

Special Inquiry into St Andrew's Hostel

Held at: Courtroom 7.2,
District Court Building
500 Hay Street
PERTH WA 6000

Wednesday, 28 March 2012 at 10.07am
(Day 13)

Before: The Hon Peter Blaxell

1 HIS HONOUR: Please be seated. Yes, Mr Urquhart.
2
3 MR URQUHART: Yes, I appear, sir, again, as counsel
4 assisting in this matter.
5
6 HIS HONOUR: Yes. Mr Maughan.
7
8 MR MAUGHAN: If it please your Honour, I appear for Mr
9 McKenna.
10
11 HIS HONOUR: Very well. Mr Hammond.
12
13 MR HAMMOND: You've got a list that I've provided to you,
14 sir.
15
16 HIS HONOUR: And Mr Jenkin.
17
18 MR JENKIN: If your Honour please, for the Department of
19 Education and for the Hostels' Authority.
20
21 HIS HONOUR: Thank you. Yes, Mr Urquhart.
22
23 MR URQUHART: As I understand, sir, my learned friend
24 Mr Maughan just has an application to make, and I can say,
25 sir, that I don't object to it at all.
26
27 HIS HONOUR: Very well. Yes, Mr Maughan.
28
29 MR MAUGHAN: Your Honour, I don't think the court's aware
30 that I've only lately become involved in this matter on
31 behalf of Mr McKenna. There are a couple of matters which
32 have arisen overnight which I haven't had the opportunity
33 to discuss with Mr McKenna - I've discussed with my friends
34 this morning. I may need 15 minutes or so, with the
35 indulgence of the court. I'm asking that perhaps we could
36 have Mr McKenna taken downstairs for 15 minutes so I can
37 just clarify some issues with him.
38
39 HIS HONOUR: Very well. Well, that's a reasonable
40 request. So we'll adjourn for 15 minutes so that can
41 occur.
42
43 MR MAUGHAN: Thank you, sir.
44
45 SHORT ADJOURNMENT
46
47 HIS HONOUR: Please be seated. Now, we have Mr Rafferty

1 here as well. Mr Rafferty.
2
3 MR RAFFERTY: May it please your Honour, I appear for Mr
4 Philpott.
5
6 HIS HONOUR: Very good. Thank you. Yes, Mr Hammond.
7
8 MR HAMMOND: Your Honour, before Mr Urquhart commences, I
9 understand that the Inquiry has in its possession
10 approximately two to three statements that Mr McKenna has
11 given, or records of interview. We would like to see those
12 if at all possible. I understood they've been supplied to
13 defence counsel for Mr McKenna. I think it's only fair
14 that me, as representing the victims, be able to see those
15 statements as well.
16
17 HIS HONOUR: Right. There are some transcripts, not
18 statements.
19
20 MR HAMMOND: Yes.
21
22 HIS HONOUR: And in my view anything that relates to your
23 client should be made available to you, but this request
24 has only been received this morning, it's not possible to
25 organise that for the moment, but as soon as possible what
26 relates to your clients will be provided to you.
27
28 MR HAMMOND: If it pleases, sir.
29
30 HIS HONOUR: Very well. Yes, Mr Urquhart.
31
32 MR URQUHART: And just for the record, sir, I've already
33 summarised to my learned friend those portions of those
34 interviews that relate to his clients.
35
36 HIS HONOUR: Very well, yes.
37
38 MR URQUHART: So there's only one witness that I propose
39 calling today, and that is Dennis John McKenna.
40
41 HIS HONOUR: Right. Mr McKenna can come to the witness
42 box, please.
43
44 <DENNIS JOHN MCKENNA, sworn:
45
46 <EXAMINATION-IN-CHIEF BY MR URQUHART:
47

1 MR URQUHART: Mr McKenna, I'm going to ask you if you can
2 keep your voice up, please, it's a rather large room.
3
4 Q. Do you agree that on 20 June 1991 in the Albany
5 District Court, you were found guilty by a jury of 19
6 offences relating to sexual offending of five boys at the
7 St Andrew's Hostel between November 1977 and August 1990?
8 A. Yes.
9
10 Q. And do you agree that on 29 July 1991, you were
11 sentenced to seven years imprisonment, reduced to
12 six years, nine months to allow for time already spent in
13 custody?
14 A. Yes, that's correct.
15
16 Q. Do you accept that you committed those 19 offences?
17 A. Yes.
18
19 Q. Are you currently serving a term of imprisonment of
20 six years and four months?
21 A. Yes, that's correct.
22
23 Q. And do you agree that that's in relation to you
24 pleading guilty on 4 August of last year to 10 offences
25 relating to sexual offending against another six boys at
26 the same hostel between January 1977 and December 1985?
27 A. Yes.
28
29 Q. Do you accept you committed those offences?
30 A. Yes.
31
32 Q. Who do you say was responsible for your sexual
33 offending against these 11 boys over a course of 13 years?
34 A. I don't quite understand what you mean.
35
36 Q. Who do you say was responsible?
37 A. Well, I would have been responsible.
38
39 Q. Anyone else?
40 A. No.
41
42 Q. Why do you think you were able to sexually molest
43 these boys undetected for such a long time?
44 A. I don't really understand. I don't really know.
45
46 Q. You've had plenty of time to think about it, haven't
47 you, Mr McKenna?

1 A. Well, I don't know how to answer that. All I can say
2 is that --
3
4 Q. Well --
5 A. -- that's what happened.
6
7 Q. Yes, I'm asking you why do you think you were able to
8 commit this sexual offending for such a considerable period
9 of time?
10 A. I'm sorry, I - I don't know how I got away with it
11 that long.
12
13 Q. Well, do you think the reasons you were able to
14 sexually abuse these boys had anything to do with the
15 manner in which you treated hostel students?
16 A. No.
17
18 Q. Do you think it had anything to do with how you
19 presented yourself to the Katanning community?
20 A. Maybe.
21
22 Q. Maybe. In what sense?
23 A. Well, we did a lot of work around the town, and we did
24 a lot of activities for the town, and created a lot of
25 activities for the youth - such as the discos, the cinema,
26 the roller skating and things like that over the years.
27
28 Q. All right. So that's one reason.
29 A. And the students were held in pretty high regard in
30 town. Different people had girls for their baby-sitting
31 and things like that, so it was pretty well respected all
32 around.
33
34 Q. And all these things were initiated by you, weren't
35 they?
36 A. Yes.
37
38 Q. So, do you think that's a reason?
39 A. Possibly.
40
41 Q. Only possibly. Do you think it had anything to do
42 with the influence you had over the hostel's boards over
43 that period of time?
44 A. No.
45
46 Q. No. Do you think it had anything to do with the
47 influence you had with any of the school's principals?

1 A. No.
2
3 Q. Do you think it had anything to do with the way you've
4 dealt with anyone who posed a threat to expose your
5 offending?
6 A. No.
7
8 Q. Do you think it had anything to do with the particular
9 hostel staff that you employed?
10 A. No.
11
12 Q. Do you think it had anything to do with the people
13 that you knew?
14 A. No.
15
16 Q. The people that you knew in high places?
17 A. No. I've been asked quite a bit about all the people
18 I knew in high places, but I don't understand that because
19 I didn't know a lot of people in high places.
20
21 Q. You understand that - or can you recall if that's a
22 phrase you would use to certain people over the time that
23 you were a warden at this hostel?
24 A. No, I've read in the - a lot of all the newspaper
25 articles that that's what I did, but I didn't.
26
27 Q. No, I'm not interested in newspaper articles, I'm just
28 asking you directly. Are you denying that you ever used
29 that particular phrase to people?
30 A. No, I never used anything about, "I know people in
31 high places."
32
33 Q. All right. So those reasons that I put forward to you
34 - is it the case that you only accept one as possibly being
35 an explanation for the fact that you were able to commit
36 this offending for so long?
37 A. I - I don't quite understand your meaning.
38
39 Q. All right. Well --
40 A. There was one person I used, did you say.
41
42 Q. I put to you seven or eight reasons why I'm suggesting
43 to you that you were able to offend for this length of
44 time. As I understand your responses, you've only accepted
45 one as being a possibility - and that is, the way in which
46 you presented yourself to the Katanning community.
47 A. Yes, that would be right. If I - I presume that --

1
2 Q. Well, now you've had time to think about it some more,
3 what other reasons do you think there might be?
4 A. I'm sorry, I don't know.
5
6 Q. You don't know?
7 A. I know we had a high profile in Katanning - myself --
8
9 Q. Yes, we've been through that.
10 A. -- and the students, so that's all I can - that's --
11
12 Q. We've been through that. I want to know about other
13 reasons now.
14 A. Well, that's all I can put it down to.
15
16 Q. Your first position at the hostel was as a
17 housemaster, wasn't it?
18 A. That's correct.
19
20 Q. And that later became known as a supervisor?
21 A. Yes.
22
23 Q. And you obtained that position some time around the
24 second half of 1975. Does that sound about right?
25 A. September 9th or the 11th was when I started.
26
27 Q. So you remember the date exactly, do you?
28 A. Around the 9th or the 11th, because I had to start
29 work a little bit early, but I couldn't because I had to
30 finish my other position, and I went down there either the
31 9th or the 11th, because we had discussed that this week.
32
33 Q. Okay. So September 1975?
34 A. September '75.
35
36 Q. And one of the duties of a supervisor was to supervise
37 the students overnight, wasn't it?
38 A. Supervise day and night, whenever they were there.
39
40 Q. Yes. I'm just staying with one of the duties is
41 overnight, yes, which required a supervisor to actually
42 sleep under the same roof as the students, didn't it?
43 A. That's correct.
44
45 Q. And that's why, as I understand it, you were allocated
46 a unit at the far end of the boys' dormitory?
47 A. Right up the front near the office, at the entrance

1 into the boys' wing.
2
3 Q. And because as a supervisor it was part of a
4 supervisor's duties to look after the students after they'd
5 gone to bed?
6 A. That's correct - make sure the lights were all out and
7 I --
8
9 Q. Now, Mr McKenna, that unit could be best described as
10 a bed-sit, couldn't it?
11 A. Yes, there's two - there's two rooms.
12
13 Q. Yes. There's a small bedroom?
14 A. Mm-hmm.
15
16 Q. There's a small bathroom?
17 A. Mm-hmm.
18
19 Q. There's a kitchenette?
20 A. Mmm-hmm - yes, correct.
21
22 Q. Yes, with a smaller dining area, if that?
23 A. Well, it had a - like a little transportable building
24 at the end of where the kitchenette was.
25
26 Q. Yes. And that transportable area was also - you'd set
27 up as a lounge room, is that right?
28 A. Lounge room, that's right.
29
30 Q. Yes. Now, apart from the emergency exit. Am I right
31 in saying that there was only one way in and out of that
32 dormitory building?
33 A. In the earlier years, except for the end exit doors
34 there was the door into the passage, main entrance.
35
36 Q. So how many entries do you say there were?
37 A. There's one main entry.
38
39 Q. And any others?
40 A. Not in the early years, no.
41
42 Q. So that one entry that you had in the early years, you
43 had the keys for, didn't you?
44 A. Correct.
45
46 Q. And you locked those doors every night at or about the
47 time of lights out?

1 A. Well, all staff had keys and all doors were locked.
2 That's the --
3
4 Q. So the question - the answer to my question is, "Yes"?
5 A. Yes.
6
7 Q. And you were the only adult in that dormitory at
8 night-time, weren't you?
9 A. That's correct.
10
11 Q. And that was the case for 15 years, wasn't it?
12 A. Correct.
13
14 Q. Do you agree that in February 1976, you were made
15 acting warden?
16 A. Yes.
17
18 Q. And by second term of that year you were made warden?
19 A. Yes.
20
21 Q. Which entitled you to move into the warden's house,
22 didn't it?
23 A. That's correct.
24
25 Q. Which was a stand-alone house some distance from the
26 boys' dormitory, wasn't it?
27 A. That's - yes.
28
29 Q. You never stayed a single night in the warden's house
30 for the entire time you were warden, did you?
31 A. No, because there was no one to take my spot in the
32 dormitories in the early stages, and we let teachers move
33 into the house.
34
35 Q. What about subsequently?
36 A. No, I never moved over to the house.
37
38 Q. No, subsequently there were supervisors who could move
39 into that bed-sit, wasn't there?
40 A. Not in the early points, because they were married and
41 it wasn't - they had the house after the teachers.
42
43 Q. Yes, who else had the house, Mr McKenna, in 1977?
44 A. I'm sorry, I can't really remember 1977.
45
46 Q. Well, can I jog your memory then by suggesting it was
47 your parents?

1 A. That's totally incorrect. My parents never moved into
2 that hostel house at all.
3
4 Q. What part of the hostel did they live in?
5 A. They did not live at the hostel whatsoever.
6
7 Q. Are you saying --
8 A. They lived in a State housing house for about 12 to
9 15 months downtown, one street back from the main road into
10 Katanning.
11
12 Q. Mr McKenna, are you saying for the entire time that
13 you were warden there, you never had the opportunity of
14 living in the warden's house?
15 A. I could have had the opportunity.
16
17 Q. Yes.
18 A. Yes.
19
20 Q. So why didn't you take up that opportunity?
21 A. Well, I'd made the flat that got built onto
22 eventually, and it was good.
23
24 Q. Sorry?
25 A. I liked where I was.
26
27 Q. Yes, and why did you like where you were?
28 A. I just liked where I was.
29
30 Q. Why?
31 A. Well, I was just happy there anyway.
32
33 Q. Yes. Why were you happy there?
34 A. Well, it's obvious I presume.
35
36 Q. Yes. Well, you tell us.
37 A. Some of the sexual abuse was there and - in that
38 both --
39
40 Q. Wasn't all of the sexual abuse that you've been
41 convicted of take place inside that bed-sit?
42 A. No.
43
44 Q. Did anyone ever question you as to why you chose to
45 stay in a small bed-sit unit rather than a three bedroom
46 stand-alone house?
47 A. Only because we were the only two single people.

1 There was myself and Molly Hodgson, the housemother, and
2 she took the other bed-sit in the girls' wing.
3
4 Q. The question is did anyone ever ask you as to why --
5 A. No, they didn't.
6
7 Q. -- you chose to stay in that unit?
8 A. No, they didn't.
9
10 Q. Never? Not once?
11 A. No.
12
13 Q. Do you agree that by staying in the unit you had
14 easier access to boys at night-time than --
15 A. Yes.
16
17 Q. -- if you moved into the warden's house?
18 A. Yes.
19
20 Q. You began inviting boys into your unit the same year
21 you became warden, didn't you?
22 A. That was only for meetings, and there was no - nothing
23 in that first 12 months, no.
24
25 Q. Nothing in that first 12 months - what, of a sexual
26 nature?
27 A. No.
28
29 Q. All right. But I'm just saying, what were the
30 meetings for?
31 A. Well, we started to start off a bit of a football
32 team, and we had some parents come, and we'd sit in there
33 and have coffee. Look, I was hardly ever in there, to be
34 truthful. I was always out and about in the hostel, and in
35 the dining room and the dormitories.
36
37 Q. What about at night-time?
38 A. I went to bed.
39
40 Q. Did you have boys - invite boys over to your unit at
41 night-time?
42 A. Possibly on a - sometimes on a Friday or a Saturday
43 night we would be watching the - a movie or the TV -
44 probably six, eight, 10 of them.
45
46 Q. Were you aware that in your first year as warden, that
47 is 1976, there was already a teacher that was expressing

1 concern about your behaviour towards hostel boys?
2 A. No, I wasn't aware of that.
3
4 Q. Do you recall a young teacher by the name of Livia
5 Pallotta, now Bentley?
6 A. Livia?
7
8 Q. Yes.
9 A. Yes, she used to come over, doing part-time duties in
10 the evenings.
11
12 Q. That's right. So do you remember --
13 A. She never approached me and said anything to me.
14
15 Q. Do you remember that this --
16 A. She actually had come to some of the meetings as well.
17
18 Q. Do you remember that this was in 1976?
19 A. I don't know whether it was the first year or the
20 second year that she was there. I don't remember that. I
21 can't put the year to when she was actually the supervisor.
22
23 Q. Now, she says, and you tell me if you deny this, that
24 she says she saw you with boys sitting on your lap. Is she
25 right in that recollection?
26 A. No.
27
28 Q. Are you saying you never had boys sitting on your lap
29 in 1976?
30 A. No.
31
32 Q. So you are denying it, or you're not denying it?
33 A. I'm denying it.
34
35 Q. Did you ever have boys sitting on your lap?
36 A. In 1976, no.
37
38 Q. All right. What about after that?
39 A. Once or twice in the office at lunchtime when they all
40 crowded in straight after lunch. There was probably two or
41 three occasions that happened. That would have been for
42 about two minutes, and I told them to get up because lunch
43 was ready.
44
45 Q. So two or three --
46 A. It never happened in the week.
47

1 Q. Hang on. Two or three occasions --
2 A. In the last few years, in the office.
3
4 Q. Are you saying that there was only two or three
5 occasions in your last few years as warden --
6 A. Yes, that's correct.
7
8 Q. -- did you have a boy or boys sitting on your lap?
9 A. That's right.
10
11 Q. So when we have heard evidence of witnesses who have
12 said they saw that on numerous occasions throughout the
13 time that you were warden, you would deny that?
14 A. That's right.
15
16 Q. Ms Pallotta also says she noticed that your contact
17 with boys was too close. Would you accept that?
18 A. Well, how to define "close" is another story; but,
19 yes, there is - it was like a big family, and the girls
20 were the same as well.
21
22 Q. Is that how you regard your years as being warden at
23 this hostel - that you were the father of one big family?
24 A. No, I wasn't the father of a big family, but it was a
25 very open hostel. It wasn't - like, we opened the dining
26 room up where the students were allowed to come and go
27 before and after school and have their afternoon teas and
28 lunch - things that weren't allowed previously.
29
30 Q. Why do you describe it as a "family"?
31 A. Well, that's how it felt.
32
33 Q. 11 boys that you --
34 A. Even a lot of --
35
36 Q. Hold on. The 11 boys that you sexually abused - were
37 they part of this family?
38 A. The whole lot of the students were.
39
40 Q. Including those 11 boys?
41 A. That would be right. The whole student body is - they
42 used to call it the - the family atmosphere, the family at
43 St Andrew's.
44
45 Q. No, I'm just staying with the 11 boys?
46 A. Yes, that's right.
47

1 Q. They were part of this family?
2 A. Yes.
3
4 Q. And are you saying they were glad to be members of
5 this family?
6 A. Well, they were always happy.
7
8 Q. Even when you sexually abused them.
9
10 MR MAUGHAN: Your Honour, I'm not sure how this witness,
11 with respect, is able to say what the boys were feeling.
12
13 HIS HONOUR: Q. Well, from their demeanour, what you
14 could see of them, do they appear to be happy when --
15 A. They were happy. I mean, parents were coming and
16 going all the time. So, I mean, if they weren't, unhappy,
17 I don't know why they couldn't say something.
18
19 MR URQUHART: No, I'm just staying --
20
21 THE WITNESS: But --
22
23 MR URQUHART: I'm just staying with their demeanour, as
24 his Honour said.
25
26 Q. Are you saying that by their demeanour, as you
27 sexually abused them, they appeared happy to you?
28 A. Yes.
29
30 Q. Do you remember the principal of the Katanning primary
31 school in 1967?
32 A. No, I'm sorry I don't.
33
34 Q. Brian Downes. Does that name ring a bell now?
35 A. No.
36
37 Q. Do you recall that Ms Pallotta was a teacher at the
38 Katanning junior school?
39 A. Can you just give me her first name again? I thought
40 she was a high school teacher, because we --
41
42 Q. Livia.
43 A. Livia was a high school teacher.
44
45 Q. Doesn't matter.
46 A. She wasn't in the primary school.
47

1 Q. She has told this Inquiry that she said to Mr Downes
2 that your contact with the boys was getting too close.
3 A. Well, I wasn't aware of that statement --
4
5 Q. No.
6 A. -- and I --
7
8 Q. Well, just stop there, all right. But you would deny
9 that your contact with the boys in 1976 was getting too
10 close?
11 A. Yes.
12
13 Q. Did a principal, be it from the junior school or the
14 high school, ever speak to you?
15 A. When you're saying "junior school", you mean primary
16 school, I presume?
17
18 Q. Primary school, yes.
19 A. No one ever approached me from the primary school, and
20 Ms Pallotta was a high school teacher at the high school.
21
22 Q. Right. It doesn't matter about that, okay, she's a
23 teacher at the school. Did anyone approach you in 1976 to
24 talk to you about the concerns that a teacher had regarding
25 your behaviour towards boys?
26 A. No, definitely not.
27
28 Q. Anyone else in that year?
29 A. No, no, there was no one in that year.
30
31 Q. When do you recall was the first time someone
32 approached you about concerns that they had heard, or that
33 they had seen regarding your behaviour towards boys -
34 behaviour of a sexual nature?
35 A. First time ever was one board member said they'd
36 heard - a parent had said to them they'd "heard a whisper",
37 and he spoke to me about it, which would have been in the
38 mid '80s. And he said, "The parent had an axe to grind, so
39 I'm going to go and check into it", but he didn't tell me
40 it was a totally sexual thing. I thought it was just a
41 complaint about the running of the hostel. And he said he
42 would be looking into it, coming back to me, "and if it's
43 serious - well, you'll have to have a board meeting."
44
45 Q. And would that be John Peacock?
46 A. That's correct, and it was in the '80s, somewhere in
47 the '80s.

1
2 Q. So that was the first time?
3 A. That's correct.
4
5 Q. Any other times?
6 A. No, not up until 1990.
7
8 Q. 1990, with the complaint made by Todd Jefferis?
9 A. That's correct.
10
11 Q. We'll get to those matters in due course. Mr McKenna,
12 what qualifications did you have to be a warden?
13 A. I didn't have any qualifications. That's why I was
14 made the acting warden initially, because I actually really
15 thought a couple was going to take the warden's job.
16
17 Q. So you were aware that other people had applied for
18 the position?
19 A. Yes. I don't know - I'd only ever met the one, one
20 couple.
21
22 Q. Yes. And was that a couple who had had previous
23 experience working in a children's home?
24 A. I don't know, I wasn't in on the interview or
25 anything. All I did was take them over with some board
26 members to the house, and let them into the house. And
27 they went in and I stayed outside. They came out, they
28 went over to the hostel and had a cup of coffee. I thought
29 they were getting the job. About two days later they said
30 they weren't suitable because they were more interested
31 about the taps or something in the building, and I've got
32 an idea there may have been another couple, but --
33
34 Q. And were these, to your understanding, a couple who
35 were actually applying for two positions that were
36 advertised - one as matron of the hostel, and one as
37 warden?
38 A. No, I think it was only the warden, and they had the
39 house and the wife was just a house - because Molly Hodgson
40 was the housemother, and she wasn't leaving. That's in
41 1976. I think two or three other people came along because
42 they advertised the job.
43
44 Q. Okay.
45 A. But there was other people, I think, in January.
46
47 Q. Do you recall that your application for this position

1 was extremely short - that is, your written application?
2 A. If I did a written application, it would have been,
3 from what I spoke to the interviews I had this week, it
4 would have been when I first put in for the housemaster's
5 job. I don't recall doing one for the warden's job.
6
7 Q. Okay. Well, I'm going to show you a document now, if
8 Madam Associate can find this one. It's 0353, is the
9 barcode number. Just have a look at that. Is that your
10 signature that appears?
11 A. Yes, that's correct.
12
13 Q. It's addressed to "St Andrew's, Box 678, Katanning,
14 6317".
15 A. Yes, that's right.
16
17 Q. Do you recognise this as your application for the
18 warden's position?
19 A. There is another - there was another application which
20 was like an employment form --
21
22 Q. Yes.
23 A. -- that I did when I first enrolled as a house - when
24 I first applied for housemaster, I filled out a form which
25 I had to put in the particulars of previous employment, et
26 cetera, et cetera --
27
28 Q. Yes. Well --
29 A. -- and agree to a police clearance, but this is not --
30
31 Q. But this is your written application for a warden's
32 position?
33 A. Yes. I was asked to apply - I was asked by three
34 board members to put an application in.
35
36 Q. Yes. And this is it, isn't it?
37 A. This letter is, yes.
38
39 Q. Read it out for us, please?
40 A. :
41
42 I would like to apply for the warden's
43 position as advertised in the 'The West
44 Australian', Saturday, December 6th. I
45 know I've only been employed here for one
46 term. As I like it so much I would like to
47 settle here. You can be assured I do have

1 the students' and the hostel's problems at
2 heart. And as I can see, there is a lot to
3 be done to improve the hostel, make it
4 something to be proud of, in the way of
5 fundraising to enable us to improve the
6 amenities and possibly attract more
7 enrolments. Hoping you give my application
8 some thought.
9

10 MR URQUHART: Thank you. So I just tender that document,
11 and just for the record I state that whilst we do have
12 document examination facilities here, because they are set
13 so far back in the courtroom, it's really not going to be
14 appropriate to show those documents.
15

16 HIS HONOUR: Very well, that's fine. It's exhibit 35.
17

18 EXHIBIT #35 APPLICATION BY DENNIS MCKENNA FOR THE WARDEN'S
19 POSITION AT ST ANDREW'S HOSTEL, BARCODED 0353
20

21 MR URQUHART: Q. Were you surprised, Mr McKenna, when
22 you got this position?

23 A. Yes, that's why I said that I would only like to take
24 it on as an acting position to see how I went because the
25 numbers were very low and there was a rumour that it was
26 going to close down at the end of that year so I thought "I
27 will give it a go".
28

29 Q. We have heard evidence from a number of ex-students
30 who have given evidence at this Inquiry that you selected
31 students to become your favourites. Is that something you
32 did?

33 A. Selected students to be my favourites? No, that's
34 incorrect. I didn't select.
35

36 Q. Did you have any students who were your favourites?

37 A. You'd have to say, to be a human being, yes, I did
38 have favourites and there is --
39

40 Q. How did you select those students?

41 A. I didn't select them.
42

43 Q. How did it come about that they would be your
44 favourites, Mr McKenna?

45 A. It is just certain ones you warm to more and there's
46 girls as well.
47

1 Q. Right, I'm staying with the boys for the moment. Why
2 did you warm yourself to particular boys?
3 A. Well they showed more care towards the hostel and were
4 a lot more interested, involved. Because in the early
5 years there was - most of them were very anti the hostel
6 and felt that they - well they didn't want it. They were
7 just waiting for the day to get out.
8
9 Q. So these boys that were your favourites, did they
10 receive special treatment from you?
11 A. I don't know what you mean by "special treatment"
12 because everybody had the same treatment.
13
14 Q. I will give you some examples, Mr McKenna. You would
15 allow them to visit your bedsit after lights out and watch
16 television?
17 A. Not all the time, no. That would be --
18
19 Q. I'm not saying all the time?
20 A. It's not all the time and it was occasion - if it was
21 the senior dormitory, there was only about 12 in the
22 dormitory at that stage and the whole lot came.
23
24 Q. All right, but were there occasions in which you just
25 selected your favourite students?
26 A. Not really.
27
28 Q. Not really, but there were occasions when you did?
29 A. Possibly, yes.
30
31 Q. You have already mentioned that you had students in
32 your bedsit to watch movies?
33 A. That's correct.
34
35 Q. What type of movies --
36 A. I never --
37
38 Q. Let me finish the question, Mr McKenna - that you
39 showed students over the years that you were warden?
40 A. The movies we'd get would be hired - in the early
41 years, and it was mainly just the TV, we would hire videos
42 from down town.
43
44 Q. I'm not asking you where you hired it from, I'm asking
45 you what type of movies did you show in your unit to
46 students?
47 A. Anything that was "PG", "M", "MS."

