

Special Inquiry into St Andrew's Hostel

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

Wednesday, 9 May 2012 at 2.05pm  
(Day 27)

Before: The Hon Peter Blaxell

HELD IN CLOSED COURT

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All others, please contact the Inquiry on 1800 227 992.

1 HIS HONOUR: Yes, Mr Urquhart?  
2  
3 MR URQUHART: Thank you, sir. There is only going to be  
4 one witness called this afternoon. His name is Leslie  
5 Oliver Keith Stephens. Mr Stephens is just seated there  
6 alongside Mr Andrews. I will call him now.  
7  
8 HIS HONOUR: If you would come to the witness box, please,  
9 Mr Stephens.  
10  
11 <LESLIE OLIVER KEITH STEPHENS, sworn:  
12  
13 <EXAMINATION-IN-CHIEF BY MR URQUHART:  
14  
15 MR URQUHART: Q. Mr Stephens, do you understand my role  
16 in these proceedings?  
17 A. Can I ask a question please? I prefer to be called  
18 "Keith", if that's all right, your Honour.  
19  
20 HIS HONOUR: That is all right. Not a problem.  
21  
22 MR URQUHART: Q. So you want me to call you "Keith" now?  
23 A. I prefer that, yes, if you don't mind.  
24  
25 Q. I understand you prefer "Keith" other than your other  
26 names but --  
27 A. I go as "Keith" at the time.  
28  
29 Q. So you would like me to call you "Keith" from now on?  
30 A. Is that all right?  
31  
32 HIS HONOUR: Yes.  
33  
34 MR URQUHART: All right. I haven't had that request  
35 before. If I state "Mr Stephens" it is only because of the  
36 course of practice over many, many years.  
37  
38 Keith, I overheard your lawyer, Mr Andrews, say to you  
39 before we started that if you feel like a break at any time  
40 by all means you can request a break. Other witnesses have  
41 done that, so it is not a sign of weakness or anything like  
42 that. Okay?  
43  
44 HIS HONOUR: So any time you want a break just say so.  
45  
46 THE WITNESS: Yes, your Honour, thank you.  
47

1 MR URQUHART: Q. Keith, you are 75 years of age?  
2 A. Correct.  
3  
4 Q. You presently reside in Albany?  
5 A. Correct.  
6  
7 Q. How long have you lived there for?  
8 A. Good question. About 10 years.  
9  
10 Q. You are a retired farmer?  
11 A. Yes.  
12  
13 Q. Your farm, as I understand it, was north-east of  
14 Nyabing?  
15 A. That's right.  
16  
17 Q. Is that right, about 20km from Nyabing?  
18 A. Eighteen mile.  
19  
20 Q. Eighteen miles, okay then. As I understand it your  
21 farm, you had grain there and also some cows, sheep and  
22 pigs; is that right?  
23 A. That's right.  
24  
25 Q. How long did you run that farm for, about?  
26 A. From 1958 till about 1990.  
27  
28 Q. I see.  
29 A. A little bit more than 1990.  
30  
31 Q. You married a lady by the name of Shirley?  
32 A. Yes.  
33  
34 Q. Did she pass away in 2005?  
35 A. Yes.  
36  
37 Q. Did you have five children as a result of that  
38 marriage?  
39 A. Yes.  
40  
41 Q. And if I can go through them from the eldest to start  
42 with; Kerryn is the eldest?  
43 A. Kerryn.  
44  
45 Q. And was he born in January of 1980?  
46 A. Yes. 10th of January.  
47

1 Q. And then Darryl came next?  
2 A. Yes.  
3  
4 Q. Is that right. Can you remember his date of birth?  
5 A. 27th of May 1962.  
6  
7 Q. Then Lorraine?  
8 A. Lorene.  
9  
10 Q. Lorene?  
11 A. No, Lorene. They call it Lorene, you know. I'm  
12 sorry.  
13  
14 Q. That's all right. Lorene. And that was spelt  
15 L-O-R-E-N-E; is that right?  
16 A. Yes.  
17  
18 Q. Her date of birth?  
19 A. The 16th of April two years after Darryl.  
20  
21 Q. 1964?  
22 A. Yeah.  
23  
24 Q. And then came Brent?  
25 A. Yes.  
26  
27 Q. Is that right?  
28 A. Yes.  
29  
30 Q. Was he born in 1965 some time?  
31 A. Yes.  
32  
33 Q. The date is?  
34 A. 24th of March - but I think the 18th of March. I'm  
35 not sure.  
36  
37 Q. That's okay. Then finally your fifth child was  
38 Graham; is that right?  
39 A. Yes.  
40  
41 Q. Was he born in 1967?  
42 A. Yes.  
43  
44 Q. Now, Keith, was it the case that all your children  
45 went to the Katanning high school?  
46 A. Yes.  
47

