mr Carter did mention that he had had a  
3 conversation with her. I'm not quite sure whether Ms  
4 Stroud had mentioned that she had spoken to her or not, but  
5 I certainly didn't have a personal relationship with  
6 Mrs Holmes a Court. That was done through my boss, and  
7 Peter Sherlock and Ian Carter dealt with her directly. I  
8 wasn't on the Board.  
9

10 Q. Do you accept that you may well have - when you spoke  
11 to the three, that you did, that you may well have  
12 mentioned to one what the other had told you?

13 A. No, I can't recall doing that. I may have, but it's  
14 not something that sticks in my mind.  
15

16 Q. From your discussions that you had with these three  
17 people in one phone call, or one conversation you had with  
18 Mr Carter and then the several, if I can call it that, with  
19 Mr Sherlock and Ms Stroud, at the end of all those  
20 conversations, did you believe that what they said to you  
21 and what you knew - that all four of you had no  
22 recollection that Maggie Dawkins had raised allegations of  
23 sexual abuse by Dennis McKenna back in 1985 with any of  
24 you?

25 A. Certainly with Mr Carter, both of us back there  
26 six months ago, when the ABC reporter contacted us - both  
27 of us made the common kind of like conclusion that neither  
28 of us could ever remember this being raised, but if it had  
29 it would have been like a red flag, red bell ringing, and  
30 we would have actually done something about it. In terms  
31 of the others - again, I'm not quite sure what they were  
32 saying. Mr - in terms of whether they believed - I'm under  
33 the impression with Mrs Stroud that she didn't feel that it  
34 had been raised, and I may be wrong on that.  
35

36 Q. All right. And --

37 A. She was more concerned about my memory on the issue.  
38

39 Q. Yes. But we are also interested to see what they  
40 could recall as well?

41 A. Only for it to fill in the gaps that I had in my mind,  
42 and whether it concurred with me. My memory was that if  
43 this had been raised with me, it would have flashed like  
44 nothing on earth, and it didn't.  
45

46 Q. And the account that you gave of the conversation with  
47 Mr Sherlock would suggest that he didn't appear to say to

1 you what it was that Dennis McKenna was complaining about  
2 when Dennis McKenna contacted you. Am I right there?  
3 A. Yes, look, my memory is that it was reinforcing that  
4 this problem - this woman is a problem in the town. That  
5 was what the image I had, or the memory or the - of that  
6 conversation.

7  
8 Q. So, therefore, from all of that, am I right in saying  
9 that your belief was that all four of you did not appear to  
10 have any recollection that Maggie Dawkins had raised  
11 allegations of sexual abuse by Dennis McKenna with any of  
12 you in 1985?

13 A. I cannot speak what the others kind of like knew or  
14 didn't know, but I can say certainly --

15  
16 Q. Based on what they told you?  
17 A. Based on what Mr Carter said, he concurred exactly  
18 with what I said. As for the others, what they clearly  
19 know, I'm still a little bit uncertain in that. Mr  
20 Sherlock certainly, as he said, had that conversation with  
21 him. What they did concur with me was that fundamentally I  
22 came away from those conversations believing, as I still do  
23 today, that she was moved because of her behaviour.

24  
25 Q. Yes. Okay. My next question: of your conversations  
26 that you had with the other three, it was your belief that  
27 what they were saying as to why she was moved was  
28 consistent, generally consistent with what you are saying  
29 now?

30 A. Yes.

31  
32 Q. And from your discussion at least with Mr Sherlock,  
33 did you form a view that it was highly unlikely that any  
34 written documents or records from 1985 involving the  
35 Westrek program would still be in existence?

36 A. I can't answer that. I'm not sure. I didn't really  
37 push him on that to that type of issue. I was hoping there  
38 would be some records available, there would certainly be a  
39 staff record or something to do with Mrs Dawkins, but as  
40 for any records, no - I mean, I didn't - I didn't know what  
41 was available. As I said, this program was a bit  
42 different --

43  
44 Q. Okay.

45 A. -- and evolved out of the department. It even moved  
46 out of the building. We had very little to do with it, and  
47 it moved into the hills. It had all of its own records.

1  
2 Q. And what were you hoping the staff records of Maggie  
3 Dawkins would contain?  
4 A. Well, I suppose whether or not it would just confirm  
5 the picture that I had from those days, that here was a  
6 woman who was really in the wrong job at the wrong place,  
7 and it caused a whole pile of issues re that particular  
8 project. She was not appropriate for a small town at all.  
9  
10 Q. And if her records didn't confirm that?  
11 A. Well, that would then question, you know, the validity  
12 I had, or people didn't do their job at the time, making  
13 those type of accurate records, because I have no doubt, Mr  
14 Urquhart, that at the time I had a very clear image that  
15 was coming from both my staff below me and my manager above  
16 me, that here was a woman that was causing us problems, and  
17 we had to manage it.  
18  
19 Q. It doesn't seem to be in dispute from either side, Mr  
20 Kenyon, that Maggie Dawkins was causing problems. The  
21 question is what was the reason for those problems. Do you  
22 accept that?  
23 A. I'm not quite sure what you're leading at. I have a  
24 clear understanding of what was causing the problem.  
25  
26 Q. There were problems which necessitated her being moved  
27 from Katanning to Bunbury; correct?  
28 A. Yes, in the belief that Bunbury could absorb her  
29 shocks better than Katanning could.  
30  
31 Q. Why would that be the case, that Bunbury was somehow  
32 more resilient to her behaviours than Katanning?  
33 A. Look, whether it's true or false, there was a belief  
34 at the time that a place of the size of Bunbury, a regional  
35 centre, was much more likely to be able to absorb it than a  
36 small town. She had burnt her bridges there, was the image  
37 that had been conveyed to me --  
38  
39 Q. Well, what's the basis --  
40 A. -- and therefore to move --  
41  
42 Q. What was the basis of it then?  
43 A. The basis was that it would cope with her better --  
44  
45 Q. How?  
46 A. -- and the reality was that's actually what happened  
47 in reality. I can't recall having any more problems with

1 her until she actually left the program. So it did seem to  
2 have the right impact when she did actually get moved, but  
3 my knowledge - and I can only go on what I can remember  
4 from 28 years ago - is someone who wasn't on the Advisory  
5 Board, who wasn't really in a day-by-day involvement in  
6 that project - the image that I had was that she was  
7 totally unsuitable in a small community because of her  
8 behaviour.  
9

10 Q. Well, wasn't it because of Dennis McKenna?

11 A. That's not what I believe then, and certainly that  
12 isn't how I actually operated. I never knew this guy. I  
13 hadn't had a conversation with him. He didn't ring me. I  
14 was led to believe that her behaviours were inappropriate  
15 and unprofessional --  
16

17 Q. I know. I know. You've said that repeatedly.

18 A. -- and there were a whole set of examples.  
19

20 Q. But who told you, or where did you get this idea that  
21 there was a belief that her behaviours could be better  
22 absorbed in Bunbury?

23 A. I suspect it came from the staff dealing with this  
24 issue. Look, we were in a bit of a fix only because of her  
25 political position, because of her boyfriend's position.  
26 We could not sack her. I was told that very clearly. It  
27 was about trying to say, "How do we manage that?"  
28

29 Q. No, Mr Kenyon, stop. I'm going to cut you off there  
30 because I'm going to ask you about - I'm going to ask you  
31 to answer the questions. Who put forward this belief that  
32 Bunbury could better absorb her behaviours?

33 A. I - all I can assume is that it actually came from  
34 staff below me. I cannot recall at the time --  
35

36 Q. Okay.

37 A. -- but --  
38

39 Q. All right. That's fine.

40 A. Let me - can I just add: I work a lot in small towns.  
41 I continue to work in those towns. There is a dynamic  
42 there that certain people do not kind of like cope with  
43 regional centres. There is a reality, it's much bigger and  
44 it can be coped with. Now, whether that's true or false,  
45 that was definitely the assumption we worked on.  
46

47 Q. But, Mr Kenyon, I'm suggesting to you that the biggest

1 distinction between Katanning and Bunbury is not so much  
2 the size of the town, but the fact that Dennis McKenna was  
3 the warden at Katanning and not at Bunbury?  
4 A. And I'm saying to you, Mr Urquhart, I don't accept  
5 that. I believed then it was because she was not  
6 appropriate in the town, and that is what I believed then.  
7 And that is what I believed until this day, when all of  
8 this stuff came out. Sorry about it, but I cannot keep - I  
9 cannot tell you what I don't know. And I'm constantly  
10 reminding you that is why I operated on that assumption.  
11  
12 Q. And do you still maintain that that assumption is  
13 correct, now that I have referred you to the evidence of Mr  
14 Sherlock?  
15 A. Well, you've kind of like illuminated what may have  
16 been in the decision making of Mr Sherlock. I can tell you  
17 back in '85 that was not conveyed to me, but the consistent  
18 message was what I told to you.  
19  
20 Q. The question is: do you maintain that your assumption  
21 is correct now, in light of that evidence of Mr Sherlock?  
22 A. Well, it certainly kind of like colours it, but  
23 certainly we had a problem there, and it was to do with her  
24 behaviour, and that is what I remember we were reacting to,  
25 and what I was agreeing from staff about. Now, you've  
26 brought in new stuff that's happened in hindsight, what Mr  
27 Sherlock may have stated. He did not convey that to me in  
28 1985. I knew nothing about this issue of paedophilia in  
29 1985. It would have rung bells with me, mate, I can tell  
30 you.  
31  
32 Q. You have portrayed Mr Sherlock at the start of your  
33 evidence, in your view, as being very competent and a  
34 responsible person in the job he held?  
35 A. That is how - that's why we employed him. Now,  
36 whether or not he stuffed up on there, I'm not one to  
37 judge. You can judge that, that's your job.  
38  
39 Q. Well, Mr Kenyon, I'm going to ask you for your opinion  
40 though on this: it would be an incredible, to use your  
41 words, stuff up if he failed to either tell you or Mr Ian  
42 Carter as to a pivotal reason why Dennis McKenna - sorry,  
43 Maggie Dawkins was moved from Katanning to Bunbury?  
44 A. Certainly.  
45  
46 Q. And it would be a most uncharacteristic stuff-up?  
47 A. It would be uncharacteristic, and it probably still

1 causes me a contradiction because I did not believe that  
2 this move was an instant thing. It was something that was  
3 needed for a long period of time, people looking at it, and  
4 certainly it wasn't something - but if you're saying there  
5 was now an issue that activated it, that certain was not  
6 what was conveyed to me.

7  
8 Q. Right. Okay. I'm just going assume - I'm not saying  
9 that that's the account given by Mr Sherlock --

10 A. Sure, I accept that has come from him, but that's not  
11 what I know. I believed that she was moved not because she  
12 was a whistleblower, but because of her inappropriate  
13 behaviour. I still remember that vividly.

14  
15 Q. Can you give me a reason why neither you nor Mr Carter  
16 would be told of this other reason why she was moved?

17 A. Look, I'm not sure, you'll need to check that with Mr  
18 Sherlock. I don't know why it wasn't conveyed, but  
19 certainly if it had of been, you look at my history, my  
20 engagement with young people. You would see quite clearly  
21 if that issue had been raised, it would have rung bells.

22  
23 Q. Even if it was being raised by someone as  
24 unconventional as Maggie Dawkins?

25 A. Obviously an issue like that is difficult when you  
26 have someone who was always complaining, always had an  
27 opinion on everything, a bit like the boy who calls wolf.  
28 She probably has less credibility than other people. She  
29 certainly did not send me any report. She certainly did  
30 not tell me about this issue. Whether Mr Sherlock didn't  
31 do it, there's also the fact she didn't either.

32  
33 Q. Mr Kenyon, the question is, I told you, is given the  
34 fact that it was Maggie Dawkins making this complaint, do  
35 you accept that it might have been given less credence?

36 A. Look, in hindsight I think all of us would agree. You  
37 would have agreed on that as well. I mean, here is a  
38 person who didn't have any credibility. Obviously that is  
39 an issue, but can I state quite clearly she never told me,  
40 and she didn't give me any written report or --

41  
42 Q. You've said that.

43 A. -- verbal report either.

44  
45 Q. Mr Kenyon, I can assure you --

46 A. So please note it.

47

1 Q. -- that's come over loud and clear in your evidence.  
2 No need to keep repeating that.  
3 A. Good.  
4  
5 Q. I'm exploring other reasons as to why it may be the  
6 case that this allegation that she was making wasn't acted  
7 upon. Okay?  
8 A. And, look --  
9  
10 Q. And I'm putting forward to you that one reason might  
11 well be it was because it was the complaint or the  
12 allegations being made by Maggie Dawkins, and I --  
13 A. Look, in hindsight I agree with you.  
14  
15 Q. You accept that?  
16 A. Yes. Look, the credibility of the messenger is always  
17 a factor obviously, and whether you were in Mr Sherlock's  
18 business or mine or Mr Carter's, you probably would have  
19 made the same kind of like observation, but I'm saying it  
20 never came to me.  
21  
22 Q. And what about the fact that the person she was  
23 accusing wasn't just any person who was a member of the  
24 Katanning community, it was someone who played a pivotal  
25 role in the accommodation for the Westrek participants  
26 there? Isn't that a factor?  
27 A. Not in a serious issue like this with me. If there  
28 was any validity in it, if the issue had been raised with  
29 me irrespective of accomodation or not, I would have  
30 expected we would have acted on it. So that's not in  
31 issue. To say we didn't do because we were scared of  
32 losing the accommodation - we're talking about paedophilia.  
33 This is an incredibly serious issue, and it's one that I  
34 have a long history in terms of standing for the rights of  
35 young people. There is no way I would allow accommodation  
36 - so all I can say to you, I'm sorry, that isn't how we  
37 would have responded. I wouldn't have.  
38  
39 Q. Well, Mr Kenyon, it would appear that there was a lack  
40 of response from the Department of Employment and Training.  
41 That's one view.  
42 A. That's one view.  
43  
44 Q. To this allegation which was made in 1985.  
45 A. Yes.  
46  
47 Q. I am sure you can appreciate why I am questioning you

1 and the other management staff at Westrek because this is  
2 1985 --

3 A. Yes.

4

5 Q. -- Mr McKenna wasn't arrested until September 1990.  
6 Okay?

7 A. Yes.

8

9 Q. Can I ask you this, you've read Maggie Dawkins'  
10 account, haven't you, in her evidence that she gave on 24  
11 February this year?