1
2 Q. And "R"?
3 A. No, we did screen one R-rated movie.
4
5 Q. What movie was that?
6 A. And that was "Midnight Express". We sent a circular
7 out to parents, if they objected the film would be screened
8 on X amount of date but because of the content of the drugs
9 and what happened to the person in the movie, a letter was
10 sent out to parents and if they objected well then those
11 students didn't see it.
12
13 Q. Mr McKenna, you took the utmost care to make sure that
14 the only movies students saw in your unit were either
15 suitable for them by their rating or if you had got their
16 parents' permission?
17 A. It was only that one movie.
18
19 Q. Only that one movie. What about X-rated movies,
20 Mr McKenna.
21 A. I wouldn't know where to get X-rated from and I do
22 read in the press where people put in that I was screening
23 X-rated movies and that was totally untrue.
24
25 Q. Mr McKenna, we have not just heard from one
26 ex-student, we have heard from a number, that the movies
27 you showed to students in your bedsit were entirely
28 inappropriate, and let me be perfectly fair to you. A
29 number of students, ex-students, have said that they were
30 of a pornographic nature, that they were X-rated and that
31 they were horrifically violent?
32 A. It's - it's --
33
34 Q. No, let me ask a question, Mr McKenna?
35 A. Yes.
36
37 Q. Are you saying that those ex-students have got that
38 totally wrong?
39 A. That's exactly right.
40
41 Q. All of them?
42 A. Well, I know there's only six or eight because I read
43 it in the newspapers.
44
45 Q. Okay, six or eight. That's a number, isn't it?
46 A. Those X-rated movies, I won't know how to get them.
47 You couldn't hire them from down town.

1
2 Q. Mr McKenna, are you saying that you did not know how
3 to access pornographic videos or films in all the time that
4 you were warden there?
5 A. To access X-rated and pornographic films, yes, I don't
6 know.
7
8 Q. "Texas Chainsaw Massacre", you have heard of that
9 video, haven't you, or film?
10 A. I have heard of that video.
11
12 Q. Sorry.
13 A. I have heard of that video.
14
15 Q. Yes, that was R-rated. You know that, don't you?
16 A. Yes.
17
18 Q. Have you ever watched that particular movie?
19 A. No, I don't like it.
20
21 Q. You know that it depicts extreme violence?
22 A. I would say so by the name of it.
23
24 Q. Do you accept an R-rated movie depicting extreme
25 violence would be totally inappropriate to show a
26 13-year-old girl?
27 A. Exactly, yes.
28
29 Q. As would the showing of pornographic films or videos
30 to boys 17 and under?
31 A. Exactly, yes.
32
33 Q. Particularly movies or films or videos featuring
34 bestiality?
35 A. Films showing bestiality?
36
37 Q. Yes, Mr McKenna?
38 A. Look, I don't care how many said that. It is not true
39 and I can say it, I swore on the Bible, that is not true.
40 There was nothing about bestiality or pornographic. I have
41 read in the newspapers, and I know how bad they have tried
42 to make me look, worse and worse, and it's just lies. I'm
43 not going to sit here and say that I did that, no.
44
45 Q. So six to eight ex-students have lied?
46 A. Exactly. To start with, the bestiality --
47

1 Q. Okay. What, you find bestiality offensive, do you?
2 A. I've never seen one and I wouldn't want to see one.
3 I'm not interested in it.
4
5 Q. Do you think parents would consent to their children
6 watching those types of movies. I'm talking about movies
7 that are R-rated with violence, pornography?
8 A. I think any --
9
10 Q. Let me finish - and a video featuring bestiality?
11 A. I don't think any normal parent would let their
12 children see it.
13
14 Q. And no normal responsible warden --
15 A. No.
16
17
18 Q. -- would allow children to watch those types of
19 videos?
20 A. Exactly, that's correct. That's correct.
21
22 Q. Did you regard yourself as a responsible --
23 A. Yes.
24
25
26 Q. -- warden?
27 A. Yes.
28
29 Q. Did you supply students with alcohol --
30 A. No.
31
32 Q. -- that came to your bedsit?
33 A. No. No, I didn't. That was accusations also made in
34 1990 that I have to point out.
35
36 Q. Exactly, Mr McKenna?
37 A. We had two domestic staff, exact - especially the
38 cleaner, who always cleaned my flat twice a week, and she
39 testified that there was never a bottle found in any bin or
40 any alcohol, any signs of alcohol found in the hostel.
41
42 Q. So do you say that that proves that you didn't supply
43 alcohol to children?
44 A. It doesn't prove it but I know I didn't.
45
46 Q. What about --
47 A. That cleaner - I would like to add, that cleaner also

1 empties all the bins and cleans my flat.
2
3 Q. Yes, yes, I know, but what about the evidence that was
4 given at your 1991 trial and also the evidence that's been
5 repeated before this Inquiry?
6 A. I don't know that.
7
8 Q. A number of ex-students have said, when they came
9 round to your unit, not all the time but there were
10 occasions when you would supply them with alcohol, bourbon
11 and scotch?
12 A. Bourbon and scotch?
13
14 Q. You deny that?
15 A. Exactly.
16
17 Q. This Inquiry has also heard from a number of
18 ex-students about the manner in which you victimised
19 students. Did you ever victimise students, Mr McKenna?
20 A. I'd like to know in what way.
21
22 Q. Calling boys by offensive nicknames?
23 A. Yes, a lot of people had nicknames but I didn't make
24 up --
25
26 Q. Did you refer to boys by offensive nicknames?
27 A. Not that I can remember.
28
29 Q. Referring to girls as "sluts". Do you remember doing
30 that?
31 A. No.
32
33 Q. Do you remember humiliating students over the PA
34 system?
35 A. No.
36
37 Q. Do you remember calling students up in front of the
38 rest of the students in the dining room and ridiculing
39 them?
40 A. No, that definitely was not the case.
41
42 Q. Did you encourage and even participate in the
43 scragging of boys.
44 A. No, what used to happen --
45
46 Q. Stop. Did you know what "scragging" means?
47 A. No, I'd just like you to tell me what that actually

1 was.
2
3 Q. You don't know what "scragging" means?
4 A. Well, they'd have - no, what would happen is --
5
6 Q. No, do you know what "scragging means" --
7 A. Well I'd like --
8
9
10 Q. -- is the question?
11 A. No.
12
13 Q. It's the term given to when a student, always a boy,
14 is stripped naked by other students?
15 A. No, no, no, no, no, no.
16
17 Q. Are you saying you never saw that?
18 A. I never saw any boys rush in and undress and strip a
19 boy and ridicule them, no.
20
21 Q. Are you saying you never even encouraged that sort of
22 conduct?
23 A. No, I definitely did not encourage that.
24
25 Q. And Mr McKenna, what would you do if you did see boys
26 doing that to another student.
27 A. They'd be stopped.
28
29 Q. They had be stopped, would they?
30 A. There was one occasion in a junior dormitory but the
31 guy ran through, we heard this yelling, we went in and he
32 was running down the dormitory and they all stopped.
33
34 Q. Yes, he was running down the dormitory?
35 A. And there was a teacher in there who yelled out.
36
37 Q. Let me finish. There was a boy running through the
38 dormitory naked, wasn't he?
39 A. That's correct.
40
41 Q. Yes, and he was being hit with rolled up towels?
42 A. No.
43
44 Q. By the other boys?
45 A. No, that's not true at all.
46
47 Q. What were the other boys doing, Mr McKenna?

1 A. No, that's not true.
2
3 Q. What were the other boys doing?
4 A. I don't know what they were doing but they didn't have
5 any knotted towels because I've already been questioned
6 this week on this knotted towel thing. I said "No, that
7 isn't the case".
8
9 Q. Are you saying no to all those matters that I have
10 given the examples of?
11 A. The matter of --
12
13 Q. Let me finish - so that you are not cast in such a
14 poor light?
15 A. Those matters you have brought up are incorrect.
16
17 Q. You see, Mr McKenna, this is not just one student --
18 A. I know.
19
20 Q. -- who has given this evidence, this is a large
21 number, and some of these students you did not even
22 sexually abuse, okay?
23 A. That's correct.
24
25 Q. Are you saying that they have just got that completely
26 wrong?
27 A. I don't quite know what you are getting at.
28
29 Q. Well Mr McKenna, how can I make myself more clear;
30 that you referred to female students there at the hostel as
31 "sluts". How can I be more clear than that?
32 A. I did not say that and I did not call --
33
34 Q. How can I be more clear to you in saying that you
35 would humiliate students over the PA system. Do you deny
36 ever doing something like that?
37 A. I don't deny it but I don't ever remember absolutely
38 doing things to hurt students regardless of the ones that
39 were - it was a very open hostel, there was a lot of fun
40 things. Some had nicknames but I did not call anyone up
41 and humiliate them in a (indistinct).
42
43 Q. What sort of nicknames would you call boys?
44 A. I don't know. I can't remember. There was - I was
45 asked this week about some ridiculous names, but no. Most
46 people were just by their first name.
47

1 Q. What about calling students in front of the rest of
2 the students and ridiculing them. Do you remember doing
3 that?

4 A. Ridiculing them in front of the students?

5

6 Q. Yes?

7 A. No, I wouldn't say I was ridiculing them. I can't
8 even remember any incidents.

9

10 Q. What would you say you were doing then?

11

12 MR MAUGHAN: I'm not sure the question is a fair question,
13 your Honour?

14

15 A. I don't know.

16

17 MR MAUGHAN: With great respect, no doubt in his capacity
18 as a warden he would have addressed the students on
19 hundreds of occasions. Unless my friend is going to put a
20 specific allegation, then I think the question is frankly a
21 bit general.

22

23 HIS HONOUR: Perhaps just repeat the question in a bit
24 more detail.

25

26 MR URQUHART: Yes.

27

28 Q. I gather you would accept though that you would call
29 students up in front of the dining room where the rest of
30 the students were?

31 A. And ridicule them? That is totally untrue. I did not
32 call anyone up in front of students in the dining room and
33 ridicule them and make them feel stupid.

34

35 Q. What about getting other students to do that for you?

36 A. No, the only time something would happen in the dining
37 suite, it was their birthday and they would sing "Happy
38 Birthday" or they would say something and there might be a
39 joke or something but as far as ridiculing or hurting
40 somebody or making them look stupid, no.

41

42 Q. Mr McKenna, you paint a picture of this hostel not
43 just being a family but of it being of one big happy
44 family?

45 A. That's correct, like --

46

47 Q. All right, okay. So these accounts that we have heard

1 from a number of ex-students about how miserable you made
2 their lives at the hostel are just completely wrong?
3 A. That's correct because --
4
5 Q. All right?
6 A. I would like to just say that with what you have
7 brought up with me about the hostel, I have read and I saw
8 a thing about how they never had anyone to go to over these
9 particular two years but we had teachers every night Monday
10 to Friday.
11
12 Q. What two years are you referring to?
13 A. I'm just - I don't know. That's what was in the paper
14 from one of the victims.
15
16 Q. Mr McKenna, I'm not so interested in what you have
17 read in the paper, I'm more interested in what you say was
18 the manner in which this hostel was run and you have said,
19 you have agreed with me, that it was just one big happy
20 family?
21 A. Exactly, like --
22
23 Q. Okay, that's fine. Was your favourite movie in the
24 1980s the "Rocky Horror Picture Show"?
25 A. "Rocky Horror Picture Show" and "Dirty Dancing".
26
27 Q. Do you remember showing the "Rocky Horror Picture
28 Show" repeatedly to students?
29 A. We had it one year in the library hall and then we had
30 it again down in the cinema.
31
32 Q. Why did you like that show so much or that movie?
33 A. I didn't really - I didn't really rave about it. The
34 only thing good about it was the music. It was over the
35 top and stupid.
36
37 Q. Do you remember taking students to Perth to see
38 various shows and performances.
39 A. Yes, we took students to town, yes.
40
41 Q. And you, I gather, remember taking students to see
42 shows featuring transvestites?
43 A. Never remember any show with transvestites.
44
45 Q. No, you don't?
46 A. No.
47

1 Q. Well, the ex-students do, a particular show called
2 "Les Girls". Do you remember that one?
3 A. Yes, "Les Girls" was a cabaret. I think there was
4 about - there was a full bus load and a - can't really
5 remember. As far as I know, there was two parents, I
6 think, a mother and father.
7
8 Q. Why take the students to a show --
9 A. It was just a full musical. There was nothing dirty
10 or rude about it. We went to a lot of shows. We went to a
11 lot of shows.
12
13 Q. Yes, what sort of shows?
14 A. Well, we went to "Hair" - not "Hair", "Jesus Christ
15 Superstar", "Cats", anything of a - something that we --
16
17 Q. So why a show featuring, I suggest to you, men dressed
18 as women, such as "Les girls".
19 A. Well it was very polished and it was very - it was a
20 fairly good show. There was no crude bits in it, there was
21 no rudeness in it, you could swear they were all girls and
22 they all had to have parent permission to go to it.
23
24 Q. I was going to ask you that. Are you saying that for
25 that particular show you obtained parent permission?
26 A. Yes, mostly over the phone.
27
28 Q. Mostly over the phone. How were the entry tickets for
29 these shows paid for?
30 A. I think they all just paid their own tickets like we
31 did with all the shows.
32
33 Q. You think?
34 A. I can't remember that far back.
35
36 Q. Where would they get the money from?
37 A. They all have their pocket money and they all had bank
38 accounts.
39
40 Q. Yes, but to afford to go to a show like "Les Girls"?
41 A. I don't know what year it was, I don't know the price
42 but it wasn't overpriced because we got a - we always got
43 quite a good concession with anything that we went to.
44
45 Q. Did you ever advise the board that you were taking
46 students to these types of shows?
47 A. Yes.

1
2 Q. You did, did you?
3 A. Mm.
4
5 Q. I am talking specifically about shows that featured
6 transvestites?
7 A. Well the only one that you-re --
8
9 Q. I'm just talking about shows that featured
10 transvestites. Did you advise the board that you were --
11 A. I would have had to --
12
13 Q. Let me finish - that you were taking students to that
14 type of show?
15 A. I would have told somebody on the board and got
16 permission because we would have had to shut the hostel.
17 Because if it was in that first year or two there wasn't
18 enough students.
19
20 Q. Did you specifically state the type of show --
21 A. Yes, it was "Les Girls" and we even had it in one of
22 the circulars.
23
24 Q. Who from the board did you tell?
25 A. I can't remember and I can't remember who the chairman
26 was at the time because I don't even remember the year.
27
28 Q. I was going to ask you that. What was the year?
29 A. I don't know, I can't remember. It was in the early
30 years. Would have had to have been.
31
32 Q. '77 or '78?
33 A. I would say it would be '77. We still didn't have a
34 lot of numbers in the hostel at that point. More '77
35 maybe.
36
37 Q. Mr Stephens was the chairman of the board at that
38 time. Did you tell him?
39 A. Yes.
40
41 Q. You told him?
42 A. I can't remember telling him but I used to ring him
43 all the time telling him everything.
44
45 Q. Did you tell him that you were taking students to see
46 a show featuring transvestites?
47 A. I can't remember but I'm positive I would have because

1 I spoke to him a lot.
2
3 Q. Mr Renk, he was another member of the board in '77 and
4 '78. Did you tell him?
5 A. There was somebody else I spoken - might have been Mr
6 - might have been Mr Renk. I used to go down and see him
7 at the bank but I can't specifically remember that far back
8 to exactly how many people I asked.
9
10 Q. And you say that you would have actually said to them
11 "I'm taking the students to see a show featuring
12 transvestites"?
13 A. I would have said "We are going to see 'Les Girls',
14 which is a male revue".
15
16 Q. Are you saying that the response by these board
17 members that you told was "Yes, that's a great idea
18 Dennis"?
19 A. Well, I didn't get told not to and I remember somebody
20 coming but I wish I could remember who it was but I know
21 another parent came with me because we went up in the bus.
22
23 Q. Are you saying that you got permission from each of
24 these students' parents to see that show?
25 A. As far as I can remember.
26
27 Q. Did you also take students to a civic theatre that was
28 run by Max Kay?
29 A. We used to go to the civic theatre restaurant for the
30 Christmas show each year. I think we went three or four
31 years in a row. It was always the year 11 or 12s, it was
32 their end of the year thing.
33
34 Q. And what did those shows feature, Mr McKenna?
35 A. That was Max Kay. He said - he had his jokes, his
36 singing. There was show girls. A lot of it was comedy.
37 They had about four sort of sections of comedy and in
38 between the comedy they would have the dancing while they
39 changed sets.
40
41 Q. And it was an adult show, wasn't it?
42 A. That's correct.
43
44 Q. How was it that you were able to get school kids to
45 attend an adult show?
46 A. Because it was only year 11 or 12s that were going and
47 most of it was only year - in fact, sorry, I think it was

1 only year 12s because their end of the year thing after
2 their exams had finished.

3

4 Q. That's not the question. How was it that you were
5 able to get school children into an adults only show?

6 A. Well, it's not an adults only show and anyone here
7 would know --

8

9 Q. Mr McKenna, you have just agreed with me that it is so
10 we are moving on from there.

11

12 MR RAFFERTY: Well, with respect, your Honour, he didn't,
13 and I know this doesn't relate to my client but that is not
14 what this witness just said. Mr Urquhart should start
15 prefacing his questions precisely, with respect?

16

17 A. And it's definitely not an adults only show, your
18 Honour. Everybody knows what "Night Past Christmas" was.

19

20 MR URQUHART: The witness clearly said that it was an
21 adults only show.

22

23 HIS HONOUR: He did say it was an adult show.

24 A. But it is not just an adult show, your Honour.

25

26 HIS HONOUR: Q. Mr McKenna, you did agree that it was an
27 adult show. Did you not say it was an adult only show?

28 A. It's not an adults only show because we always got a
29 concession, your Honour, to go to that show and it was the
30 year 12 - it was the year 12s reward for the end of the
31 year. Isn't it better to take them up to Perth and let
32 them have two or three days up in Perth and they went
33 shopping, et cetera, than go off down to Bremer Bay in the
34 bamboos and get drunk like a lot of others used to, and
35 that was - and we are talking about year 12s. Majority of
36 them were all 17, in fact some were 18, and it is not an
37 adults own show because even in Max Kay's restaurant, the
38 civic theatre, it was usually called "Five past 9", "75" or
39 whatever "Christmas" and there was always children in there
40 as well with their parents.

41

42 Q. Are you saying that with respect to that show you
43 always got parents' permission?

44 A. Well if they didn't have - we didn't always get
45 parents' permission but they knew we were going on our trip
46 to Perth so if they objected they would say something but
47 most of them all wanted to go as well.

1
2 Q. Do you remember an occasion in which parents
3 complained about the fact that you were taking their
4 children to a show such as this?
5 A. No.
6
7 Q. You mentioned Bremer Bay there a moment ago. You
8 didn't think very much of Bremer Bay, did you?
9 A. Not really, it was too far away, I didn't --
10
11 Q. No, do you remember telling hostel students that they
12 should not go and holiday in Bremer Bay?
13 A. Only because of the stories that used to come back
14 about the drugs in the bamboos.
15
16 Q. I am putting it further than that. You actually told
17 students that they weren't to go to Bremer Bay?
18 A. No, how can I tell them not to go when they are not in
19 the hostel? You don't have any jurisdiction over them on
20 the holidays.
21
22 Q. Can we just go back to people that you would have told
23 on the board about going to this transvestite show. You
24 mentioned there Mr Laffer. Is that a recollection that you
25 told him?
26 A. In the early years there was what they called like an
27 executive that you had to ring.
28
29 Q. No, Mr McKenna, I'm just asking.
30 A. I may have asked Mr Laffer but I don't know if he was
31 even down there that year.
32
33 Q. Did you often have performances at the hostel where
34 the boys would dress up in women's clothes?
35 A. Whenever we had concerts, yes, some would.
36
37 Q. Do you remember a mock wedding --
38 A. Yes, they had a mock --
39
40 Q. -- that you had arranged in 1987?
41 A. They had a mock wedding --
42
43 Q. And you organised that, didn't you?
44 A. No, we didn't. It was a house that actually had - a
45 house - one of the houses organised it.
46
47 Q. Who organised - I should ask you this first. You used

1 to always have Lovely Legs competitions at the hostel,
2 didn't you?
3 A. Well that's a new one as well.
4
5 Q. Featuring boys?
6 A. I haven't heard of that one.
7
8 Q. Are you saying you don't have any recollection?
9 A. We never had a Lovely Legs Competition.
10
11 Q. Let me finish. Mr McKenna, let me finish. You don't
12 have any recollection of shows in which boys would walk
13 along a made-up catwalk with wearing stockings, make-up and
14 dresses?
15 A. If it was a concert day organised by the --
16
17 Q. No, I'm asking you can you recall that or not?
18 A. I can't really recall but I'm not saying it didn't
19 happen, no.
20
21 Q. And you were the one who would organise that, wouldn't
22 you?
23 A. I didn't organise it. Every - these things are
24 organised by houses. We actually introduced houses and
25 they actually had House Week and house activities --
26
27 Q. And what did you --
28
29 A. -- and then we would say, if they wanted a talent
30 quest, we would say "Yes, go ahead".
31
32 Q. And what did you think --
33 A. Some had make-up bands.
34
35 MR MAUGHAN: Right, perhaps if my friend would just let
36 Mr McKenna finish his answer before he moves on to
37 interjecting.
38
39 HIS HONOUR: Q. All right, yes, just finish your answer,
40 yes?
41 A. Look, I can't specific things. No, you are
42 insinuating I organised the Lovely Legs Competition. The
43 answer to that is no. When they have --
44
45 MR URQUHART: Q. Okay, right.
46 A. We had - no.
47

1 Q. No, you answered the question?
2 A. No, I haven't answered the question. You are saying
3 that I organised the Lovely Legs Competition.
4
5 Q. Yes?
6 A. And that isn't it.
7
8 Q. So he has answered the question. Now I'm going to ask
9 you whether he actually judged that sort of competition?
10 A. I can't remember judging but if I did, I judged a lot
11 of things but there was always three judges. There was
12 never just me judging, whoever (indistinct).
13
14 Q. Thank you?
15 A. And I will also bring up that the domestic staff used
16 to come in for those competition.
17
18 Q. Mr McKenna, I'm not asking you about domestic staff.
19 Do you believe you had the authority to expel students in
20 your capacity as warden?
21 A. No.
22
23 Q. Were you responsible for the expelling of students?
24 A. No, I had to put it to the board. The board would
25 have a meeting and in some cases parents chose to come,
26 some didn't come.
27
28 Q. Did you often threaten students with expulsion?
29 A. Of course. Sometimes there was, if they had done
30 something we let them off, gave them another chance.
31
32 Q. What other circumstances would you threaten students
33 with expulsion?
34 A. Only if they had been in trouble for something and we
35 had let them off.
36
37 Q. Only if you thought that they might disclose your
38 sexual abuse?
39 A. No, I've been questioned --
40
41 Q. -- of boys at the hostel?
42 A. No, that is not true and I've --
43
44 Q. You realised that this was a very powerful threat that
45 you had?
46 A. That would be correct.
47

1 Q. Yes, because expulsion from the hostel invariably
2 meant that the student was effectively expelled from the
3 school, unless they could find private accommodation?
4 A. On a couple of --
5
6 Q. Let me finish - unless they could find private
7 accommodation in Katanning. Would you agree with that?
8 A. That's correct, except that we did find accommodation
9 in cases for them to continue their last time at school in
10 town.
11
12 Q. Not all the time, did you?
13 A. No. Some went up to Narrogin and some we --
14
15 Q. Who's "we"?
16 A. Our hostel. That's how I talk, "we".
17
18 Q. You. You would expel someone and arrange?
19 A. No, I did not expel on my own. It was always put to
20 the board. I had no power to expel a student.
21
22 Q. You were aware of that, weren't you?
23 A. Yes.
24
25 Q. Yes, I agree with you, the board was required to
26 ratify expulsions?
27 A. No, it would be discussed with the board and they had
28 to make the ultimate decision so it didn't just come back
29 on me.
30
31 Q. But often you had already expelled a student before
32 the board had had its meeting?
33 A. Your statement is totally incorrect. I would suspend.
34
35 Q. You would suspend?
36 A. Suspend, not expel, and in a lot of cases those
37 students had their week or their three days or whatever and
38 they came back.
39
40 Q. But often the case was that you would suspend a
41 student --
42 A. While we had a board meeting --
43
44 Q. Let me finish. For a period leading up to a board
45 meeting, and then in your report to the board, you would
46 make a recommendation that they be expelled?
47 A. In some cases, yes.

1
2 Q. Yes, but --
3 A. It was always discussed by the board and sometimes it
4 took a long while.
5
6 Q. Yes, and with those suspensions, they would be
7 automatic, wouldn't they?
8 A. Yes.
9
10 Q. You wouldn't seek any ratification from the board. It
11 would be immediate?
12 A. When I suspended I had to ring all the board
13 immediately, or as much as I could up to - sometimes they
14 were on the farms, I had to ring them that night and
15 normally we would meet the next day.
16
17 Q. Do you agree that you would expel a student and have
18 their parents immediately come and pick them up?
19 A. I would not expel. If the board said the child was to
20 be expelled, then it was up to me or whoever to ring the
21 parent to pick up their student.
22
23 Q. Would you agree then that you would suspend a student
24 and have their parents immediately come and pick them up?
25 A. Well, as soon as they could, yes.
26
27 Q. And there were occasions, were there not, when you
28 would actually drive the student to their house or their
29 home?
30 A. Possibly. I can't remember.
31
32 Q. If I was to suggest to you that the board seemed to
33 accept, without failure, your decision to expel a student,
34 would you agree with that?
35 A. Sorry, say that again? I just want to get exactly
36 what you're saying.
37
38 Q. If I were to suggest to you that the board, almost
39 without fail, that is in a vast majority, if not every
40 case, that when you recommended that a student be expelled
41 that they accepted it?
42 A. No. I wouldn't say so.
43
44 Q. What proportion would you say that they would simply
45 accept your recommendation?
46 A. Well, to go to the board for an expulsion would be
47 serious. And I can only remember maybe two cases where the

1 student came back after suspension and wasn't expelled.
2
3 Q. I am going to suggest to you that you expelled over
4 that 15-year period dozens of students?
5 A. Well, from being questioned this week, earlier, I've
6 got to try and remember, but I thought it was between 20
7 and 30.
8
9 Q. If I would suggest 40, would you disagree with that?
10 A. I can't agree or disagree, as I can't remember every
11 single thing over the 15 years.
12
13 Q. Did you ever use the threat of expulsion over any of
14 those students you have been convicted of sexually abusing?
15 A. No.
16
17 Q. What then did you do, Mr McKenna, to ensure that they
18 remained silent?
19 A. I didn't do anything for them to remain silent. They
20 still went home as usual. The parents still came and
21 visited as usual. I didn't do anything.
22
23 Q. Didn't do anything at all?
24 A. No.
25
26 Q. What about keeping them within your group of
27 favourites, is that something that you did?
28 A. No.
29
30 Q. No? The students that you have been convicted of
31 sexually offending, they came from within your group of
32 favourites, did they not?
33 A. Some of them, yep.
34
35 Q. I am going to suggest all of them?
36 A. Most of them.
37
38 Q. All of them with the exception of Todd Jefferis?
39 A. All of them were all my favourites except for Todd
40 Jefferis - no, Todd Jefferis was one of the ones, because
41 he liked being in front of things.
42
43 Q. All right. So he was one of your favourites?
44 A. He was a good kid, yeah.
45
46 Q. I am going to suggest - you need answer "yes" or "no"
47 to this because I don't want to hear names - do you then

1 agree or disagree with the proposition that all those boys
2 that you have been convicted of sexually offending was
3 within your group of favourites at that relevant time?

4 A. No.

5

6 Q. You see, Mr McKenna, we have heard evidence from
7 ex-students that they never wanted to be in your - this is
8 my words - bad books, okay, because if that was to happen
9 you could make their life a real misery. All right. Now,
10 I gather from what your evidence is that you never set out
11 to deliberately make a student's life at that hostel, when
12 you were warden, miserable?

13 A. No.

14

15 Q. Do you agree with me that with respect to those
16 children you have been convicted of that you sexually
17 abused, that you abused the authority that you had over
18 them?

19 A. Yes, that would be correct.

20

21 Q. Would you agree that you abused the authority you had
22 over those children more than just the sexual abuse you
23 inflicted on them?