1 Q. Because of the fact that you all lived at Nyabing was  
2 it the case they all had to board at the Katanning hostel?  
3 A. Yes.  
4  
5 Q. Did they commence at the high school the year they  
6 started first year high school, or year 8, is that your  
7 memory?  
8 A. They went straight from primary school to Katanning.  
9  
10 Q. Kerryn was the first child?  
11 A. Yes.  
12  
13 Q. He started in year 8. He was born in 1960 then he  
14 would have started staying at the hostel and going to the  
15 school in 1973?  
16 A. Yeah, okay.  
17  
18 Q. How about we do it this way, is it your memory that  
19 all your children started in grade 1 at the right age?  
20 A. Hm.  
21  
22 Q. The year they turned six?  
23 A. Yes.  
24  
25 Q. Did they all go through school without having to  
26 repeat any years?  
27 A. Yes.  
28  
29 Q. So that would be the case if he were starting first  
30 year high school that would have been in 1973?  
31 A. I'm not doubting you, I just don't remember. I will  
32 just agree with what you say, yeah.  
33  
34 Q. We do need to refer to years from time to time during  
35 the course of your evidence. If we can have that as a  
36 starting point it will certainly assist that he started at  
37 the high school in Katanning in 1973. I think that is  
38 accepted?  
39 A. Okay. I will accept that.  
40  
41 HIS HONOUR: We have a statement from Kerryn saying it was  
42 1973.  
43  
44 THE WITNESS: Oh, that was 1973, yeah.  
45  
46 MR URQUHART: Q. That he went all the way through the  
47 five years --

1 A. Hm.  
2  
3 Q. -- which takes us to 1977?  
4 A. Yeah.  
5  
6 Q. Now, Keith, is it the case that you joined the board  
7 of the Katanning hostel when Kerryn was in his second year?  
8 A. That's correct.  
9  
10 Q. That would mean 1974?  
11 A. Yes.  
12  
13 Q. Indeed, our records seem to show that was actually  
14 September 1974 was the first board meeting that you  
15 attended?  
16 A. Mmm-hmm.  
17  
18 Q. Can you recall how it was that you came to be a board  
19 member?  
20 A. Yeah. We were - Kerryn was into the second year and  
21 it was apparently the tradition that the second year kids  
22 belted up the first year kids with wet towels rolled into a  
23 kangaroo tail and belted them. So Kerryn, with his group,  
24 were doing that and the father of one of the kids, rightly  
25 so, took exception. We were all called into the hostel,  
26 all naughty parents with second year kids were called into  
27 the hostel. I made a comment to the chairman of the board  
28 at that time, I think his name was Michael Harford - I know  
29 his name was Michael Harford - and I said to him, "Look,  
30 you know, you're doing this wrong. These are ordinary  
31 little farm kids. They're not criminals, you know. Why  
32 are they being treated like criminals?" He said to me,  
33 "Well, look, Keith, if you have something to say about this  
34 why aren't you on the board?" I just said to him, "Well, I  
35 have never been asked". He said, "You have now".  
36  
37 So there we were, your Honour, that's how we got it.  
38 I made the comment to him that 'That's fine, but I'm not  
39 travelling all that way on my own. My next door neighbour,  
40 Neville Harris" - Neville Badger, I beg your pardon,  
41 "Neville Badger travels with me, and he's on the board  
42 that's fine". And that's what happened.  
43  
44 Q. Mr Badger's surname is spelt B-A-D-G-E-R?  
45 A. Yes.  
46  
47 Q. Is that right?