12 A. Yes.

13

14 Q. Do you agree that if her account is correct as to the  
15 reason why she was moved from Katanning to Bunbury, it  
16 would not reflect well on those who were responsible for  
17 that move?

18 A. Definitely.

19

20 Q. Whereas if the - her move had nothing to do with  
21 Dennis McKenna, but were due to her performance as a group  
22 leader, then the decision to move her would have been - or  
23 would be less controversial?

24 A. Without doubt. That's what I believe.

25

26 Q. Would have you expected there to be some written  
27 record of the reason or reasons why Maggie Dawkins was  
28 moved from Katanning to Bunbury?

29 A. I would have expected it, yes.

30

31 Q. And is that why - I gather that's why you are  
32 interested in finding out if there were any written records  
33 still in existence?

34 A. Sure. Because I sincerely believed then and right  
35 through until now that that was the reason she was moved.  
36 So, yes, definitely. I find it really strange this has all  
37 suddenly come out.

38

39 Q. So it was all suddenly come out?

40 A. Well, the factor that she was moved because she was  
41 the whistleblower - that is not the reality that I knew in  
42 '85. Why I was told and why I believed she was being  
43 moved, quite clearly --

44

45 Q. Yes, that's fine. You've answered the question. Is  
46 it the case, Mr Kenyon, that so far as your knowledge is  
47 concerned, you only believe that Mrs Dawkins has raised

1 this in the last seven or eight months?  
2 A. I can't comment on that. I - she may have, but all  
3 I'm saying is you asked me why I believed she was moved and  
4 I told you.  
5  
6 Q. No, is it your belief that that was the case - that  
7 she only has raised this in the last eight months,  
8 publicly?  
9 A. Look, I believe, because you gave me an article here  
10 today --  
11  
12 Q. Exactly.  
13 A. -- there is the news thing back there in '91, and --  
14  
15 Q. Mr Kenyon, we'll get to that. We'll get to that. But  
16 apart from you reading that article up until this morning,  
17 it was your belief that she was only raising this reason  
18 for her removal publicly in the last, say, eight months?  
19 A. I'm not questioning when she raised, or what her  
20 motive was --  
21  
22 Q. No, Mr Kenyon --  
23 A. I can't answer that.  
24  
25 Q. Mr Kenyon, I'm going to cut you off.  
26 A. What I can answer is what I believe.  
27  
28 Q. Mr Kenyon, was it your belief that that was the case  
29 prior to you reading the contents of that article?  
30 A. I was shocked when a '7.30 Reporter' rings me --  
31  
32 Q. No, no, Mr Kenyon.  
33 A. -- and quotes this is the reason --  
34  
35 Q. I'm sorry, Mr Kenyon.  
36 A. -- and I believed it then, that she was --  
37  
38 Q. Mr Kenyon, Mr Kenyon, I'm going to stop you.  
39 A. -- this wasn't it.  
40  
41 Q. It's a straightforward question --  
42 A. Yes.  
43  
44 Q. -- and I'll ask it for a third or fourth time: was it  
45 your belief prior to reading that article, which we'll get  
46 to in a moment this morning, that it was your belief that  
47 Maggie Dawkins was only publicly stating this was the

1 reason for her removal very recently, in the last eight  
2 months - is it yes or no?  
3 A. The answer is no, in the sense that I believe she  
4 raised this back in 1991, and that was certainly raised  
5 back there with me six months ago. So she is saying it.  
6 I'm not questioning whether or not she knew that or  
7 whatever.  
8  
9 Q. Right. Okay.  
10 A. All I can tell you is --  
11  
12 Q. All right. No, no --  
13 A. -- is what I believed in '85.  
14  
15 Q. -- I'll stop you there. No. Was it - did you have  
16 knowledge in 1991 - not now, but in 1991, that she was  
17 saying that this was the reason for her removal?  
18 A. No.  
19  
20 Q. No, okay.  
21 A. Because I was based in Africa and I didn't know any of  
22 this until 2011.  
23  
24 Q. So, Mr Kenyon, again, I want to confirm this, it's a  
25 very straightforward question. I gather your answer --  
26 A. No, it's not straightforward. Try again.  
27  
28 Q. Was it your belief up until this morning, okay - up  
29 until this morning and before you read that article - was  
30 it your belief that Maggie Dawkins was only claiming that  
31 the reason for her removal from Katanning was because of  
32 Dennis McKenna, and that she's only making that in the last  
33 assertion, publicly, in the last eight months?  
34 A. No.  
35  
36 Q. Yes or no. Okay.  
37 A. Not until this morning, not at all, no.  
38  
39 Q. Okay. Where did you have the belief that she was  
40 making that allegation prior to September 2011?  
41 A. Until 2011, September, I didn't know that she had made  
42 any accusations. It came out, as I keep reminding you,  
43 when I was rung by an ABC reporter --  
44  
45 Q. Yes, I --  
46 A. -- who put that to me.  
47

1 Q. -- know all that, Mr Kenyon.

2

3 MR PRIOR: I'm just going to rise now, your Honour. This  
4 has gone on for long enough. This witness has been asked  
5 to express an opinion of what he thought was going on on  
6 behalf of Mrs Dawkins - whether she had made complaints or  
7 whatever at an earlier time, whether he believed she had or  
8 not. His evidence is the first he knew about the  
9 complaints was when a news reporter contacted him from the  
10 ABC in September or October 2011.

11

12 Now, my learned friend is saying, "Well, did you  
13 believe that she had raised it earlier or whatever?" Well,  
14 the proper thing was, "Well, what was the information you  
15 had for basing that belief?" So he says, "I don't know,  
16 this is the first I knew about it". So we're going - the  
17 witness has been asked to give an opinion about some other  
18 person's evidence when he said September, October 2011 for  
19 the first time I knew about it.

20

21 HIS HONOUR: No, he's being asked about his own belief.

22

23 MR PRIOR: Yes, okay. I'm happy with that.

24

25 HIS HONOUR: And he knows whether or not he had that  
26 belief previously, and I can see a reason for that  
27 question. So it's a simple question, really.

28

29 MR PRIOR: And he's denied it three times.

30

31 HIS HONOUR: All right. Well, we got the answer "No".

32

33 MR URQUHART: Q. You've given an explanation as to why  
34 you were seeking those records, whether the records still  
35 existed, but do you at least accept that an argument could  
36 be put forward that the reason why you were seeking that  
37 information was so that you could determine, in fact, no  
38 records existed?

39 A. No, I'm not interested in that line. I'm interested  
40 in is there any evidence available that we can go to,  
41 because I'm interested in the truth, not in a witch hunt,  
42 in the truth. Now, is there any records related to it?  
43 I've been out of the public sector now for 20 years. I'm  
44 not quite sure what happened to all these records. I'm  
45 inquiring is there, because my understanding, Mr Urquhart,  
46 is that she was moved because of behaviour, not for being a  
47 whistleblower. That's the assumption I had, and that is

1 what I clearly told back in September 2011 when I was  
2 quizzed about it. So suddenly for all this to come out is  
3 all novel, all new, so let's find out what does the records  
4 tell us.  
5  
6 Q. All right. Do you at least agree with me that in  
7 Maggie Dawkins' - I'm saying "if", okay - if Maggie Dawkins  
8 was unaware whether the Westrek records existed or not, she  
9 would be taking a bit of a risk in asserting what she says  
10 was the reason for her removal from Katanning?  
11 A. I imagine, yes. That's logical to think that, yes.  
12  
13 Q. And would you agree with me that whilst it is not  
14 likely that these records would exist in 2011, they - there  
15 would be a greater chance that they would have existed in  
16 1991?  
17 A. I'm not sure when Westrek was wound up as an  
18 organisation. It may have happened before 1991. I don't  
19 know. I have no record of when, but I imagine that when  
20 the organisation was wound up. I also am interested to  
21 know whether there were any records within the public  
22 sector, within the department. So all I can say is I'm  
23 only interested in finding out if there was any records.  
24  
25 Q. Yes, yes.  
26 A. Not - why would I --  
27  
28 Q. Mr Kenyon --  
29 A. -- not want to discover the truth.  
30  
31 Q. Mr Kenyon, are you going to answer the question?  
32 A. What's the question? I've lost it.  
33  
34 Q. There would be a higher chance that these records  
35 existed in 1991 than in 2011?  
36 A. Obviously. I mean that's a logical conclusion.  
37  
38 Q. Thank you for that. Now, I'm going to show you  
39 exhibit 4 now. I am going to ask you to have a look at  
40 that. I'll just make copies available to the others here.  
41 That's the newspaper article that we mentioned a moment  
42 ago?  
43 A. Yes.  
44  
45 Q. Can you grab that in front of you, please?  
46 A. Yes.  
47

1 Q. Do you see there - I might just wait until it comes up  
2 on the screen here, Mr Kenyon, and if we can just scroll  
3 down, for the screen there, to the article that reads  
4 "Hurried Departure Explained". Now, Mr Kenyon, I gather  
5 you have read that?  
6 A. No, I haven't because I can't read it. It's all  
7 fuzzy.  
8  
9 Q. I see.  
10 A. That part cuts out. It's all blurred from about  
11 two-thirds of the way down.  
12  
13 Q. I just want to know how were you aware that  
14 Mrs Dawkins was making this allegation back in 1991?  
15 A. I think that came out with the ABC reporter, yes.  
16  
17 Q. I will just read out a portion of her letter there  
18 under the title "Hurried Departure Explained", the second  
19 column and the first full paragraph there:  
20  
21 For my trouble I was literally run out of  
22 town by McKenna. He telephoned my  
23 supervisor in Perth and threatened to  
24 withdraw the Westrek accommodation at  
25 Kartanup. This would have effectively  
26 closed down the project.  
27  
28 Okay. So that is consistent - well, the fact that a phone  
29 call was made by McKenna to a supervisor is consistent with  
30 Mr Sherlock's account. Okay?  
31 A. Yes.  
32  
33 Q. Do you agree that had the participants been forced out  
34 of their accommodation, it could have posed difficulties  
35 for the running of the project in Katanning?  
36 A. Without doubt.  
37  
38 Q. And that also politically it would not have looked  
39 very good for the image of Westrek?  
40 A. Supporting a pedophilia person is a lot worse in terms  
41 of political stuff. To me, if they had to have been forced  
42 out, we could have rode with that. All I can say is that  
43 story was never conveyed to me.  
44  
45 Q. Mr Kenyon, the question was, politically it would not  
46 look good for the image of Westrek. That's the only  
47 question I asked you. I asked you for your answer on that?

1 A. Well, I'm not sure. I mean that's a hypothetical  
2 question.  
3  
4 Q. Yes, it is.  
5 A. I'm not quite sure. We deal all the time with kind of  
6 like having to respond to crises and projects and sometimes  
7 they were politically challenging, other times there were  
8 ways around things. So I can't actually answer that  
9 question. Obviously it would be an incredible  
10 inconvenience but as for it being politically embarrassing,  
11 I'm not sure. I'm not - I wasn't appointed as a political  
12 person.  
13  
14 Q. No, I realise all of that, but, nevertheless, there  
15 were politics to this project, wasn't there. Because you  
16 have already said that it was a major government initiative  
17 for this Year of International Youth; yes?  
18 A. Yes.  
19  
20 Q. And you agree with me that it was introduced with much  
21 fanfare?  
22 A. Not fanfare. I suppose the involvement of the  
23 Holmes à Courts was part of it. It was definitely  
24 introduced far too quickly.  
25  
26 Q. Yes, but the reason why it was introduced far too  
27 quickly was because that is what the government wanted. No  
28 criticism of it but that's what the government wanted, it  
29 to be introduced quickly?  
30 A. I suspect so, I suspect so.  
31  
32 Q. So that being the case, if it was to happen that  
33 within a few months of this project getting underway  
34 Westrek participants were evicted from their accommodation,  
35 it would be, and if accommodation couldn't be found,  
36 potentially embarrassing?  
37 A. It would be if all those factors fell into place. It  
38 would be, but not, let me say, unsolvable. And certainly  
39 in my years within the employment area, we had far bigger  
40 problems to deal with politically than something like that.  
41  
42 Q. Could we just go now to the final column of the  
43 article that appears above that. This is a report by a  
44 newspaper journalist with the Great Southern Herald and,  
45 just for the purposes of clarifying sir, it is 26 June  
46 (inaudible). Just for the benefit of my friends here, sir,  
47 it is the fifth column. Can you read that there or not,

1 Mr Kenyon. Is that any better?  
2 A. No, sorry, we are into the fifth column and how far  
3 down? It really starts to fade out as you go down.  
4  
5 Q. Okay. Well maybe I'll read it out and if you can  
6 follow me. It's the first full paragraph:  
7  
8 It was later revealed to her that McKenna  
9 had threatened to withdraw the Kartanup  
10 hostel from Westrek's use unless she was  
11 removed from Katanning within 48 hours.  
12  
13 Do you see that?  
14 A. Which paragraph - yes, I can't read most of it but I  
15 can see parts of it, yes.  
16  
17 Q. It is a repeat of what was in the passage I read from  
18 Mrs Dawkins' letter?  
19 A. Yes.  
20  
21 Q. And it continued:  
22  
23 Authorities quickly arranged for Mrs Maruff  
24 --  
25  
26 That was Mrs Dawkins' maiden name:  
27  
28 -- Ms Maruff to be removed to a Westrek  
29 project Bunbury.  
30  
31 A. Yes.  
32  
33 Q. :  
34  
35 Mrs Dawkins is angry that her character was  
36 smeared by the incident and that  
37 authorities were prepared to believe  
38 McKenna and not her.  
39  
40 A. Yes.  
41  
42 Q. I just want to read this out to you now:  
43  
44 But authorities involved say that although  
45 they believed Ms Maruff they were anxious  
46 to keep the program, which was in its pilot  
47 stage, running smoothly.

1  
2 All right, do you have any idea who might have been  
3 speaking on behalf of the Authority, which would suggest it  
4 would have to be the Department of Employment and Training?  
5 A. I suspect so or the minister's office. I can't - I  
6 left the department early - probably early to middle of  
7 1990. So who made those comments, I wouldn't have a clue.  
8 I was well and truly left and I was then based initially in  
9 New Zealand setting up a similar employment unit there and  
10 then moved to Africa, so I don't know.