24 A. I'd like you to repeat that just so I can go --

25

26 Q. Do you agree that you abused your authority over those
27 boys more than just abusing your authority by sexually
28 abusing them?

29

30 MR MAUGHAN: Again, the question is in such broad
31 parameters I am not sure that Mr McKenna could possibly
32 answer that. If there is a specific allegation that is to
33 be put it should be put.

34

35 HIS HONOUR: It does need to be put more specifically.

36

37 MR URQUHART: Q. If a young boy, Mr McKenna, saw how
38 miserable you could make the life of a student be, would
39 you agree that that boy would feel even more appreciative
40 if you gave him favourable treatment?

41 A. They might think that, but I don't set out to make
42 anybody's life miserable.

43

44 Q. Which harps back to the point, Mr McKenna, that your
45 evidence is so starkly at odds with the evidence that we've
46 heard from a number of ex-students from this hostel.

47

1 MR MAUGHAN: Are you asking a question or making a
2 statement?
3
4 MR URQUHART: Q. Just like it's starkly inconsistent with
5 what the students say they saw videos of in your unit. We
6 heard evidence from students, ones that you didn't sexually
7 abuse, of how miserable you made their lives, do you agree?
8 A. I don't agree, no.
9
10 Q. Let's accept then - I know you don't agree with it -
11 let's accept then a young boy, if he perceives that you can
12 make life miserable for others at the hostel, would feel
13 more appreciative if you treated him favourably?
14
15 MR MAUGHAN: What's the point of the question, with
16 respect, your Honour? It is speculation because Mr McKenna
17 does not agree with the proposition.
18
19 HIS HONOUR: You can put that question again. I think it
20 is in order.
21
22 MR URQUHART: I will remind my friend that we are not
23 strictly bound by the rules of evidence here.
24
25 Q. I ask again, Mr McKenna, let's assume that a young boy
26 who you are giving favourable treatment to would be more
27 appreciative of that treatment if he believed that you
28 could make a fellow hostel student's life a misery?
29 A. I would say so, but I didn't. I did not --
30
31 Q. Yes, I know you say you didn't. The examples I am
32 going to use are watching videos in your unit, that would
33 be one method of favourable treatment, wouldn't it?
34 A. I'm not answering that again. I think I have already
35 answered that before.
36
37 Q. All right. Allowing him to stay up late, that would
38 be another favourable treatment, wouldn't it?
39 A. Well, if that's what you call "favoured treatment",
40 yeah.
41
42 Q. It is. If you are allowing a student to stay up after
43 lights out, that's favourable treatment, isn't it?
44 A. Well, there's quite a lot. It depends on if it was a
45 Friday or a Saturday night. The lights weren't always out
46 at 10.30.
47

1 Q. But you didn't have 110 students in your bedsit, did
2 you?

3 A. No; 10, 12, 15, 20.
4

5 Q. Are you contradicting this evidence, that those
6 students who were allowed to go into your bedsit to watch
7 videos were allowed to get stuff from the canteen without
8 having to pay anything?

9 A. No. We would - I would pay for it or they'd pay for
10 it.
11

12 Q. All right. Well, you'd pay for it?

13 A. That was only with the football; if it was a football
14 win on that weekend.
15

16 Q. Bear in mind the situation here - I know you don't
17 agree with it - but I am putting to you about the fact of a
18 young man or a young boy who is getting favourable
19 treatment from you who thinks you could quite easily make
20 his life miserable at the hostel, okay. I know you don't
21 agree with that, but just stay with me. You accept that in
22 that situation that if you began sexually abusing that boy
23 he would be less inclined to protest because of fear of
24 losing that privileged status?

25 A. I don't know how to answer that, I'm sorry.
26

27 Q. You think about it, Mr McKenna.

28 A. I could probably look at it from their side of it.
29 But what I'm saying is that --
30

31 Q. All right. Looking at it from their side, do you agree
32 that that would be the case?

33 A. Looking at it from their side I'd say yes.
34

35 Q. Do you know what "grooming" means?

36 A. Grooming?
37

38 Q. Grooming?

39 A. Yeah, grooming yourself.
40

41 Q. No. Grooming children for the purposes of sexually
42 offending them?

43 A. No.
44

45 Q. You don't. I'm just reading out, your Honour, from
46 exhibit 21, which is a report prepared by the clinical
47 psychologist. Grooming is defined like this, Mr McKenna:

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A process by which a person prepares a child, significant adults in the environment, for the abuse of this child. Specific goals include gaining access to the child, gaining the child's compliance and maintaining the child's secrecy to avoid the disclosure.

Now that's what a technical definition of "grooming" means. But, simply put, it is conduct carried out by a paedophile prior to his sexual offending that he carries out to ensure that his offending would not be disclosed. Okay? Now, what I am putting to you in this instance here is that with respect to a child who has this privileged position as being one of your favourites is less inclined to protest once you start sexually abusing him for fear of losing that privileged status?

A. On after what you've just read there I can see the picture, yes.

Q. You see, Mr McKenna, do you agree with me that your conduct towards those boys that you have been convicted of sexually abusing fits the hallmarks or fits the characteristics of someone who's grooming?

A. From what you've read, I presume.

MR URQUHART: Your Honour, might be that a convenient time?

HIS HONOUR: Yes, we will take a break now for 15 minutes.

SHORT ADJOURNMENT

HIS HONOUR: Yes, Mr Urquhart.

MR URQUHART: I have just noticed Mr Maughan is not here.

HIS HONOUR: Here he comes now. Yes, Mr Urquhart.

HIS HONOUR: Thank you, sir.

Q. Mr McKenna, do you accept that from January 1977 right through to when you were charged in September of 1991 you always had at least one member of your family working with you at the hostel?

A. From 1977?

1
2 Q. January 1977?
3 A. Yes.
4
5 Q. Were you responsible for employing your family members
6 as staff?
7 A. I could put it to the board to - the board had to
8 appoint them, same as when they appointed me.
9
10 Q. Yes, but you put the names of your family members up
11 to the board as being suitable?
12 A. That's correct.
13
14 Q. Did you advertise for the positions your relatives
15 had?
16 A. No. Only on two occasions, but that was later on -
17 years to come. In the '77 --
18
19 Q. Did you conduct any interviews?
20 A. I only conducted interviews for ones that weren't
21 family.
22
23 Q. For those positions that your family held over those
24 years, I suggest to you you didn't interview anyone else
25 for those positions?
26 A. That's correct.
27
28 Q. You just simply offered it to your family members?
29 A. I would offer it to them and then say "I've got to
30 wait for the board meeting", and we'd put it to the board.
31
32 Q. But the board never said no to any of your
33 recommendations, did it?
34 A. No.
35
36 Q. Because you would put one or two names up to the
37 board, that is your family members' names and say, "Look,
38 these people are very well qualified for this job"?
39 A. I wouldn't say "they were well qualified", but I would
40 put their name to the board.
41
42 Q. But you would recommend to the board that it should
43 employ them?
44 A. Correct.
45
46 Q. But you didn't leave the board with any other choices,
47 did you?

1 A. No. Only later on in years we had other staff come
2 through.
3
4 Q. I am just going to show you now a table that has been
5 drawn up by the Inquiry, Mr McKenna. It's barcoded number
6 337. Now, have a look at that. You can see what that is.
7 That just sets out the employment history of your family --
8 A. Yes.
9
10 Q. -- at St Andrews Hostel?
11 A. Yes.
12
13 Q. Dealing first with you?
14 A. Yes.
15
16 Q. You had the position of warden. Start date
17 9 September 1975; end date 21 June 1991 - which was the
18 date you were convicted in the District Court down at
19 Albany. It has got in brackets there "suspended September
20 1990". Do you agree that those dates sound about right?
21 A. Sound about right. Yep.
22
23 Q. The next name, Robyn McKenna.
24 A. Yes.
25
26 Q. That's the wife of your younger brother, Wayne?
27 A. Yes.
28
29 Q. You see there with respect to Robyn and Wayne they
30 were both appointed as supervisors from the 29th of January
31 1977. Does that sound about right?
32 A. Well, I'd say that's correct. Yeah.
33
34 Q. And Robyn's end date was the 16th of December 1983;
35 does that sound about right?
36 A. I think so. There's - the only thing wrong there with
37 Robyn and Wayne, they actually left and went to Albany for
38 about a year somewhere in there. But I can't remember what
39 years it was. Then they came back.
40
41 Q. Was that your recommendation?
42 A. No.
43
44 Q. Whose recommendation was that?
45 A. The Hostels Authority asked could we - well, could I
46 go down there, or Wayne go down there. There was some
47 problems over the board and they were going to reappoint a

1 new board - a new staff. So it wasn't the intentions of
2 them staying there forever. I can't remember what the
3 incidences were or what happened, but the board and the
4 staff, everybody, left.
5
6 Q. Apart from that time that Robyn was down at Albany,
7 she was there at St Andrews for nearly seven years, ended
8 on 16 December 1983?
9 A. I would say it's right. I can't really put the - you
10 know what you've got written there is probably correct.
11
12 Q. And that your brother Wayne stayed on until 1 February
13 1985?
14 A. Probably that's true.
15
16 Q. So apart from that time in Albany he was at St Andrews
17 over the course of eight years, yeah?
18 A. No, I didn't think it was that long. But obviously
19 it's right with these dates.
20
21 Q. What qualifications did Robyn and Wayne have to be
22 supervisors?
23 A. Only the sporting fields, coaching teams.
24
25 Q. What, coaching?
26 A. Netball and football and hockey.
27
28 Q. Were they paid for that?
29 A. No. That's their - when you said - you were asking me
30 about qualifications. That's the only thing that they were
31 involved in.
32
33 Q. That's it?
34 A. Yeah, before they came to the hostel.
35
36 Q. Why did you employ Wayne and his wife Robyn?
37 A. Well, I thought they'd like it, and they had children
38 of their own and they were caring. And Molly was getting
39 old and starting to think that she might resign. But she
40 kept her on for as long as she could. And then Robyn was
41 under her.
42
43 Q. And did you think --
44 A. Robyn was only part-time though, she wasn't full-time.
45
46 Q. Did you think that Robyn and Wayne would also be
47 supportive of you, should any problems arise at the hostel?

1 A. Well, as they've already said publicly that they never
2 got --
3
4 Q. No, I am going to cut you off, Mr McKenna. I'm asking
5 about you. Did you believe that they would be supportive
6 of you should any problems arise?
7 A. They would not have supported me if they knew what was
8 happening; no. None of them would.
9
10 Q. What do you say about that, "what was happening"? Are
11 you talking about the matters that you have been convicted
12 of?
13 A. Yes.
14
15 Q. But not about the way in which you operated the
16 hostel?
17 A. We had a few differences of opinions here and there.
18
19 Q. Wendy McKenna --
20 A. He was a lot stricter than what I was.
21
22 Q. Sorry?
23 A. Wayne was stricter than what I was.
24
25 Q. Wendy and Neil McKenna are the next two, husband and
26 wife?
27 A. Yeah, Wendy was a former student. She left to go to
28 Perth after year 12 to do nursing, and she met my brother
29 up in Perth, and they lived up there for a while.
30
31 (Speaking from the gallery)
32
33 HIS HONOUR: You have to be quiet, I am afraid.
34
35 THE WITNESS: And she came back as the supervisor, yes.
36
37 MR URQUHART: Q. They didn't meet in Katanning?
38 A. They may have when mum and dad were living there.
39
40 Q. Why might have --
41 A. I can't really remember how they met but --
42
43 Q. Why might have Neil may have met Wendy when your
44 parents were at Katanning?
45 A. Neil was involved in a fruit and vegetable shop at
46 that point and --
47

1 Q. A fruit and vegetable shop?
2 A. He was initially, yeah.
3
4 Q. In Katanning?
5 A. Yeah.
6
7 Q. With your parents?
8 A. Sorry?
9
10 Q. With your parents did they run --
11 A. No. Not with my parents.
12
13 Q. How did it come about that Neil was working at a fruit
14 and vegetable shop in Katanning?
15 A. Well, he was with the council. I can't remember the
16 exact jobs what he was there for, but he went into this
17 fruit and vegetable shop, which lasted for about six
18 months.
19
20 Q. Did you have any --
21 A. And how he met Wendy, I don't know. It may have been
22 up at the hostel; it may have been down there. I wouldn't
23 - I don't think it would have been at mum and dad's.
24
25 Q. Well, I suggest to you it was at the hostel when she
26 was a student there?
27 A. Well, I can't see Neil being down there when she was a
28 student there, because she was only there that last year.
29
30 Q. But there was a cross-over there, wasn't there, where
31 he was working at Katanning and she was still at the
32 hostel?
33 A. No. She - while she was waiting to go to nursing -
34 while she was waiting to go to nursing he worked for
35 Watsonia and she worked around the corner in Western Family
36 Stores --
37
38 Q. Did you have any --
39 A. -- while she was waiting to go nursing.
40
41 Q. Did you have any involvement in Neil getting that job
42 at the fruit and vegetable store?
43 A. Yeah.
44
45 Q. Sorry?
46 A. Yes.
47

1 Q. What was your involvement?
2 A. I told him how to do it all and where to go and meet
3 up with my uncles in Perth, who were fruit and vegetable
4 people.
5
6 Q. You agree that Wendy was at the hostel for nearly 10
7 years from February 1982 through to January 1992?
8 A. I'd say that's correct.
9
10 Q. That she had the job of supervisor?
11 A. Yeah.
12
13 Q. That your brother Neil was there in various positions
14 of supervisor then senior supervisor and then acting warden
15 from September 1985 to October of 1991?
16 A. Yes.
17
18 Q. What qualifications did those two people have?
19 A. Mainly Wendy's was in the nursing, because Molly was
20 like the house mother/matron, sort of thing, knew a bit.
21
22 Q. And Neil?
23 A. Sorry?
24
25 Q. Neil, what qualifications did he have?
26 A. No. Only in sport.
27
28 Q. Sport?
29 A. Yeah.
30
31 Q. He played sport?
32 A. Yeah.
33
34 Q. That was it? And again you recommended to the board
35 that those two people be appointed?
36 A. Yes. Well, they all knew Wendy anyway, most of them.
37
38 Q. Christine McKenna, was she married to another brother
39 of yours?
40 A. She was married to another brother, yeah.
41
42 Q. You had five brothers --
43 A. He wasn't involved in the hostel.
44
45 Q. You have five brothers, don't you?
46 A. Five brothers, yes.
47

1 Q. So Christine was employed first in the
2 laundry/kitchen, then as a supervisor part-time?
3 A. She only did part-time supervising, it says in here,
4 for two years, but it wouldn't have been two years. It was
5 more likely - I think she was just called on from time to
6 time.
7
8 Q. Do you agree that apart from a nine-month period she
9 worked at the hostel from November 1985 to December of
10 1992?
11 A. Sorry, say that again? She wasn't employed fully that
12 whole time, no.
13
14 Q. That's what I am saying, except for nine months?
15 A. No. She had left longer than that, as far as I can
16 remember. They lived in Broomehill. I can't remember what
17 happened. She had an accident in the car and left.
18
19 Q. So she started employment there in November 1985; do
20 you agree that sounds about right?
21 A. That must be right because I can't remember these
22 dates.
23
24 Q. And finished in December 1992; does that sound about
25 right?
26 A. It could be right but it's - wasn't consistent.
27
28 Q. Gunda, is that how you pronounce your sister-in-law's
29 name, Gunda McKenna?
30 A. Yes.
31
32 Q. Married to another brother, or was married to another
33 brother?
34 A. Was married to another brother. She came down and we
35 had two town people and her run the Reidy House Hostel in
36 19 --
37
38 Q. Was that from January 1988 to December 1990 or
39 thereabouts?
40 A. I thought we only had it for two years.
41
42 Q. Christine's qualifications?
43 A. 1990 - Christine mainly came in - she started off in
44 the laundry and the kitchen, and she started coaching three
45 of the six netball teams.
46
47 Q. And her qualifications as a supervisor?

1 A. She only ever did it part-time.
2
3 Q. I didn't ask that. I asked you what her
4 qualifications were to be a supervisor?
5 A. None.
6
7 Q. Gunda, what was her qualifications to be a senior
8 supervisor?
9 A. I can't remember exactly her job when she was young,
10 but we advertised that job. And the only problem is a lot
11 of people don't like to live in. And we kept two people,
12 and I can't remember their names - because I have tried to
13 remember - the two from down town that were employed to
14 work with Reidy House so that when Gunda had her two days
15 off they came in.
16
17 Q. I was just asking --
18 A. But I - I've got --
19 Q. I was just asking about her qualifications, that's
20 all. I think you answered that.
21 A. I can't - yes, sorry, I've answered. The only thing
22 here is I thought we only had it open for two years - it
23 wasn't three. But it says "three" here.
24
25 Q. Am I right in saying, Mr McKenna, essentially that the
26 major qualification, or the major reason why you employed
27 these people was that they were related to you?
28 A. Well, I knew they were good, yes.
29
30 Q. Why did you employ so many family members?
31 A. Well, there was nothing sinister if that's - involved
32 in that.
33
34 Q. I'm not suggesting - Mr McKenna, I'm asking you an
35 open-ended question. Why did you employ so many family
36 members?
37 A. It's not that easy getting people to - even when we
38 advertised some local ones in the paper - it is not that
39 easy getting supervisors to live in. That's why we had so
40 many that were part-timers.
41
42 Q. But apart from towards the end you didn't even try and
43 advertise, did you?
44 A. No. Well Gunda, she was happy to come and live down.
45 We discussed it all --
46
47 Q. Yes, I know. But apart from --

1 A. We never had any applications for anyone to live in.
2
3 Q. But apart from at the end with respect to Gunda's, you
4 didn't even actually try and advertise?
5 A. No.
6
7 Q. You just simply employed your family relatives?
8 A. That's correct. You've got to remember --
9
10 Q. See, wasn't one of the reasons, Mr McKenna, this: that
11 a child who had been sexually abused by you in the hostel
12 environment would find it difficult to confide in a person
13 who is a relative of the abuser?
14 A. I would agree with that, yes. But, I also must admit,
15 there is other staff as well, of which I can't work out why
16 we haven't been able to get the names of all our other
17 part-time supervisors.
18
19 Q. Supervisors that you employed?
20 A. No, they were mainly all from down town.
21
22 Q. But supervisors that you employed?
23 A. I employed, but still had to put their names to the
24 board.
25
26 Q. Yes, but people that you employed? People that you
27 knew?
28 A. No. Not necessarily, no.
29
30 Q. Well, for example, some of these supervisors were
31 ex-students, weren't they?
32 A. Yes. Some of them were ex-students. And some were
33 just - well, I won't say a name, but there was one
34 particular guy who was a recreational guy. He came in and
35 worked full-time.
36
37 Q. I am going to stay with the ex-students at the moment.
38 These were ex-students who you treated as one of your
39 favourites at the time that they were at the hostel?
40 A. No. I wouldn't correct - no, I wouldn't say that.
41
42 Q. No?
43 A. No. One was very good. And he wasn't that great at
44 the hostel but he was very good.
45
46 Q. But the others?
47 A. Most of them were waiting to go on to uni and other

1 places.
2
3 Q. Well, let me put it this way: those that you did
4 employ, you had very - and I am not being sinister here -
5 good relationships with whilst they were students at the
6 hostel?
7 A. Yes. Both the boys and the girls. Cause we had girls
8 as well that were ex-students that were supervisors.
9
10 Q. Certainly. But you do appreciate, don't you, that a
11 child who has been sexually abused would find it difficult
12 to confide in a relative of their abuser?
13 A. Well, I would say there is still enough other people
14 that they could have confided in.
15
16 Q. I am just talking about confiding to a relative.
17 A. I don't know.
18
19 Q. You don't know.
20 A. We always had somebody else there and we had a lot of
21 domestic staff.
22
23 Q. No. I am staying with relatives, Mr McKenna.
24 A. Of course they wouldn't go to any of those.
25
26 Q. No. So was that just a happy circumstance for you
27 that a number of hostel staff over the years that you were
28 offending were relatives of yours?
29 A. They were relatives, but I know how a lot of them have
30 all turned on me. None of them talk to me because of
31 what's been happening.
32
33 Q. I'm not interested --
34 A. And they would have told me if they got wind of
35 something. They would have said something to me.
36
37 Q. Well, Mr McKenna, this has been evidence that we have
38 heard at this Inquiry from ex-students regarding the way in
39 which you behaved towards boys. I just want to cite to you
40 some of those examples: that you would be seen with boys
41 on your lap far more frequently than the two or three times
42 you say over the 15 years; that you would place your hand
43 underneath the shirts of boys so that it was on their
44 chest; that you would have close contact with boys in such
45 a way that these ex-students thought was suspicious?
46 A. No. But what I --
47

1 Q. No, just wait. I'm going to ask you a question now.
2 Do you deny that you regularly did those sorts of things in
3 front of other ex-students?
4

5 MR MAUGHAN: I object to the manner in which the question
6 is put. Quite properly the question should be put "did you
7 do this", yes or no?", "Did you do this, yes or no?" And
8 what are "other things"? How is Mr McKenna supposed to
9 answer the question; what other things?
10

11 HIS HONOUR: It was being put to him what the evidence is,
12 which is fair enough. He is being asked does he deny that
13 he did those things in front of former students, so it is a
14 reasonable question.
15

16 MR MAUGHAN: What other things though, your Honour?
17

18 HIS HONOUR: The things described from the evidence.
19

20 MR MAUGHAN: Those things and other things. The question
21 is: what are the other things?
22

23 MR URQUHART: I did not say that. If I did, I didn't
24 suppose to. I am talking about those instances that I have
25 just told you about. Do you deny doing those things?
26

27 A. Yes, I do.
28

29 Q. In front - you deny that?
30

31 A. In front of other students, yes.
32

33 Q. I am going one step further - this is also witnesses
34 who have given evidence - about you grabbing the groins of
35 boys as they walked past you. This is just in the open
36 areas of the hostel and that you would grab them on the
37 bottom as well. Now, those two instances, do you deny
38 that?
39

40 A. I know you may have had evidence, your Honour, but I'm
41 talking about - are we talking about eight or 10 students
42 that are bringing all the same things up over the thing,
43 because you've got to remember I would - no, I deny that.
44

45 Q. But hold on, Mr McKenna, just stay with the 11 boys
46 that you've been convicted of sexually abusing. Are you
47 saying that you never once, with respect to any of those
48 boys, did touching that wasn't so serious as to the ones
49 that you've been convicted of?
50

1 MR MAUGHAN: Well, I object to the question, your Honour,
2 on the basis that the answer may tend to incriminate my
3 client, your Honour.

4
5 HIS HONOUR: Well, I think it's - I don't know if Mr
6 McKenna is aware of this, but this is not a court, of
7 course. And this Inquiry - under the provisions that apply
8 under the Public Sector Management Act, any evidence you
9 give today cannot be used against you in any civil or
10 criminal proceedings.

11
12 Q. Do you understand that?

13 A. Yes, I was told that.

14
15 Q. Are you aware of that?

16 A. Yes, I was told that by the investigators that I've
17 been dealing with.

18
19 Q. All right. Now - so you can't - in a courtroom you
20 could object to answering a question about grounds you
21 might incriminate yourself. That doesn't apply here, as
22 the evidence can't be used against you. I can direct you
23 or require you to answer a question, and if you don't have
24 a reasonable excuse for refusing to answer a question, in
25 those circumstances you commit an offence. Are you aware
26 of that?

27 A. (No audible answer).

28
29 HIS HONOUR: Now, would you like to put your question
30 again, what the question is, so just clarify what it is?

31
32 MR URQUHART: The question was, sir, I'm suggesting to Mr
33 McKenna - or is he saying that the only touching he did of
34 those 11 boys - just concentrate on those 11 boys on which
35 he's been convicted --

36
37 HIS HONOUR: Yes.

38
39 MR URQUHART: -- was that the only inappropriate conduct?

40
41 HIS HONOUR: Now, when you say "the only inappropriate" -
42 you mean the offences?

43
44 MR URQUHART: Yes, the offences, the actual offences.

45
46 HIS HONOUR: So you're putting to him - you're asking him
47 whether he touched them other than the actual offences,

1 yes.
2
3 MR URQUHART: Yes, that's right.
4
5 HIS HONOUR: Well, I require you to answer that question,
6 yes.
7
8 THE WITNESS: Yes, there would be times that we'd - you'd
9 probably hit them on the backside or something, yes.
10
11 MR URQUHART: Okay.
12
13 Q. So why did you deny that a minute ago?
14 A. I wasn't quite getting what you were getting to,
15 like --
16
17 Q. I asked you a straightforward question about occasions
18 in which you would touch boys on the bottom, or touch their
19 groins?
20 A. Well, it wasn't something that was happening all the
21 time, no, that's what I was --
22
23 Q. But you said you never did that?
24 A. I just said I did do - putting to what you're asking
25 me, I was just getting what you were actually --
26
27 Q. So you touched --
28 A. You've just cleared - your Honour's just cleared up
29 the matter, and I was - to turn around and say, yes, I'd
30 touched some boys like that, yes.
31
32 Q. And grabbed them on the groin?
33 A. What do you mean "grabbed them on the" - grabbed?
34
35 Q. On the outside --
36
37 MR MAUGHAN: I might just interject again. Mr McKenna's
38 just made a hand gesture. Perhaps, just for the
39 transcript, it ought to be recorded what the gesture was.
40
41 HIS HONOUR: I didn't see that.
42
43 Q. So what was the hand gesture?
44 A. Well, if you're - well, if you're all walking out to
45 the bus, instead of going, "Hurry up", I'll pat them on the
46 backside, yes.
47

1 MR URQUHART: Q. So there wasn't any sinister motive
2 behind that touching --
3 A. No.
4
5 Q. -- of the boys on their bottoms?
6 A. No.
7
8 Q. What about touching their groins - grabbing them by
9 their groins as they walked past, on the outside of their
10 clothing?
11 A. The groin - you mean the front groin?
12
13 Q. I mean their groin, Mr McKenna.
14
15 HIS HONOUR: The genital area, I think what's being
16 referred to, on the outside of their clothing.
17
18 THE WITNESS: I wouldn't have done anything like that
19 publicly or when I was out in the hostel, no.
20
21 MR URQUHART: Q. And certainly nothing like placing your
22 hand down the front of boys' shirts?
23 A. No.
24
25 Q. So if that was said at this Inquiry, that would be
26 wrong?
27 A. Sorry?
28
29 Q. If that was said by other witnesses at this Inquiry,
30 that would be totally wrong?
31 A. Yes.
32
33 Q. Prior to 1990, were you ever concerned that your
34 sexual offending of those 11 boys - you know the 11 boys
35 I'm referring to, don't you?
36 A. Mm-hmm.
37
38 Q. Were you ever concerned that your sexual offending in
39 relation to those boys would be disclosed?
40 A. Prior to 1990?
41
42 Q. Yes.
43 A. Yes, I would stop every so often and just not offend
44 for months and month, and somehow it just happened again.
45
46 Q. Yes. So you were --
47 A. But I was aware of it, and as you later go on, you'll

1 find out what I was --
2
3 Q. Were you concerned?
4 A. Yes.
5
6 Q. You were. So obviously if it was to be disclosed, you
7 would need to go into damage control, wouldn't you?
8 A. No, it's just something I thought about here and
9 there. 19 --
10
11 Q. Hold on, Mr McKenna, I'm just talking about
12 hypothetically. If it was to be disclosed, you would need
13 to --
14 A. Well, I would know that I would be hauled before the
15 board and sacked on the spot.
16
17 Q. Yes, but I would suggest to you that your first step
18 would be that if a complaint was made, would be to deny it?
19 A. If there was a complaint made I would actually have to
20 face it. I wouldn't deny it because no - no - no one
21 actually approached me.
22
23 Q. Hold on. Hold on. Hold on. Are you saying that if
24 you were to be approached by someone with an accusation
25 that you had sexually interfered with a boy, you would
26 admit it?
27 A. That happened in 1990.
28
29 Q. But you didn't admit it, did you?
30 A. No, I said the actual facts were wrong, but these are
31 the facts.
32
33 Q. Yes, but you didn't admit what was being alleged, did
34 you?
35 A. No, what was alleged was wrong.
36
37 Q. No.
38 A. And then I told them what actually happened.
39
40 Q. But, Mr McKenna, you've agreed with me, and I've asked
41 you right at the outset today whether you accepted that you
42 committed those offences that you've been convicted of?
43 A. Yes, I did.
44
45 Q. And the offence that you were convicted of with
46 respect to Mr Todd Jefferis - that's the person we're
47 referring to, isn't it - yes.