1 A. Yes.  
2  
3 Q. Did you also know somebody else on the board by the  
4 name of Featherstone?  
5 A. Stan Featherstone.  
6  
7 Q. Did you know him too?  
8 A. Yes and John Renk, who I know.  
9  
10 Q. John Renk, yes?  
11 A. Was the secretary at that time. John, being the  
12 secretary, he was the one that rang me and told me that we  
13 were required to come to Katanning on that day.  
14  
15 Q. When you joined the board were you given any  
16 guidelines or instructions as to what the role of the board  
17 was?  
18 A. None whatsoever.  
19  
20 Q. So you started on the board in 1974. Was it the case  
21 that you remained on the board until 1981? Does that sound  
22 about right you to?  
23 A. That sounds about right, yeah.  
24  
25 Q. That would have been, if we can place it in context,  
26 it would have been the year after your son Graham had the  
27 accident with the bus?  
28 A. Yeah. That sounds pretty right. And I left - I never  
29 actually left the board. I was asked --  
30  
31 Q. We will get to that. For ease of reference for  
32 everybody, we are going to deal with things as much as  
33 possible in chronological order, okay, the order in which  
34 things happened. We are now just going back to 1974. You  
35 remember the chairman at the time was a man by the name of  
36 Michael Harford?  
37 A. Yeah. He was an Anglican church minister.  
38  
39 Q. I was supposed to ask you that, he was actually the  
40 Reverend Michael Harford, wasn't he?  
41 A. Yes.  
42  
43 Q. Was it the case that shortly after you joined the  
44 board that he resigned?  
45 A. Two or three meetings, yes. I think it was two.  
46  
47 Q. Can you recall whether that resignation was quite

1 sudden?  
2 A. Yeah, it was sudden, all right. Yeah.  
3  
4 Q. Can you remember how that came about?  
5 A. I had no idea at the time. Really, sir, I had no idea  
6 what happened. Michael split the board up into sections  
7 around, and we were all supposed to do little bits for the  
8 hostel and get our own little bits and bring them in to the  
9 main board and then sort them out. That was his idea.  
10 When we were out in our group, and when we came back the  
11 chair was empty. And all the people were stunned, you  
12 know, "Stan, what are you going to do about the chairman  
13 now?". A little bit after that Michael appeared and put  
14 his resignation in writing, on type, in front of us, and he  
15 was gone. And that was it.  
16  
17 That was when Stan Featherstone said - he nominated me  
18 as chairman. And I said, you know, "I've only been here  
19 for two meetings, I haven't got a clue how this place runs.  
20 I don't even know one end from the other".  
21  
22 Then there was some discussion. I forget all the -  
23 but it was a discussion. The high school head master said  
24 that he would chair the board until the end of the year and  
25 then he would be shifting office - whatever happened. We  
26 came back in to the next meeting expecting the head master  
27 to be there. He wasn't there because his - look, I'm not  
28 certain on this, but my memory says that his daughter died  
29 in between - in that month. The choice being in my mind  
30 she had an accident at the railway crossing.  
31  
32 Before then we had to have a Deputy Chairman, so Stan  
33 said to me, "Well, you can be deputy and you will learn the  
34 ropes within the year". So suddenly the deputy become the  
35 chairman, and that's how much previous knowledge I had.  
36  
37 Q. So when you became chairman did you get some sort of  
38 instructions or guidelines from anyone?  
39 A. No. I wish I had. No.  
40  
41 HIS HONOUR: Q. So you became chairman on about your  
42 fourth meeting, did you?  
43 A. Yes, two to fourth, yes.  
44  
45 Q. Two to fourth meeting you became chairman?  
46 A. Yeah.  
47