11  
12 Q. And, in any event, even if you were asked back in 1990  
13 before you left, you would have said "I don't know anything  
14 about" --

15 A. Without doubt. Yes, I would have said "I believe she  
16 was moved because of her behaviour".

17  
18 Q. Although, it would suggest that if this information  
19 was provided by either the government or the department,  
20 that there was some information establishing that  
21 Mrs Maruff had made these allegations?

22 A. Well you're assuming that. I'm not quite sure if I  
23 can read that into what's actually stated there.

24  
25 Q. You can't?

26 A. All I know is that --

27  
28 Q. All right, well let me read that out again to you --  
29 A. Yes.

30  
31 Q. -- and see whether you would want to reflect on your  
32 answer:

33  
34 But authorities involved say that although  
35 they believed Ms Maruff they were anxious  
36 to keep the program, which was in its pilot  
37 stage, running smoothly.

38  
39 A. Well, I don't know who would have made those comments.  
40 Whether they came from the Westrek - by 1990, this program  
41 had well and truly moved out of the department. This  
42 program was set up as an independent group and all I can  
43 say is I would ask Janet Holmes à Court that question.

44  
45 Q. Look, would you at least agree that if that answer was  
46 given to this newspaper journalist, it either had to be  
47 from someone who had personal knowledge of it or it was

1 obtained from records that still existed as of 1991?  
2 A. Maybe, or someone from the Westrek board.  
3  
4 Q. Which comprised of - this is the board that Janet  
5 Holmes à Court was chairperson of?  
6 A. Yes, but I - if I remember, she was with it maybe five  
7 years. Whether she was still there in 1991, I don't know.  
8 I don't know when the organisation saw its demise but it  
9 did go for quite a while as a foundation.  
10  
11 Q. All right, so either the board, the minister's  
12 office --  
13 A. Yes.  
14  
15 Q. -- or the Department of Employment and Training?  
16 A. Yes.  
17  
18 Q. Yes?  
19 A. Yes.  
20  
21 Q. And it would either be personal knowledge or some  
22 record that existed as of 1991?  
23 A. Or an opinion of a specific person.  
24  
25 Q. Within those three groups?  
26 A. Yes.  
27  
28 Q. Yes, and the only way they would be aware of that to  
29 have that opinion is if they were told?  
30 A. You're saying that. I'm not sure. I don't know, I  
31 can't - I can't actually give you an answer to where I  
32 don't know where that information comes from. You need to  
33 be aware that it could have come from the minister's  
34 office, it could have come from the Westrek group, it could  
35 have come from the department. Who within the department?  
36 It could have come from the policy division. They were the  
37 ones driving a lot of the new staff.  
38  
39 Q. I know all that. I know all of that, Mr Kenyon. You  
40 have said that. I accept it.  
41 A. Well, you are making these assumptions that I need to  
42 pick one of them. I don't know.  
43  
44 Q. All I'm saying to you is that information, if it was  
45 given to the newspaper, could have only come from someone  
46 within those groups --  
47 A. Sure.

1  
2 Q. -- with personal knowledge of the allegations that  
3 Maggie Dawkins was making in 1985 or from some written  
4 record that existed in one of those organisations' files?  
5 A. Or someone who just assumed they knew what actually  
6 happened or whatever. I don't know, but - I don't know --  
7  
8 Q. Okay, or somebody who assumed that something had  
9 happened. Okay?  
10 A. Sorry? Sorry?  
11  
12 Q. That's a third explanation, that someone assumed that  
13 they knew what was happening?  
14 A. Maybe, or then - or journalists kind of like added all  
15 this in. I don't know. How all this happened, I'm not  
16 sure. I was no longer around. I simply had no knowledge  
17 of it.  
18  
19 Q. Look, Mr Kenyon, I know all that. I know all that.  
20 A. Yes, but you are asking me to give an opinion.  
21  
22 Q. Yes, I am.  
23 A. I don't know how the department functioned then and I  
24 don't know how the board or the Westrek Advisory Board  
25 functioned then.  
26  
27 Q. I'm going to suggest to you, Mr Kenyon, it is not a  
28 question of knowing how the board functioned, it is just  
29 logical commonsense, but you don't agree with that?  
30 A. All I'm saying is you may be right. It could have  
31 come from there but I don't know where it comes from. I  
32 don't quite know where you are leading with it, really?  
33 Why is this so important?  
34  
35 Q. Well, it is very important. Mr Kenyon, I will explain  
36 to you, if it is not obvious to you --  
37 A. Yes.  
38  
39 Q. -- it would support what Maggie Dawkins is saying, and  
40 that is, that she was raising these allegations with  
41 Westrek management in 1985. That's the importance of it.  
42 A. I am saying to you Mr - I am saying to you that she  
43 may have raised it with people. She didn't raise it with  
44 me or gave me any written report on it.  
45  
46 Q. You have mentioned that this Westrek project was  
47 designed to assist unemployed youth?

1 A. Yes.  
2  
3 Q. This would include, no doubt, youths who may well have  
4 been troubled?  
5 A. Yes.  
6  
7 Q. Unfortunate upbringing?  
8 A. Again, I cannot say what combination. Generally  
9 amongst unemployed young people you have people with the  
10 whole continuum. So all we can assume is that with any  
11 group there could have been people who were troubled.  
12  
13 Q. Homeless?  
14 A. Could have had.  
15  
16 Q. May have juvenile criminal records?  
17 A. May have. I'm not sure what the criteria - I can't  
18 remember the criteria, but may have. We were interested in  
19 trying to help people move from unemployment to employment.  
20  
21 Q. Mrs Dawkins gave this answer to a question that was  
22 asked by Mr Prior when she gave evidence. Would you  
23 dispute what she was saying. It is not significant but she  
24 just made the point that she had a number of participants  
25 with issues and she referred to one who would lie on the  
26 road so that he could be run over by a sheep truck. Now,  
27 you wouldn't discount that as possibly occurring?  
28 A. I would see that that would have been a major issue  
29 that was worthy of being communicated through in a report.  
30 I have no report of that ever happening in any of the  
31 Westrek projects. It is a very serious thing.  
32  
33 Q. Yes.  
34 A. She made that complaint, I can't dispute it but  
35 certainly I wasn't aware of anyone lying in the front of  
36 sheep trucks.  
37  
38 Q. I'm not suggesting for a moment that she (inaudible),  
39 Mr Kenyon?  
40 A. Yes.  
41  
42 Q. Do you recall Mr Sherlock asking you, back in 1985, if  
43 this project could be delayed in its implementation?  
44 A. I think all the staff were asking that all the time.  
45 We would have loved to delay it but that wasn't an option  
46 given to us. That decision was made above me and you need  
47 to ask the minister of the time and the head of that

1 department. We were instructed. The site, I thought it  
2 was too fast. I wanted it stopped and slow down.  
3  
4 Q. Mr Kenyon, I'm not disputing that. Yes, all right,  
5 I'm not disputing that.  
6 A. So he would have definitely - we would have had that  
7 conversation, of course we would have.  
8  
9 Q. Okay, thank you.  
10 A. Yes.  
11  
12 Q. Not every question I'm asking you, Mr Kenyon, is an  
13 allegation or a suggestion.  
14 A. No, no.  
15  
16 Q. Please, don't get me wrong there, okay?  
17 A. Yes, not at all.  
18  
19 Q. You may have said this, and correct me if I'm wrong,  
20 but was it your evidence earlier this morning that it was  
21 typical to recruit suitably qualified group leaders?  
22 A. Without doubt.  
23  
24 Q. Right, thank you. Now, were you involved in the  
25 decision to employ or engage Maggie Dawkins as a group  
26 leader?  
27 A. No, I was told she would be a group leader.  
28  
29 Q. Did you know how that came about?  
30 A. I suspect our minister was a good friend of her  
31 boyfriend. She was also on the staff of Kim Beazley, the  
32 two most powerful federal politicians, and I was kind of  
33 like told, whether it was from the minister, from his  
34 office or through Mike Cross, that Maggie Dawkins, or  
35 Maruff at the time, would be a leader. She liked this  
36 thing and she wanted to be it and there was no question  
37 whether or not she was suitable for it. We were told we  
38 inherited her.  
39  
40 Q. Wasn't it the case - and I might well be testing your  
41 recollection - that by the time that she was recruited the  
42 program had real problems getting candidates for these  
43 group leader positions?  
44 A. I think we had - I can't - I can't recall that but I  
45 can recall generally we had difficulty recruiting good  
46 leaders. So your conclusion is probably accurate. We  
47 really did struggle to find suitable people because it was

1 running so quickly and people were being asked in a short  
2 time to sign up for a very short period. I think the  
3 contracts were either six or nine months in length. Very  
4 difficult in those circumstances.

5

6 Q. And given the politics surrounding Mrs Dawkins, if I  
7 can use that - and I will call her "Mrs Dawkins" rather  
8 than "Ms Maruff", Mr Kenyon --

9 A. Yes.

10

11 Q. -- that she was to be dealt with differently than the  
12 other group leaders?

13 A. Certainly that was the impression conveyed to me.

14

15 Q. And you can't recall who it was who conveyed that to  
16 you?

17 A. Certainly Mike Cross, my immediate boss, the Director,  
18 who I suspect was conveying what had been conveyed to him  
19 from the minister's office.

20

21 Q. I understand. And was it the case, and you have  
22 already said this, that you were advised that she could not  
23 be sacked or fired. Is that right?

24 A. Yes. Yes, it was all about manage her. Easier said  
25 than done.

26

27 Q. But I gather you weren't prevented from asking her to  
28 resign?

29 A. I - I'm under the impression that's why I found her  
30 testimony really interesting when she reckons she was given  
31 a letter. I don't think that that was even an option made  
32 available to us. The option I was constantly told about is  
33 "She has nine months to run in this project. You've got a  
34 few months to go. Manage her".

35

36 Q. Were you directed by anyone from above that there  
37 should be no suggestion that she was to resign?

38 A. I don't - can't recall anyone telling me that she  
39 wasn't to resign but I was certainly told we weren't able  
40 to get rid of her, and that implies, as she implied, that  
41 she was given a letter of resignation. That just wouldn't  
42 have been an option, and I can say in all of my 35 years of  
43 management, I have never used that technique.

44

45 Q. Mr Kenyon, we will get to that.

46 A. Yes.

47

1 Q. We will get to that, okay?  
2 A. Good, good.  
3  
4 Q. So your knowledge, as of 1985, was that due to  
5 Mrs Dawkins' ongoing behaviour, it was inevitable that she  
6 was going to be asked to leave Katanning unless she changed  
7 her behaviour. Is that a fair summary of it?  
8 A. All I can say is I'm not quite sure when the option  
9 arose that maybe one of the ways of managing her was to  
10 move her to a project where she could do less damage. Now  
11 that's not quite what you asked.  
12  
13 Q. Was it your recollection that as soon as she got to  
14 Katanning there were problems with her behaviour?  
15 A. I'm not quite sure within hours, but certainly she was  
16 an incredibly difficult person to manage. She was young,  
17 she was opinionated, she certainly was a person who was  
18 overconfident and she was politically savvy, she had great  
19 connections, she had - someone who complained about  
20 everything, someone who had an answer to every kind of like  
21 problem or opinion on everything. That was one, but the  
22 second was, we started to kind of like see problems  
23 emerging in terms of her interpretation of what supervising  
24 young people was all about. It certainly rang contrary, I  
25 think, to the spirit of our program.  
26  
27 Q. Are you saying that there weren't any other problems  
28 existing in the other programs that were running throughout  
29 the State?  
30 A. Look, I have no doubt that in all projects we had some  
31 teething problems. I am not as clear in my memory of the  
32 other projects because none of them seemed to carry the  
33 same problems of Katanning. Katanning stood out as a  
34 problem one. I'm aware that we had one project, and I  
35 think it was Norseman, where we had to withdraw the person  
36 because of mental health issues and take her back into the  
37 office, but we did have project problems in number. It was  
38 a teething thing and I am the first to say it all happened  
39 far too quickly, but at the end --  
40  
41 Q. All right?  
42 A. -- we did come out with a project that did actually  
43 work as it went on.  
44  
45 Q. I'm going to stop you there because I didn't ask you  
46 about that. So you recounted some of these problems that  
47 you were getting information from regarding Maggie Dawkins

1 but you don't know who you got that information from. Is  
2 that right?  
3 A. In the main - look, yes, I did tell you that earlier.  
4 In the main it came up from staff. It would have been in  
5 conversation shared with me by Ian Carter and with the  
6 Westrek staff and certainly I also had conversations with  
7 Mike Cross, the Director. He certainly was aware of some  
8 of the issues there. He was in contact with Janet  
9 Holmes à Court and other people who seemed to be aware of  
10 some of the problems.

11  
12 Q. Would you agree with me, or disagree with me, that it  
13 was a valid reason for her to be removed from Katanning to  
14 Bunbury because of the threats - or, no, I will withdraw  
15 that and start again. If, in fact, Dennis McKenna had told  
16 Mr Sherlock that the Westrek participants would have been  
17 thrown out of their accommodation unless Maggie Dawkins was  
18 moved, if that was said, would you believe that that would  
19 be a sufficient reason for having her moved?

20 A. No necessarily. It would be due to what he was  
21 actually complaining about and whether this was a  
22 continuation of the ongoing issues that we had with her in  
23 that particular town. So this was yet another issue on top  
24 of all of that. It's kind of like just one after another  
25 type thing, but I certainly was under the impression and I  
26 certainly wasn't told about the conversation with  
27 Mr McKenna.

28  
29 Q. No, that's fine. You've said that.

30  
31 HIS HONOUR: Q. Just while Mr Urquhart is looking at his  
32 files, I just want to ask a question of Mr Kenyon. Earlier  
33 you said that if Maggie Dawkins' allegations had been  
34 brought to your attention it would have raised a red flag  
35 and you would have acted upon them?

36 A. Yes.

37  
38 Q. What would you have done back in 1985 if these  
39 allegations had come to your notice?