1 A. Yes, 1990.
2
3 Q. Yes. With respect to that, you were convicted by the
4 jury of Mr Jefferis' version of events, not yours?
5 A. That's correct.
6
7 Q. Okay. So that did happen, didn't it?
8 A. When I was questioned - no, those turn of events were
9 there and I denied that because it is different. I was
10 found not guilty - I was found guilty on it, so I had to go
11 with it --
12
13 Q. Yes.
14 A. -- because it was different to his - his alleged --
15
16 Q. So are you saying - and this is hypothetically - that
17 the - at any time between 1977 and 1990, that if one of
18 those other 10 boys made a complaint of you sexually
19 interfering with them, you would have admitted it?
20 A. Yes, because there was a lot of times I felt I wanted
21 to get out of Katanning, and most times I would come up and
22 have Christmas, so I really didn't want to go back.
23
24 Q. But you always did, Mr McKenna. You always did,
25 didn't you?
26 A. Yes.
27
28 Q. Yes. You see, I'm going to suggest to you that there
29 were a number of occasions throughout the 1980s where you
30 were confronted with what you were doing, and you simply
31 denied it?
32 A. I wasn't confronted.
33
34 Q. If you were to deny that any of this sexual offending
35 committed - was committed - I'm talking about against the
36 boys that you've been convicted of - if you were to deny
37 that, would you agree with me that you would have been able
38 to take steps - or would try to take steps to ensure that
39 disclosure didn't go any further?
40 A. Well, I think if someone confronted me and accused me
41 of it, and - and I - nobody did, so I'm - I know it's very
42 unbelievable, but surely they would have gone on to the
43 Board, or gone on to the principal, or the Hostel Authority
44 or something. Surely they're not going to just walk off,
45 if they did, which they didn't.
46
47 Q. Would you agree --

1 A. They wouldn't just come to me.
2
3 Q. Would you agree that if you were concerned about one
4 of those boys that you've been convicted of sexually
5 abusing - if you were concerned that one of those boys
6 might make a disclosure, would you agree that a good way to
7 keep them quiet would be threatening to expel them?
8 A. No.
9
10 Q. You don't agree that that would be a good way --
11 A. No, I didn't - no, I didn't do it.
12
13 Q. -- of keeping them quiet - no?
14 A. No.
15
16 Q. I'm just asking you hypothetically now?
17 A. I suppose from someone sitting out there like that,
18 looking at it, you could say that's right, but happen.
19
20 Q. Another way to discourage someone from exposing your
21 sexual offending would be to threaten them with defamation
22 proceedings. Do you agree with that?
23 A. Yes.
24
25 Q. Yes. And that's something you did?
26 A. That was --
27
28 Q. Didn't you?
29 A. -- in one case, but it was a parent who I was
30 questioned with this week. It was a parent who was taking
31 their two students out because they couldn't pay their
32 fees, and they wrote a letter in, but they didn't actually
33 accuse me of sexual offences. I thought it was the way
34 they were running the hostel, and we were to obtain the
35 letter from the lawyers this week.
36
37 Q. Mr McKenna, I can assure you we'll get to that. I'm
38 going to put to you that your experience with the first
39 board - that is the hostel boards over the years - was that
40 when it came to an expulsion or a suspension, that whenever
41 it was your word against the word of the student who was
42 suspended or expelled, your version of events was just
43 about always accepted?
44 A. In most cases.
45
46 Q. Did you use that as a means to keep your sexual
47 offending with respect to those 11 boys from not coming out

1 into the open?
2 A. No.
3
4 Q. I'm going to ask you about some individuals now, Mr
5 McKenna. The first is a man by the name of Gerald
6 Marriott. He was principal of the Katanning high school in
7 1985 and 1986. Do you remember him?
8 A. I remember Mr Marriott.
9
10 Q. Am I right in saying you had a good working
11 relationship with Mr Marriott?
12 A. Yes.
13
14 Q. And that you and he got on well?
15 A. Well, we didn't mix socially or anything, but we all
16 got along good, yes.
17
18 Q. You remember, I gather, a hostel student by the name
19 of Kylie Haddow?
20 A. Yes, I read about it all in the newspaper.
21
22 Q. Sorry?
23 A. I read about it all in the newspaper.
24
25 Q. And she was there at the hostel from 1984 to 1986.
26 Does that sound about right?
27 A. Probably.
28
29 Q. Years 8 through to 10?
30 A. Probably, yes.
31
32 Q. She was there at the hostel until you had her expelled
33 just before the final term of 1986?
34 A. I can't remember the incidences of why she was
35 expelled, no.
36
37 Q. Do you agree with me that you had her expelled?
38 A. She was expelled.
39
40 Q. At your recommendation?
41 A. I can't remember the incidences as regarding her. She
42 was a handful --
43
44 Q. Yes, I'm not asking you about --
45 A. -- but I remember.
46
47 Q. But it was --

1 A. Yes.
2
3 Q. I'm saying whether it was at your recommendation.
4 A. It would have been.
5
6 Q. Yes.
7 A. But she came in with her parents and sat - and was sat
8 with the board.
9
10 Q. Yes. And I gather there's no doubt, you would say,
11 that there were very good grounds for expelling her?
12 A. But I can't remember the grounds.
13
14 Q. No, but they would have been good grounds, otherwise
15 you wouldn't have expelled her?
16 A. Correct.
17
18 Q. Is that right?
19 A. Correct.
20
21 Q. Is that what you would be saying?
22 A. Correct.
23
24 Q. But really, Mr McKenna, the main reason that you had
25 her expelled was that she was posing a threat to expose
26 your paedophile activities?
27 A. First time I've heard of that was in the newspapers.
28
29 Q. Isn't that the case?
30 A. No.
31
32 Q. I gather then, having - you saying that you read the
33 newspapers, that you were aware of Kylie Haddow's evidence
34 regarding a meeting she was called to attend at the
35 principal's office some time in second term of 1986?
36 A. I - I read that in the newspaper, yes. I can't recall
37 it and I can't ever remember going to an office with Mr
38 Marriott and those two girls in that office.
39
40 Q. There was only one girl in that office, and that was
41 Kylie Haddow. Do you remember an occasion when you were in
42 the office with Mr Marriott --
43 A. No.
44
45 Q. -- and Kylie Haddow?
46 A. There were plenty of times that I was in the office
47 with Mr Marriott, but I don't remember that incident - no,

1 I'm sorry.
2
3 Q. Mr McKenna, I'm suggesting to you you're not telling
4 the truth about this --
5 A. No, I honestly don't remember.
6
7 Q. Let me finish. Let me finish. Because this concerned
8 a meeting that would stand out in your memory because of
9 what was discussed?
10 A. I'm sorry, I don't. I've always - I tried to rehash
11 it and rehash it since I read it in the paper, and also
12 earlier on with my first meetings with the investigators.
13
14 Q. It concerned a note that Kylie Haddow had written to a
15 friend of hers during a class, yes.
16 A. I only know that by reading it in the paper.
17
18 Q. Okay. Yes. And that's where you got the second girl
19 from, haven't you, because that was Diane - Diane Pascoe.
20 Do you remember her? You don't remember her Diane Pascoe?
21 A. No, I can't remember everything.
22
23 Q. Okay. All right. I'm only interested in Kylie
24 Haddow?
25 A. I don't know the names.
26
27 Q. See, Mr McKenna, this note that she says the principal
28 had, was written by her to her friend Diane, and it said
29 that you had boys sitting on your knee, rubbing your hands
30 on their backs, touching them where you shouldn't, and
31 having them in your flat. That's what the note says, okay.
32 Are you saying that apart from those two or three instances
33 over 15 years, that was the only time you had boys sit on
34 your knee?
35 A. I can't remember any more incidences about that. As
36 far as the flat goes, and people going in the flat, when
37 the new rooms were built on, that flat was always open.
38 The boys and girls went there, and also parents. We have
39 our coffee there.
40
41 Q. Rubbing your hands on their backs?
42 A. No, I've already said I didn't do that, earlier on.
43
44 Q. Touching them where you shouldn't?
45 A. Yes, I've already said I didn't do that before.
46
47 Q. And as far as she was concerned, something really bad

1 was happening between you and certain boys in the hostel.
2 Now, she's actually right about that, isn't she?
3 A. I don't know what she wrote in the letter because - in
4 the note --
5
6 Q. No, just stay with me for a moment and just answer the
7 question. She's right about that, when she says that she
8 put in the note that something bad was happening between
9 you and certain boys in the hostel?
10 A. On that point, yes.
11
12 Q. Yes. So Mr Marriott had this note at this meeting in
13 his office. And Ms Haddow says that she accused her of
14 slander, and that she could be arrested and taken down to
15 the police station?
16 A. I wasn't aware of that statement.
17
18 Q. This doesn't help jog your memory?
19 A. No.
20
21 Q. It's a very serious accusation for a principal to make
22 to a student, isn't it?
23 A. Yes.
24
25 Q. And he made it patently clear to her that what she had
26 written down was a fabrication. Does that help jog your
27 memory?
28 A. No.
29
30 Q. And that she could be expelled for writing it?
31 A. No, because there was a --
32
33 Q. Okay. All right.
34 A. I don't know that because I know there --
35
36 Q. No, I'm just asking you --
37 A. No --
38
39 Q. I'm asking you whether that helps jog your memory?
40 A. -- in the case of hers.
41
42 Q. No, Mr McKenna, I'm just asking if that assists you in
43 jogging your memory --
44 A. No.
45
46 Q. -- about this incident?
47 A. No, I --

1
2 Q. You see, that's --
3 A. I tried to put it all into context from what I read in
4 the newspaper.
5
6 Q. -- that's fact.
7
8 MR MAUGHAN: Again - I'm just going to rise, your Honour.
9 I wonder if my friend would just give Mr McKenna the
10 courtesy of allowing him to respond.
11
12 MR URQUHART: Sir, I'm not going to allow the witness the
13 courtesy of responding when he's not answering my
14 questions.
15
16 HIS HONOUR: You can continue, yes.
17
18 MR URQUHART: Q. Saying to a student that she could be
19 expelled for writing a note is a very serious allegation,
20 isn't it?
21 A. Of course.
22
23 Q. And when she was having this principal say to her that
24 what was written in the note was a complete fabrication -
25 well, you've already admitted that with respects to some of
26 that note, it wasn't a fabrication?
27 A. No, I don't - that's right, but --
28
29 Q. Yes. Okay. So Ms Haddow says you gave her the
30 opportunity of apologising, and that it wouldn't be taken
31 further if she promised not to say these things again?
32 A. Sorry, I don't remember saying it because I don't
33 remember Mr Marriott speaking to me about it, and I just
34 read everything in the newspaper and tried to go through
35 that with the investigators, but I didn't know Mr Marriott
36 said those things.
37
38 Q. Yes. I'm now asking you whether now you've got this
39 additional information --
40
41 HIS HONOUR: Can I just clarify.
42
43 Q. When you say you don't remember, are you saying that
44 it didn't - definitely didn't happen, or it could have
45 happened, you don't remember?
46 A. It could have happened. I may not have remembered,
47 but I know - I can't remember being in the office or being

1 questioned or anything about the note.
2
3 Q. All right.
4 A. It probably did happen, but I can't remember.
5
6 MR URQUHART: Q. Well, hold on. If it probably did
7 happen --
8 A. I'm talking about the note --
9
10 Q. Yes.
11 A. -- and the accusation that Mr Marriott threatened her
12 with expulsion, police - I don't know any of that. And I -
13 I vaguely can remember something about a note since I read
14 it in the newspaper and I was questioned by the people who
15 were questioning me the last week with the Inquiry.
16
17 Q. So when you're saying it probably did happen --
18 A. Well, I read it in the newspaper, and I saw --
19
20 Q. Do you accept that this probably did happen, with a
21 meeting between you, Mr Marriott and Kylie Haddow?
22 A. I don't ever remember being in an office with Mr
23 Marriott and Kylie Haddow, I'm sorry, but I do know of an
24 incident with Kylie Haddow.
25
26 Q. What, involving a note?
27 A. Well, I read it in the paper, and I'm quite positive I
28 remember something about that now.
29
30 Q. Okay. Well, look, if it probably did happen - let's
31 accept if it did happen, from what your evidence has been
32 earlier this morning, is that here you are now confronted
33 with an allegation.
34 A. But I - they didn't tell me exactly like that at all.
35
36 Q. I'm telling you now.
37 A. Well, they didn't tell me that at all, because I can't
38 remember Mr Marriott bringing that up with anything like
39 that at all.
40
41 Q. But I thought the tenure of your evidence today has
42 been that if you were confronted with a complaint about
43 your behaviour, you would have admitted it?
44 A. That's correct.
45
46 Q. But we'll hear, if this did happen on Ms Haddow's
47 account, you didn't admit it?

1 A. Well, surely there must be some record of - minutes of
2 what - why Kylie Haddow was expelled, and the incident;
3 but, no, I can't answer any more on that, I can't remember.
4
5 Q. See, based on your evidence then, that if this did
6 happen, are you saying that this would have been the
7 opportunity for you to cleanse your soul and to come out
8 and say, "Yes, this is all true" --
9 A. Yes.
10
11 Q. -- instead of trying to cover it up and deny it?
12 A. Yes.
13
14 Q. Why didn't you - I'll withdraw that. See, this young
15 girl thought that she had no choice but to apologise for
16 something that she did not have to apologise for?
17 A. She apologised.
18
19 Q. Yes, she apologised to you.
20 A. I can't remember anything about that.
21
22 Q. And she said to you words to the effect of, "I
23 apologise to you, Mr McKenna, if what is said in the note
24 offends you"?
25 A. I don't remember that, I'm sorry, and that's the
26 truth.
27
28 Q. You see, before this meeting, Mr Marriott showed you
29 this note, didn't he?
30 A. At that meeting at Katanning he showed me a note? I
31 don't remember anything about a note or Mr Marriott
32 accusing me or telling me about a sexual abuse. There was
33 problems with Kylie Haddow over a lot of issues, but it
34 wasn't that.
35
36 Q. So you remember Mr Marriott showing you a note that
37 had been --
38 A. No, I don't remember him showing me a note, only what
39 I read in the newspaper --
40
41 Q. And you read that in a newspaper --
42 A. -- just recently.
43
44 Q. -- is that when you remembered?
45 A. I'm trying to remember it all because I have had
46 problems with certain sections with amnesia, and I can't
47 remember the - every single thing that everyone's been

1 throwing at me over the last two weeks. I read the
2 newspaper, then I stop and I try and think. I think every
3 night. I don't sleep, trying to remember all these things
4 that the people have asked me that day up at the prison.
5
6 Q. Whose welfare was most important for you, if your
7 sexual offending was to come to light, say, in the manner
8 in which it did with this note? So whose welfare was most
9 important for you - yours or the students'?
10 A. Students' and the hostel itself.
11
12 Q. You were supposed to look after --
13 A. The students and the hostel itself.
14
15 Q. You see, then if that was the case, Mr McKenna, and
16 what Kylie Haddow says is the truth, you would have, on
17 that occasion, had said to Mr Marriott the contents of that
18 note are true?
19 A. And this is it, yes, I would have.
20
21 Q. Do you agree with that?
22 A. I would have done that, because I did do that
23 eventually over another thing.
24
25 Q. But we're talking about an incident here that happened
26 in 1986, yes.
27 A. Well, I can't remember --
28
29 Q. If it did happen?
30 A. -- the year, but that's probably --
31
32 Q. And you continued your offending for four years after
33 that, didn't you, in relation to those 11 boys or some of
34 those 11 boys?
35 A. Yes, some of them.
36
37 Q. Yes. I'm going to ask you questions now about another
38 person who you came across during your years as a warden,
39 and that was John Renk. Do you remember him?
40 A. Yes, from the - Commonwealth Bank.
41
42 Q. Yes. He was on the Katanning hostel board when you
43 were employed?
44 A. Yes.
45
46 Q. And he remained on the board until 1986. You might
47 not know the precise year --

1 A. I don't know the date, but he was there for quite a
2 while.
3
4 Q. And he was a secretary for several of those years?
5 A. Yes.
6
7 Q. You got on well with him, didn't you?
8 A. Yes, got along with all of the board members.
9
10 Q. Yes.
11 A. I think he was secretary for most of the time, but I
12 can't remember who it was at the beginning.
13
14 Q. And you and he were also members of the board's
15 finance committee for a number of years. Does that sound
16 about right?
17 A. Finance committee?
18
19 Q. If you can't remember, you can't remember, Mr McKenna.
20 A. I can't remember a finance committee.
21
22 Q. I want to ask you about this. Some time around 1980,
23 did not Mr Renk speak to you about concerns raised by a
24 parent, that you were supplying alcohol to boys and showing
25 them pornographic films?
26 A. No, I'm sorry, I can't remember Mr Rank speaking to
27 me. I know he would - I can't remember.
28
29 Q. Okay. You deny that you ever showed boys pornographic
30 films and supplied them with alcohol, but I'm asking you,
31 do you remember Mr Renk raising a parent's concern, albeit
32 on your version an incorrect --
33 A. No, not --
34
35 Q. -- concern that you were doing that?
36 A. No, I don't remember Mr Renk ever telling me anything
37 like that. And I saw him quite regularly.
38
39 Q. If he was to ask you something about that in 1980, I'm
40 gathering you would deny that that was happening?
41 A. Exactly.
42
43 Q. See that parent, I'm suggesting to you Mr Renk was
44 referring to, was a man by the name of Mr Bruce Carmichael.
45 Do you remember that he had two daughters at the hostel?
46 A. Carmichael. Yes, I'd say I'd remember Carmichael.
47

1 Q. Yes. He had two daughters at the hostel from 1979 to
2 1981. I'm going to suggest to you you remember - you
3 should remember one of those daughters because you expelled
4 her in 1981 - Linda.
5 A. I can't remember what it was about.
6
7 Q. But do you remember expelling her?
8 A. No, I don't.
9
10 Q. Can I suggest to you you did this simply by ringing
11 the Carmichaels and telling them that their daughter was
12 not welcome at the hostel, and they weren't to bring her
13 back.
14 A. But if I did that I would have to know the reason why
15 I was supposed to have rung and told them that, so I can't
16 remember that.
17
18 Q. Well, I was rather hoping to ask you the reason, Mr
19 McKenna?
20 A. No, I don't know.
21
22 Q. Because there was no valid reason, I'm going to
23 suggest to you, for doing that, other than your concerns
24 that you had about what she was saying to her parents about
25 what you were up to.
26 A. No, I don't believe that.
27
28 Q. So this girl went back to collect her belongings and
29 she noticed that her diary was missing. You discouraged
30 hostel students from keeping diaries, didn't you?
31 A. I don't know where you are getting this. That is not
32 true. Everybody had diaries. Most of the girls had
33 diaries. I don't know of any boys that had diaries.
34
35 Q. Are you denying that?
36 A. Yes, I do.
37
38 Q. Are you denying that boys, on your instructions, would
39 go and take girls' diaries from their dormitory?
40 A. No.
41
42 Q. I suggest to you that your interests in looking at
43 these girls' diaries is because you didn't want students
44 recording what was going on at the hostel?
45 A. That is absolute rot.
46
47 Q. Another subject matter, now, Mr McKenna. You recall

1 the WestTrak program in Katanning in 1985, don't you?
2 A. Yes.
3
4 Q. And you recall also, don't you, that you were on a
5 WestTrak committee?
6 A. I don't think I was on the actual committee. We were
7 asked initially for a group to come in because the hostel
8 - the Community Welfare had stopped the use of their hostel
9 which later become Reidy House.
10
11 Q. Okay, well I'm going to suggest to you that you --
12 A. I got called to a meeting somewhere about would we
13 allow the Westrek and we put it to the board and I think
14 someone from council --
15
16 Q. Mr McKenna, I'm going to cut you off now because I'm
17 talking about your membership of the Westrek committee and
18 you are going on to other areas. I'm going to stop you. I
19 want you to have a look now at bar code document number
20 338, please?
21 A. What, is this a Shire thing?
22
23 Q. Just have a look at that document there. This is the
24 Shire president's report from 27 June 1985. The photocopy
25 might not appear very good but just go just past halfway
26 down on that document and there is a paragraph that starts:
27
28 The members of the Westrek committee
29 comprise of.
30
31 Do you see that line?
32 A. Yes.
33
34 Q. Just to clarify with everybody here, the names appear
35 there of Mr Chris Overbey, Mr Ron Corwell, Mr Terry Giles,
36 Mr Dennis McKenna, Mr Doug Dowell, Councillor Ainslie
37 Evans, Mr Robert Turner, Mr Terry Blanchard and Mr Shire
38 Clarke. Just have a look at that there. Do you agree now
39 that you actually were on the Westrek committee?
40 A. Yes, we couldn't have had very many meetings though
41 because I don't remember meeting.
42
43 MR URQUHART: Thank you. I tender that document, please,
44 sir.
45
46 HIS HONOUR: You didn't tender the list of family members.
47 Did you intend to do that?

1
2 MR URQUHART: Yes, I should tender that too. Thank you,
3 sir.
4
5 HIS HONOUR: So that was exhibit 36 and this new document
6 will be exhibit 37.
7
8 EXHIBIT #36 LIST OF FAMILY MEMBERS
9
10 EXHIBIT #37 WESTREK COMMITTEE PRESIDENT'S REPORT, BARCODE
11 338
12
13 MR URQUHART: Q. You can put that to one side now,
14 Mr McKenna. And in that capacity as being a member of the
15 Westrek committee, you knew Mr Peter Sherlock, the
16 Executive Officer of the Westrek program, didn't you?
17 A. I met him, did you say?
18
19 Q. No, you knew him?
20 A. Peter Sherlock? I don't know the name of anyone that
21 I knew.
22
23 Q. Had you met him?
24 A. I don't know. I can't remember who Peter Sherlock is.
25
26 Q. Did you speak to him?
27 A. I don't know. I don't remember a Peter Sherlock.
28
29 Q. I just told you. He is the Executive Officer of the
30 Westrek program?
31 A. Well, I would have met him somewhere initially but I
32 don't know him.
33
34 Q. The Westrek program in Katanning was run by a lady
35 name Maggie Maruff, wasn't it?
36 A. That's correct.
37
38 Q. Now Dawkins?
39 A. Yes, Dawkins.
40
41 Q. In 1985, Mr McKenna, Mrs Dawkins confronted you about
42 your sexual abuse of a hostel student, didn't she?
43 A. No.
44
45 Q. Now, Mr McKenna, I'm not going to ask you whether you
46 were sexually abusing that particular hostel student or
47 not. I'm not saying anything about the truth or accuracy

1 of those allegations, I'm simply putting to you that she
2 confronted you with that allegation?
3 A. No, she did not.
4
5 Q. This was at the hostel and she was in a clear angry
6 state. Does that help?
7 A. She was in a clear angry state but it wasn't over the
8 accusations against me.
9
10 Q. And she told you that she knew what you were doing?
11 A. No, she was confronted about the --
12
13 Q. You have said "No", that's fine, and she knew about it
14 because of what an ex-hostel student had told her you did
15 to him?
16 A. Maggie never approached me on anything like that
17 whatsoever. It was on a totally different subject.
18
19 MR URQUHART: I am referring to p.251, your Honour, of the
20 transcript from 23 February.
21
22 Q. Now, listen to this, Mr McKenna. This is what
23 Ms Maruff said she told you that you were alleged to have
24 done: that you gave this boy spirits, he was fondled by
25 you, that he was made to perform oral sex on you and that
26 you raped him. Okay?
27 A. That's what she accused me of?
28
29 Q. Yes. Now, with respect to a number of those eleven
30 students that you have been convicted of sexually abusing,
31 do you agree that with respect to a number of them that's
32 what you did to them?
33 A. No.
34
35 Q. Are you not accepting --
36 A. I'm not accepting --
37
38 Q. No, let me finish - that that was their evidence
39 either at your trial in 1991 or the contents of their
40 witness statements in relation to the matters you pleaded
41 guilty to?
42
43 MR MAUGHAN: Well, there's two questions there, your
44 Honour. Perhaps they should be put separately.
45
46 HIS HONOUR: I think that's a reasonable question. It has
47 been put to him that those are the facts of the offence of

1 which he was convicted, yes.
2
3 A. The first one was to do with --
4
5 MR URQUHART: Q. Providing them with alcohol?
6 A. -- Maggie --
7
8 Q. Providing them with alcohol?
9 A. Yes, that Maggie accused me of.
10
11 Q. No, no, I'm staying with what's called your - I'm
12 calling it your modus operandi of those offences that you
13 have been convicted of, okay. A number of those
14 ex-students made allegations that you provided them with
15 alcohol. Correct?
16 A. That's what they say but it's not correct.
17
18 Q. Yes, I know that?
19 A. Yes.
20
21 Q. And that you fondled their genital areas?
22 A. I've already denied that.
23
24 Q. No, I'm just talking about the eleven that you have
25 been convicted of, okay, that you have admitted committing
26 sexual offending against. I'm just simply saying to you
27 that on their versions, which you have already pleaded
28 guilty to or the jury accepted, they were saying that you
29 would fondle them, you would masturbate their penis. Yes?
30 A. Well yes, that's what I was convicted of.
31
32 Q. Yes. And they also say, some of them, that you got
33 them to perform oral sex on you?
34 A. That's what they said and that's what I was convicted
35 of.
36
37 Q. And that you raped them?
38 A. That's what they said and that's what I was convicted
39 of but I didn't.
40
41 Q. So, you see - sorry?
42 A. I did not rape anybody.
43
44 Q. Hold on. Mr McKenna, I thought we had established
45 right at the outset that you admitted those offences that
46 you were convicted of. You were convicted of having
47 unlawful carnal knowledge --

1 A. In the last --
2
3 Q. No, let me finish - of a number of these boys; that
4 is, that you sexually penetrated their anus with your
5 penis. Okay. Yes?
6 A. That's what was said, yes.
7
8 Q. Yes. All right, I won't use the term "rape". I will
9 use that particular act. Do you accept that that's what
10 you did to a number of those boys, that you have been
11 convicted of?
12 A. Well you are saying now, from the last trial where I
13 pleaded guilty, the last incidences.
14
15 Q. I'm talking about one or the other?
16 A. Well, I was - I fought the first ones and I was found
17 guilty.
18
19 Q. Yes, and you have now accepted that you committed
20 those offences?
21 A. Yes, and the second time I had a lawyer and I had just
22 come out of the Frankland Centre.
23
24 Q. Look, Mr McKenna, I don't want to go into the details
25 of what you discussed with your lawyer. I'm just --
26 A. No, I'm just saying why I --
27
28 Q. No, hold on. Are you now saying that you did not
29 actually commit some of these offences that you were
30 convicted of?
31 A. Some I did but I admit to what you've said, yes.
32
33 Q. Okay, right. So getting back to my question, do you
34 admit --
35 A. But I didn't rape anybody.
36
37 Q. Okay, I will put it this way. Do you admit that with
38 respect to some of these boys in relation to some of these
39 offences that you have been convicted of, the facts of
40 those offences involved you putting your penis into their
41 bottoms?
42 A. That I've been convicted of?
43
44 Q. Yes?
45 A. Yes, I was convicted.
46
47 Q. You see, through that rather tortuous process, what

1 I'm suggesting to you here, that what Maggie Dawkins said
2 to you on that occasion at the hostel in 1985 is strikingly
3 similar to what those boys say you did to them, what some
4 of those boys say you did to them with respect to those
5 matters you've been convicted of?
6 A. I'm --
7
8 Q. Do you agree. No wait.
9 A. No, I won't agree to that.
10
11 Q. Wait for the question?
12 A. Maggie did not come to me on any of that at all.
13
14 Q. Wait for the question. Do you agree with that?
15 A. Only agree to what you said were the offences but
16 Maggie did not approach me to say any of that.
17
18 Q. No, do you agree that what she alleges that you did to
19 this particular boy is identical in some instances to what
20 she did to the boys --
21 A. She could have read it all in the paper because she's
22 covered up her problem, which I hope I can have a say.
23
24 Q. Mr McKenna, there was no newspaper report in 1985 --
25 A. No, we are talking --
26
27
28 Q. -- about your sexual offending?
29 A. It was right back, I think. But she did not approach
30 me on that. She approached me on a totally different
31 matter.
32
33 Q. Are you saying that she has fabricated that
34 conversation she had with you --
35 A. She must have --
36
37 Q. Let me finish - based on what she had read in the
38 newspapers at your trial in 1991?
39 A. I don't know. I don't know what she saw but that's
40 what - she didn't approach me on that subject you're
41 talking about.
42
43 Q. Ms Dawkins said that you responded to her allegations
44 by laughing in her face?
45 A. She didn't approach me on that. It was a totally --
46
47 Q. Does that help jog your memory?