1 MR URQUHART: Q. It seems to me it would have been  
2 around, either if not at the end of 1974 then the beginning  
3 of 1975, would that - if in fact you started going to the  
4 meetings in September? Does that sound about right, if in  
5 fact it was the case?  
6 A. I'd like to agree with you because my memory, you know  
7 - it's a long time ago and I'm not doubting that you've got  
8 it in front of you there, so I'll agree with that, yeah.  
9  
10 Q. So you remember the circumstances in which the  
11 principal had to resign. But just going back to the  
12 Reverend Michael Harford, did you discuss with your fellow  
13 board members why it might have been that he left so  
14 suddenly?  
15 A. Oh, no doubt we talked about it, but I can't remember  
16 anything.  
17  
18 Q. You can't remember?  
19 A. No. I really can't remember anything.  
20  
21 Q. Were you aware at the time that there was an  
22 organisation that oversaw these hostel boards called the  
23 Country High School Hostels Authority?  
24 A. I'm not real clear on that. I don't think I was at  
25 the time, but shortly after that Colin Philpott, chairman  
26 of that authority came down to one of our meetings. I  
27 offered him the chair. He said, "No, you're doing all  
28 right". And he sat beside me and we went on with the  
29 meeting.  
30  
31 Q. Did you in fact know Mr Philpott before he turned up  
32 to that particular meeting?  
33 A. Well, he came from Katanning - as I was born in  
34 Katanning - and I didn't know him, but I knew of him. And  
35 then I got to know him with my involvement in football. He  
36 was the president of the Great Southern Football League.  
37  
38 Q. Was it the case that he was about five years older  
39 than you; does that sound about right?  
40 A. I have no idea what his age was.  
41  
42 Q. So had you met him at all prior to him attending that  
43 meeting of the board?  
44 A. Like I said, you know, I knew of him and I'd seen him  
45 around I. Knew who he was, but I hadn't really got into a  
46 discussion with him, no. I can't remember I had, anyhow.  
47

1 Q. Now, our records show that - I think you have  
2 confirmed this with an interview that you had with  
3 investigators - you were the chairman of the board for  
4 three years, so that would take us to about 1978?  
5 A. Yeah.  
6  
7 Q. You have told us that you weren't provided any  
8 guidelines as to what the role of the board was, but as you  
9 came to be the chairman did you recognise exactly what the  
10 role of the board was to be?  
11 A. My thoughts were, and I would say that they were  
12 thoughts of the entire board, were that we needed to bring  
13 a hostel into being that had at that stage only 30-odd - 39  
14 students enrolled for the next year or for that year. Our  
15 idea was to turn the hostel around and bring it into a nice  
16 place to live where these country farm kids could come and  
17 look forward to going. That was what we were out to do.  
18 We thought we had done a magnificent job of that but --  
19  
20 Q. Given what you've described there, would you agree  
21 that a central role of the board was to ensure that hostel  
22 children were in a safe environment?  
23 A. Yeah. Yes, of course. That was my idea anyway.  
24  
25 Q. Sorry, that was?  
26 A. That was my idea. That is what I would have thought,  
27 yeah.  
28  
29 Q. Now, I am going to ask you some questions about Dennis  
30 McKenna. Okay? Our records show, our inquiries show, that  
31 he was employed as a house master at Katanning in August of  
32 1975. So by that stage you would have been chairman of the  
33 board?  
34 A. That isn't correct, your Honour. That's not right.  
35 He was definitely employed as a house master in the hostel  
36 prior to me coming onto the board, or becoming chairman  
37 anyway. That's for sure. I do remember that. I know  
38 that.  
39  
40 Q. Was there a time there when you were just the acting  
41 chairman?  
42 A. He was there, you know, because he was a really  
43 likeable young man. We wanted to turn this whole thing  
44 around and have it as a nice place for kids to live in. I  
45 spoke to him about it a few times. He was there before I  
46 took the chair.  
47

1 Q. The investigators, when they have questioned you in  
2 recent times, they actually told you what Dennis McKenna's  
3 recollection of his interview for the position of house  
4 master - that is a supervisor, not the warden - and his  
5 recollection is that it was yourself, Jim Laffer and John  
6 Renk who interviewed him for that position.

7 A. I read that, yeah. And that's not true, because I  
8 wasn't there when he was employed.  
9

10 Q. That's your recollection?

11 A. Certainly, your Honour.  
12

13 HIS HONOUR: Q. Just to clarify what you are saying, you  
14 say that he became employed as house master before you  
15 became chairman; is that right?

16 A. Yeah.  
17

18 Q. Were you on the board when he became employed as house  
19 master? Were you on the board before he started as house  
20 master?