40 A. Well certainly I think there would have been clearly  
41 that these allegations need to go to both the police and to  
42 Child Protection within the Department of Community  
43 Welfare. That would have been absolutely the most basic  
44 kind of like things that needed to be happened, and  
45 secondly, they obviously needed to be explored, you know,  
46 we needed to check this out. But fundamentally, if someone  
47 had, as she is claiming, and I'm not doubting at all that

1 she might not have had her suspicions and this story, I  
2 would have expected and I would have advised that she  
3 immediately relay that to both the police and to the child  
4 protection people in the Department of Community Welfare in  
5 Katanning.

6  
7 HIS HONOUR: Very well, thank you. Yes.

8  
9 MR URQUHART: Q. And what do you think Mr Sherlock  
10 should have done if, in fact, Mr McKenna was threatening to  
11 withdraw the Westrek participants from their accommodation  
12 unless Maggie Dawkins was moved?

13 A. I certainly would have expected he would explore the  
14 reasons for it. Whether or not this was just a person  
15 saying "This woman is just causing heaps of problems in the  
16 town and this is a continuation", or if he raised with him  
17 that there were accusations, if that was the case and  
18 McKenna actually raised with him that she is claiming that  
19 he was engaged in this horrific behaviour, then I would  
20 have expected that he would have explored that.

21  
22 Q. How?

23 A. Well again, I would have expected that he would advise  
24 her to certainly go to the police and certainly go to Child  
25 Protection. I mean there are two quite clear avenues for  
26 which allegations should be explored.

27  
28 Q. And if she had already been to the police?

29 A. Well again, I'm not quite sure what happened there. I  
30 notice with - I was reading her testimony.

31  
32 Q. No, if she had already been to the police?

33 A. Well if she hadn't got satisfaction, you are talking  
34 about a very confident, well-connected woman and to say  
35 that she went to one office or that he didn't listen to  
36 her, I can't believe it. I would have expected her to  
37 persist and certainly to take it to a higher authority.

38  
39 Q. Okay, so was this a concern of Westrek's or not, in  
40 your view?

41 A. What is a concern?

42  
43 Q. These allegations that Maggie Dawkins was making?

44 A. I cannot talk on behalf of other people but as the  
45 head of the employment division, if it had been raised with  
46 me, I would have, without doubt, seen it as an issue that  
47 had to be explored and certainly those accusations taken to

1 the appropriate authorities. I mean we were --  
2  
3 Q. That's fine.  
4 A. You keep pushing this line that we didn't do anything  
5 because we wanted to protect the program. It would be for  
6 exactly - that would be one of the key reasons. We  
7 certainly would have wanted any, like, inappropriate  
8 revolting behaviour like that to certainly be dealt with.  
9 I would have thought, also, that would have been the case  
10 with Mrs Dawkins.  
11  
12 Q. Mr Kenyon, it seems to be without a shadow of a doubt  
13 that it wasn't dealt with in 1985?  
14 A. Well, all I can say --  
15  
16 Q. Now, you are saying that should have been?  
17 A. I keep telling you, if I had been told I would have  
18 had bells ring about it. It would have stood out and I  
19 would have expected things to happen. I was not told by  
20 anyone, including Mrs Dawkins. I wasn't given any report  
21 about it. To me, I mentioned I knew nothing until 2011.  
22  
23 Q. The Inquiry is hearing a broken record about people  
24 within the Westrek management not being told. You are  
25 saying almost identical things to what Ms Stroud is saying  
26 and Mr Carter is saying and, to a certain degree,  
27 Mr Sherlock. All right. So we have heard all of that.  
28 A. Well, there is a message there for you.  
29  
30 Q. Well the fact is, the message is that nothing was done  
31 and it seems that people are absolving themselves of  
32 responsibility or blame for that.  
33  
34 MR PRIOR: Can we please have a question, not a  
35 submission?  
36  
37 MR URQUHART: Q. So insofar as you are concerned, you  
38 take no responsibility whatsoever for that fact?  
39 A. I take responsibility for myself in the sense that if  
40 I had been informed on this, and that's all I can go on,  
41 if I was in that position --  
42  
43 Q. I know you are going to repeat what you have said  
44 again, Mr McKenna --  
45 A. -- what would I have done, and I've told you clearly  
46 what I would have done.  
47

1 Q. The answer is, therefore, you take no responsibility  
2 for that failure by authorities to act in 1985?  
3 A. No, I think, in fact I believe, that there obviously  
4 should have been action in 1985, given what then went on  
5 there. I think, yes, there was negligence and there was  
6 negligence by everyone, including Mrs Dawkins. Here's a  
7 person whose boyfriend is the minister assisting the Prime  
8 Minister on Youth Affairs. She's trying to convey that she  
9 hasn't got anyone she could go to?  
10  
11 Q. Hold on, hold on. Are you attributing for the fact  
12 that nothing was done in 1985 to Mrs Dawkins?  
13 A. I'm saying that certainly I would have expected that  
14 there could have been more done --  
15  
16 Q. Okay.  
17 A. To kind of like imply this, that if --  
18  
19 Q. All right. I'm going to stop you there --  
20 A. -- that suddenly, "I talked to one policeman, he  
21 didn't believe me" --  
22  
23 Q. I'm going to stop you there.  
24 A. -- I would have expected more determination --  
25  
26 Q. I'm going to stop you there.  
27 A. -- knowing the nature of the person.  
28  
29 Q. Who else do you say was negligent back in 1985?  
30 A. Well, it all comes back to what people were told. And  
31 all I'm saying is in my case I can only comment on myself.  
32 I'm assuming that people weren't told. If they're claiming  
33 that - well, I respect that, but if people were told, we  
34 need to expect action. What complicates this issue --  
35  
36 Q. No, stop - I'm going to stop you there --  
37 A. -- is the messenger.  
38  
39 Q. -- Mr Kenyon, I'm going to ask you for an answer,  
40 because you said there were negligence of others, I think  
41 is how you phrased it. Then you went on to --  
42 A. No, I said if there was negligence of others.  
43  
44 Q. By everyone. Sorry, yes, thank you, sir. You said  
45 negligence by everyone.  
46 A. Yes.  
47

1 Q. Now you singled out --  
2 A. Yes.  
3  
4 Q. -- Mrs Dawkins. I want to know --  
5 A. Yes.  
6  
7 Q. -- who else you include in that group of everyone?  
8 A. Well, anyone who had - legitimately was aware of the  
9 issue, and did nothing about it. Now, I don't know who  
10 would be included in that. You need to ask them. I am not  
11 aware of people in Katanning. I see in her evidence a  
12 number of people that are actually stated that were told.  
13 I can't comment on that. Whether they were told or not,  
14 only she and those people know. But if it was told - in  
15 hindsight, whether it was me, Sherlock or others who was in  
16 that position, if you were in that position and someone  
17 like Mrs Dawkins is conveying the message, there is kind of  
18 like some credibility issues in terms of it. This is a  
19 case of someone calling wolf and people maybe not  
20 believing. Part of it, you've got to understand, the time  
21 of the --  
22  
23 Q. Well --  
24 A. -- day. In terms of Westrek and Katanning, there were  
25 a whole pile of issues about its supervision.  
26  
27 Q. All right. Now --  
28 A. And so that would colour, I am sure, people, but all I  
29 can say is you've got to push that question to those people  
30 she claims. All I can say is I was never told --  
31  
32 Q. Mr Kenyon, all right --  
33 A. -- and if I was, I believe I would have done something  
34 about it.  
35  
36 Q. All right. All right. To use the analogy of the  
37 wolf, you're not lone wolf in that regard, but can I put  
38 this proposition to you - and before I do this I want you  
39 to bear in mind, it's a hypothetical, okay. It's a  
40 hypothetical.  
41 A. Yes, well, you've been on hypotheticals all afternoon,  
42 same thing.  
43  
44 Q. Yes. All right. Well, thank you. You see, the  
45 reason for that, Mr Kenyon, is there's such a divergence in  
46 the evidence that we're hearing, okay. That's why --  
47 A. Yes.

1  
2 Q. -- I need to put these --  
3 A. Sure.  
4  
5 Q. -- scenarios to you.  
6 A. Yes.  
7  
8 Q. Before I put this proposition to you, I want you to  
9 bear in mind two things - that Maggie Dawkins, albeit an  
10 opinionated one, was a 27-year-old woman who was a group  
11 leader of the Westrek program at the time. Okay? So in  
12 the hierarchy of things she was fairly lowdown on the  
13 ladder, okay. Do you accept that?  
14 A. Low down, but very well connected.  
15  
16 Q. And the young man who told her about Dennis McKenna  
17 sexually abusing him did not want to go to the police.  
18 Okay? He did not want to go to the police.  
19 A. Well, that's what she claims, yes.  
20  
21 Q. Do you accept she had done enough if she had done all  
22 of these things - that's "if", okay? I'm not suggesting  
23 it's correct, I'm just saying if it was correct, okay? She  
24 sought advice from the officer-in-charge of the local  
25 police station; that she raised it with a local Shire  
26 Councillor; that she raised it with management at Westrek -  
27 namely - and this is why I'm saying "if" as a  
28 hypothetical - namely you, Elizabeth Stroud, Peter Sherlock  
29 and Ian Carter. And when raising it with management, she  
30 got a promise that efforts would be made to give her  
31 written account she had made out to the appropriate  
32 authorities. If all of that had happened, would you accept  
33 she had done enough?  
34 A. Yes, if all of that had happened, but you've already  
35 indicated there's one little problem. You're claiming I'm  
36 one of those people. She didn't tell me --  
37  
38 Q. I know.  
39 A. -- so she's claiming all these other people told --  
40  
41 Q. I know all that.  
42 A. I've got a question, did she?.  
43  
44 Q. I know all that Mr Kenyon. I know all that?  
45 A. That's is the allegation, did she?  
46  
47 Q. You've told us, I would think 25 times, that you had

1 no idea of this allegation. That's why --  
2 A. Yes.  
3  
4 Q. -- I put it to you as a hypothetical, not as fact.  
5 A. Yes, yes. You need to ask the other people involved  
6 the same question. The other thing in her testimony is  
7 that when she believed --  
8  
9 Q. No, I haven't --  
10 A. -- that she'd had a hard one, she went to Mr Cross.  
11 Now, he certainly did not raise it with me either, and he  
12 certainly would have if she'd told him. She had an ability  
13 to go to people that other leaders never would be able to  
14 get to because of her connections, and certainly he did not  
15 seem to be aware of it either.  
16  
17 Q. So you seem to think that because she knew two Federal  
18 Ministers, because she worked for one and she had been in a  
19 relationship with another, that that was an avenue she  
20 should have explored?  
21 A. Particularly as one was the Minister Assisting the  
22 Prime Minister on Youth Affairs, and the other was the most  
23 powerful kind of like Federal politician in the State - not  
24 bad connections if you want to get some action.  
25  
26 Q. All right, then. So this is in relation to --  
27 A. She also personally knew our Minister, and she was  
28 able to go straight to the head of our department, like no  
29 one else could.  
30  
31 Q. All right.  
32 A. She had great connections.  
33  
34 Q. All right. But you've nevertheless conceded that if  
35 she'd done all those things that she says she has done, she  
36 had done enough?  
37 A. If she had done them, and I've already told you I'm  
38 saying I question it because she didn't tell me, but she's  
39 claiming she did.  
40  
41 Q. Yes.  
42 A. So I can't say that she told the other people that  
43 she's now claiming. There's one error there, how many  
44 other errors?  
45  
46 Q. Well, it's only an error because you have spoken to  
47 those other people and they have told you certain things,

1 haven't they?  
2 A. I am sorry, that is not what I'd accept. I think that  
3 is an assumption. Thank you, Mr Urquhart. This needs to  
4 be about truth, not a witch-hunt. The simple reality is  
5 no, they didn't. I haven't told and spoken to some of  
6 these people at all about these things.  
7  
8 Q. You say it's a witch-hunt, but do you agree with me  
9 that if, in fact, Maggie Dawkins had done those things, it  
10 is legitimate for this Inquiry to question people like  
11 yourself --  
12 A. Sure, I'm not doubting that, mate. Fine, yes,  
13 definitely. That's the purpose, yes.  
14  
15 Q. I take you now to a passage from Mrs Dawkins'  
16 evidence. Right. Now, you already touched on this, and  
17 this is her evidence about a meeting she had with - a  
18 series of meetings she had with you, Peter Sherlock and Ian  
19 Carter at head office once she'd been transferred to  
20 Bunbury. Do you know that portion of the evidence I'm  
21 talking about?  
22 A. Yes.  
23  
24 Q. As I understand your evidence is that you do have a  
25 recollection of only one meeting with Maggie Dawkins, and  
26 that was at the start of her employment; is that right?  
27 A. Yes, that was - that was when I was informed that she  
28 would be a project person. I don't have clear memory of  
29 being in any major meetings with her since. I might have  
30 been called in, I might have dropped in, but certainly  
31 after 28 years I don't have any clear, kind of like image  
32 of me sitting around a table with other people kind of like  
33 in a meeting with her. It may have happened, but certainly  
34 I have no clear memory of that.  
35  
36 Q. Okay. Well, I'll just remind you of what she says,  
37 and ask for your --  
38 A. Yes.  
39  
40 Q. -- comments, because in the interests --  
41 A. Yes.  
42  
43 Q. -- of fairness, I'm going to ask you to give your  
44 account of it, or --  
45 A. Good.  
46  
47 Q. -- whether you can recall it or not. Okay.