1 A. It's a totally different subject of why she --
2
3 Q. And you then threatened to have her sacked?
4 A. No, I didn't threaten to have her sacked.
5
6 Q. Did you make that threat to her?
7 A. No, I didn't.
8
9 Q. You also said to her that you had friends in high
10 places?
11 A. Here we go. No, she said that.
12
13 Q. You deny that?
14 A. I certainly do deny it.
15
16 Q. Do you deny ever using that phrase to anyone during
17 your time --
18 A. Yes, because I did not have --
19
20 Q. Let me finish - during your time as warden at
21 Katanning?
22 A. Yes, you've already asked me that earlier today and I
23 said no, I don't use that phrase.
24
25 Q. What about Elaine Brown. Do you remember her?
26 A. Elaine Brown was on the initial board.
27
28 Q. Yes, that employed you at the hostel in 1975 and she
29 was on the board until about 1980. Does that sound right?
30 A. I'd say right, yes.
31
32 Q. You got on well with her, didn't you?
33 A. Yes, she was a lovely lady.
34
35 Q. She has provided a statement to the Inquiry,
36 Mr McKenna, which you wouldn't have read in the newspapers
37 in which she has said this:
38
39 Whenever you tried to challenge Dennis he
40 would say "Be careful, I have friends in
41 high places".
42
43 Would you say that to Elaine Brown?
44 A. I would never remember saying anything like that
45 because I never had any friends in high places.
46
47 Q. That might be so but did you say that you had friends

1 in high places?
2 A. No.
3
4 Q. You see, Mr McKenna, Mrs Dawkins recalls you saying
5 the exact same things when she challenged you in 1985
6 regarding your alleged sexual abuse of an ex-student?
7 A. Maggie Dawkins, as it is now, did not approach me
8 anything about it. It's a totally different subject, and
9 who - and leads to why they left Katanning.
10
11 Q. So is that probably a coincidence then --
12 A. Probably.
13
14 Q. That these two woman --
15 A. I don't know how that coincidences.
16
17 Q. Sorry?
18 A. I don't know.
19
20 Q. It wouldn't be a coincidence if it was the truth?
21 A. Maggie is a totally - it's a totally different story
22 and I hope I can say that somewhere along the line.
23
24 Q. Who were your friends when you were warden of the
25 hostel?
26 A. All I've read about in the newspapers --
27
28 Q. No, no, Mr McKenna, who were your friends when you
29 were warden at the hostel. Who were they?
30 A. Most parents.
31
32 Q. Who?
33 A. Well, I never really had any real friends. I was too
34 damn busy working all the time.
35
36 Q. Do you deny that Mrs Dawkins was aware, in 1985, that
37 you had previously sexually abused a hostel student?
38 A. Was I aware that she knew? Look, I don't - I can't
39 understand --
40
41 MR MAUGHAN: I'm not sure how Mr McKenna can be aware of
42 what someone else knows unless there is a discussion.
43
44 HIS HONOUR: He was asked about his state of mind, not
45 hers, was he aware.
46
47 MR MAUGHAN: Of what her state of mind was?

1 A. No, I wasn't aware.
2
3 MR URQUHART: Q. You weren't aware of that?
4 A. No.
5
6 Q. So you --
7 A. Because Maggie --
8
9 Q. All right, that's fine. So you deny that you were
10 aware that she had this information in 1985?
11 A. No, I was not aware of that. The information is a
12 totally different story.
13
14 Q. Okay. And you say, what, she has made all this up?
15 A. Yes, because she also said in the press --
16
17 Q. Okay, all right, no, that's fine --
18 A. -- that she went to the sergeant about me.
19
20 Q. That's fine. In 1985, did you regard Peter
21 Sherlock --
22 A. I really honestly can't remember a Peter Sherlock.
23
24 Q. Did you attempt to portray him falsely, it seems, as
25 being one of your friends in high places?
26 A. No, I - I can't - I don't know a Peter Sherlock.
27
28 Q. Okay?
29 A. I can't remember a Peter Sherlock.
30
31 Q. Well I'm going to try and refresh your memory,
32 Mr McKenna, because I'm asking you that because you
33 actually rang him in 1985 demanding that Ms Dawkins, or
34 Ms Maruff, be removed from Katanning?
35 A. Yes, and did he tell you why?
36
37 Q. Yes, and do you remember that, do you?
38 A. I can't remember ringing him, no, but I know --
39
40 Q. Hold on, hold on?
41 A. I don't remember ringing him but I remember ringing
42 some --
43
44 HIS HONOUR: Just a moment. The gallery is going to have
45 to be quiet please. You must keep quiet. Yes,
46 Mr Urquhart.
47

1 MR URQUHART: Q. Do you remember ringing someone, do
2 you, at the Department of Employment and Training?
3 A. No, I remember getting people together and ringing
4 them about the incidences and the two people that came up
5 to the hostel from Westrek with their accusations against
6 Maggie.
7
8 Q. I am asking - sorry?
9 A. Against what was going on at the hostel.
10
11 Q. So are you saying two people from Westrek came to the
12 hostel and made accusations against you?
13 A. No, against the goings on at the Reidy House. Nothing
14 to do with me.
15
16 Q. I'm saying do you remember now ringing up Mr Sherlock?
17 A. No. No, I don't.
18
19 Q. Did you want Ms Dawkins removed from Katanning?
20 A. No, I - well, from what little bit I knew, I thought
21 she was doing a good job until these other problems blew up
22 and then we put it --
23
24 Q. The problems that blew up, Mr McKenna, was that she
25 was threatening to expose you as a pedophile?
26 A. No, that's not it at all.
27
28 Q. See, going back now to this conversation you had with
29 Mr Peter Sherlock, I suggest to you the reason you gave for
30 wanting Mrs Dawkins removed from Katanning was because she
31 was ruining your reputation and the hostel's reputation.
32 Do you remember that?
33 A. No.
34
35 Q. Do you deny that you ever said that?
36 A. I - I --
37
38 Q. To a - let me finish - to either Mr Sherlock or
39 somebody else --
40 A. No, the other --
41
42 Q. -- at the department which was in charge of Westrek?
43 A. Nothing to do with me. It was all to do with the
44 goings on at Reidy House, was the only incidences that was
45 spoken off.
46
47 Q. That you said to him that she was doing that, ruining

1 your reputation and the hostel's reputation by making up
2 stories that you were having boys in your bed?
3 A. That's incorrect.
4
5 Q. But Mr McKenna, with respect to those boys that you
6 have been convicted of sexually interfering with up until
7 1985, you were having boys in your bed, weren't you?
8 A. Well, I was found guilty of that and that's true.
9
10 Q. Yes, well you were having boys - okay, thank you?
11 A. We are on the issue that you're saying Maggie accused
12 me of doing.
13
14 Q. So if that is Mr Peter Sherlock's recollection, he
15 would be totally wrong that you --
16 A. Well I don't know why he has --
17
18 Q. Let me finish - that you demanded that Mrs Dawkins be
19 removed from Katanning because she was ruining your
20 reputation and the hostel's reputation by making up stories
21 that you were having boys in your bed?
22 A. No, I think if that's the story that was said, it came
23 after the initial problems that came to the --
24
25 Q. So did you raise that with him or not?
26 A. I don't know, I can't remember, but if there was
27 accusations made against me by her and Peter Sherlock, it
28 would have come after the initial problem that was going
29 on.
30
31 Q. But what about you talking to him about the fact that
32 she was ruining your reputation?
33 A. I don't remember saying anything like that. I don't
34 remember even Peter Sherlock, I'm sorry.
35
36 Q. You don't remember or you don't want to remember?
37 A. I don't remember.
38
39 MR URQUHART: Is that a convenient time, sir?
40
41 HIS HONOUR: Yes, all right. Now, how are we going for
42 time?
43
44 MR URQUHART: Could we start at 2 o'clock, sir, if that is
45 suitable?
46
47 HIS HONOUR: All right. Yes, we will adjourn until 2

1 o'clock for lunch. Very well.
2
3 LUNCHEON ADJOURNMENT
4
5 HIS HONOUR: Please be seated. Yes, Mr Urquhart.
6
7 MR URQUHART: Thank you, sir.
8
9 Q. Mr McKenna, do you remember the man by the name of
10 Keith Stephens?
11 A. Yes.
12
13 Q. Do you remember him as being a board member for many
14 years?
15 A. Yes.
16
17 Q. Including when you started, firstly as a supervisor
18 and then as a warden?
19 A. Yes.
20
21 Q. Again I'm not suggesting that you can recall this with
22 accuracy but would you accept that he was a board member of
23 the Katanning hostel board until 1981?
24 A. I can't remember the year he left but he was there for
25 a few years.
26
27 Q. What was your relationship with Mr Stephens like?
28 A. It was good. He was the main person that was the
29 chairman.
30
31 Q. And did that relationship remain good over the course
32 of the years?
33 A. Yes, because he had four boys go through so it would
34 have been maybe eight years.
35
36 Q. Do you remember his eldest son Kerryn?
37 A. Yes.
38
39 Q. What was your relationship like with him?
40 A. It was good with the whole four of them.
41
42 Q. You got on well with the whole four of them. So
43 Kerryn. Was Darryl another one?
44 A. Yes.
45
46 Q. There was a - who were the other two. Who can you
47 remember?

1 A. Brent and Graham, I think.
2
3 Q. Are you aware that Kerryn, the eldest, has made
4 allegations of sexual abuse by you against him?
5 A. No, only Darryl.
6
7 Q. Sorry?
8 A. Only aware of Darryl.
9
10 Q. Okay, I'm not going to ask you anything about the
11 accuracy or truthfulness of those allegations but I'm
12 stating to you that Mr Kerryn Stephens says that you
13 committed those offences in 1976 and 1977. The purpose of
14 giving you those years is just to put this in context of
15 the questions I'm going to ask you now. You say that you
16 are not aware of the allegations that Kerryn has made but
17 you are aware, are you not, that his father, Keith, has
18 admitted that he saw his son Kerryn in bed with you at your
19 hostel unit on one occasion?
20 A. I do know that from the investigator and what I read
21 in the newspaper, yes.
22
23 Q. Are you also aware that he says apart from speaking to
24 you about that, he didn't do anything further?
25 A. He never spoke to me and that didn't happen.
26
27 Q. I am going to suggest to you that he did speak to you
28 some time at the start of the second term in 1977?
29 A. He never spoke to me anything about sexual abuse
30 whatsoever, and the first time I heard about it was when I
31 read that the - he went to this person in Albany last year.
32 That's the first I heard of it.
33
34 Q. Well, what do you say to this allegation that he saw
35 you and Kerryn on your bed?
36 A. That's not true and --
37
38 Q. Okay.
39 A. -- and as chairman of the board, why wouldn't he have
40 done something if - there and then?
41
42 Q. I'm asking the questions, Mr McKenna. He didn't do
43 anything about it because you threatened that he would lose
44 his farm?
45 A. How was I going to do anything with his farm?
46
47 Q. Yes, and that --

1 A. And that's come up 36 years - 36 years later.
2
3 Q. Mr McKenna, can you just answer the question. Do you
4 agree or not that you threatened that he would lose his
5 farm?
6 A. I did no such thing and I wouldn't know how to
7 threaten about his farm.
8
9 Q. And that you also threatened to tell his wife?
10 A. That's not true because none of that happened.
11
12 Q. What could you have told his wife that would
13 potentially lead to him losing his farm?
14 A. I don't know.
15
16 Q. What about the fact that you knew that Mr Stephens was
17 having extramarital affairs?
18 A. Well, who didn't know. Everybody knew.
19
20 Q. No, I'm asking you about, right?
21 A. I knew, but everybody knew.
22
23 Q. Mr McKenna --
24 A. Yes, I did know --
25
26 Q. I'm just asking about you?
27 A. Yes, I did know.
28
29 Q. If I want to ask you about what anybody else knew I'll
30 ask you, okay. I'm just asking about you. You were aware,
31 were you not --
32 A. I was aware.
33
34 Q. -- that he was having extramarital affairs?
35 A. I was aware.
36
37 Q. And you also knew where these women lived?
38 A. No, I only just knew one was in Nyabing, that's all.
39
40 Q. One was where?
41 A. One was in Nyabing. That's all I ever knew.
42
43 Q. Nyabing?
44 A. And I don't know their name.
45
46 Q. You don't know their names?
47 A. No.

1
2 Q. You see, isn't it the case that you would sometimes
3 answer the telephone in your office after board meetings,
4 which was from Mrs Stephens asking where her husband was?
5 A. Not that I can remember.
6
7 Q. Are you sure you can't remember those occasions?
8 A. I don't.
9
10 Q. Have you remembered those occasions --
11 A. There may have been one occasion but I do not remember
12 me having to ring Mrs Stephens.
13
14 Q. No, no, her ringing --
15 A. Me.
16
17 Q. Yes?
18 A. No.
19
20 Q. Her ringing you after a board meeting asking where her
21 husband was?
22 A. No.
23
24 Q. Would you agree with me that you have said that on a
25 previous occasion to the investigators?
26 A. I have said it on a previous occasion because I do
27 remember once someone ringing and asking where Keith was
28 and I didn't know.
29
30 Q. Or did you cover for him and say that --
31 A. Look I don't --
32
33 Q. -- "He is not home because the meeting ran late"?
34 A. I don't know. I mean you are going back to 1980 or
35 '81 and everyone is expecting me to remember every little
36 thing that happens. No, I don't remember.
37
38 Q. Well, Mr McKenna, I'm suggesting to you that you
39 remembered this more recently than going back to 1980?
40 A. When I think about something, all I can remember is
41 there was a call once but I don't know what they asked me
42 or what it was about. All I know is they were asking where
43 Keith Stephens was.
44
45 Q. You also knew he had political ambitions, didn't you?
46 A. Yes, so did everybody.
47

1 Q. Sorry?
2 A. So did everybody.
3
4 Q. Again, Mr McKenna, I'm just asking about you, okay.
5 Did Mr Stephens ever confront you about sexually abusing
6 his son Kerryn?
7 A. No, never.
8
9 Q. Are you certain about that?
10 A. I am totally certain.
11
12 Q. Because, you see, on your account, that if he was to
13 do that and if that was accurate, again from what your
14 evidence is today, you would have said you would have come
15 clean?
16 A. If he had have approached me I would have told him but
17 he did not ever ask me anything about that.
18
19 Q. You mentioned earlier about a John Peacock, at the
20 start of your evidence?
21 A. Yes.
22
23 Q. And to just put this into context, would you agree
24 that Mr Peacock was a board member between 1983 and 1986 or
25 thereabouts?
26 A. Thereabouts.
27
28 Q. He was a parent with kids at the hostel?
29 A. Yes, boy and a girl.
30
31 Q. Do you recall him making unexpected visits to your
32 unit at night-time?
33 A. No, only when we had board meetings.
34
35 Q. Sorry?
36 A. Only when we had board meetings.
37
38 Q. What, he would come to your unit after the board
39 meeting?
40 A. Board meetings were held in there.
41
42 Q. In your unit?
43 A. In the flat of the - my flat.
44
45 Q. You said the board meetings were held there?
46 A. Yes, that's - we had most of them there and then in
47 the last couple of years we moved up to daytime meetings

1 and we had them in the library hall so that all the parent
2 members could see their kids at lunchtime.
3
4 Q. So let me get this right. You don't remember him
5 making unexpected visits to your unit at night-time?
6 A. No.
7
8 Q. Do you remember another parent who had two boys at the
9 hostel around this time, between '83 and 1986, a parent by
10 the name of Gaye Davies?
11 A. Yes.
12
13 Q. Is it the case that in or around 1984 - again we don't
14 have to be precise with that year - do you remember
15 Mr Peacock approaching you?
16 A. Yes.
17
18 Q. Do you remember him saying to you words to the effect
19 of that he had heard you were mucking around with hostel
20 boys?
21 A. I can only remember him saying that he was just
22 approached by Gaye Davies and I was asked during the week,
23 so I had had time to stop and think and think - he said
24 that they weren't happy with the way the hostel was running
25 but I don't remember anything, and I'm positive he never
26 said anything about accusations of sexual abuse.
27
28 Q. Because, of course, what you say is that if he was
29 making accusations of sexual abuse towards you, you would
30 have come clean?
31 A. Yes.
32
33 Q. Why?
34 A. Well, there was times where I wanted to get out of
35 Katanning and I just felt that - my workload was incredible
36 and I just worked all the time and I just --
37
38 Q. So it didn't cross your mind that if you were to make
39 admissions regarding the sexual abuse of children that it
40 was almost inevitable you would go to gaol?
41 A. I knew that I would go to gaol.
42
43 Q. But you were still prepared to admit it?
44 A. If - well, it didn't arise and Mr Peacock didn't arise
45 with that.
46
47 Q. Just hypothetically, are you saying that if someone

1 confronted you in that manner, for example, Mr Peacock,
2 because this is what his evidence was, that he confronted
3 you saying that he heard that you were mucking around with
4 boys and he says mucking around in the sense that you were
5 having sex with them --
6 A. No, he didn't say that.
7
8 Q. I know, but are you saying that if a parent was to do
9 that at any time whilst you were warden, up until 1990, you
10 would have put your hand up and said "Yes, I have been"?
11 A. That's how I felt, yes.
12
13 Q. No, is that what you would have done?
14 A. That's how I felt, yes.
15
16 Q. That is what you would have done?
17 A. Yes.
18
19 Q. You see, Mr Peacock says that you denied that anything
20 was going on, that it was just all hearsay?
21 A. Well, I can't remember what he asked me but as far as
22 I know, it was - I would remember if it was to do with
23 sexual abuse. He told me that it's just - he just wants to
24 ask me is there any problems with the two boys, I said
25 "No", and that - he said "Look, I've got a little inquiry
26 that I need to look into", and he'd come back to me with
27 it.
28
29 Q. And did you ask him what the inquiry was about?
30 A. He just - no, he didn't say anything about sexual
31 abuse.
32
33 Q. No, did you ask him what the inquiry was about?
34 A. He said it was a - it was a - because there was --
35
36 Q. No, Mr McKenna, can you just answer that question.
37 Did you ask him what the inquiry was about?
38 A. I said "Do you know what it's about?". He said "I'd
39 rather not say at this stage because it also involves fees
40 and other things as well".
41
42 Q. Fees?
43 A. Yeah, payment of fees.
44
45 Q. Did anything else come of this?
46 A. No.
47

1 Q. Whose fees, do you know?
2 A. Davies.
3
4 Q. You see, Mr McKenna, I am suggesting to you the reason
5 why you deny that you had that conversation with Mr
6 Peacock, as he recollects, is that it doesn't accord with
7 your evidence today that if someone had made allegations of
8 sexual abuse against the boys you would have owned up to
9 it; what do you say about that?
10 A. That's correct.
11
12 Q. Am I right in saying that from your evidence before
13 lunch is that you would not be able to override the
14 decision of the board to expel a student?
15 A. I would override --
16
17 Q. You would not be able to override a decision by the
18 board to expel a student?
19 A. No. Only if I thought we've probably gone too far
20 with it and we should let them have another chance. But I
21 can't remember any incidences where that --
22
23 Q. Wouldn't you have to go back to the board?
24 A. Yeah.
25
26 Q. To say, "Let's give this student another chance"?
27 A. Yes.
28
29 Q. You can't recall an occasion when you did that?
30 A. There was only one, which was a student who was a ward
31 of the state.
32
33 Q. Okay. I want to ask you about that now. Just bear in
34 mind you have been told - just answer "yes" or "no" to this
35 - about the identity of that ward of the state, have you
36 not, by investigators?
37 A. Yes.
38
39 Q. Have you been told that for the purposes of your
40 examination today that that student we referred to as "S"?
41 A. "S"; yes, correct.
42
43 Q. I will just remind you, please, Mr McKenna, to refer
44 to this student as "S". He was a boy, wasn't he?
45 A. Yes.
46
47 Q. Would you dispute the fact that this boy was at the

1 hostel from April of 1982 to November of 1983?
2 A. Yes. It was over a year.
3
4 Q. As I understand it, you remember that this boy's case
5 officer was a lady called Frances Crowley?
6 A. Yes.
7
8 Q. Am I right in saying that you recall her visiting S --
9 A. Yes.
10
11 Q. -- at the hostel?
12 A. Well, I can't remember it but I know she did.
13
14 Q. You are aware, are you not, that S has provided a
15 detailed statement to this Inquiry?
16 A. Yes.
17
18 Q. Are you aware that that statement was read into
19 evidence last Monday - or some time last week?
20 A. It was read in evidence.
21
22 Q. It was read into evidence. I read out his statement
23 into evidence at the public hearing last Monday week.
24 A. No. I was only asked about him by the investigators
25 that visited me. They didn't say that I can recall that it
26 was read in evidence.
27
28 Q. You haven't read that in the newspaper?
29 A. Well, I stopped reading the newspaper in the present,
30 for obvious reasons.
31
32 Q. You need only be aware that he has made allegations
33 that you sexually abused him whilst he was at the hostel.
34 I am not going to ask you about the truth or otherwise of
35 those allegations, okay? Mr McKenna, do you understand
36 that?
37 A. Yes.
38
39 Q. I'm also going to say to you that the Inquiry accepts
40 that this particular student, when he stayed at the hostel,
41 had behavioural problems. I gather you wouldn't disagree
42 with that?
43 A. That's correct.
44
45 Q. Let me tell you something about what S has to say -
46 not to do with his allegations of sexual abuse by you
47 against him - but as to what he did. Okay. Nothing to do

1 with those matters. He says that he recalls about two
2 weeks before his birthday in 1983 - his birthday was on
3 28 July - he had a visit from Mrs Crowley. Okay? He
4 believes he told her on that occasion you had done
5 something bad with him. All right? You do recall
6 occasions when Ms Crowley came to the hostel to see S?
7 A. I can't recall specific times, but she did come, yes,
8 quite a few times, as far as I can remember.
9
10 Q. Were there occasions when she spoke to you?
11 A. Yes.
12
13 Q. It was the case, wasn't it, that Ms Crowley spoke to
14 you about what S had said to her regarding you doing
15 something bad with him?
16 A. I don't recall that at all. We had lots of meetings
17 over behavioural problems but I do ever - she did not ask
18 me anything about a sexual abuse. First time I heard of
19 that was when I was asked last week.
20
21 Q. But hold on. Mr McKenna, this is not necessarily
22 something sexual. It was along the lines as ambiguous as
23 you'd "done something bad with him"; okay?
24 A. Mmm-hmm.
25
26 Q. Do you recall Ms Crowley speaking to you about that,
27 not making a direct accusation --
28 A. No, I don't --
29
30 Q. -- that you had sexually interfered with him?
31 A. I don't recall that. And I don't recall my
32 conversations with her over all the behaviour problems at
33 all, because I don't remember.
34
35 Q. If - if she said words to that effect, "S has told me
36 that you have done something bad with him" - if she said
37 that to you you would deny it?
38 A. Well, she never said it. I don't ever remember
39 anything like that being asked of me.
40
41 Q. I know that. We have moved on. If - if she said
42 something like that to you I take it you would deny that?
43 A. Well, I would have denied it because that didn't
44 happen. There were so many behavioural problems that were
45 mainly - I can't even remember discussing the behavioural
46 problems. There was heaps of them.
47

1 Q. You are saying that you didn't treat S badly?
2 A. No.
3
4 Q. Is that what you're saying? Quite aside --
5 A. And we moved him around everywhere. We gave him a
6 buddy to help look after him, because it was just continual
7 problems all the time. It was serious stuff.
8
9 Q. You were making every effort to be nice in kind to
10 him?
11 A. Well - well, the bedwetting thing, we had a procedure
12 about that and the problems at school and over there. But
13 we moved him into another dorm and gave him a buddy, an
14 older person, to help look after him, that he could go to.
15
16 Q. So your account is that you did everything to help
17 him?
18 A. As far as I - yes. And I did not abuse him
19 whatsoever.
20
21 Q. Either physically --
22 A. No. I didn't physically or otherwise.
23
24 Q. You see, Mr McKenna, I want to suggest that there is
25 evidence to suggest that this is exactly what happened,
26 that Ms Crowley approached you and said to you that S is
27 saying that you had done something bad with him and she
28 asked you whether that was the case?
29 A. I don't remember.
30
31 Q. And that you denied it?
32 A. I don't remember that coming up, I'm sorry.
33
34 HIS HONOUR: Q. Just to clarify there, are you saying it
35 could have happened and you don't remember, or what's the
36 position?
37 A. Well, that she asked me.
38
39 Q. It is being put to you that she came to you and said
40 something along the lines without --
41 A. That something bad happened.
42
43 Q. -- something bad, without referring to anything
44 sexual.
45 A. I don't remember her asking me. I --
46
47 Q. What I am asking you, is it your evidence that that

1 didn't happen or it could have happened and you don't
2 remember?
3 A. It didn't happen. Definitely didn't happen. But I
4 don't remember conversations with her about anything about
5 me being bad. It was always something to do with his
6 behavioural problems and also at school. But I can't
7 remember any of that either, about what all the incidences
8 were.
9
10 I only remember about the bed wetting and what we had
11 to do with that each day. And also a lot of the students
12 actually treated him really bad, and we had to move him
13 around. And the ones that we'd like to press a button on,
14 somebody make him get angry, we just say "Look, come away",
15 send him down the thing and end up punishing the person
16 that told him - to leave him alone. But he was a handful
17 all the time.
18
19 MR URQUHART: Q. Was some of those things that the
20 students were being bad to him was spraying him with a hose
21 in the bathroom?
22 A. I did get asked that during the week, but I don't
23 remember that incident.
24
25 Q. What do you say the things were --
26 A. I don't know. I can't answer that.
27
28 Q. No, let me finish. What do you say the bad things
29 that the students did to him?
30 A. I think most of it is just teasing and saying words,
31 because he couldn't learn very well. You know, I don't
32 even know why he was at the high school. For a long while
33 there was a lot of problems with the studies. But he was a
34 good kid and he was well behaved, but a lot of things - a
35 lot of - they teased him.
36
37 Q. Sorry, he was well behaved?
38 A. Well, he didn't give us any trouble. It was just the
39 teasing and things with him.
40
41 Q. He did give you trouble, didn't he?
42 A. Not behavioural problems. Not that he could - not
43 that he could help it.
44
45 Q. Wasn't he stealing from the hostel?
46 A. That was all little minor things in the dorm. That
47 eventually got sorted out.