21 A. I - I'm not clear on that. But I think - I think he  
22 was there before I came on the board, your Honour.  
23

24 Q. You think he was there before you had anything to do  
25 with the board at all?

26 A. That's my honest belief. I've sworn on this Bible and  
27 I honestly believe he was there. I've always believed he  
28 was there, because I remember talking to him about how he  
29 could turn the place around and then - I'm sorry, I'm doing  
30 this in front of you --  
31

32 Q. No that's fine. Go on?

33 A. We had a warden, a female warden, and then out of the  
34 blue she just left. She said, "I'm not here any more.  
35 Bye" So here I was. Didn't really know how the place ran.  
36 All I had was a house master and probably somebody at the  
37 other end, but I don't know about that, and I didn't know  
38 what to do. So I said to Dennis, "Now, would you be  
39 prepared to take on acting warden over the Christmas break  
40 if the executive committee agree to it?" He ummed and  
41 aahed a bit and then he said yes he would.  
42

43 So I got hold of the executive committee, rang them up  
44 and they said, "Well, we will only do that over the break.  
45 As soon as school is ready to start then it's got to be  
46 done properly. This is just a make-shift thing". They're  
47 not the words, but they're my words now, and I'm getting it

1 right, I think.

2  
3 Anyway, so when the time came for kids to come back to  
4 school then we advertised for a warden. And we got a lot  
5 of applications. And, once again, I think it was only the  
6 executive committee that went through that, but I can't  
7 swear to that. I honestly can't swear to that. And we  
8 agreed that there was only one stand-out person that was of  
9 the right age. All of the others were older people, being  
10 army retirees, or whatever. This young man, you know,  
11 seemed to be the only one that really fitted what we were  
12 looking for. So we employed him as the warden.

13  
14 Q. Just to clarify again, your memory is that Dennis  
15 McKenna was already the house master when you became a  
16 member of the board?

17 A. Yes.

18  
19 Q. But by the time he was made acting warden, before the  
20 Christmas break, you were chairman, were you?

21 A. Yes, your Honour.

22  
23 Q. You were chairman when he became acting warden and  
24 also when he was appointed warden to the permanent  
25 position?

26 A. I'm not too sure whether I became the chairman then or  
27 just still acting. I can't really remember back. But I  
28 was the one that spoke to him. I was the one that called  
29 the executive --

30  
31 Q. You say you were acting chairman for a while, were  
32 you, is that what you are saying?

33 A. Yes, yes.

34  
35 Q. How long were you acting chairman for?

36 A. Oh, however long.

37  
38 Q. In any event, you were in the position of acting as  
39 chairman at the time he became acting warden and when he  
40 became warden; is that right?

41 A. Yes.

42  
43 HIS HONOUR: So we know what you say happened.

44  
45 MR URQUHART: Q. In respect to the other applications  
46 that were received, were you involved in that selection  
47 process to appoint him as the warden?

1 A. Yeah.  
2  
3 Q. Who else was involved?  
4 A. Well, I think John Renk for sure, Jim Laffer, and  
5 there would have been another - and I really don't remember  
6 who that was. Had no idea who it was.  
7  
8 Q. Is this what you describe as the executive committee?  
9 A. Yes. I'm sorry, I should have explained that.  
10  
11 Q. No, that's okay. We have received information that  
12 one couple who applied - because there was actually a  
13 position advertised for matron as well at the same time, so  
14 position for warden and a position for matron - our  
15 inquiries show that there was a couple who applied who  
16 worked at a Methodist home for children called Meribah,  
17 M-E-R-I-B-A-H. There was a reference with respect to their  
18 application which praised their work. That was from an  
19 officer of the Department of Community Welfare. I think  
20 Mr Laffer had obtained that reference. With that  
21 information it appears that they were well qualified as  
22 well?  
23 A. Going by that, I agree. But I have no recollection of  
24 that, sir. None whatsoever. I honestly say I have no  
25 recollection of that whatsoever.  
26  
27 Q. But your recollection is that the other applicants  
28 were considerably older than Dennis McKenna?  
29 A. That's what I believe, yeah.  
30  
31 Q. As far as you were personally concerned that was a  
32 factor in his favour, was it, that he was younger than the  
33 other applicants?  
34 A. From memory, that would have been a factor, yes.  
35  
36 Q. Even though his experience wasn't that great, because  
37 his experience up until that point in time when he applied  
38 for warden was just his experience at Katanning, that was  
39 it?  
40 A. I guess you've got it right. That's a long, long time  
41 ago. If I could put some doubt on that I would, but I  
42 can't so I won't.  
43  
44 Q. So what was your first impressions of Dennis McKenna  
45 there?  
46 A. I already stated that. He was a really nice young  
47 man. He came across very pleasant and the kids all liked

1 him. As he got on through the year they all liked him -  
2 liked him a lot. That's how it continued right throughout  
3 the time that all of our kids were there, with the  
4 exception of Lorene, who he - she fell foul of him. He had  
5 her expelled.