1 A. Yes.  
2  
3 Q. Page 243, sir, at line 21. So this is why she was at  
4 Bunbury. Thank you. Are you looking for something there,  
5 are you?  
6 A. I'm looking for page 243. I've got a copy in front of  
7 me.  
8  
9 Q. Okay. All right. Good. Good. Well, if you can,  
10 have you got that now, page 243?  
11 A. Yes.  
12  
13 Q. Was that sent --  
14 A. Yes.  
15  
16 Q. -- to you by the Inquiry this morning, was it, or is  
17 that something --  
18 A. No, no, no, I downloaded this after her  
19 testimony months ago.  
20  
21 Q. All right. I see. Thank you.  
22 A. Yes.  
23  
24 Q. All right:  
25  
26 Prior to driving to Perth I received a  
27 phone call from another Group Leader  
28 Patricia Thompson who was working in Head  
29 Office and she advised me that my superiors  
30 were going to demand my resignation.  
31  
32 With the passage of time I do not recall  
33 the sequence of events that day in Head  
34 Office. I do remember meeting with Peter  
35 Sherlock, Peter Kenyon and Ian Carter. I  
36 recall that Mr Kenyon and Mr Carter held  
37 positions senior to Mr Sherlock. I recall  
38 Peter Kenyon or Ian Carter informing me  
39 that I caused considerable damage to the  
40 working relationship with Mrs Evans, Dennis  
41 McKenna at Katanning.  
42  
43 Before I just go on, can I ask you - I gather you at least  
44 accept that she had caused damage to the working  
45 relationship between Katanning and Westrek?  
46 A. Yes.  
47

1 Q. Okay. But as I understand your evidence, you weren't  
2 aware - or you no longer can recall whether that work - the  
3 damage to the working relationship was specifically in  
4 relation to Ainslie Evans and Dennis McKenna?  
5 A. No, not at all. In fact, I was quite surprised to  
6 discover when all this came out in her testimony a  
7 few months ago, that Ainslie Evans was involved, because I  
8 had no idea that she was the project liaison person there.  
9 I'd had --  
10  
11 Q. Okay.  
12 A. -- Ainslie and I worked 10 years later on heritage  
13 things. I had no idea she was caught up with the Westrek  
14 project at the time, so I would not have used her name, I  
15 am sure. I don't know about Mr Carter, but I certainly had  
16 no knowledge of the individuals personally there. If I'd  
17 been talking about relationship with Katanning, I would  
18 have been talking generally. Who they were, I probably - I  
19 wasn't in a position to know who the individuals were.  
20  
21 Q. Incidentally, have you spoken to Mrs Evans about this  
22 matter?  
23 A. I spoke to Mrs Evans only once after the - the  
24 report - the '7.30 Report', about the fact that she - that  
25 somehow it came up in that thing, but I certainly have not  
26 spoken to her about her testimony, whether she was  
27 appearing or not appearing behind this Commission, and  
28 certainly I never knew her at the time.  
29  
30 Q. What did you speak to her about when you rang her  
31 after the '7.30 Report'?  
32 A. Just it was either that or the article, or the  
33 newspaper guy ringing me. Just that he was claiming that  
34 he was speaking to these people. I was quite stunned to  
35 hear that she was actually caught up in this in '85,  
36 because I certainly had no knowledge. It's not that I know  
37 her very well, but we had worked in the Heritage Council on  
38 some heritage projects, and I just certainly wanted to just  
39 check what her knowledge was of this episode because as far  
40 as --  
41  
42 Q. And what did --  
43 A. -- I was concerned --  
44  
45 Q. Okay. What did she say to it? What did she say to  
46 that?  
47 A. Well, she again basically conveyed that she certainly

1 didn't have any knowledge of this, and that was about it.  
2 It was a very short conversation, because I think her  
3 husband was quite ill and - so it was a very short  
4 conversation --

5

6 Q. Any knowledge of what?

7 A. -- but certainly it all came as a - it all came as a  
8 shock to her, I think.

9

10 Q. You say "any knowledge of this", what are you  
11 referring to when you say "this"?

12 A. Well, the accusations that certainly that Mrs Dawkins  
13 made that she was kind of like instrumental in kind of like  
14 knocking her credibility and whatever.

15

16 Q. Would it surprise you if the community liaison officer  
17 at Katanning had no difficulties or concerns or problems  
18 with Maggie Dawkins and her management of the Westrek  
19 program?

20 A. It probably would, yes. It would surprise me, because  
21 that certainly isn't the image that was conveyed to me at  
22 the time.

23

24 Q. I'll continue now reading what Mrs Dawkins says:

25

26 I remember being told that Vic, the Group  
27 Leader who replaced me was experiencing  
28 difficulties with Mrs Evans and Dennis  
29 McKenna was continuing to insist that I be  
30 sacked.

31

32 Now, do you have any recollection of that? Did anybody  
33 tell you that --

34 A. No, not at all. No, not at all.

35

36 Q. :

37

38 I recall being presented with a prepared  
39 letter of resignation to sign.

40

41 Now, I can tell you now that Mrs Dawkins can't recollect  
42 whether you were present when that letter of resignation  
43 was presented to her, but would you agree with me that if -  
44 if there was such a letter of resignation prepared, you  
45 ought to have had knowledge of that?

46 A. Certainly, because it's not part of my management  
47 style - never has been, never once have I ever used that as

1 a tactic in terms of having to deal with staff. So it  
2 would shock me that that was actually being used - if I was  
3 present, I could assure you it would not have actually  
4 occurred, and I certainly have no record of it. Never once  
5 have I ever used that as a method of kind of like managing  
6 staff.

7

8 Q. I'm going to suggest to you you never had a staff  
9 member like Maggie Dawkins though, have you?

10 A. No, she's in a class of her own.

11

12 Q. Okay. So therefore might of this been an exemption -  
13 or exception to your general rule?

14 A. Without doubt, no, because simply I was told by my  
15 boss, "There's no way we can get rid of her, we have to  
16 manage her".

17

18 Q. But --

19 A. -- and this isn't a management issue, this was a get  
20 rid of issue that you're implying.

21

22 Q. If she voluntarily signed a letter of resignation,  
23 that would solve this problem, would it not?

24 A. I doubt - I mean, I don't think you really know  
25 Mrs Dawkins if you're saying that. There's no way someone  
26 like that would have a letter forced on to them. I mean,  
27 that would be an absolutely clumsy approach. And certainly  
28 as I said, it would not be an approach that I would in any  
29 way justify or kind of like utilise --

30

31 Q. But the --

32 A. -- so I'm believing this is a bit of a furphy.

33

34 Q. Mr Kenyon, the question won't go away. If she did  
35 sign a voluntary letter of resignation, that would solve  
36 the problems that Westrek had in managing her, because she  
37 would be out of the program, she'd be back in her old job.  
38 That's the question. Would you agree with that or not?

39 A. Well, certainly, but there's no way we would have  
40 presented to her that option. If anyone was in that, and  
41 you did it to them, of course they'd be out of the way,  
42 that's logical. It's nothing kind of like - I don't - I  
43 don't need to think about that twice, but I can tell you we  
44 would not have used that method --

45

46 Q. Mr Kenyon --

47 A. -- and it would not have worked with her anyway.

1  
2 Q. The options were limited though, weren't there, for  
3 Westrek management? You couldn't terminate her employment.  
4 A. Purely manage her. You need to be aware why, I  
5 suspect, and you need to explore that as part of your truth  
6 Inquiry, why is it that she had special protection, and my  
7 understanding is just --  
8  
9 Q. No, I'm not asking --  
10 A. -- manage her, get through it.  
11  
12 Q. I'm not asking you about that.  
13 A. And this would have been a destructive approach.  
14  
15 Q. I'm just asking --  
16 A. I wouldn't have agreed to it at all. Not smart at  
17 all.  
18  
19 Q. "It was only" - over the page:  
20  
21 It was only a couple of lines on a page. I  
22 refused to cooperate, as I sought and had  
23 followed the advice of my supervisor. I do  
24 not recall where Elizabeth Stroud was  
25 during these meetings. I am unclear  
26 whether she attended them. I asked what  
27 they had down to have the allegations of  
28 sexual abuse investigated, which to me  
29 remained at the centre of the issue.  
30  
31 Now, if, in fact, she raised those matters at any of these  
32 meetings on this particular day, I gather --  
33 A. Yes.  
34  
35 Q. -- you would say that you were not there if, in fact  
36 she did raise these allegations?  
37 A. Well, if she'd raised these in those meetings, I  
38 definitely was not present because I would have expected we  
39 would have responded. It would have been like a red flag.  
40 I keep reminding you of that. Check my history, Mr  
41 Urquhart. You'll see I have a strong history of kind of  
42 like youth kind of like empowerment and rights, and to me  
43 this is - this is a horrific issue that we're talking  
44 about.  
45  
46 Q. Well, I think we're on --  
47 A. So, no, if it had been raised --

1  
2 Q. We're on the same page there, Mr Kenyon?  
3 A. -- I wasn't present. Good.  
4  
5 Q. We're on the same page there.  
6 A. Yes.  
7  
8 Q. And have I questioned you at all about your work or  
9 your qualifications or anything like that?  
10 A. No, but I'm just telling you to me this is a critical  
11 issue.  
12  
13 Q. I am --  
14 A. And if I had heard it, I would have done something  
15 about it.  
16  
17 Q. Would you have expected to have been told about it if  
18 that was conveyed to another one of your staff members?  
19 A. Certainly. I think I would have hoped that that's an  
20 issue that would have been raised with me.  
21  
22 Q. :  
23  
24 I do not recall who said the actual words,  
25 but the view I came away with that day and  
26 remains with me to this day is that the  
27 sexual abuse of a former secondary school  
28 student at a government hostel was not a  
29 "Westrek" concern. This has always been  
30 the major difference between me and my  
31 superiors at the Department of Employment  
32 and Training.  
33  
34 Now, I gather once more you would not agree that you would  
35 - if there were any superiors who were told about this -  
36 well, you don't fall into that category?  
37 A. No, certainly, not. And, again, I just ask check my  
38 history when I have actually have raised issues like this  
39 when I was in education and whatever. There is no way I  
40 would have kind of like allowed something like this to be  
41 swept under the carpet. I don't know about other people, I  
42 know the background and commitment of a guy like Mr Carter  
43 prior and after his time in Westrek, I doubt whether he  
44 would have either. He's committed his life to kind of like  
45 servicing those people most at risk and most damaged in  
46 their lives. This is a fundamental thing. So I'm saying  
47 this certainly wasn't raised in my presence.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. Would you accept - I'm not suggesting that you did this - but would you accept there is evidence here which would suggest it has been swept under the carpet?

A. I hope not. I hope not. All I'm saying is where I'm involved, certainly I was not made aware of it.

Q. And if, in fact --

A. And if I had, we wouldn't have done it.

Q. If, in fact, Mrs Dawkins' account is accepted, would you agree with me that it has been swept under the carpet?

A. Yes, if Mrs Dawkins' account is accurate and true - yes, it was swept under the carpet.

Q. Yes. Finally, I'm going to just take you to a passage in line 31 on page 244:

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

All right. There's a number of matters there, but would you agree with me that if - and I say "if" - you were told about her concerns regarding Dennis McKenna, and given the evidence that you've said today, then that might well have been something you would have told Mrs Dawkins. You would have given her an assurance that her concerns would be raised with the appropriate authorities?

A. Certainly if I had been told I would have thought that's the logical response to her.

Q. She says that she was advised by you and Mr Carter to "return to my project" and keep her head down. Now, obviously that would have been sage advice to someone like Mrs Dawkins?

A. You mean a waste of time advice to someone like Mrs Dawkins. She's not the type of person you'd patronise with comments like that.

Q. All right. You agree with me there were no complaints

1 made regarding her management of the Bunbury Westrek  
2 program?  
3 A. No. I had no recollection that we had major problems  
4 in Bunbury --  
5  
6 Q. "They complimented me --".  
7 A. -- and I'm assuming that she did well. I can't agree  
8 with that I complimented her. I'm not sure of that. I  
9 doubt whether that would have been true.  
10  
11 Q. Well --  
12 A. -- she was only just into it, and my memories were  
13 previously the others; so, again, I can't agree that that  
14 would have been reality.  
15  
16 Q. :  
17  
18 I was told not to discuss with anyone the  
19 contents of these meetings.  
20  
21 A. Again, not a management style that I'm known for.  
22  
23 Q. Well, would you at least agree with me that if this  
24 had happened in the way Mrs Dawkins has said, that she was  
25 offered this letter of resignation, that - and she refused  
26 it, it would be better for Westrek management if this  
27 subject matter did not go beyond the four walls of that  
28 room?  
29 A. I - look, you're trying to get me to answer a  
30 hypothetical --  
31  
32 Q. That's right.  
33 A. -- the whole basis for that question.  
34  
35 Q. That's right, Mr Kenyon.  
36 A. All I'm saying if she'd gone away, certainly it would  
37 have made life a lot easier for people, but that is not the  
38 reality.  
39  
40 Q. No, it's not.  
41 A. I mean, I think you're asking a question for which  
42 there's only one answer, and obviously the answer is yes,  
43 but all I can tell you is that that wasn't what was --  
44  
45 Q. I know all that.  
46 A. -- put to us --  
47

1 Q. I know all that.  
2 A. -- or to her.  
3  
4 Q. I know all that, Mr Kenyon. I can assure you you've  
5 made that abundantly clear.  
6 A. Good, good.  
7  
8 Q. I just want to take you now to Maggie Dawkins' account  
9 of the second conversation she had with Elizabeth Stroud,  
10 okay?  
11 A. Mm-hmm.  
12  
13 Q. It's page 246, sir.  
14 A. Yes.  
15  
16 Q. Fine. Have you got it there, Mr Kenyon?  
17 A. Yes.  
18  
19 Q. Line 11, sir:  
20  
21 I called Elizabeth a second time, this time  
22 on her work landline in Perth, a few weeks  
23 later and received a very different  
24 reception. She appeared tense and warned  
25 me that "they" were out to bring my  
26 reputation into disrepute. I would be  
27 portrayed as unprofessional and unreliable  
28 if I named my supports either in the media  
29 or in court. Elizabeth asked me to think  
30 very carefully about the personal cost of  
31 having my character impugned. She told me  
32 that "they" now had contrived alternative  
33 reasons for having me removed from  
34 Katanning. Elizabeth Stroud now said she  
35 was "hazy" about details we agreed with  
36 only a few weeks before - and it was now a  
37 case of being so long ago.  
38  
39 Okay. Now, I'm not saying whether that account is correct  
40 or not, okay?  
41 A. Mm-hmm.  
42  
43 Q. Would you agree with me that that suggests that Ms  
44 Stroud had discussed this matter with you and Ian Carter,  
45 because I should add the "they" that Maggie Dawkins - I'm  
46 sure you realise this - the "they" that Maggie Dawkins says  
47 Elizabeth Stroud was referring to was herself, Elizabeth