1
2 Q. Well, that's a problem, isn't it?
3 A. Well, it is a problem but - it's only 20 cent,
4 40 cents, 60 cents. And after we got told everybody worked
5 to keep their money - you know, not put it out obviously.
6
7 Q. Did you keep the money under your bed?
8 A. Sorry?
9
10
11 Q. Did you ever keep money in tills under your bed?
12 A. Goodness, that's another new one. No, I didn't.
13 Money under my bed?
14
15 Q. Yes. It's okay. Mr McKenna, I want to remind you
16 that this meeting you had with Ms Crowley occurred about
17 two weeks before his birthday on the 28th of July of 1983,
18 so about two weeks before the 28th of July, okay? I just
19 want to show you now exhibit 28 which, your Honour, is
20 barcode number 0417. I just want you to have a look at
21 that. These are some St Andrews Hostel board minutes.
22 Again, a meeting that was held on 20 July of 1983; do you
23 see that?
24 A. Yes.
25
26 Q. There is attached to it is your warden's report dated
27 the same date; do you see that?
28 A. Yes.
29
30 Q. Now, under the heading "Students" you have written
31 this: S's name, "year 10" and you have also added another
32 name, which we don't need to go to, "are causing problems.
33 Both have psychological and behaviour problems with their
34 home life which are main reasons for the erratic
35 behaviour"; do you see that?
36 A. Yes I did, and that's true.
37
38 Q. Can you see a handwritten line going from S's name to
39 a question mark and then handwriting which reads - it might
40 be cut off on your copy - "stealing at school"?
41 A. I've got "steal".
42
43 Q. Or "steal at school"?
44 A. "At S", which is school.
45
46 Q. "SCH"?
47 A. Yep.

1
2 Q. Is that your handwriting?
3 A. Certainly isn't. I don't know whose this is. This
4 will be one of the board members, I presume.
5
6 Q. Now, go over to the minutes of the board. Do you see
7 under the heading about two-thirds of the way down
8 "Warden's report. Copy on file. Resolved on the motion of
9 Mr Wilkinson. Seconded by Mr Harris" --
10 A. Is that the first page or the second page?
11
12 Q. First page. Under "Warden's report"?
13 A. Yep.
14
15 Q. "Resolved on the motion of Mr Wilkinson. Seconded by
16 Mr Harris that the boys" - it has named the boys, including
17 S - "will have to leave. Parents to be advised
18 accordingly". So can we see from that that the board
19 passed a resolution that S was to be expelled?
20 A. Well, you could probably interpret "to leave" would be
21 expelled. But they weren't expelled. We did call the
22 parents and we did have --
23
24 Q. No wait on. Wait on. I just want to stay with the
25 board minutes. Don't worry, Mr McKenna, we will get to
26 other things in a minute. Just stay with this. The
27 resolution of the board, looking at those minutes, was that
28 S will have to leave. Yes?
29 A. That's right.
30
31 Q. That he was to be, for want of a better word,
32 expelled, yes? Don't think ahead, Mr McKenna. Just stay
33 with this for the moment. All right?
34 A. If that's what - if that's how you want to look at it,
35 yes.
36
37 Q. Well, that's the only way to look at it, isn't it,
38 that as of 20 July the board passed a motion or a
39 resolution that S was going to be expelled?
40 A. All right. So I presume what happened there is I
41 know --
42
43 Q. No, no, I don't want you to presume. I want you just
44 to answer from what we can see on the minutes.
45 A. All right. If you say that looks like it's expelled
46 it is. But --
47

1 Q. Is there any other way of looking at it?
2 A. Well, I will tell you --
3
4 Q. I don't want to go into the future. I just want to
5 stay with that.
6 A. They were two special cases, both of these and --
7
8 Q. Before you do that, can you answer me this question:
9 Were you stating to the board, or making an argument to the
10 board, at least at that meeting, that S would have to
11 leave? Leave aside the word "expel" - that S would have to
12 leave?
13 A. Yes, as far as I can remember.
14
15 Q. So it was clear as of 20 July 1983 you did not want S
16 at the hostel any longer?
17 A. No. Because it was all the things you brought up
18 earlier. But both of those parents were advised, and I
19 rang some board members. I remember Wilkinson is one, and
20 another one, "can we leave them on until the end of the
21 term" - and that's what happened.
22
23 Q. And why --
24 A. They left at the end of that term.
25
26 Q. So why was it that you decided to keep S on?
27 A. I'm pretty - I don't know, but Mrs - whoever - I don't
28 think it was Mrs Crowley then. Someone come about where he
29 would go. I can't remember the conversations, but I know
30 we resolved to leave it until the end of the term; don't
31 take them out straight away.
32
33 Q. Because someone said to you that he had nowhere else
34 to go?
35 A. I think so, but I don't know. I can't remember.
36
37 Q. I know it's a long time ago, but that's your
38 recollection of it, is it?
39 A. All I know is we left them there until the end of the
40 term. And the other name that's in there, that mother --
41 Q. I'm not interested in the other name, Mr McKenna.
42 A. Well, that mother also agreed to --
43
44 Q. No, I don't want you to go to the other name. It is
45 not relevant for this matter, okay. Now, that is
46 exhibit 28, your Honour. That has already been tendered.
47 I would like it now if the witness could be shown

1 exhibit 29. The barcode is 0410. Do you see that as being
2 a letter that you wrote, dated 2 August 1983?

3 A. Yes.

4

5 Q. To the Officer in Charge of the Community Welfare
6 Department at Gnowangerup?

7 A. Yep.

8

9 Q. Does it read "Dear Sir" and then you've got "re" and
10 S's name?

11 A. Yeah, I read this during the week with the
12 investigators.

13

14 Q. It says:

15

16 We are very concerned with S's behaviour of
17 late. He has on four occasions stolen
18 either money or items that belong to
19 others. His parents are now out of the
20 country and we wish to advise you that he
21 will be given no further concessions. If
22 'S' commits any further breaches of our
23 rules he will immediately be expelled
24 without further warning.

25

26 This hostel caters for normal, adjusted
27 children and we are no equipped to handle
28 children requiring special guidance.

29

30 Yours sincerely.

31

32 And you have signed it as the warden. Do you see that?

33 A. Yep.

34

35 Q. I am going to suggest to you that you weren't able to
36 speak to S 's parents about his intended expulsion because
37 they were not in the country?

38 A. Yeah, there was someone looking after him. I can't
39 remember who they were. It was an elderly couple where he
40 used to live.

41

42 Q. Sir, again that is exhibit 29. I do not need to
43 tender that again. Do you see here, Mr McKenna, that about
44 one week after S says he told his case officer about you
45 and he put it no higher than "had done something bad with
46 him", about one week after that you have convinced the
47 board that he should be - to use the words of the board's

1 minutes - "will have to leave"?

2 A. So you're stating that when --

3

4 Q. Hold on, let me finish.

5 A. -- Mrs Crowley --

6

7 Q. Yes, I am saying to you that Ms Crowley did actually

8 speak to you about that allegation that S was making

9 regarding you. You then made the decision to have him

10 expelled?

11 A. That's not correct. There was problems for the whole

12 time he was there, and it was nothing to do with that.

13

14 Q. Let me also say to you, Mr McKenna, this, that when S

15 provided those details to the Inquiry he had no idea, or he

16 hadn't been shown any minutes that the board had or the

17 letter that you'd written to the Department of Community

18 Welfare. Wasn't told anything about those and, more

19 significantly, the dates of those. Do you see then that if

20 there is no connection between the two that it is quite an

21 extraordinary coincidence?

22 A. But we still didn't put him out on that date. We let

23 him go until the end of the term.

24

25 Q. The question is - I'm staying with your first --

26 A. I know - I know what you're saying.

27

28 Q. -- your first intention to have him expelled. Do you

29 say that that really is a remarkable coincidence?

30 A. It is a coincidence, and that isn't the case.

31

32 Q. Do you remember saying to S before Ms Crowley would

33 visit him "remember you have nowhere else to go"?

34 A. No. Look that --

35

36 Q. Well, you deny that?

37 A. I definitely deny it, because I never knew when

38 Ms Crowley was coming.

39

40 Q. But, Mr McKenna, that was true, wasn't it, this boy

41 had nowhere else to go?

42 A. He was staying with people.

43

44 Q. His parents were overseas?

45 A. But he was still staying with somebody that I don't

46 know who they were. But as far as I know he was with an

47 elderly couple and he went to them, I think, in Tambellup,

1 but I'm not sure.
2
3 Q. Just have a look there at exhibit 29. Can you see the
4 handwritten note that is written on that page? I'll read
5 it out to you because it is a little unclear. Have you got
6 it? Have a look?
7 A. All I can understand is --
8
9 Q. Yes, I am going to read it out you to. It says:
10
11 Visited Mr McKenna with SWS. Situation is
12 okay now.
13
14 And there is some initials. I can tell you, Mr McKenna,
15 that the Inquiry's investigations have led us to believe
16 that that handwriting is in the hand of S's case officer as
17 of August of 1983, Mr Sam Namour. And that "SWS" is an
18 abbreviation for "social work supervisor". Do you recall
19 having a meeting with two officers from the Community
20 Welfare Department after you sent that letter of 2 August?
21 A. I know someone visited, but I don't recall who they
22 were. Mainly Ms Crowley came in, but there was someone
23 after --
24
25 Q. Yes --
26 A. There was someone after her.
27
28 Q. I am going to suggest there were two men that visited
29 you?
30 A. All right. If there was, yep.
31
32 Q. Mr Namour?
33 A. The name doesn't ring a bell, because I can't remember
34 who all their names are. But there was someone visited me.
35
36 Q. Were there two people that visited you?
37 A. All right. Well, I don't remember that.
38
39 Q. Would you agree with me there were two men?
40 A. I can't - I can't agree with you because I can't
41 remember.
42
43 Q. Do you know what this conversation was about?
44 A. It would have been about him --
45
46 Q. That the "situation is okay now"?
47 A. All it was was about leaving him on - leaving him at

1 the hostel. That's the only reason I could think they
2 came. Because that's 2nd of August and the Community
3 Welfare's stamped that on the 8th - August, September, so
4 the term would have ended in September sometime. But I
5 can't recall a meeting with two. I can't even recall the
6 meeting. I can't - if you asked me --
7

8 Q. Mr McKenna, did you change your mind - obviously you
9 changed your mind about asking or having S leave the
10 hostel. Do you agree with that?

11 A. We let them both - we let them stay there until the
12 end of the term.
13

14 Q. Yes, so you agree with that?

15 A. That we left them there until the end of the term, is
16 that what you mean?
17

18 Q. Yes. You changed your mind about having --

19 A. Well, I would have obviously asked --
20

21 Q. -- "S" leave?

22 A. -- that we keep him there. I don't know what they
23 asked me. I can't remember everything. Gosh, I --
24

25 Q. I'm not asking you what they asked you. I'm just
26 saying you --

27 A. And I can't remember any men.
28

29 Q. But, Mr McKenna, you clearly changed your mind between
30 the 20th of July and 2 August; yes, because you were giving
31 him one more chance?

32 A. With both of them we did. We gave them both chances
33 till the end of the term.
34

35 Q. In relation to "S", did you change your mind so that
36 you could keep an eye on him?

37 A. No. We just changed our mind that he could stay there
38 and finish his schooling.
39

40 Q. Were you concerned that he might make allegations
41 against you --

42 A. No, no, I don't, because there was nothing for me to
43 be worried about with him.
44

45 Q. Was there nothing for you to be worried about because,
46 as you understand it, the child welfare or the Community
47 Welfare Department would no longer be investigating any

1 allegations that he may have made?
2 A. I wouldn't know because I didn't know any allegations.
3 First time I heard about it was with the Inquiry people.
4
5 MR URQUHART: Now, sir, I've covered all the questions I
6 need to ask this witness regarding --
7
8 HIS HONOUR: There is something I would like to ask.
9
10 MR URQUHART: Yes. I was going to ask your Honour, with
11 your Honour's leave, if Mr Andrews could be interposed now,
12 if he had any questions regarding the evidence that this
13 witness has given regarding Mr Stephens.
14
15 HIS HONOUR: Before that I want to ask a question.
16
17 Q. Now, you agree that "S" was a ward of the state? "S"
18 was a ward of the state, you are aware of that?
19 A. I wasn't aware initially. I knew he was living with
20 an older couple, and as far as I can remember, and I
21 honestly don't know, your Honour, whether the couple
22 brought him there first with the officer or whether - I'd
23 say the elderly couple came first because I still
24 distinctly remember two very older people, and they said
25 they were looking after him. But I can't remember, really.
26
27 Q. But you became aware that he was a ward of the state?
28 A. Yes, because that Crowley lady came.
29
30 Q. The evidence that the Inquiry has gathered would
31 indicate it was very unusual for wards of the state to be
32 placed at St Andrews Hostel; would you agree with that?
33 A. Yes.
34
35 Q. The evidence would also tend to suggest that he was
36 the only ward that was ever at the hostel; would you agree
37 with that or not?
38 A. I've got a feeling there was another one, but I can't
39 remember.
40
41 Q. So there may have been another one?
42 A. There may have been another one. I'm not sure. This
43 was --
44
45 Q. And about that time or some other time?
46 A. I can't remember why he came there but from - all I
47 can remember is an elderly couple having him and they had

1 come to the hostel. Very old. And I just remember them
2 and Ms Crowley coming. I don't honestly remember about the
3 men. But I think on paperwork, from what I can remember
4 and what's happened here, he's probably the only one. But
5 I just had a feeling there was someone with another problem
6 somewhere along the line. But pretty sure it might have
7 been a girl, but I can't remember.

8
9 Q. So you think the other one might have been a girl?

10 A. Yeah. Look, I can't be positive it's definitely
11 another DCW person there.

12
13 HIS HONOUR: All right. Thank you. That's all I've got.
14 Now, Mr Andrews, you would like to interpose a question?

15
16 MR ANDREWS: I'm obliged. Thank you, sir. Just a couple
17 of brief matters.

18
19 HIS HONOUR: You are representing who?

20
21 MR ANDREWS: Mr Keith Stephens, sir.

22
23 HIS HONOUR: Thank you.

24
25 <CROSS-EXAMINATION BY MR ANDREWS:

26
27 MR ANDREWS: Mr McKenna, as I have indicated, I appear for
28 Mr Keith Stephens. He is the former chairman of the board.
29 Now, can I just ask you a couple of things.

30
31 Q. First of all, you would agree, would you not, that in
32 the capacity as chairman of the board Mr Stephens had no
33 hands-on day-to-day role in the running of the hostel?

34 A. No. He came quite frequently, which was good. Cause
35 he was about one that always came over a lot.

36
37 Q. All right. He would talk to you quite frequently then
38 about what you were doing at the hostel in terms of the
39 running of the hostel and the various initiatives that you
40 had implemented there?

41 A. Yep.

42
43 Q. From those discussions with you, would you agree that
44 Mr Stephens appeared to have faith in your ability as a
45 warden at the hostel?

46 A. Yes.

47

1 Q. You deny to Council Assisting, Mr Urquhart there ever
2 being an occasion that he walked in and found you lying in
3 a bed with his son Kerryn?
4 A. No, that's definitely a lie. And the first time I
5 heard about that was when I read it in the paper. And I
6 didn't think - I have to say, I always thought highly of
7 Keith, and I was shocked to read that.
8
9 Q. All right. You also deny that there was ever an
10 occasion that Mr Stephens confronted you about something
11 Kerryn had told him about being sexually abused?
12 A. He never confronted me at all.
13
14 Q. Can I ask you this: if that is true, there is then no
15 reason, is there, to your knowledge, that Mr Stephens could
16 have known about your admitted sexual misconduct?
17 A. No, because I - no, no, because up until last year
18 when he went to this politician and I read it in the
19 newspapers, he never ever suggested anything like that at
20 all the whole time I was - I was in that hostel. He only
21 came about projects and different things, and then the main
22 thing at the end was he'd left when I think we'd had the
23 bus accident; but, no, Keith - in fact, if I remember when
24 I first went - when I first went to prison, the 'Great
25 Southern Herald' had an article. I'm positive Keith
26 Stephens, amongst some others, wrote in there about how
27 good the hostel was run, et cetera, et cetera, and that I'd
28 run a good hostel.
29
30 Q. All right.
31 A. And I was shocked when I read that last week.
32
33 Q. All right. Well, the fact of the matter is you at no
34 point have ever admitted to Mr Stephens your involvement in
35 the sexual interference with any of the students, have you?
36 A. Of course not --
37
38 Q. No?
39 A. -- because he never asked me.
40
41 Q. No?
42 A. And that's a fact.
43
44 Q. And he's, of course, never been present when any of
45 those offences that you admit occurred?
46 A. No, of course he wasn't.
47

1 Q. All right. Now, you speak about his apparent
2 infidelity, and you were asked some questions about that,
3 and you make reference - I think you said, "Oh, everyone in
4 town knew"?
5 A. That's right. I don't know why I was --
6
7 Q. No, that's all right. I accept that, but what I ask
8 you is this: you never had directly with Mr Stephens any
9 discussion about this alleged infidelity, did you?
10 A. Never had any discussions - he just had a laugh one
11 day about that he's going to have some fun.
12
13 Q. All right. And he never at any --
14 A. I can't remember the words that he told me, because
15 it's irrelevant to what I --
16
17 Q. Well, you interpreted him to mean that --
18 A. I presume so --
19
20 Q. -- that he made that remark?
21 A. -- yes, but --
22
23 Q. All right. And he certainly never told you at any
24 point --
25 A. I stuck up for him a lot of times over things that had
26 been said, but I don't know what they were.
27
28 Q. And he certainly never told you at any point to lie to
29 his wife about what time the board meeting finished, for
30 example, or anything along those lines?
31 A. I don't see him saying that, but I was told today that
32 she did ring one night and I said something, but I don't
33 recall it.
34
35 Q. All right. So if you did say something, that could
36 conceivably have been something that you did off your own
37 bat, rather - as opposed to him telling you, "Look, if my
38 wife rings, can you please say the meeting finished at X
39 not Y" --
40 A. I don't think --
41
42 Q. -- because there was never any such a discussion with
43 him?
44 A. I don't think he'd say things like that, actually --
45
46 Q. Okay.
47 A. -- because --

1
2 Q. Now, can I ask you - do you ever recall attending
3 Geraldton on a holiday in company with Mr Stephens and his
4 son Kerryn?
5 A. Geraldton? No, but I think there was a group of us
6 went to a convention up there. The hostel - hostel - we
7 used to have, like, Christmas breaks. We used to have -
8 it's not convention, it was called - like the wardens - all
9 the hostels got together and we had meetings.
10
11 Q. All right. And do you recall any of Mr Stephens'
12 children accompanying you at that time?
13 A. No, but if they - if he says him and Kerryn went, that
14 could be right.
15
16 Q. Okay.
17 A. I think we took some students to some, I'm not sure.
18
19 Q. Now, you've also been asked about whether there was
20 any threats made by you to Mr Stephens. Can I ask you:
21 there was a period of time, was there not, where you
22 operated some sort of shop in Katanning?
23 A. No, my brother did.
24
25 Q. Your brother. All right. Did an issue ever arise in
26 relation to goods being purchased for the shop, but being
27 invoiced to the hostel?
28 A. An incident like that did come up.
29
30 Q. All right. Do you --
31 A. But that incident - they came - the three members came
32 that day and I took them out to the storeroom where the
33 exact order that was at the shop was in our storeroom, with
34 the invoice.
35
36 Q. All right. When you say "three members", are you
37 referring to three members of the board?
38 A. Yes.
39
40 Q. And do you recall Mr Stephens being one of those three
41 members?
42 A. No, I don't know if he was. I know Mr Renk was there,
43 and two other people. It might have been Keith.
44
45 Q. You're unsure?
46 A. I know I took them - there was definitely three, and I
47 took them out to the storeroom and produced the invoice,

1 which was slightly different, but the same items they're
2 saying at the shop were actually in the hostel.
3
4 Q. Is it the case, Mr McKenna, that Mr Stephens, in fact,
5 accused you of effectively defrauding the hostel by - just
6 let me finish - by ordering goods for your brother's shop,
7 but invoicing the hostel, and that was the cause of the
8 relationship between you and him to sour?
9 A. Well, that's the first time I've ever heard that.
10
11 Q. Okay. Do you accept --
12 A. And that's not true either.
13
14 Q. Well, I put to you - I suggest to you that, in fact,
15 when that occurred you, in fact, threatened him at that
16 time that if he went to the police or made any official
17 complaint about this allegation, that you would create
18 problems for him, that he would lose his farm?
19 A. No, I have never threatened him. He has never come
20 and asked me what you've just been accusing me of, and
21 there's never been a conversation with Keith Stephens. As
22 far as I know, up until I read this in the newspaper, that
23 he went to this - whoever it was down in Albany, and I
24 thought, "Well, this is strange, why bring all this up
25 36 years later", but I know and I'm keeping that reason to
26 myself, but I don't - I never threatened Keith Stephens.
27
28 MR ANDREWS: I have nothing further, thank you, sir.
29
30 HIS HONOUR: Right. Anything arising from that, Mr
31 Urquhart?
32
33 MR URQUHART: No, there's not for me, sir, no.
34
35 HIS HONOUR: Well, that completes that segment. Yes, you
36 can proceed.
37
38 MR URQUHART: Thank you, sir. I think Mr Andrews would
39 like to be excused, he's got another commitment.
40
41 HIS HONOUR: Yes, of course.
42
43 <EXAMINATION-IN-CHIEF BY MR URQUHART, CONTINUED:
44
45 MR URQUHART: Q. Mr McKenna, do you recall a
46 long-running battle that the board had with Mr and Mrs
47 Trezise regarding the payment of a term's fee for the late

1 withdrawal of their daughter from the hostel in 1985?
2 A. It only got recalled when the investigators questioned
3 me last week, and I do remember some incidences over fees.
4
5 Q. Did you become aware of a letter that had been written
6 for the Trezises by Glenys Flanigan?
7 A. No. I saw the copy of the letter with the
8 investigators last week --
9
10 Q. So, did that --
11 A. But I don't - I don't know where that letter went,
12 because it didn't come to me.
13
14 Q. Well, did that trigger your memory as to - -
15 A. I only remember the incident over the fees, that they
16 couldn't - when I was questioned with the investigators, I
17 remember them - they brought up the letter. I said, "Well,
18 I haven't seen the letter before", and it came up about -
19 as far as I can ever remember, the problems were over fees,
20 because they couldn't pay the fees, and they were going to
21 put them on a bus somewhere.
22
23 Q. Were you shown that letter by the investigators?
24 A. I was shown a letter, yes.
25
26 Q. Yes. And did that trigger your memory that you, in
27 fact, had seen that letter back some time around the mid
28 1980s?
29 A. Right back in the '80s, I can't remember a letter. I
30 don't know where it went. It didn't come to me.
31
32 Q. Were you told about that letter back in 1986 or
33 thereabouts?
34 A. Not that I can recall. All I can remember is when I
35 was shown it last week, and I'd been trying to think of --
36
37 Q. Well, I'm going to see if you are able to refresh your
38 memory now with some documents I'm going to show you, and
39 the first, your Honour, is exhibit 11.1, which is barcode
40 number 0303. Madam Associate, if you can just hand those
41 to counsel first. That's all right. Continue. Mr
42 McKenna, I'm just showing you a letter that's addressed to
43 "Mr C Philpott, Country High Schools Hostels' Authority".
44 See that?
45 A. Yes.
46
47 Q. "Regarding withdrawal of a child from St Andrew's

1 Hostel", and it's been signed by Mrs Coral Trezise. I just
2 want to take you, please, to the second page. And the
3 first sentence that appears in the first full paragraph on
4 that page. And I read it out to you:

5

6

7

8

9

10 Do you see that?

11 A. Yes.

12

13 Q. All right. I'm now going to show you a - one of those
14 letters that was attached to that letter to Mr Philpott.
15 It's exhibit 8, sir, and it's 0299.

16

17

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We have sent you copies of letters from
parents who have pulled out their children
from the hostel without a term's notice.

MR RAFFERTY: Just if it can be noted, your Honour, that
that particular letter was actually sent to the address of
the Country High Schools Authority, so I think in fairness
that needs to be recognised by counsel assisting.

HIS HONOUR: No, that was in the evidence that was put to
the witness, that it was addressed to that.

MR RAFFERTY: No, it just says "Mr Philpott".

HIS HONOUR: Yes.

MR URQUHART: No, if my friend was paying attention, I
said "Country High Schools Hostels' Authority".

HIS HONOUR: You did say it was addressed to Mr Philpott
of the Country High Schools Hostel Authority.

MR URQUHART: Exactly.

THE WITNESS: I haven't seen that letter.

MR URQUHART: Q. What, you haven't seen that letter to
Mr Philpott?

A. No.

Q. Okay. What I'm asking you about now is this other
letter, this handwriting one, exhibit 8, which is 0299 -
the one that's just been handed to you. Now, you say that
you were shown that letter by the investigators recently?

A. Yes.

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Q. But, Mr McKenna, you were also shown that letter, were you not, at or around, some time around October 1986?

A. Are you talking about this letter now with the --

Q. Yes, the handwritten letter, handwritten letter. We'll just put it - for the purposes of those that are here, it's dated 28 August 1985. It's addressed "To Whom It May Concern":

We wish to advise that our two children weren't re-enrolled at St Andrew's Hostel, Katanning, for the 1985 school year. We gave no notice to them whatsoever of our intentions, neither have we heard anything or had any correspondence from them in relation to our decision to send them to Lake Grace High School.

This is the sentence I want to draw your attention to, Mr McKenna:

The children were removed because they both complained of suspicious suggestions made to them by the housemaster, one Dennis McKenna.

And it's been signed by a Ms Flanigan and a Mr McPharlin. And do you remember that they had children at the hostel?

A. I think the name was Flanigan.

Q. Yes, that's right. Now, I know you were shown that letter in recent times, but do you --

A. Last week.

Q. Yes. Do you accept that that was that letter, or a copy of that letter was shown to you at some time around October 1986?

A. You could be right, but I can't recall that, because that letter didn't come to me. I am sure someone spoke to me about it.

Q. Sent it to you, yes. Well, they sent a copy of that letter to you, didn't they?

A. This copy?

Q. The handwritten copy?

1 A. No, that didn't come to me. It definitely doesn't
2 come to me and, as you said here, "by the housemaster, one
3 Dennis McKenna", so it was addressed to somebody --
4

5 Q. I know that.

6 A. -- on the board, I presume.
7

8 Q. I know all that. But I'm suggesting to you you
9 certainly received - or had seen a copy of that letter as
10 of October 1986.

11 A. What you say - I presume, that's correct.
12

13 Q. Right. Because - well, let's put it beyond any doubt
14 at all, because I want to show you now exhibit 11.3 and
15 exhibit 9, which was 0254 and 0256. Now, I suggest to you
16 that you instructed a lawyer from Taylor Nott and Murray, a
17 law firm in Katanning, to write to Mr McPharlin and
18 Mrs Flanigan and Mr and Mrs Trezise, demanding that they
19 withdraw accusations that you were engaging in suspicious
20 suggestions to Ms Flannigan's children. If you want to
21 read those letters by all means you can before you answer
22 that question.

23 A. As far as I know, this handwritten letter would have
24 gone to maybe the chairman of the board --
25

26 Q. Hold on, hold on, just stop there.

27 A. -- and then we come back to this --
28

29 Q. No, Mr McKenna. Have you read those letters first?

30 A. I went to a lawyer with a - with a board member, but
31 it didn't say anything about sexual abuse. It said about
32 the goings on, but I can't remember the words, but it
33 wasn't sexual abuse.
34

35 Q. Just read the letters, please, like I asked you to.

36 A. It says that:
37

38 Imputation against the character... is also
39 clear that the statement has been published
40 to others, to a Mrs Trezise for one, and to
41 members of the Country Hostel Authority.
42

43 Which I presume is this letter. But I don't see anything
44 in this letter about sexual abuse. Yes, but --
45

46 Q. I'll ask you for a third time. Read the letters in
47 their entirety, including the second page. Have you done

1 that?
2 A. Yes.
3
4 Q. Can you see then what these letters were all about?
5 It was regarding that handwritten letter which I showed you
6 a moment ago.
7 A. That handwritten letter - that handwritten letter.
8
9 Q. Yes.
10 A. Yes, I was showed that by a board member, and I think
11 it may have been Mr Wilkes, but I'm not sure.
12
13 Q. Mr Wilkinson?
14 A. We then went to the lawyer, but it - it just says "of
15 suspicious suggestions". It did not implement sexual
16 abuse, and it was - also included the fees, something to do
17 with the fees.
18
19 Q. Yes. I'm just staying with this letter, and
20 "suspicious suggestions". Are you saying that - what, you
21 weren't very concerned about that?
22 A. Well, there was a lot of nastiness over the fees and
23 withdrawing of the children and the like.
24
25 Q. I'm not asking about that, I'm asking you about
26 whether you were concerned about this sentence that had
27 been written by Mr --
28 A. Well, I would have been concerned because we went to a
29 lawyer.
30
31 Q. And why were you concerned about that?
32 A. Because they weren't saying anything upfront about
33 what really was happening, they just said "suspicious
34 circumstances".
35
36 Q. "Suspicious suggestions" - why were you concerned
37 about that?
38 A. Well, there's no - there was no reason for anything
39 like that to be said.
40
41 Q. All right.
42 A. And it was - also started over, like, a little war
43 basically over the fees.
44
45 Q. What did you think they meant by that phrase
46 "suspicion suggestion"?
47 A. I can't remember what I thought.