6

7 Q. We will get to that in a moment, because that is a  
8 little bit down the track.

9 A. I'm sorry.

10

11 Q. That's fine. That's okay.

12 A. I'm just saying it as it came.

13

14 Q. That is all right. That is fine. No criticism of  
15 you. If you want to add something to a question I have  
16 asked you that is fine. Was it the case that whilst you  
17 were on the board Dennis McKenna would attend the board  
18 meetings?

19 A. Oh, yeah.

20

21 Q. Those board meetings were held monthly?

22 A. Yeah.

23

24 Q. Except in December and January, does that sound about  
25 right?

26 A. It sounds about right but I can't really - yeah, it  
27 would be, because there wouldn't be any need to. The  
28 executive committee would look after it then.

29

30 Q. Whilst you were on the board, both at the time you  
31 were a chair and then you were a simple board member, how  
32 would you describe the relationship between the board as  
33 one and Dennis McKenna?

34 A. Oh, the same as it always was when I was there. Well,  
35 I guess it's the wrong word, your Honour, but in my view -  
36 I guess that's the wrong word, this time. Yeah, they all  
37 liked him. They all got on well with him. He was running  
38 a brilliant hostel. The kids seemed happy. The town liked  
39 him. He had kids going around to the old aged people  
40 weeding their gardens and they would give them some money,  
41 and that would go into the pot for them to go on a holiday  
42 to New Zealand, America, or wherever it was that a group  
43 would go. He was well liked, yeah.

44

45 Q. Just on that question about the money going into the  
46 pot, did the board ever monitor that or keep an eye on  
47 those funds, or was it just entrusted?

1 A. Not to my recollection. I never knew of it.  
2  
3 Q. That was just left with Dennis McKenna to handle?  
4 A. Absolutely, yep.  
5  
6 Q. Did he ever present any statements to the board at the  
7 meetings stating how much money he had?  
8 A. Oh, look, I can't answer that because I really don't  
9 know. I can't recall him doing it but - I really can't  
10 answer that, I'm sorry. If I could - you know, I just  
11 can't.  
12  
13 Q. With respect to Dennis McKenna, would he often make  
14 requests or advise the board of things that he'd done or  
15 things that he would want to do?  
16 A. Oh, he was - he generalised all the time. The board  
17 were always pretty much knowing what was to happen, yes.  
18  
19 Q. The board of what?  
20 A. Well, Dennis would always tell us like, "We're  
21 planning a trip to New Zealand next Christmas for the  
22 year 8s, and we're raising the money this way. The parents  
23 may or may not need to give in some." And things like  
24 that. "The last month the kids weeded gardens for Mr and  
25 Mrs This" and so on, and "did some gardening here and there  
26 and went up and cleaned the streets somewhere else". He  
27 kept us pretty well informed.  
28  
29 Q. Would the board ever, can you recall, state they  
30 didn't agree with something that he was recommending or  
31 suggesting?  
32 A. Not to my recollection they didn't, no.  
33  
34 Q. So what's your recollection then if he had come and  
35 said to the board "I've just done A, B and C", can you  
36 recall an occasion where the board would say, "Well you  
37 should not have done that"?  
38 A. I can't recall that, no. No, I can't.  
39  
40 Q. I think you described it to the investigators that the  
41 board pretty much gave him a free reign?  
42 A. There's no doubt about that. It got - well, obviously  
43 it got to free, yeah. That happened, I must say, your  
44 Honour, that happened after I left the board. It became -  
45 see, I was only there for three years and this went on for  
46 15 years. So things just got freer and freer as time went  
47 on.