1 Stroud, yourself and Mr Carter. Okay. And you're aware of  
2 that, aren't you?  
3 A. I'm aware that she keeps changing her testimony --  
4  
5 Q. No.  
6 A. -- "they" keeps going up and down.  
7  
8 Q. No, it's been clarified, all right. It include those  
9 three, all right. Just stay with those three, all right,  
10 for the moment.  
11 A. Yes. I hope we'll discuss the other two that she  
12 mentioned then back - back on it.  
13  
14 Q. No, I'm just going to stay with these three. The  
15 transcript --  
16 A. Yes.  
17  
18 Q. -- is there, Mr Kenyon.  
19 A. Yes.  
20  
21 Q. I'm just staying with these three.  
22 A. Yes. Yes. The other two are on the transcript.  
23  
24 Q. Yes, I know all that. I know all that. It implies,  
25 if the "they" were you three, that you had --  
26 A. Yes.  
27  
28 Q. -- discussed the matter. Would you agree with that?  
29 A. Yes. Definitely that's an obvious conclusion.  
30  
31 Q. Now, it's logical, but I'm suggesting to you that  
32 Maggie Dawkins would not have known that unless Elizabeth  
33 Stroud or you or Peter Carter had told her that.  
34 A. Ian Carter.  
35  
36 Q. Sorry?  
37 A. Ian Carter.  
38  
39 Q. Ian Carter. Yes, sorry, Ian Carter. Do you agree  
40 with that?  
41 A. Yes, unless she made it up because I can tell you  
42 quite clearly I had no conversation --  
43  
44 Q. I know --  
45 A. -- with Ms Stroud --  
46  
47 Q. I know --

1 A. -- at that time.  
2  
3 Q. I know, I know, you've said it's all made up. But you  
4 see, we know from your evidence, and Elizabeth Stroud's,  
5 and Ian Carter's, that the three of you had spoken - have  
6 spoken about this matter. Yes.  
7 A. It's a long - yes, ages ago.  
8  
9 Q. Yes.  
10 A. Some time ago, yes. But when she makes these  
11 comments, it's following, if I'm not mistaken, after she  
12 heard - this was after the newspaper report in September.  
13 And I can tell you I certainly did not talk to Elizabeth at  
14 all around that time. I think the first question you've  
15 got to ask is is this fantasy or is this reality?  
16  
17 Q. No, well, Mr Kenyon, Mr Kenyon, I'm asking the  
18 questions, if that's all right.  
19 A. Yes, yes.  
20  
21 Q. You're answering them.  
22 A. I'm trying to help you.  
23  
24 Q. You have conveyed or given evidence about Mrs Dawkins  
25 being unprofessional, haven't you?  
26 A. Yes, and I'm talking about Katanning. I don't know  
27 what has happened in her life since, but I'm talking about  
28 that time there.  
29  
30 Q. And Elizabeth Stroud, Ian Carter and yourself - I can  
31 tell you this now, because that's their accounts that  
32 they've given before the Inquiry - is consistent with  
33 yours - and that is that she was moved from Katanning for  
34 reasons other than --  
35 A. Yes.  
36  
37 Q. -- the conflict she had with Dennis McKenna, okay?  
38 A. I'm glad about that.  
39  
40 Q. And that's just as Maggie Dawkins says that Elizabeth  
41 Stroud told her would happen.  
42 A. I read that in the testimony, yes.  
43  
44 Q. Leaving aside how many are included in "they" - all  
45 right - would you accept that Mrs Dawkins has never said  
46 that "they" included Mr Sherlock?  
47 A. Apparently so, from what I've read in her testimony,

1 he doesn't appear.  
2  
3 Q. And he is the only member of the Westrek management  
4 team who has been called to give evidence at this Inquiry,  
5 who admits to being aware of Dennis McKenna's role in  
6 Maggie Dawkins' removal from Katanning to Bunbury?  
7 A. Well, you tell me that's true. I haven't read their  
8 testimonies.  
9  
10 Q. I've read out the transcript before lunch, yes, but I  
11 haven't read the transcripts of the other people that you  
12 mentioned --  
13  
14 Q. No, well I can tell you now.  
15 A. -- so I'm assuming what you tell me is true, yes.  
16  
17 Q. It is somewhat of a coincidence then, isn't it.  
18 A. No, not at all, because the timing of this doesn't  
19 quite make sense in a sense that she is talking about this  
20 is following that newspaper kind of like report when I am  
21 interviewed and I made very clearly then two statements.  
22 One is, I have no record of ever being told this, and (b),  
23 my understanding is she was moved because of her behaviour.  
24 It's following that that she now claims that we were out to  
25 get her. I didn't talk to Elizabeth Stroud at all around  
26 any of that. I hadn't spoken to her for kind of like 20  
27 years. So that's a bit of a furphy. Secondly, despite the  
28 fact you don't want to deal with it, she keeps changing who  
29 they are.  
30  
31 Q. Mr Kenyon, I know all that. I know all that.  
32 A. Well, I hope it's recorded.  
33  
34 Q. Yes, it is record.  
35 A. Because that does question her credibility in this  
36 issue.  
37  
38 Q. Well it is recorded because you've read it, so it's  
39 there?  
40 A. Yes, yes.  
41  
42 Q. But if, in fact, "they" is confined to yourself,  
43 Elizabeth Stroud and Ian Carter and excludes Mr Sherlock,  
44 it's remarkably coincidental, is it not, that the evidence  
45 that the three of you have given is the same, and that is,  
46 portraying her as unprofessional, unreliable and that the  
47 reason for her move from Katanning had nothing to do with

1 Dennis McKenna, and yet the other manager in Westrek, who  
2 Sherlock gives a different, she doesn't include in that  
3 group?

4 A. Well, I mean that's your interpretation on it. I  
5 think it's a bit of a long bow, but all I'm telling you,  
6 that you're implying that Ms (inaudible) can collusion on  
7 this. There wasn't.

8  
9 Q. That's right.

10 A. I'm sorry.

11  
12 Q. That's right.

13 A. That is my position. There was no collusion. That  
14 what is we actually believed.

15  
16 Q. Well it was remarkably fortunate for Ms Dawkins then,  
17 if there was no collusion, that it just so happens that  
18 Mr Sherlock could not form part of this collusion, isn't  
19 it?

20 A. Well that's what you're saying. I don't know why she  
21 didn't include that. He had disappeared into the woodwork  
22 somewhere. I don't think anyone had any contact with him.

23  
24 Q. It is not what she says about being included, it's  
25 what she says Ms Stroud says was included in "they"?

26 A. Well, all I'm saying is you need to question Ms Stroud  
27 about it. My understanding certainly isn't - I wasn't part  
28 of a "they" getting it. I conveyed, in that newspaper  
29 article, and this is what she is responding to, that  
30 somehow because I made those statements we're out to get  
31 her. I made a very clear statement and it is fundamental  
32 to my testimony today. I was never told. If I was, I  
33 would do something about it, and the reason why she was  
34 moved was to do with her inappropriate and unprofessional  
35 behaviour.

36  
37 Q. What involvement did you have in the decision to have  
38 Mrs Dawkins moved from Katanning to Bunbury?

39 A. Probably very little - none. I was probably informed  
40 that that was happening. It was an operational issue and I  
41 would have probably been informed that this was what was  
42 actually happening. I certainly didn't have any  
43 disagreement with it because it seemed to be "At least  
44 that's worth trying", so I wasn't part of that  
45 decision-making.

46  
47 Q. Would you at least accept you were required to sign

1 off or ratify that decision?  
2 A. No, not necessarily. These people were on contract to  
3 the program. They weren't really - they weren't in the  
4 Public Service. That would be an issue done by the  
5 managers, and probably, and again check that with Janet  
6 Holmes à Court, it would have been done probably with the  
7 board's approval. I told you, I had increasingly less to  
8 do. Whether Mr Cross was involved in that because he took  
9 a personal interest in that program, whether he was  
10 involved in it could have been the case but certainly I  
11 wasn't.

12  
13 Q. Well would Mr Carter be required to sign off on that  
14 or approve it?

15 A. Again, I don't know. I cannot say. I suspect it was  
16 a decision within the program how we move people around.  
17 That was an operational issue that didn't necessarily  
18 require other people, bar managers and probably the  
19 approval of the chair of the program, for those things to  
20 happen. As I mentioned to this afternoon, I increasingly  
21 had less and less to do with it.

22  
23 Q. All right, you have answered the question. Mr Carter  
24 says - this is at page 1635 - he says that doesn't recall  
25 signing off on this decision and he said that you may have  
26 done it?

27 A. Yes, well I certainly didn't, and if he can't  
28 remember - would have come through him, not directly to me.  
29 So if he can't remember, I certainly have no record of ever  
30 signing off on that. I can remember being told about it at  
31 some stage as part of that discussion but as for requiring  
32 my approval, I doubt whether that was required. As I said,  
33 I didn't micro-manage this. My name is not Kevin Rudd.

34  
35 Q. Again, you have said that before but thank you for  
36 reiterating that again for us. Mr Sherlock - and I read  
37 out that passage of his transcript to you before lunch - he  
38 doesn't discount the possibility that an enraged Dennis  
39 McKenna rang him complaining about Maggie Dawkins'  
40 allegations. He doesn't discount the possibility that  
41 Dennis McKenna demanded her removal from Katanning or else  
42 the Westrek participants will be removed from their  
43 accommodation. Okay, I just want to remind you of that  
44 evidence.

45 A. Yes, yes.

46  
47 Q. Now, you have been provided with minutes, have you

1 not, from the St Andrew's Hostel board meeting in late  
2 1985?  
3 A. Yes.  
4  
5 Q. I don't want to spend too much time on those but you  
6 have had a read of those?  
7 A. Yes.  
8  
9 Q. And would you confirm with me that on 30 October the  
10 minutes for that meeting, they resolve that Westrek was to  
11 vacate the premises they had been leasing due to nonpayment  
12 of rent. Can you see that?  
13 A. Yes.  
14  
15 Q. All right. But the next meeting on 20 November, there  
16 is only handwritten notes that we have and I haven't had  
17 them typed up but there is an entry there, albeit in  
18 somewhat of a scrawl, that the lease could continue. Do  
19 you see that?  
20 A. No, I can't see where. It's just a big blotchy paper.  
21 You might like to point out where on that memo it appears.  
22  
23 Q. Certainly. It's the handwritten notes and there's a  
24 circled account which says:  
25  
26 To Peter Sherlock.  
27  
28 Do you see that in the left-hand column?  
29 A. How far down? Yes, sorry, at the top.  
30  
31 Q. About one quarter of the way down?  
32 A. Yes, about a third of the way down, yes.  
33  
34 Q. Yes, and it's correspondence from Westrek and it  
35 reads:  
36  
37 Westrek lease continue to its scheduled  
38 conclusion per original document.  
39  
40 Do you see that?  
41 A. Yes.  
42  
43 Q. So if these minutes are correct, it would seem that  
44 the board had decided not to terminate the lease but allow  
45 Westrek to remain there until the conclusion of the lease.  
46 Okay?  
47 A. Yes.

1  
2 Q. Were you aware of any of those matters in 1985?  
3 A. Not at all. I didn't get engaged in this level  
4 whatsoever.  
5  
6 Q. Okay, that's fine.  
7 A. But I'm sure that the - the group would have.  
8  
9 Q. Now, Mrs Ainslie Evans, I don't know if you have read  
10 her evidence?  
11 A. Not at all. I haven't read anyone's.  
12  
13 Q. Other than Maggie Dawkins?  
14 A. Except hers, yes.  
15  
16 Q. I just touched on this before but she has given  
17 evidence that she had no problems with how Maggie Dawkins  
18 was running the project in Katanning. Okay. And she has  
19 also given evidence that she was of the view that it was a  
20 very successful project when Maggie Dawkins was in charge  
21 of it. Okay?  
22 A. (No audible answer).  
23  
24 Q. Now, I have taken you through what Mr Sherlock has  
25 said, there was a possibility regarding a threat made by  
26 Dennis McKenna to him. I have taken you through those  
27 hostel board minutes, which suggest that they wanted the  
28 Westrek participants out?  
29 A. Because they didn't pay the bill.  
30  
31 Q. Yes, because they didn't pay the bill.  
32 A. Yes.  
33  
34 Q. Yes, and then they changed their mind, it would seem,  
35 on 20 November?  
36 A. The bill must have been paid.  
37  
38 Q. Yes, that might be the case. Yes.  
39 A. Yes. A long bow that one.  
40  
41 Q. What's a long bow, Mr Kenyon?  
42 A. That there is kind of like collusion over this thing.  
43 You know, obviously there was an issue with Westrek and its  
44 payment. Then maybe it must have got resolved and sorted  
45 out.  
46  
47 Q. I can tell you something, Mr Kenyon. That if Dennis

1 McKenna wanted Westrek out of this accommodation and he was  
2 part of the hostel board, it would be unlikely he would say  
3 to the fellow board members "I want Westrek out of their  
4 accommodation because Maggie Dawkins is making allegations  
5 of sexual abuse against me by students". You accept that?  
6 A. Yes, yes, definitely.

7  
8 Q. All I'm asking you is, would you accept that this  
9 evidence that I have shown you, those three areas of the  
10 evidence of what "Peter Sherlock has to say, the minutes,  
11 and Ainslie Evans' views, that that is consistent with  
12 Maggie Dawkins' version as to the reason why she was  
13 removed from Katanning?

14 A. Well, you could interpret that. I don't know, I  
15 haven't seen the evidence and I certainly haven't discussed  
16 it with Ainslie Evans, whether she viewed the project  
17 positively or negatively.

18  
19 Q. I'm telling you what she said?  
20 A. All I'm aware of is the image that I got is that the  
21 project was in problems.

22  
23 Q. I'm not going to ask you about that. Do you accept  
24 that those three areas of her evidence is at least  
25 consistent with what Maggie Dawkins' version is. That's  
26 all I'm asking you. Do you accept it or not?

27 A. Well, you know, I cannot see the connection with the  
28 minutes. I think that is a long bow issue. As for the  
29 issue with Peter Sherlock and with Mrs Evans, if you're  
30 saying that that is what they are saying as to the reason  
31 why she was moved, you need to talk to them about it.

32  
33 Q. Mr Kenyon, if you don't accept it, that's fine.  
34 A. Yes, yes. All I'm saying is, I cannot comment on what  
35 they are saying. You are asking me to comment on what they  
36 are saying. All I'm saying is what I at the time knew and  
37 what I believed.

38  
39 MR URQUHART: I have nothing further, sir

40  
41 HIS HONOUR: Very well. Now, Mr Jenkin, have you got  
42 anything?