1
2 Q. Well, why then did you bother instructing lawyers
3 to --
4 A. I may have thought, yes, but there's nothing wrong
5 with - I never - there was nothing with any of those
6 students. All there was was this war for months about the
7 fee, and then they turned on me and started saying that --
8
9 Q. So why bother with it?
10 A. "Suspicious suggestions" - well, if - I'm trying to
11 see where it says how the board and myself - because I
12 remember that I was with - I'm pretty sure it was Mr
13 Wilkinson, the Chairman of the Board.
14
15 Q. Well, just read what it says in the last sentence
16 there of both these letters:
17
18 We've advised Mr McKenna that he has a firm
19 basis for the issue of a writ against you.
20 If, however, you sign and return to us the
21 enclosed form of apology, he will consider
22 not taking any further action.
23
24 What writ?
25 A. I don't know about a writ.
26
27 Q. Well, you instructed --
28 A. There was no writ.
29
30 Q. Were you intending to issue a writ?
31 A. Not that I can remember.
32
33 Q. Well, who suggested to you that you engage lawyers to
34 take action?
35 A. Whoever that - I think it was Mr Wilkinson, the
36 Chairman of the Board at that point.
37
38 Q. You think?
39 A. He had - he had different talks with them. I didn't
40 go on my own. I can remember going with somebody. And a
41 lot of the issue too, was about how the hostel was making
42 them pay the fee, which was out - that's nothing to do with
43 me.
44
45 Q. Okay. Well, let's go back to what Mr Wilkinson did.
46 Are you saying you think Mr Wilkinson gave you a copy of
47 this handwritten letter?

1 A. Someone would have showed it to me for me to act on
2 that, but earlier.
3
4 Q. Yes. And --
5 A. I don't remember.
6
7 Q. And what then led you to have lawyers threaten to take
8 legal action against these two parents?
9 A. Simply because they said they were removed when they
10 both complained "of suspicious suggestions made to them by
11 the housemaster at the time, one Dennis McKenna".
12
13 Q. Are you denying the accuracy or truthfulness of such a
14 complaint?
15 A. Well, I can't see how they had anything to complain
16 about.
17
18 Q. Those particular students, or students in general?
19 A. Those students then. Those student. That's all they
20 were talking about.
21
22 Q. What about students in general?
23 A. Well, it doesn't say that.
24
25 Q. No. Do you think --
26 A. It says mainly about, there is --
27
28 Q. -- students in general had a complaint to make about
29 you?
30 A. Well, I don't know of it.
31
32 Q. Was it the case that Mr Philpott drew your attention
33 to this letter --
34 A. Definitely.
35
36 Q. -- this handwritten letter?
37 A. No. As far as I know it was Mr Wilkinson. I can
38 never remember Mr Philpott coming to me about accusations.
39
40 Q. Sorry?
41 A. I can never remember Mr Philpott bringing up anything
42 about sexual abuse.
43
44 Q. Okay.
45 A. And if he did, I am sure he would have gone to the
46 board.
47

1 Q. Are you saying that this phrase "suspicious
2 suggestions" could suggest sexual impropriety by you?
3 A. It could, I suppose.
4
5 Q. Is that why you launched --
6 A. No, I didn't launch anything.
7
8 Q. Threatened to launch legal action?
9 A. That wasn't all the case. That's - that's what the
10 letter was, and all about the fee, and how badly run the
11 hostel was, being written --
12
13 Q. I'm not interested in all that. I'm only interested
14 in what you thought "suspicious suggestions" meant?
15 A. Well, you're going to draw your own conclusion, so you
16 probably think --
17
18 Q. No, I'm asking your conclusion that you drew?
19 A. Well, as far as I know, they thought I was no good,
20 and I wasn't running the hostel right, and that I was
21 victimising their students.
22
23 Q. That's right. And with respect to some parents, they
24 had every right to feel that you were victimising -
25 victimising their students, isn't that right?
26
27 MR MAUGHAN: Well, I'm not sure.
28
29 THE WITNESS: I wasn't victimising. They were taking them
30 out to put them on a bus to the - because they got a bus
31 run altered to put them - because they couldn't pay the
32 fees.
33
34 MR MAUGHAN: Your Honour, I'm just going to raise - I
35 think the premise on which the question my friend is asking
36 is unfair. It's very clear from the contents of the
37 correspondence that "suspicious suggestions" are being made
38 to the two boys, not about the community at large, and so
39 for my friend to premise a question on suspicious
40 suggestions to the community at large is not addressing
41 what the contents of the correspondence is.
42
43 HIS HONOUR: But it goes to whether or not he might have
44 been worried about what was being said. That's its
45 relevance?
46
47 THE WITNESS: I wasn't, because I don't know what was

1 being said. I just know there was a hell of a lot of
2 problems over the fee, and then this accusation came later
3 on about the fees, and I honestly do not remember who
4 showed me that copy of that letter. As far as I'm
5 concerned, it was Mr Wilkinson. If it was Mr Philpott, he
6 would have gone further with it immediately, but the
7 reference to he, Mr Philpott - no.

8
9 MR URQUHART: Q. What do you say about Mr Philpott
10 taking it further immediately?

11 A. Well, he was pretty strict.

12
13 Q. Right. Yes, and --

14 A. Well, he would have acted on something very quick and
15 phoned the board and called a meeting if he thought there
16 was anything wrong.

17
18 Q. But reading that --

19 A. But I don't see him giving me that.

20
21 Q. Mr McKenna, reading that line, that would suggest, if
22 it was true, that there was something wrong?

23 A. With their children.

24
25 Q. If it was true?

26 A. Sorry, that's not true.

27
28 Q. If it was true, that would suggest there was something
29 wrong?

30 A. Yes, but it's not true.

31
32 Q. Yes, if it was true, Mr McKenna, that would suggest
33 something would be wrong, wouldn't it?

34 A. If it was true.

35
36 Q. So no one, either from the Authority or the board,
37 ever questioned you about what it is that these suspicious
38 suggestions could be?

39 A. No.

40
41 Q. Did that come as a surprise to you?

42 A. That was a surprise because all - all the talking and
43 all the things all about fees, and they were trying to get
44 a bus run.

45
46 Q. You're missing the point. Did that come as a surprise
47 to you, that no one bothered to ask you anything about the

1 truthfulness or accuracy of that sentence?
2 A. I never thought about it.
3
4 Q. You never thought about it because you realised that
5 you had the authority and the board in the palm of your
6 hand?
7 A. I had the authority in the palm of my hand?
8
9 Q. Yes.
10 A. Well, that's another --
11
12 Q. Isn't that the reason?
13 A. That's another new one.
14
15 Q. Do you know who paid your legal fees for this - these
16 instructions you gave that law firm?
17 A. That would have been the hostel, I'd presume. I
18 thought we had a thing from the investigators this week,
19 that they've got a letter to show my lawyer to allow any -
20 the file for St Andrew's to be given over to the Inquiry,
21 which we're going to do.
22
23 Q. You didn't pay the legal fees?
24 A. I can't remember who paid - I don't know who paid.
25
26 Q. Would it surprise you to hear that it was the
27 authority who paid your fees?
28 A. Yes, it would be.
29
30 Q. I want to ask you about a police officer that was at
31 Katanning from 1983 to 1986, and that was a Sergeant Bill
32 Todd?
33 A. Bill Todd, yes.
34
35 Q. Do you know him?
36 A. Well, I knew him when he was in Katanning, knew of
37 him, and I met him a few times, and I saw him on TV last
38 week.
39
40 Q. What sort of relationship did you have with him whilst
41 he was posted at Katanning?
42 A. I didn't really have any relationship because the
43 hostel was in its own little thing, and we were always busy
44 amongst ourselves, and we had some policemen that drove our
45 bus runs home at the end of - whenever we had closed
46 weekends, we had whatever off-duty policemen there would
47 be, drive the buses home, and --

1
2 Q. Just to cut you off there --
3 A. -- I can never remember --
4
5 Q. No, I'll cut you off. I'm staying with --
6 A. I can't remember any --
7
8 Q. I'm staying with Sergeant Todd. Do you recall him
9 coming to the hostel from time to time?
10 A. No, I don't, actually. It was mainly the younger
11 police that came and picked up the buses and took the kids.
12
13 Q. Was Sergeant Todd someone that you got on well with in
14 the interaction that you had with him?
15 A. Well, it would be because I really didn't have any
16 great interaction with him. There was no --
17
18 Q. Do you recall seeing him again after he left his post
19 at Katanning in 1986?
20 A. Yes. We had a trip up the - I think it might have
21 been for the Royal Show, one of our big camps. He said he
22 was going in to - he was getting transferred to Armadale
23 police station, and we'd said that if ever the kids wanted
24 to have a look behind the scenes of a police station, we
25 took them all in there and he took them all through. I
26 stayed out the front. He took them through how records are
27 done, down to the lock-ups, da, da, da, da, da, and how you
28 can join the police force.
29
30 Q. So you contacted him for that?
31 A. We rang up and said - because we were trying to fill
32 in the three days break that we were away.
33
34 Q. And why was it, Armadale, chosen?
35 A. Because I knew he was there. He told us that's where
36 he was going.
37
38 Q. Or was it the case that the students that you had
39 there, up here in Perth, were staying in that area?
40 A. Staying in Armadale.
41
42 Q. Yes.
43 A. All right. Then where did we stay in Armadale?
44
45 Q. I'm asking you.
46 A. I don't know.
47

1 Q. You can't remember where the students were staying at
2 that time?
3 A. No. We always stayed at - whenever we went on camps,
4 we stayed at a school close to the Royal Show - I can't
5 think of the name of it now. We used to make arrangements
6 to stay at that school.
7
8 Q. When you --
9 A. Armadale, Armadale, Armadale.
10
11 Q. Okay. That's all right.
12 A. We never stayed anywhere in Armadale.
13
14 Q. Did you - just as an aside - did you ever have
15 students stay over with you at your parent's house?
16 A. If we had the group - group there, we did.
17
18 Q. Yes.
19 A. And we also - that trip in Armadale may have been
20 where our tents - and we stayed at Kwinana.
21
22 Q. At Kwinana?
23 A. I think, yes, at my parent's. I know we stayed all in
24 the backyard there overnight once.
25
26 Q. Were there --
27 A. But as far as that Armadale incident goes, we didn't
28 stay in Armadale, but I can't remember.
29
30 Q. Were there occasions when you would just be in Perth
31 with one or two students?
32 A. Two, three or four.
33
34 Q. Are you saying there was never an occasion when you
35 came to Perth with just one student?
36 A. No, there was always two or three.
37
38 Q. So if that was suggested, that would be wrong?
39 A. That's right.
40
41 Q. Were there occasions when you stayed with students,
42 two or three, actually inside your parent's house?
43 A. Yes. And what we used to try and do is take - we'd go
44 overnight, get permission from the parents every time, and
45 the school, and we would try and take two boys, two girls,
46 because the girls actually would be - felt left out.
47

1 Q. Okay. I want to ask you something now about Ian
2 Murray. Do you recall that he was the principal for the
3 last three years you were at the hostel?
4 A. Yes.
5
6 Q. 1988, 1989 and 1990?
7 A. Yes, I think it was three years he was there.
8
9 Q. You had a very good relationship with this particular
10 principal, didn't you?
11 A. Like all of them, yes.
12
13 Q. You say that you had a good relationship with all the
14 principals; yes?
15 A. We never mixed socially but we would go over and I
16 would have - go over there at morning tea and they would
17 come over and have a meal, mix with the kids, yes.
18
19 Q. With respect to Mr Murray, do you recall that he
20 returned to Western Australia from a holiday in England
21 just to give character evidence for you at your trial in
22 1991?
23 A. No. I didn't see him at the trial.
24
25 Q. He gave character evidence for you at your trial --
26 A. Did he. I see.
27
28 Q. -- Mr McKenney?
29 A. I know the trial was cut short because there was
30 another 12 or so witnesses outside.
31
32 Q. But you don't recall that Mr Murray --
33 A. No, sorry --
34
35 Q. -- actually said that he had flown back from London to
36 give evidence in this hearing?
37 A. No, I don't, I'm sorry. That I didn't see him there.
38
39 Q. What, you can't recall him giving evidence on your
40 behalf at your trial?
41 A. He didn't get up and give evidence that I remember.
42
43 Q. I'm looking at the transcript now, Mr McKenna. He
44 couldn't speak highly enough about you at your trial back
45 in 1991?
46 A. That he gave evidence at the trial.
47

1 Q. Yes, he did. Character evidence was called?
2 A. So he didn't get up in the box.
3
4 Q. He got up in the witness box and spoke extremely
5 highly of you?
6 A. I can't remember - I can't even remember how many
7 went.
8
9 Q. You don't remember --
10 A. I don't even remember. There was about 15 got
11 evidence and there was about another 15 or 17 to come.
12
13 Q. I'm going to ask you whether you agree with the
14 accuracy of this that he had to say about you.
15
16 MR URQUHART: Sir, this is at page 233 of the transcript.
17 It is on 19 June of 1991.
18
19 MR URQUHART: Q. He was asked by your lawyer,
20 Mr Singleton:
21
22 How would you describe him from what you
23 have known of him in those three years.
24
25 He says:
26
27 I could go on for a long time describing
28 Dennis McKenna but briefly for you, Dennis
29 McKenna was a man of extremely high
30 standards, moral, dress, behaviour, his
31 attitudes to study, his attitudes to life,
32 extremely high standards. In the address
33 that I gave to the wind-up at the hostel in
34 1989, I made that the point of my address,
35 that the hostel had extremely high
36 standards which were generated by Dennis
37 McKenna. These standards were extremely
38 high. All the students knew the standards
39 and they maintained those extremely high
40 standards. He kept those standards. He
41 set the example himself and by his example
42 and the precepts that he was leading --
43
44 I think that should read "the prefects that he was
45 leading":
46
47 -- the students followed him in keeping

1 those same high standards going.
2
3 That's what the transcript says of how Mr Murray described
4 you. It's not very accurate, it is, Mr McKenna. You have
5 to answer?
6 A. No.
7
8 Q. Were you embarrassed at the time about the things he
9 was saying?
10 A. I can't remember that but I would have been.
11
12 Q. Because it's so far from the truth it's ridiculous,
13 wasn't it. You have to answer?
14 A. Yes.
15
16 Q. Do you recall how you first became aware of what Todd
17 Jefferis was alleging you did to him in August of 1990.
18 You have to answer?
19 A. No, sorry, I don't.
20
21 Q. Was it the case that Mr Murray rang you and told
22 you --
23 A. Yes, Mr --
24
25 Q. -- about what Mr Jefferis was alleging?
26 A. Mr Murray phoned me and I went over there and met him,
27 which I think was an afternoon. He told me about the
28 allegations.
29
30 Q. And what did he actually say that the allegations
31 were?
32 A. I think he said he was on my bed and that he was lying
33 on my bed and I pulled him on top of me and rubbed my hands
34 up and down his body and he jumped out and ran away and was
35 scared, and that was the allegations and I said to Peter
36 Murray - Ian Murray, sorry - Ian Murray, which Todd came
37 back with either the stepmother or the mother a few days
38 later. In fact, I think it was after the weekend.
39
40 Q. Yes?
41 A. And then went to the school and then Ian Murray phoned
42 me, and I'm sure it was an afternoon, and I said that that
43 isn't correct, that's totally wrong, what did happen was
44 that I was in the lounge room sitting next to him and I
45 did - he put my hand on my leg and I put my hand and rubbed
46 it up and down his leg. He got up and took off. I
47 apologised the next morning but the next morning he came

1 and asked that his mother or the stepmother was there again
2 and could he go down town and I said "Yes".
3
4 Q. Okay, I'm going to stop you there. So you actually
5 told Mr Murray or Mr Murray told you actually what was
6 Mr Jefferis' account of what happened at your trial the
7 next year, wasn't it?
8 A. I don't know. You read what was --
9
10 Q. You have to answer. Mr Jefferis was alleging exactly
11 that, wasn't he?
12 A. Yes.
13
14 Q. That you pulled him onto your bed?
15 A. Yes.
16
17 Q. And he was saying you were trying to sexually
18 interfere with him?
19 A. That's what he said, yes.
20
21 Q. Yes, and you were convicted?
22 A. That's right.
23
24 Q. On that basis, weren't you?
25 A. Yes.
26
27 Q. And you say you told Mr Murray "No, that's not what
28 happened"?
29 A. My version is different to that and I told Mr Murray
30 that and I said --
31
32 Q. Okay, can I stop you there. Do you agree that, even
33 on your version, that's completely inappropriate behaviour
34 by a warden?
35 A. Yes.
36
37 Q. Nevertheless, was it the case that Mr Murray not only
38 provided you with that sort of support at your trial but
39 also considerable support after you were charged in
40 September of 1990, first in relation to the allegations
41 that Mr Hilder was making and then later with the other
42 students?
43 A. The last time I saw Mr Murray was on the Thursday
44 morning when we were about to have a board meeting, and it
45 was going to be at 9.30 at Reidy House and at about 9
46 o'clock the detectives come to ask me to go to the police
47 station and I saw Mr Murray the following morning, because

1 he had picked me up from the house at the hostel, the house
2 next door, and took me to the court and took me around the
3 back door because of all the media that was out the front.
4 I then said "Goodbye" and I was packing my bags up. All
5 the students went home because it was school holidays and I
6 packed up everything in the car to go back to Perth and --
7

8 Q. Okay, that is the last time you saw Mr Murray?
9 A. No, I would have seen him at the end of the year at
10 the wind-up presentation because I'm sure - I can't
11 remember seeing him but I know he would have been there
12 and --
13

14 Q. Can I ask you this: Do you recall getting letters of
15 support from students at the hostel after you had been
16 charged in relation to the allegations that were made by
17 Mr Hilder?

18 A. There was a lot but I don't know who collected them
19 all.
20

21 Q. Do you know who arranged for those letters to be
22 written?

23 A. No.
24

25 Q. You didn't know it was Mr Murray?

26 A. No, sorry.
27

28 Q. On the subject of letters --

29 A. I didn't actually talk to Mr Murray.
30

31 Q. Okay, all right. On the subject of letters, we heard
32 that all letters that the hostel students wrote that were
33 to be posted, they had to be placed in your office and they
34 had to be unsealed. The envelopes had to be unsealed,
35 isn't that the case?

36 A. What do you mean? With that incident with Mr Murray?
37

38 Q. No, no, I'm just talking about generally with respect
39 to letters that hostel students had to write. If they
40 wanted to write a letter and they had to post it, they
41 would leave it in your office. Is that right?

42 A. No, that is absolute rot.
43

44 Q. So you didn't?

45 A. There was a basket - hang on, there was a basket on
46 the window for mail and every letter was sealed. We did
47 not read the letters. You might have six or eight people

1 say that but I'll tell you, there would be a couple hundred
2 would back me up with what I have just said.
3
4 Q. Okay?
5 A. No letters were ever left in the office - I just can't
6 believe all those things.
7
8 Q. So again, a pure unadulterated lie?
9 A. I didn't even see the mail half the time. There was
10 an area for them to put their mail in and that - it got
11 collected every morning by staff and was posted.
12
13 Q. Because why on earth, Mr McKenna, would you want to
14 read letters that had been written by hostel students?
15 A. I didn't read letters from the hostel students.
16
17 Q. You called a number of character witnesses at your
18 trial in 1991, didn't you. I think you referred to the fact
19 that something like 15 were called?
20 A. There was about 30, I thought.
21
22 Q. Yes.
23 A. But the lawyer called up - he actually went driving
24 around visiting and he went down to Albany, to Katanning,
25 the school and I think some farms. I'm not sure.
26
27 Q. And these were witnesses that spoke highly of you?
28 A. Well he only picked out X amount.
29
30 Q. Yes, all right. But they were essentially saying,
31 were they not --
32 A. They all came forward --
33
34 Q. Yes, that you weren't the type of man to commit these
35 serious offences?
36 A. Where that is recorded?
37
38 Q. Isn't that the case. They all gave evidence glowing in
39 their praises of you?
40 A. Yes, that was current students, past students, current
41 students and staff and parents.
42
43 Q. I am going to go through them. Don't worry. There
44 was Ian Murray. Con Burrow, do you remember him?
45 A. Con Burrow was the deputy --
46
47 Q. Supervisor at Albany hostel?

1 A. At Albany hostel.
2
3 Q. He gave evidence in support of you?
4 A. Did he?
5
6 Q. Yes.
7 A. I don't remember.
8
9 Q. Murray Gatti, the Superintendent of Education in the
10 Albany district. He gave character evidence for you. Do
11 you remember that?
12 A. No. You mean sitting in a dock like I am in court?
13
14 Q. Yes, that's right?
15 A. No, I don't remember.
16
17 Q. Saying what a wonderful man you were?
18 A. I don't remember. I can't even remember what anyone
19 said, to be truthful. It's blank.
20
21 Q. Alan Parks, do you remember him being called, current
22 board member. You remember him though, don't you?
23 A. I remember him, yes
24
25 Q. You called three ex-boarders to say good things about
26 you, didn't you?
27 A. I did none of that. The lawyer handled everything.
28 He interviewed for months around the areas and he went to
29 the school, got permission to speak to teachers, he went
30 down to - I think it was ex-school in - an ex-school down
31 south somewhere.
32
33 Q. Okay?
34 A. He went around. Because it cost a lot of money, and
35 he was going all over the place and he conducted meetings
36 in Albany.
37
38 Q. Yes.
39 A. Then he said "Look, we've got 50 or 60" or something
40 or other, "I'm just going to go through and pick. We can't
41 go up to a court with all these people".
42
43 Q. You had a very good relationship with Garth Addis,
44 didn't you?
45 A. Gather Addis?
46
47 Q. Yes.

1 A. I had a good relationship with all the board members.
2
3 Q. He was a board member from 1985 to 1992. He was
4 actually chairman of the board at the time that you got
5 arrested?
6 A. He was chairman for quite a while.
7
8 Q. Yes. And wasn't it the case that - did you regard him
9 as your friend?
10 A. Yes.
11
12 Q. And did you believe that if he was called as a
13 character witness that he would say nice things about you?
14 A. I presume so.
15
16 Q. Yes. You see --
17 A. Because the lawyer, I just want to point out the
18 lawyer interviewed them. I wasn't there with interviews
19 and he chose and, of course, the board members would be
20 first.
21
22 Q. See, Mr Addis, would you agree, he was supporting you
23 ever since Todd Jefferis had complained --
24 A. Yes.
25
26 Q. -- about you?
27 A. I'd say so, yes.
28
29 Q. And why do you think he was supporting you?
30 A. Well he obviously didn't know what - what was going to
31 be brought up because Ian Murray wasn't bringing it up
32 until that board meeting.
33
34 Q. Right. He was supporting you, wasn't he, because as
35 far as you were concern, he thought of you as a good man?
36 A. Yes. I presume.
37
38 Q. Would you disagree with me if I was to say to you that
39 Mr Addis was approached to give character evidence on your
40 behalf at your trial?
41 A. No, I don't know. I don't know who was approached.
42
43 Q. But you wouldn't disagree with that, that he was
44 potentially one person?
45 A. The board would have been, the whole board I would
46 have thought.
47

1 Q. Yes. Could you see that that was not a little
2 hypocritical if he was to come along and give character
3 evidence on your behalf?
4 A. Why?
5
6 Q. Would you think he would be so supportive of you if
7 you had told him what you had done to his son?
8 A. No.
9
10 Q. Because in 1984 and 1985 you sexually abused his son
11 on four occasions, didn't you, because you pleaded guilty
12 to those matters last year?
13 A. I pleaded guilty to them, yes.
14
15 Q. That was Roy, wasn't it?
16 A. Yes.
17
18 MR URQUHART: Sir, just for the record, Roy Addis has
19 given his permission to the Inquiry to identify him as one
20 of this man's victims.
21
22 Q. I have nearly concluded now, Mr McKenna. Were you
23 aware, during the 1980s, that the man by the name of Noel
24 Parkin was making a number of allegations of accusing you
25 of being a pedophile?
26 A. No.
27
28 Q. Are you saying that during the period from 1980 onward
29 for a number of years you never heard that that's the
30 accusations he was making against you?
31 A. No. I know it's very hard to believe but I keep
32 getting told all these things and I know what came to me
33 and that didn't happen with Noel Parkin only until --
34
35 Q. What about the time he went to the Country High
36 Schools Hostels Authority head office in Perth in 1980?
37 A. I did?
38
39 Q. I was just asking about that. No-one told you about
40 that incident?
41 A. No.
42
43 Q. Do you recall telling Alan Parks that you were aware
44 that Mr Parkin had caused a scene at the Authority's head
45 office?
46 A. I'm sorry, I can't remember anything about that
47 because I don't think he even had students there in 1980.

1
2 Q. Don't worry about when he had students but you can't
3 recall telling Mr Parks that?
4 A. No, I don't, I'm sorry. I can't remember any of that.
5
6 Q. Did you not tell Mr Parks that you had been told that
7 by someone from head office?
8 A. No, I'm sorry, I can't remember. I just can't - it's
9 too hard trying to remember everything.
10
11 Q. Just on the subject of those people at head office,
12 what was your relationship like with Mr Philpott?
13 A. I always talked and had a coffee whenever he came down
14 to Katanning but I never ever met him in the authority. In
15 the early years the Authority just had one man, who was an
16 English guy, and they just had like a desk in the Education
17 Department but I never come across Mr Philpott, unless he
18 called at the hostel.
19
20 Q. Did you have a good working relation --
21 A. And we met him whenever we had conventions at the end
22 of each year.
23
24 Q. Did you have a good working relationship with him?
25 A. Well, I did - well, I didn't really have a working
26 relationship with him, did I?
27
28 Q. Would it surprise you that we have heard that he had
29 described to one warden, in 1989, that you were the guru of
30 wardens. Would it surprise you to hear that?
31 A. I hadn't heard it but I presume he would have. I -
32 well, if you say he said it, I suppose he did, but I've
33 never heard of it. I was always downed about things
34 because we were always pushing for different things at the
35 hostel.
36
37 Q. Getting back to Mr Parkin now, his son Bradley boarded
38 at the hostel, didn't he?
39 A. Yes.
40
41 Q. And again, Mr McKenna, it is not in dispute that he
42 had behavioural problems and that he was eventually asked
43 to leave, okay. We don't contend otherwise there, but do
44 you remember, after he left the hostel, that there was an
45 incident in which he threw a rock at the hostel bus that
46 you were driving?
47 A. I didn't remember it - I didn't remember it until it

1 was brought up to me by the detective this week that was
2 doing the investigations. He brought that up and I said I
3 vaguely remember the rock being thrown at the bus but I
4 don't really - you know, it doesn't sit in my head.

5

6 Q. Do you remember reporting to the police?

7 A. Well they said I did actually ring the Ongerup police
8 so I presume that would be right.

9

10 Q. Do you have any recollection of what you said to the
11 police?

12 A. No, I don't. No, I don't, I'm sorry. Threw the rock
13 at the bus and made a dent, apparently, because that's
14 probably why I rang the police.