43  
44 MR JENKIN: No, thank you sir.

45  
46 HIS HONOUR: All right, Mr Prior?

47

1 MR PRIOR: I just want to check how much video link time  
2 we have got, your Honour. I am probably going to go a lot  
3 longer than I estimated.

4  
5 HIS HONOUR: All right, I will just check. Do we know  
6 that, Madam Associate?

7  
8 ASSOCIATE: It should be okay. We can keep going.

9  
10 HIS HONOUR: We are all right to keep going.

11  
12 <CROSS-EXAMINATION BY MR PRIOR:

13  
14 Q. Right, Mr Kenyon, like Mr Urquhart said, if you can't  
15 hear me or see me, please tell us at any stage. You can  
16 hear and see me at the moment?

17 A. I can indeed, yes.

18  
19 Q. Now, Mr Kenyon, did you ever go to the Katanning  
20 hostel?

21 A. No.

22  
23 Q. Did you ever meet Dennis McKenna?

24 A. Not at all.

25  
26 Q. And I think you have told us you met Maggie Dawkins at  
27 least on one occasion in Perth?

28 A. Yes, prior to when we inherited her, yes, and I'm not  
29 sure if I met her after she was moved. I may have but I  
30 don't have strong memories of any meetings.

31  
32 Q. You are talking about around 1985, aren't you?

33 A. Yes, 27 years ago.

34  
35 Q. So your recollection is having a meeting with her  
36 before she went to Katanning in Perth?

37 A. Yes.

38  
39 Q. And possibly you might have had a further meeting at a  
40 later stage?

41 A. Yes.

42  
43 Q. Did you have any meetings with her when she was at  
44 Katanning?

45 A. I don't believe so and I certainly didn't go to  
46 Katanning.

47

1 Q. So when you had the meeting with her in Perth, were  
2 they at the department's offices?  
3 A. It would have been in our offices, yes.  
4  
5 Q. When I keep saying "Perth", I'm talking about the  
6 Perth metropolitan area?  
7 A. Yes.  
8  
9 Q. Not necessarily the CBD but somewhere in Perth  
10 suburbia?  
11 A. Yes, our offices were in the CBD.  
12  
13 Q. So when you saw her before she went to Katanning, you  
14 have got a strong recollection of that meeting. Generally  
15 what was that meeting about?  
16 A. I suppose it was purely a polite meeting, given the  
17 fact that I was told that she would be one of our project  
18 officers and that she was particularly very strongly  
19 politically connected and we needed to be aware of that.  
20 So it was more out of politeness and it was expected that I  
21 would meet her. I think I was probably directed by my  
22 superior, Mr Cross.  
23  
24 Q. So subsequent to her leaving the Katanning hostel  
25 Westrek project you may have had a meeting with her?  
26 A. I don't think I met while she was there and I really  
27 can't recall whether or not I was in that meeting with her  
28 when she claimed she came to Perth. I could have but I  
29 don't have vivid kind of recollections of any part of a  
30 meeting like that, particularly the way she's outlined it.  
31  
32 Q. And you have read testimony of Ms Dawkins --  
33 A. Yes.  
34  
35 Q. -- at that meeting, she says she's not sure whether  
36 you were in or out of the room or came in or out --  
37 A. Yes.  
38  
39 Q. -- but --  
40 A. Yes.  
41  
42 Q. -- Mr Urquhart read a part of the transcript. She  
43 suggests at that meeting there was a letter of resignation  
44 presented to her.  
45 A. Yes.  
46  
47 Q. Okay. Were you ever --

1 A. Well, she claims that, yes.  
2  
3 Q. Have you ever, in your capacity working at the  
4 Department of Employment, presented a letter of resignation  
5 to Ms Dawkins?  
6 A. No, I never presented that - a letter like that to  
7 Ms Dawkins, and I've never presented it to anyone.  
8  
9 Q. And have you ever seen anyone do that to Ms Dawkins,  
10 who might have been in the room at the time?  
11 A. No, not at all. I mean, it would have horrified me as  
12 a methodology.  
13  
14 Q. Okay. Well, Mr Urquhart talked about hypotheticals a  
15 number of times. Hypotheticals - someone like you made or  
16 attempted to get her to sign a letter of resignation, and  
17 working for the Westrek project in Katanning, who would you  
18 have expected her to complain to?  
19 A. Well, certainly she would have gone probably straight  
20 to the Minister, or to my superior, Mr - Mr Cross.  
21  
22 Q. And the Minister was who at the time?  
23 A. Peter Dowding.  
24  
25 Q. And what was her relationship, to your knowledge, with  
26 Peter Dowding and Mr Cross around 1985?  
27 A. I mean, obviously she knew Mr Dowding. I suspect John  
28 Dawkins and him were close friends, and that's where we  
29 inherited her, it was through that friendship, I suspect.  
30 In terms of Mike Cross - he particularly took a strong  
31 interest in this program because the Holmes a Courts were  
32 involved, but also, I think, the political sensitivity of  
33 Mrs Dawkins. He was particularly keen that we secured  
34 Federal funding for this program, and because it was an  
35 expensive program and he was hoping that the Feds would  
36 start contributing money to it. So looking after the  
37 special friend of the Minister Assisting the Prime Minister  
38 for Youth Affairs was something pretty important to him.  
39  
40 Q. At any stage whatsoever has Mr Cross, Mr Dowding or Mr  
41 Dawkins contacted you and advised you that Mrs Dawkins has  
42 complained about she was given a letter of resignation and  
43 asked to sign it?  
44 A. Not at all. I noticed in her testimony she said she  
45 went to see Mr Cross after she supposedly met with us. I  
46 am sure that could have happened. No other coordinator  
47 would have been able to do it, but certainly Mike Cross

1 never raised with me the issues of a letter. He certainly  
2 constantly raised with me the need to kind of like make  
3 sure that we managed and not alienate her.  
4

5 Q. So your relationship with Mr Cross, and we appreciate  
6 he's now passed away, but if behaviour of that nature had  
7 occurred and Mr Cross knew about it, you'd expect he would  
8 say something to you about it?

9 A. I would have no doubt. Mr Cross and I were very  
10 close. He was an incredible mentor in my life. Probably  
11 most days we would have finished the day with a cup of  
12 coffee or tea or something, chatting about where everything  
13 was at. He and I were pretty close, and so if anything  
14 like that came up, I would have expected him to have  
15 actually raised it with me, and he certainly didn't.  
16

17 Q. Speaking about your relationship with Mr Cross, did he  
18 ever advise you that Mrs Dawkins, or anyone else to that  
19 nature, had made complaints about Mr McKenna's behaviour at  
20 the Katanning Hostel?

21 A. Not at all. Again, I would have remembered that. It  
22 certainly was never raised by him.  
23

24 Q. Did you ever meet Dennis McKenna?

25 A. No.  
26

27 Q. No. Now, just - I know you've been asked this, but  
28 just in simple terms, can you tell us what your  
29 understanding was as to why Mrs Dawkins was moved to the  
30 Bunbury hostel?

31 A. I feel sorry for Mr Urquhart to hear this yet again.  
32

33 Q. Well, we want to know what the truth is Mr McKenna --

34 A. Yes, that's right.  
35

36 Q. -- Mr Kenyon, about Mr McKenna.

37 A. Certainly, as I've indicated, my understanding was  
38 that she was moved because of her inappropriate  
39 professional behaviour. That was the reason that she was  
40 actually moved. Based on the assumption, whether it's true  
41 or not, but it seemed to work, that a place like Bunbury,  
42 being a regional centre, much bigger, would absorb her  
43 shocks far better than a small country town like Katanning.  
44

45 Q. Did Mrs Dawkins, face to face or by telephone or by  
46 correspondence or any other means, ever complained to you  
47 about Dennis McKenna's behaviour at the Katanning Hostel?

1 A. Never. I received no verbal and certainly no written  
2 report from Mrs Dawkins about Mr McKenna.

3  
4 Q. Had she or anyone else made a complaint about that,  
5 and you generally describe it as paedophilia behaviour,  
6 what would you have done?

7 A. I certainly would have taken action. I would  
8 certainly expected that we would have taken it to the  
9 appropriate authorities. To me this is a pretty serious  
10 thing.

11  
12 Q. Now, you talked about Mrs Dawkins and her  
13 characteristics and personality - if Mrs Dawkins had  
14 complained about Mr McKenna to you and his behaviour at the  
15 hostel, would you have done anything?

16 A. Certainly if this issue of paedophilia was raised,  
17 certainly it would have rung bells, and even with  
18 Mrs Dawkins it would be something you would need to explore  
19 and examine.

20  
21 Q. So once again, when was the very first time whatsoever  
22 that you become aware of Mr McKenna's - Dennis McKenna's  
23 misbehaviour and general behaviour?

24 A. It was around September 2011 when I was rung by a  
25 '7.30 Reporter' saying they were running a program on the  
26 Friday night and that Mrs Dawkins was to appear, and they  
27 were wanting me to respond to those accusations. Three or  
28 four days later I was rung back by that person, or spoke to  
29 him and I was told that they decided not to go with the  
30 program because there was no collaboration on the evidence.

31  
32 Q. Did you ever chastise Mrs Dawkins for her behaviour or  
33 complaints you received about her behaviour whilst she was  
34 working at the Katanning Hostel as a group leader?

35 A. I probably wasn't involved directly in that, but  
36 certainly I would have expected staff below me to have  
37 conveyed to her that displeasure. If we - if I was part of  
38 that meeting --

39  
40 Q. So the answer to that first question is no, is that  
41 correct?

42 A. Yes, the answer to that is no. If I was, as she  
43 claims, part of that meeting when she came up, that meeting  
44 certainly was to talk about her behaviour - not in Bunbury,  
45 but in Katanning, so obviously she's claiming that's where  
46 her behaviour was raised.

47

1 Q. Now, around 1985, the year 1985, did you ever make any  
2 comments to Elizabeth Stroud over the telephone or in  
3 person about getting Maggie Dawkins?  
4 A. Certainly not. Again, I don't function that way.  
5  
6 Q. Was there any reason for you to make comments of that  
7 nature yourself?  
8 A. No, no, not at all. I mean, certainly I was just  
9 thankful when she moved on, and certainly there is no  
10 reason why we want to get her. It was about surviving the  
11 Maggie Dawkins era, and moving on. Those comments about  
12 getting them, I think related to when I made a comment to  
13 the newspaper in 2011, when they asked me, "What do you  
14 think of these comments?", and I reiterated to you quite  
15 clearly I was never told, and my understanding was she was  
16 moved for these reasons.  
17  
18 Q. How often did you have contact with Mrs Stroud in  
19 1985?  
20 A. Not overly. Mrs Stroud was obviously the project on  
21 the - she was the ground - a field officer. She spent a  
22 lot of time there. I didn't - you know, primarily that was  
23 a unit of Mr Sherlock and Mrs Stroud working together. I  
24 didn't actually engage in that. In all these programs I  
25 had staff on the ground doing things. Rarely did I get  
26 involved. As I keep saying, there were 250 projects and 11  
27 project areas. I just couldn't kind of like get myself  
28 immersed in one particular project.  
29  
30 Q. Now, whether --  
31 A. And there was enough people concentrating on it.  
32  
33 Q. When Mr Urquhart was asking you questions, you said  
34 that you directed people to raise the issue of her  
35 behaviour, and you had discussions with that - about that  
36 with Mr Carter and Mr Sherlock. Do you remember saying  
37 that?  
38 A. Yes.  
39  
40 Q. And then you said - then you went on to say, "But I  
41 had complications I had with her." And then Mr Urquhart --  
42 A. Sorry?  
43  
44 Q. And then you went on to say, "I had complications I  
45 had with her" and --  
46 A. Conversations?  
47

1 Q. No, complications.  
2 A. Complications, I see yes.  
3  
4 Q. C-O-M-P-L-I-C-A-T-I-O-N-S.  
5 A. Yes.  
6  
7 Q. And what were the complications you had with her?  
8 A. Simply that she was imposed upon us for - through her  
9 political connections, and we were clearly having to accept  
10 that, and there was no way that we could actually get rid  
11 of her. I was constantly told by Mike Cross, Manager, "You  
12 can't sack her".  
13  
14 Q. Well what about --  
15 A. That's the complication.  
16  
17 Q. -- the concept that Mr Urquhart put to you of quitting  
18 or having someone put to her a letter of resignation and  
19 for her to sign it as opposed to sacking?  
20 A. As I communicated to him, it's not part of my  
21 management style - never has been, never will be, and I  
22 certainly wouldn't have condoned that as a practice. I've  
23 never seen that actually operate anywhere, certainly when I  
24 have been present, or certainly in my management roles.  
25  
26 Q. Now, you said to Mr Urquhart when he was asking  
27 questions about Mrs Dawkins - you said that her behaviour  
28 was enough for her to move - for her to be moved on,  
29 referring to Ms Dawkins, and then you said, "What? I  
30 assume that you spoke to Mrs Janet Holmes a Court about  
31 this issue." Why did you make that comment?  
32 A. Well, I thought this was an Inquiry seeking the truth.  
33 And if that's the case, the key people involved in this  
34 need to be spoken to, and she's absolutely central to  
35 Westrek. She visited Katanning, she ran that program, she  
36 took a personal interest. She's an incredibly competent  
37 and committed person, and I would have thought that this  
38 Inquiry would have talked to her about her recollections of  
39 Mrs Dawkins, and what she thought went on at the time. She  
40 was far more involved in the day-to-day overseeing this  
41 project than I was.  
42  
43 Q. Now, you mentioned that you couldn't sack her at the  
44 time, around 1985, Mrs Dawkins, and how you mentioned her  
45 political position and her boyfriend. Who did you  
46 understand her boyfriend was at the time?  
47 A. Mr John Dawkins.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. And you told Mr Urquhart that you discussed, I think - and I think I've got it right, with Mr Sherlock, about what records there was of the department, and relating, perhaps, to the Westrek projects?

A. Yes.

Q. You had a discussion with Mr Sherlock about that?

A. Yes.

Q. And he told you a few things about what he thought there was in terms of records; is that right?

A. Yes.

Q. Have you made any other attempts to get records or information for this Inquiry?

A. Yes, I've actually put in a freedom of information to the department through my lawyer, Mr Healy, and they've come back saying there's nothing available. Why would I do that?