15

16 Q. Can you think of any reason why that particular boy
17 wanted to throw a rock at a bus that you were driving?

18 A. Well he was never sexually abused. I want to make
19 that very clear.

20

21 Q. I didn't ask you that?

22 A. But there was the younger son that was expelled from
23 the school.

24

25 Q. I'm just asking you about Mr Parkin, Bradley Parkin?

26 A. No, I can't remember. I think the bus was full of
27 kids at the stage. We were doing the bus run home.

28

29 Q. Do you remember Sir Charles Court performing the
30 opening of the nursery you had built on the hospital
31 grounds in 1977?

32 A. We asked the Premier, Charles Court, to come down, but
33 I don't know whether it was the nursery or the swimming
34 pool.

35

36 Q. All right. I think it might have been both, wasn't
37 it?

38 A. No, I can only ever remember him coming once because I
39 was talking to the secretary about how did he know all the
40 history of Katanning. She said he speed reads things on
41 the plane and it stays in his mind. That's why I remember
42 that.

43

44 Q. Whatever occasion it was, you no doubt recall the high
45 praise he gave you publicly?

46 A. He said good things at the meeting and praised all the
47 students, and he wanted them all to line up and he went

1 through, I think, shook all their hands.
2
3 Q. No, but you specifically?
4 A. I don't remember exactly --
5
6 Q. Do you remember him saying to you --
7 A. I don't specifically know anything that he said. I
8 cannot remember but he did give praise to me and the whole
9 hostel and the students and he shook all their hands.
10
11 Q. But that it was largely due to your commitment to the
12 welfare and spiritual needs of the students that the hostel
13 had achieved so much. Does that sound something similar?
14 A. I don't know, I can't remember, but that probably is
15 right if you've got it written there.
16
17 Q. And do you remember inviting Sir Charles back to the
18 hostel on other occasions?
19 A. I can honestly only ever remember him coming once
20 because he specifically - because I was standing next to
21 the lady who was his secretary and I was stunned how he
22 knew all the history of Katanning, not just the hostel. So
23 it's the only time I remember Sir Charles court being at
24 the hostel.
25
26 Q. Leaving aside now Sir Charles Court, I'm not
27 suggesting he was at this opening but there was a grand
28 opening of the recreational shed, wasn't there?
29 A. Yes.
30
31 Q. There was an opening for the theatre complex that was
32 part of that shed, wasn't there
33 A. No, I don't remember any grand opening about the
34 cinema, no.
35
36 Q. So these were all very proud achievements?
37 A. They were. There was no grand opening about the
38 cinema.
39
40 Q. But these were all very proud achievements of yours?
41 A. Yes, and the students. They built --
42
43 Q. And you had official openings for the various
44 extensions you had arranged to have added to the hostel?
45 A. We had a big afternoon for when the Authority had
46 built on all the extra rooms and I think the Authority
47 members came down, may have even been Colin Philpott. It

1 was mainly a big afternoon tea for everyone to inspect all
2 the new premises because it had been something we had been
3 fighting about for a long while.

4

5 Q. The Minister for Education, he attended, didn't he?

6 A. I can't remember but probably that would be correct.

7

8 Q. Let's see if I can help you jog your memory.

9

10 MR URQUHART: Could the witness please be shown document
11 number 331?

12

13 A. You don't have to show me. If he said he was there he
14 was there. But I can't remember all the ones that we
15 asked.

16

17 MR URQUHART: Q. Just bear with me, Mr McKenna?

18 A. The alterations at that stage was quite a commercial
19 sum of money and made a lot of difference to the hostel
20 board --

21

22 Q. I am referring to a personal letter that the Minister
23 for Education wrote to you on 30 November 1982 that was
24 glowing in his praise of you?

25 A. I remember Mr Clarke, a very big guy.

26

27 Q. Do you remember getting this letter from him?

28 A. No, but I do now I've read it.

29

30 Q. Yes, 30 November 1982, addressed to you?

31 A. Yes. I don't remember getting it but I know I would
32 have got it.

33

34 Q. :

35

36 Dear Dennis, I enjoyed my recent visit to
37 Katanning to officially open the extensions
38 to your hostel. I must say, that I've
39 heard nothing but praise for the efficient
40 manner in which the hostel is administered
41 and I congratulate you for your efforts in
42 developing what is the most impressive
43 hostel in Western Australia. Regards,
44 yours sincerely, JG Clarke, Minister for
45 Education.

46

47 I suggest you were quite chuffed when you received that

1 letter?
2 A. I would have been pretty proud, yes.
3
4 MR URQUHART: I tender that please, sir.
5
6 HIS HONOUR: I think that is exhibit 38.
7
8 EXHIBIT #38 LETTER FROM MINISTER OF EDUCATED TO DENNIS
9 MCKENNA, DATED 30/11/1982
10
11 MR URQUHART: Two years after that you were the joint
12 winner of the Katanning Citizen of the Year award, weren't
13 you
14 A. Yes.
15
16 Q. In 1984?
17 A. I can't remember the year but it was in the 80s.
18
19 Q. In 1985, do you remember that as being the
20 International Youth Year?
21 A. No.
22
23 Q. Do you remember the Shire of Katanning asking you to
24 participate in events regarding the celebration of
25 International Youth Year?
26 A. I think it was a concert in the town hall.
27
28 Q. So you remember that?
29 A. I remember a concert in the town hall but I can't
30 relate it to why it was there.
31
32 Q. See, by 1985, was it the case that the hostel, with
33 all the extensions that you had added, was at full
34 capacity?
35 A. Yes.
36
37 Q. You see, Mr McKenna, I want to suggest to you that
38 with all this adulation that you had received over the
39 years, you believed that you were a law unto yourself, unto
40 yourself with regards to whatever you did within the
41 confines of the hostel. What do you say to that
42 suggestion?
43 A. Are you saying I'm a law unto myself?
44
45 Q. Yes. With all this adulation, you believed in
46 particular with regard to your activities of pedophilia you
47 were untouchable?

1 A. I don't - I don't - I don't believe I felt that way.
2 I always felt that I could do more, that I was inadequate.

3
4 Q. And that you had convinced yourself that if it ever
5 came down to your word against the word of your victims,
6 your word would always prevail?

7 A. I really can't answer that because I didn't think -
8 you know, you are just asking me now and I'm trying to
9 think but I don't think I always thought that I was the be
10 and end all of it and I always do what I liked and got away
11 with it.

12
13 Q. Well, Mr McKenna, you didn't tell the truth at your
14 1991 trial, did you, when you denied sexually abusing each
15 of those five victims?

16 A. No, because a lot of the accusations were far
17 different.

18
19 Q. Was it only then when the jury handed down its verdict
20 that you realised you weren't infallible?

21 A. I'd say so.

22
23 MR URQUHART: Thank you sir.

24
25 HIS HONOUR: Mr Maughan, do you wish to lead any evidence?

26
27 MR MAUGHAN: Your Honour, I might just ask one or two
28 questions, if I might.

29
30 <CROSS-EXAMINATION BY MR MAUGHAN:

31
32 MR MAUGHAN: I wonder if the witness has exhibits 28 and
33 29, please.

34
35 Q. Now, this is the minutes of the St Andrew's Hostel
36 meeting of 20 July 1983 and annexed to that is the warden
37 reports of 20 July 1983. Have you got both those documents
38 in front of you. You are indicating yes?

39 A. Yes.

40
41 Q. Can you tell me which of those two documents was
42 created first?

43 A. The warden's meeting would be first - sorry, the
44 warden's report is presented to the board.

45
46 Q. Yes?

47 A. And this is the minutes of the board, which means this

1 is written a day, two days before.
2
3 Q. Right. So you'd prepare your warden's report to
4 submit to the board, of course?
5 A. You submit each board member with a warden's report.
6
7 Q. And we have heard, in response to my friend's
8 questioning, that you would sometimes make recommendations
9 to the board in relation to expulsion of particular
10 students?
11 A. Students, that's correct.
12
13 Q. Would you make those recommendations in the course of
14 your warden's report to the board?
15 A. Yes.
16
17 Q. In relation to the student we have referred to as "S",
18 in your warden's report is there any reference to a
19 recommendation from you to the board that "S" be expelled?
20 A. No, I don't say "expelled".
21
22 Q. In fact, all you are doing is pointing out to the
23 board that "S"s behaviour is somewhat erratic
24 A. That's correct.
25
26 Q. He's got some behavioural problems which you
27 attributed I think to issues --
28 A. Some of the parent members already knew because their
29 children were - heaps of them just wanted him out.
30
31 Q. And in relation to the minutes of the board meeting,
32 it wasn't, in fact, you who moved the motion that "'S'"
33 be --
34 A. I'm not allowed - I have no voting rights whatsoever.
35 I just presented the warden's report.
36
37 Q. Yes.
38 A. They would go through it and we would discuss it and
39 then they brought up finance, general business and things
40 that --
41
42 Q. Thank you. Now, there has also been presented - I
43 think this is exhibit 29, I stand to be corrected - the
44 letter to the Officer in Charge, Community Welfare
45 Department at Gnowangerup dated 2 August 1993 which
46 indicates I think a letter written by you?
47 A. Yes.

1
2 Q. It indicates that postdating that meeting of 20 July
3 1983, "S" has been given another chance to stay on?
4 A. Yes, that's correct. It was a - the date on this is
5 about 10 days, roughly, 12 days after the board meeting.
6
7 Q. My friend also raised some issues with you in relation
8 to taking students to Les Girls?
9 A. It was actually - now I thought about it, it wasn't
10 Les Girls at all. It was Les Coquettes and it was a
11 visiting show from France and had wide, wide publicity.
12
13 Q. Okay. And I think the proposition is being put that
14 you take these students to Les Coquettes, as it turns out,
15 or the civic theatre, as part of a grooming process, and
16 you understand now because my friend has given you the
17 definition of what "grooming" is. What do you say to that
18 suggestion.
19 A. I would like to say, and I would like to take note
20 that a lot of these students, whenever we had our trip to
21 Perth, which was normally - in the old days when it was
22 three terms we went and incorporated the Royal Show. We
23 would camp out wherever. Normally it was at a high school
24 close where the Karrakatta Cemetery was on the other side
25 of - I can't think of the name of it. We made arrangements
26 with them and we had boys' showers, et cetera.
27
28 They would go to the Royal Show. And every year you
29 would hear, "Look, I've never ever been to Perth before".
30 Because we would take them, we would drive right through
31 Perth. And it was just widening their things because so
32 many of them live in these little communities. And even
33 when they come from a primary school, like no-one
34 understands they will come from a primary school in grade 7
35 and suddenly they are year 8, at the bottom of the barrel
36 in a big high school. They don't - it was a great thrill
37 taking them out to things.
38
39 Most of the camps we would go and see something, but
40 not shows. I know the Royal Show was there. Mostly it
41 would be movies. I remember like Grease, when that came
42 out, we got concession to that. And we had a deal with the
43 Coastal Cinemas, as it was called, for us to always have
44 half price tickets, providing 8.50 on all the students.
45 The plays like - the plays were - heaps of them, but mostly
46 was Jesus Christ Superstar, Pirates of the Penzance --
47

1 Q. So to cut it short, Mr McKenna, you thought you were
2 broadening the artistic boundaries of the students?
3 A. And a lot of these little year 8s were hard to settle
4 in, and even worse than that was the year 11s that came
5 from a junior high school who was there in year 8, 9 and
6 10. And they leave as prefects and whatever and all of a
7 sudden they are in year 11 and they have to work through to
8 get to something the following year in the new school.
9
10 Q. When you attended the Civic Theatre Restaurant were
11 there family groups in attendance, to the best of your
12 recollection?
13 A. Yes. I'm sure even people here now would know what
14 the Civic Theatre Restaurant was and it wasn't - it wasn't
15 any dirty grotty show. They were very funny and a lot of
16 music.
17
18 Q. I am sure Max Kay would not be pleased --
19 A. And it was year 12s, that was their end of the year
20 trip.
21
22 Q. There has been some discussion about your family
23 members being proficient in sports coaching. Did you play
24 sport as a young man yourself?
25 A. I coached football for 13 years but I couldn't run
26 because of my asthma. And in my primary school years I
27 spent many times in and out of Princess Margaret.
28
29 Q. In your coaching and playing experience did the
30 players often put on players' reviews?
31 A. Yes, they did. And I did accreditation to be a coach
32 through the --
33
34 Q. Part of the players' reviews it is often the case,
35 isn't it, that players will dress up as women?
36 A. Yeah. Indians and God knows what.
37
38 Q. Yeah. It's a fun --
39 A. And the girls would dress up. Our main thing was like
40 probably house week. And the whole hostel changed around.
41 And each house just decorated it and did what they like and
42 had their acts what they like.
43
44 Q. I want to also ask you about - my friend asked you
45 some questions about Maggie Maruff. You suggested that --
46 A. All right. All I can say --
47

1 Q. It was an incident at Reidy House. Do you want to
2 tell us what the incident was?

3 A. Okay. Well, one Saturday afternoon I went down to
4 Reidy House with four boys to collect the canoes. We had
5 six canoes on a trailer. Up at the main hostel I had to
6 stay out in the sun. So when we had the use of Reidy House
7 after (indistinct) finished with it, we didn't open it
8 until, I think it was, '88 or '89 - I think it says there.
9

10 We got the canoes and there was a group sitting on the
11 back verandah with Maggie, and one of the boys said,
12 "They're all smoking pot". I said, "Well, I've never smelt
13 pot". And I asked - I said, "Well, it might be things like
14 from Bali. The cigarettes smell funny".
15

16 And I never really thought much more about it. But a
17 couple of weeks later on a Saturday evening a young man and
18 a woman came up and we had a big disco for the town in the
19 rec centre. And they said that, "There's some people wish
20 to see you urgently up in the dining room". So I went up
21 to the dining room and they said, "Look, we don't want to
22 go back to Reidy House. We're scared stiff. We're sick of
23 Maggie and all her parties and all the pot that's going on
24 and the drugs". I said, "Is this definitely true?" And
25 they said, "Yes." They said, "She says to us, my boyfriend
26 at the time - which is Peter Dowding - who's down there at
27 the moment" --
28

29 Q. Peter Dowding, former Premier of the state?

30 A. That's right. "And he's down there now and he has
31 been before and stayed overnight". I said, "Look" - the
32 guy said, "Look, we're scared to go back because the
33 insinuations and why I wouldn't join in things, I'm sure
34 they're waiting to belt me up". And he said, "I've packed
35 my case". I said, "Look, the best thing to do" - and I
36 can't remember exactly what I advised them to do.
37

38 As far as I can remember someone ran the bus down the
39 street and let them go back to go in there quietly. And
40 the girl was - I think she went and stayed with some
41 friends she got to know over the weeks in Katanning. And
42 they both left Westrek, as far as I can remember, the next
43 day, which would have been a Sunday.
44

45 I then reported that to the chairman of the board. I
46 think they went to the authorities. But I didn't tell her
47 to get out of town. They did.

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Q. Did you make a complaint about her --

A. And also in the meanwhile the investigators this week have shown me a letter from one of those two people who said they visited me and they were too scared to go back to Reidy House, et cetera. And the name was Terry something or other. Whether that's the one that visited me - but it sounds like that's the one that visited me, because that was the events in that letter.

Q. It might be a moot point, you are not proud of the allegations in relation to this --

A. No, I'm not. I'm not. And I - you know I can say sorry to them all the time but it's how I feel inside is my punishment, and it's not going to help them by me just saying, "I'm sorry".

Q. Do you accept though, or do you hold the view that you had some positive influences on Katanning whilst you were at the hostel?

A. I hope so, yes.

Q. Do you think the community benefitted from the nursery that was built under your directorship?

A. I think the town - the tragedy of it all is that, you know, that we brought the town to life, because there was nowhere for young ones to go, and at that point the school was up in the 600s. And we would invite Narrogin hostel and send out circulars. We had a couple of rock concerts, which never ever come to Katanning. Then when the roller skating craze was on we run roller skating for nearly two years and did all the floor up for it. But we always had discos, movies or the roller skating for town kids to go to. So I think that was the most significant thing to Katanning.

And out of what's sad is, yes, I completely feel - I'm not worth a piece of shit possibly, I suppose, because all the good things and the 650 to 700 students that went through there over those years, you know, I know there's letters even circulating somewhere at the moment about they still like the hostel. I read back which Stephen Parkin and then Michael Hilder started their campaign on Facebook for the last two years, and it's awful just a handful can just say all that stuff and just keep working on the bad parts. But sadly the bad parts have overtaken all the good part, and I can't really say how I feel about it. But I

1 don't feel good because there was such a wonderful place.
2 But I don't know if I can say any more.

3
4 MR MAUGHAN: I don't want to ask anything about that,
5 thank you.

6
7 HIS HONOUR: Mr Hammond?

8
9 MR RAFFERTY: Sorry, your Honour. Before you call
10 Mr Hammond, I have no questions of this witness.

11
12 HIS HONOUR: Thank you, Mr Rafferty. Yes, Mr Hammond.

13
14 <CROSS-EXAMINATION BY MR HAMMOND:

15
16 MR HAMMOND: I will be very brief as Mr Urquhart has
17 admirably covered the field pretty much, your Honour.

18
19 Q. I just want to take up some comments you made,
20 Mr McKenna. I represent 21 of the students who were
21 students at the hostel whilst you were the warden.

22 A. Yes.

23
24 Q. You indicated to his Honour that you didn't even feel
25 like a piece of shit at one point. Now, what my clients
26 are having difficulty coming to terms with, I suppose, is
27 what happened while they were there. Do you accept,
28 because you did indicate to Counsel Assisting, that - you
29 seemed to indicate, anyway, that they were happy as they
30 were undergoing this sexual behaviour with you. Is that
31 what you were saying?

32 A. Yeah, they always seemed to be happy. And I --

33
34 Q. Can I just stop you there, Mr McKenna. You are saying
35 they were happy whilst they were undergoing sexual abuse by
36 you?

37 A. They never seemed to change, that's the strange thing
38 about it. I would have picked it up.

39
40 Q. I put it to you, Mr McKenna, that they were extremely
41 distressed and they had no option but to do what you told
42 them because of your position of power?

43 A. Well, it's sad if that's how they felt.

44
45 Q. And do you accept that you have damaged a lot of
46 lives --

47 A. Yes.

1
2 Q. -- at St Andrews?
3 A. Hm-mmm.
4
5 Q. Irrevocably damaged lives?
6 A. Yes.
7
8 Q. And you accept that the students were frightened by
9 you?
10 A. No, I could never ever see that. Never see that. And
11 we had, you know, we had staff down town, we had the
12 teachers. I just thought surely they would have said
13 something - now that all this is coming out over the last
14 few weeks, well, no, since all the publicity started back
15 in November, you know, all I do is soul search what I read.
16
17 Q. Mr McKenna, Mr Urquhart has frequently mentioned the
18 11 students in relation to which you have been convicted
19 for sexually abusing. There were many more than 11, wasn't
20 there?
21
22 MR MAUGHAN: I object to that. That is outside the terms
23 of reference.
24
25 HIS HONOUR: The situation is that I am not inquiring into
26 the extent of your sexual abuse, and I am not in a position
27 to make findings as to sex abuse of particular students or
28 that he is guilty of any particular offences. There are
29 many former students who are not the subject of convictions
30 who have come forward as a result of this Inquiry and
31 alleged sexual abuse by Mr McKenna. By the terms of
32 reference I am to refer those matters to police, which is
33 what we will be doing.
34
35 MR HAMMOND: The reason that question is put, your Honour,
36 is that we say it was so widespread that it must have been
37 known within the Katanning community and, indeed, evidence
38 has been led of those that did have their suspicions.
39
40 HIS HONOUR: I will permit it in very general terms. I am
41 making it clear that I am not in a position to make
42 findings as to further --
43
44 MR HAMMOND: I understand that, your Honour.
45
46 Q. There were many more than 11 students, weren't there,
47 Mr McKenna?

1
2 MR MAUGHAN: I object to that.
3
4 THE WITNESS: I am not going to answer that.
5
6 MR MAUGHAN: I think your Honour has made it very clear to
7 my friend that you can put a general proposition that there
8 were many victims but to put a numeric number on it I
9 think --
10
11 MR HAMMOND: I am not asking for a numeric number, sir. I
12 am putting to Mr McKenna that there were many more
13 students.
14
15 THE WITNESS: All I will say to you is that there is a lot
16 jumped on the bandwagon. I am not stupid. I've been
17 reading. And I've been - I think some of you should go
18 right back and have a good look through what's in Facebook.
19 For instance, Stephen Parkin, "Come on, come forward.
20 There's \$80,000 in it". There's also a statement about
21 this hundred thousand that you're representing them for,
22 for each. I'm not saying they shouldn't get their money,
23 but it is all out of control so I don't --
24
25 MR HAMMOND: Q. Are you able to answer the question,
26 there's many more than the 11 --
27 A. No, I'm not able to answer the question.
28
29 Q. You are not able to answer it because there were and
30 there are many more, aren't there?
31 A. No.
32
33 Q. That's a lie?
34 A. I'm not answering it.
35
36 MR HAMMOND: You are not answering whether it's a lie or
37 not? I don't have any further questions then.
38
39 HIS HONOUR: Mr Jenkin, do you have any questions?
40
41 MR JENKIN: No, thank you, sir.
42
43 HIS HONOUR: All right. That completes your evidence. I
44 beg your pardon, have you got something arising,
45 Mr Urquhart?
46
47 MR URQUHART: I will not be very long, sir.

1
2 <RE-EXAMINATION BY MR URQUHART:
3
4 MR URQUHART: Q. Mr McKenna, I would just like you to
5 reconsider your evidence regarding the fact - are you
6 saying that for the shows that you took students to, Max
7 Kay's, on every occasion you got students' parents'
8 permission?
9 A. They were asked to tell their parents because they
10 were year 12s, all 17 --
11
12 Q. No. The question is: Did you get parents' permission?
13 A. There was always a circular that said we are taking
14 the year 12s to there and if anyone objects - no-one
15 objected as far as I'm concerned.
16
17 Q. You recall, do you not, that with respect to two year
18 12 students their parents withdrew them from the hostel due
19 to one particular trip to Max Kay's restaurant in 1986?
20 A. No, I don't. And no parent ever told me that.
21
22 Q. If the witness could be shown 0323, please. Okay, see
23 that, the warden's report for 20 August 1986, you prepared
24 that?
25 A. Yes.
26
27 Q. Under the heading "Students" "(a)" and there is a
28 students name, year 12, a boy and a female year 12 student
29 "Withdrawn 28 July. Withdrawn 4 August from the hostel
30 both on request due to Max Kay's restaurant trip, July 26,
31 27".
32 A. I presume that's true, yes.
33
34 Q. So that was, I suggest to you, as a result of
35 complaints made by their parents; wasn't it?
36 A. Yeah. Then underneath it it puts down all the names
37 of who went on the trip.
38
39 Q. Yes. I'm just staying with those two though.
40 A. Yep.
41
42 Q. You agree with me that what I'm suggesting to you --
43 A. Yes, yep.
44
45 Q. So there is at least two parents, or four in total,
46 that were not happy; do you agree with that?
47 A. Yep.

1
2 Q. Look also under subparagraph b. It is the case, isn't
3 it, looking at that, that it wasn't just year 12 students
4 who went?
5 A. No, there was some year 11s that year.
6
7 Q. Year 11s. And it wasn't end of year, was it? On this
8 particular trip it was July 26, 27?
9 A. Probably a school holiday or something period. Yeah.
10 It would have been in a camp to Perth. I can't recall it,
11 but it would have been a mid-year one while we went on a
12 trip to Perth.
13
14 MR URQUHART: I will tender that exhibit.
15
16 THE WITNESS: In fact, I think it was a sport weekend.
17
18 HIS HONOUR: That is exhibit 39.
19
20 EXHIBIT #39 DOCUMENT BARCODED 0323. WARDEN'S REPORT FOR
21 20/8/1986
22
23 MR URQUHART: Q. Now, in answer to questions from
24 Mr Maughan you said that you made complaints to the board
25 regarding behaviour that you had been told that Mrs Dawkins
26 and her Westrek participants had been --
27 A. I phoned some board members, mainly the chairman - and
28 I can't remember who they all were - and --
29
30 Q. Well, I gather then this would be recorded in the
31 minutes, wouldn't it?
32 A. It should be in the minutes. As far as I know they
33 went to the council.
34
35 Q. If they weren't in the minutes, Mr McKenna, I would
36 suggest that you never brought these matters to the board's
37 attention?
38 A. I think most of them all knew, especially when the
39 next board meeting come.
40
41 Q. No, if it is not in the minutes, I am going to suggest
42 to you, you didn't bring it --
43 A. Well, it was discussed at a board meeting and some of
44 those board members went to the shire council. And I
45 didn't actually tell her to get out of town. I don't know
46 who did it.
47

1 Q. Mr McKenna, if it was discussed at a board meeting it
2 should be in the minutes, shouldn't it?
3 A. Should be.
4
5 Q. Yes. So what do you say to the suggestion that the
6 only reference in minutes of the board's in 1985 regarding
7 Westrek had to do with the failure of them to pay their
8 rent on time?
9 A. I honestly don't remember anything about rent because
10 I don't handle that part.
11
12 Q. And a fire, a small fire that had occurred?
13 A. Yes. The inspectors, the people asked me this week
14 about a fire. But I really don't remember a fire in the
15 building. I tried and tried and tried. I remember a fire
16 outside the building in where the little dam was but I
17 can't really remember a fire.
18
19 Q. If this matter that you refer to is not in the
20 minutes, and if it did in fact happen that would clearly be
21 a major oversight by that person taking the minutes; you
22 would agree with that?
23 A. Oh, yes, I agree.
24
25 Q. Or you never brought it to the board's attention?
26 A. It was brought up with the board. There was no way -
27 I - I can't tell her or the Westrek to get out of that
28 building and go without the board. All I remember is
29 ringing who the chairman was, which may have been Len
30 Wilkinson I think in that year, I'm not sure, and --
31
32 Q. Mr McKenna --
33 A. -- no, they took it to the council. There should be
34 something with some of the councillors because the Westrek
35 group had to go out of town.
36
37 Q. Am I right in following the answers to questions asked
38 of you by Mr Maughan that you don't think the bad parts
39 that happened at the hostel should overtake all the good
40 parts?
41 A. No. They overtook the good. They overtook the good
42 part.
43
44 Q. Are you saying you don't think they should have?
45 A. No. I don't. I'm saying that the bad parts is a
46 significant thing now, and the other five and 600 students
47 it is all marked. There is nothing to be proud of to be at

1 St Andrews anymore, is there.
2
3 Q. What are you saying is more significant; all the bad
4 things that happened that --
5 A. The bad things have overdone the --
6
7 Q. No, let me finish the question. What do you say is
8 more significant; all the bad things that you were
9 responsible for --
10 A. All the rotten things --
11
12 Q. No, let me finish. All the bad things that you were
13 responsible for at the hostel or all the good things; which
14 do you think should be more significant?
15 A. All the bad things are the significant.
16
17 Q. What do you think --
18 A. Well, that is it.
19
20 Q. -- should be the most significant?
21 A. That is it.
22
23 Q. Do you think they should be the most significant?
24 A. The bad things. Well, they are significant.
25
26 Q. What do you think, Mr McKenna?
27 A. I think they are significant. Yes. I just said
28 earlier how bad I feel inside.
29
30 MR URQUHART: Thank you, sir, that's all the evidence.
31
32 HIS HONOUR: All right. Well that does complete your
33 evidence. You can now leave the witness box and go back
34 down below.
35
36 <THE WITNESS WITHDREW
37
38 HIS HONOUR: I will now adjourn until when, Mr Urquhart?
39
40 MR URQUHART: Yes, sir, we will be adjourning until Monday
41 the 2nd of April, at which it is anticipated several
42 witnesses will be called. That will be back at 111 St
43 Georges Terrace. I don't expect that that hearing will
44 take the day. It should be concluded before lunch. Thank
45 you, sir.
46
47

1 HIS HONOUR: Very good. We will adjourn until 2 April.

2

3 AT 4.08PM THE HEARING ADJOURNED TO

4 MONDAY, 2 APRIL 2012

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