Q. What information were you trying to source there?

A. I wanted a staff file on Mrs Dawkins, because I genuinely believed that her behaviour was unacceptable and if that was the case, there must be a file about her.

Q. And have you discovered whether there is a file, human resources file?

A. No, there's no records - yes, again, I believe it came back to Mr Healy, my lawyer, that there isn't anything available. But I'm sure the Inquiry has also proceeded with that as well.

Q. Now, very early on - I don't think you need to look at the document again - but very early on in your evidence, when Mr Urquhart was showing you exhibit 5 and the flowchart, to use your words, of the positions --

A. Yes.

Q. -- of (inaudible) - I'm paraphrasing what you said, but you said it's not exactly accurate, it depends what period of time you're talking about, 1985 or later.

A. Yes.

Q. But just concentrating on the Westrek Advisory Group --

A. Yes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

Q. -- to your recollection is Mrs Holmes a Court, Janet Holmes a Court, the Chair of that group or a patron?

A. Yes, she was the Chair and also, I suspect, the patron. They contributed, if I remember, I think it was over \$1 million to the program.

Q. And was that during 1985?

A. Yes, she was very early on, and it was prior to her husband's death because I can remember my really only significant meeting with them was to go, I think, with Mike Cross to see her and Mr Holmes a Court about whether or not they would support the program.

Q. Okay. Other than that, did you have any involvement with the Advisory Board?

A. Not at all. I'm one person who certainly didn't have any involvement. I know Mike Cross may have been on it. There was a number of significant other bureaucrats and politicians on it. It was a - and I can't even recall who they were, but there seemed to be a very strong group that was actually brought together, but I was not a member of that, and I certainly have had - I can't recall any discussions - I might have had one at the most or two, with Janet Holmes a Court. I just wasn't involved at all. That's something Mr Cross particularly wanted to do himself.

Q. Were you in any way involved in the actual decision to have Maggie Dawkins removed from the Katanning Hostel and taken to the Bunbury Hostel as a group leader?

A. No, I can't recall being part of that decision. I was certain informed of it --

Q. Okay. Do you know who made that decision?

A. -- as her strategy. Sorry?

Q. Do you know who made that decision?

A. Look, that would have come from within the program, and I am sure that that would have been something that Mr Sherlock, Mr Carter, Elizabeth Stroud may have been part of, but who was caught up in that, I'm not quite sure, but I'm also under the impression that it was kind of like in the pipeline for a while, and certainly Mike Cross was aware that this was going to happen.

Q. Okay. Now, earlier on Mr Urquhart referred you to the

1 evidence of Ms Dawkins about a phone call she had with Ms  
2 Stroud in 1985 --

3 A. Yes.

4  
5 Q. -- relating to people she initially called them  
6 "they", T-H-E-Y.

7  
8 HIS HONOUR: No, you said 1985. I think you mean --

9  
10 THE WITNESS: 1990.

11  
12 MR PRIOR: Q. 1990?

13 A. 2011.

14  
15 Q. 2011, sorry.

16 A. Yes.

17  
18 Q. Yes. And she discussed "they", and you mentioned to  
19 Mr Urquhart, "Well, she also mentioned two other names".  
20 Do you remember what the names were that she mentioned in  
21 her evidence?

22 A. Well, my understanding is she mentioned Mr Dowding as  
23 the politician, and Mrs Janet Holmes a Court, but after she  
24 had a break, and I suspect might have chatted with her  
25 husband --

26  
27 Q. Well --

28 A. -- she changed her mind.

29  
30 MR URQUHART: Well, I'm going to object to that.

31  
32 MR PRIOR: Q. Well, just - we don't want you to tell us  
33 what you suspect, it's tell us what the facts are.

34 A. Okay, 19 (inaudible) changed.

35  
36 Q. Yes.

37  
38 MR URQUHART: I think the witness ought to be told, sir,  
39 that you shouldn't be making those sort of comments.

40  
41 HIS HONOUR: Well, it's not appropriate to make those  
42 comments to Mr Prior.

43  
44 MR PRIOR: Yes. All right.

45  
46 Q. So going back to the question - the two other persons,  
47 Mr Dowding, I think you mentioned, and Mrs Holmes a

1 Court --  
2 A. Yes.  
3  
4 Q. -- so they were mentioned in the initial part of her  
5 evidence as part of the "they"?  
6 A. Mm-hmm.  
7  
8 Q. So what were their roles once again back in 1985, in  
9 relation to the Westrek project?  
10 A. Well, Mr Dowding was our Minister. He was --  
11  
12 Q. What party was he?  
13 A. -- particularly strong --  
14  
15 Q. What ministry was he?  
16 A. Sorry?  
17  
18 Q. What Minister --  
19 A. He was the Minister for Employment and Training.  
20  
21 Q. Yes.  
22 A. And certainly his office, together with a policy  
23 division who tended to instigate a lot of kind of like  
24 actions that needed to happen, were the ones who  
25 particularly grabbed hold of this thing called Westrek, and  
26 thought it was a great idea. He also, I think, personally  
27 knew Janet Holmes a Court, and he was the one who arranged  
28 a meeting through her with Mr Holmes a Court, and  
29 particularly, I think, invited her if she'd take on board  
30 the Chair position with it. I think they went to uni  
31 together and whatever, but Peter Dowding was a Minister who  
32 was particularly interested in innovation and new ideas,  
33 and he particularly wanted to see this program happen.  
34  
35 Q. Okay.  
36 A. I suspect we - and it was through him that we also  
37 inherited Mrs Dawkins, and I think that was through  
38 political connections.  
39  
40 Q. Okay. Now, what was Mrs Dawkins doing  
41 employment-wise, to your knowledge, before she came to the  
42 Westrek project?  
43 A. I'm under the impression, that she was an electoral  
44 officer with Kim Beazley, the Minister for Swan.  
45  
46 Q. And I think you said "the Minister for Swan", but he  
47 was the Member for Swan, wasn't he?

1 A. Sorry, Member for Swan, yes.  
2  
3 Q. And was he a Federal Minister as well?  
4 A. Yes, I think he was Minister for Defence.  
5  
6 Q. Okay. Now, I've only got about two more questions to  
7 go, Mr Kenyon. Firstly, what you've talked about today,  
8 over about the last four hours or so, is primarily things  
9 that happened in 1985 - nearly 28 years ago; correct?  
10 A. Yes.  
11  
12 Q. Is it possible that you have forgotten about  
13 Mrs Dawkins making a complaint to you about Dennis  
14 McKenna's behaviour in that hostel and at the hostel, in  
15 the last 28 years?  
16 A. I doubt it because as I said, it was one of the - if  
17 she had raised this issue of paedophilia and what was  
18 happening there, it would have been a stand-out comment  
19 that I would have definitely remembered.  
20  
21 Q. And if it was - and hypothetically if she did make  
22 those complaints to you 28 years ago, notwithstanding it  
23 was Mrs Dawkins who was making the complaints, would you  
24 have done anything?  
25 A. I certainly would have instructed her to certainly the  
26 two key agencies that needed to be notified was the local  
27 police and Child Protection within the - what was then  
28 probably the Department for Community Welfare, and they  
29 would have had offices in Katanning.  
30  
31 Q. Okay. Now, you told us why you say to your knowledge  
32 Mrs Dawkins was moved from the Katanning Hostel-Westrek  
33 project to the Bunbury project - you've told us a number of  
34 times. Did you collude or conspire with Mrs Stroud, Mr  
35 Carter or any other person for that - for that - as to  
36 reasons why Mrs Dawkins was moved from Katanning to the  
37 Bunbury hostel?  
38 A. Sorry, can you repeat - colluded when? Sorry and --  
39  
40 Q. Well, between 1985 and now, 2012.  
41 A. Yes, yes.  
42  
43 Q. So in the last 28 years?  
44 A. In the last 28 years, I definitely have never colluded  
45 with anyone on the reasons why I sincerely believed she was  
46 actually moved. That certainly is my clear understanding  
47 why it was moved. And that's why I was quite stunned when

1 I was contacted by the '7.30 Report', because that's what I  
2 believed right through to 2011. I had no other reason to  
3 believe anything else.  
4  
5 Q. Okay. And that was in about September/October 2011,  
6 that you were contacted by the --  
7 A. Yes.  
8  
9 Q. -- ABC '7.30 Report'; is that right?  
10 A. Yes, yes.  
11  
12 Q. And prior to that, I don't think there's any issue -  
13 around 1990/1991, Mr McKenna went to trial in the District  
14 Court and was convicted of some criminal offences relating  
15 to the hostel and its occupants. Were you aware of that  
16 during that period of time?  
17 A. No, because I was a Commonwealth Secretariat person  
18 based in Namibia for the whole of 2000. In terms of 1991 I  
19 was based in that new nation of Namibia following their  
20 independence, so I wasn't aware of any local media and,  
21 certainly, you know, I wasn't aware what went on then at  
22 all.  
23  
24 Q. Okay. So between 1990 and September/October 2011, did  
25 anyone contact you being involved in the Westrek project to  
26 say, "Hey, look, this is what's happened" --  
27 A. Definitely.  
28  
29 Q. -- "with Mr McKenna"?  
30 A. Yes, I can say during that time I never once had any  
31 contact with either Peter Sherlock or Elizabeth Stroud or  
32 Janet Holmes a Court. And certainly I doubt whether even  
33 those annual or biannual get together meals with Ian  
34 Carter, we even talked about Westrek. We had a whole pile  
35 of other things we had moved into, so no contact with  
36 people around that time. I never knew what actually  
37 happened to people, and it surprised me to discover that Mr  
38 Sherlock, for example, was in Queensland.  
39  
40 MR PRIOR: Okay. All right. Thank you, that's all my  
41 questions, thank you, your Honour.  
42  
43 MR URQUHART: All right. Just very briefly, sir.  
44  
45 <RE-EXAMINATION BY MR URQUHART:  
46  
47 MR URQUHART: Q. Again, I won't keep you long, I promise

1 you. We're nearly done here. Mr Prior gave you that  
2 hypothetical about if you had been told about these  
3 allegations that Maggie Dawkins was making, what would have  
4 you done. And you gave some answers there. I just want to  
5 put something else into the mix here. What if you had been  
6 told by a fellow manager within Westrek that Dennis McKenna  
7 had an impeccable reputation, and that as far as - insofar  
8 as that manager was concerned, he believed Dennis McKenna  
9 when Dennis McKenna denied those allegations to him. Would  
10 have that had a bearing on that decision you would have  
11 made?

12 A. I'm not sure, it's a hypothetical. I think anyone who  
13 was in this position with someone who obviously is  
14 deceptive as this Mr McKenna proves to be, and I noticed in  
15 the front page of this paper you shared with me, he was the  
16 Citizen of the Year, which I find highly, you know, sad.  
17 You know, simply when you've got people with that type of  
18 kind of like credibility and image, obviously it's hard  
19 when people like that have been quoted, as I would say is  
20 the reason why this guy got away with it for such a long  
21 kind of like time. But it was - your question is totally  
22 hypothetical because I simply was not - I was never shared  
23 by Mr Sherlock about this particular issue.

24

25 Q. Mr --

26 A. So it's not a reality for me. You're asking me to  
27 talk in hypotheticals.

28

29 Q. Yes, I am.

30 A. And it's very difficult to kind of like know that. It  
31 all comes back to what was actually said. I know nothing  
32 about this guy --

33

34 Q. Mr Kenyon --

35 A. -- and therefore, you are --

36

37 Q. -- look I know --

38 A. -- asking me to speak in hypotheticals.

39

40 Q. I know all that, and I was rather hoping we could be  
41 short here, but that's obviously not going to be the case.  
42 The --

43 A. Yes.

44

45 Q. -- I'm saying to you you had no problems --

46 A. Could be here a long time.

47

1 Q. Yes, I know you had no problems answering Mr Prior's  
2 hypotheticals --  
3 A. Yes.  
4  
5 Q. So I'm just adding something else into the mix there.  
6 A. Yes, sure.  
7  
8 Q. And that is --  
9 A. Yes.  
10  
11 Q. -- that if you'd been told by Mr Sherlock that this  
12 man has been impeccable reputation, and that Mr Sherlock  
13 believed him when he said to Mr Sherlock, "These  
14 allegations are outrageous". Now, I'm going to suggest to  
15 you that may well have had a bearing on what you would have  
16 done?  
17 A. It may have, but I suspect I would still be saying, "I  
18 still think this needs to be checked out." I mean  
19 paedophilia --  
20  
21 Q. Okay. All right.  
22 A. -- is a massive issue.  
23  
24 MR URQUHART: That's fine, Mr Kenyon, thank you for that.  
25 That's all. Thank you, sir.  
26  
27 HIS HONOUR: Right. Yes, very well, Mr Kenyon, that  
28 completes your evidence, thank you. We're going to cut the  
29 video link and you're free to go.  
30  
31 THE WITNESS: Thank you very much.  
32  
33 <THE WITNESS WITHDREW  
34  
35 HIS HONOUR: Now, when do we adjourn to?  
36  
37 MR URQUHART: I thought your Honour would ask me that, and  
38 I was going to talk to your Honour's associate as I did  
39 last time. As I understand it, it's going to be next  
40 Wednesday at 10 o'clock.  
41  
42 HIS HONOUR: Next Wednesday at 10 o'clock; is that  
43 correct?  
44  
45 MR URQUHART: 10 o'clock, sir, yes. And if we can just  
46 clarify that, it won't be a full day of evidence, we've  
47 only got one witness, is that right?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

ASSOCIATE: Yes.

MR URQUHART: Thank you, Madam Associate. Yes, it won't be a full day, but we'll start at 10 o'clock.

HIS HONOUR: Very well. I will adjourn now until next Wednesday at 10 o'clock.

MR URQUHART: So it's Wednesday, sir, the --

MR JENKIN: 2nd.

MR URQUHART: I'm so glad Mr Jenkin is here, because he clarified it's 2 May.

MR JENKIN: I always seek to help, Mr Urquhart.

MR URQUHART: Thank you, sir.

HIS HONOUR: Yes, very well, we'll adjourn

AT 3.58 PM THE HEARING ADJOURNED TO  
WEDNESDAY, 2 MAY 2012 AT 10AM