1  
2 Q. You say you were only on there for three years. That  
3 was when you were chairman?  
4 A. Three-and-a-half-years, or whatever.  
5  
6 Q. You actually served on the board after you finished as  
7 chairman?  
8 A. Yeah, but not for very long because --  
9  
10 Q. We are going to get to it. We have all the records of  
11 the minutes.  
12 A. I realised that.  
13  
14 Q. Your last attendance - I will show you these minutes a  
15 little bit later on - was August of 1981, okay.  
16 A. I will tell you how it happened.  
17  
18 Q. I will ask you about that for sure, don't worry about  
19 that. Our records show you started in 1974. You might be  
20 suggesting it was actually 1975. You were on the board for  
21 six or seven years?  
22 A. Was I really?  
23  
24 Q. Yes.  
25 A. Well, I'm sorry if I told you a lie and violated the  
26 rules.  
27  
28 HIS HONOUR: Q. Everyone makes mistakes. That's what  
29 the records show.  
30 A. Oh, well, I don't doubt that. I always thought that I  
31 was only there for that time. You know, I've never said  
32 anything different at any of the other meetings, I don't  
33 think. Have I? Yeah, I'm sorry.  
34  
35 MR URQUHART. Q. That's all right. It is a long time ago.  
36 I am not suggesting for a moment you did deliberately - I  
37 mean, other witnesses have got dates wrong, I can assure  
38 you, because we're talking about events that happened --  
39 A. I'm trying to be very, very honest and truthful, and  
40 to have it pointed out to me that I've just violated the  
41 rules is --  
42  
43 HIS HONOUR: We haven't violated the rules.  
44  
45 THE WITNESS: Told a lie.  
46  
47 HIS HONOUR: All you can do is say things to the best of

1 your memory, and it's a long time ago and everyone makes  
2 mistakes remembering things. So don't worry about it.

3

4 MR URQUHART: No. Okay.

5

6 Q. You're right to continue?

7

A. Yes.

8

9 HIS HONOUR: Q. Would you like a short break?

10

A. Yes, I think that's --

11

12

HIS HONOUR: We'll have a short break.

13

14

SHORT ADJOURNMENT

15

16

HIS HONOUR: Please be seated. Yes, Mr Urquhart.

17

18

MR URQUHART: Q. Now, Keith, I'm asking you some  
19 questions regarding the relationship that the Board had  
20 with Dennis McKenna, and can I ask you something specific  
21 about that, and that's to do with the hiring of hostel  
22 staff, so not the hiring of the employment of the warden,  
23 but the hiring of other hostel staff such as supervisors,  
24 cooks and things like that. In your time as Chairman on  
25 the Board, whose responsibility did you think that was?

26

A. I don't know whose responsibility I thought it was,  
27 and - but I was never involved in it, so I can only assume  
28 that Dennis McKenna did it all. I - as far as I - yes,  
29 that's as far as I know. I can't think of anything other.

30

31

Q. Were you aware, for example, that if you - if the  
32 Board didn't want a particular person employed, that they  
33 could say so?

34

A. I wasn't. I was probably aware of it, but it never -  
35 never came up; never required - never seemed to be wanted

36

37

Q. Okay. Could you recall whether matters would come up  
38 regarding the suspension and expulsion of students from the  
39 hostel?

40

A. Yes. I remember that, yes.

41

42

Q. And I know there was one involving your daughter?

43

A. Yes.

44

45

Q. But prior to that, were you aware of other occasions  
46 when Dennis McKenna would say, "Student A has been  
47 suspended", or, "Student B has been expelled"?

1 A. I can't remember any of it. Thinking back there  
2 probably was occasions, but I don't remember them. I just  
3 remember my - my own daughter, and what was said and what  
4 happened and the way she is today, you know, and --  
5  
6 Q. Okay. Can you recall what stance the Board would take  
7 on those matters, other than the one dealing with your  
8 daughter?  
9 A. They generally just - well, I don't know. I would  
10 assume they just agreed with Dennis. That's the way it  
11 was.  
12  
13 Q. And can I ask you what your relationship was like with  
14 Dennis McKenna after he was made warden, and whilst Kerryn  
15 was still at the school? So that's 1976 and 1977.  
16 A. We looked at him - looked upon him as a family friend.  
17 He used to come out to the farm often. Kerryn seemed to  
18 get on extremely - all of the kids seemed to get on well  
19 with him. Shirley liked him. I can only - okay, you know,  
20 it was fine. There was no - he just seemed like that nice  
21 young man that we employed.  
22  
23 Q. And why would it be that he came out to the farm?  
24 A. Probably - you'd probably have to ask him that. Maybe  
25 because we invited him. Maybe he wanted to come out and do  
26 a bit of shooting of rabbits or kangaroos or whatever, just  
27 get away from the hostel for a little while. You know, he  
28 used to come out there.  
29  
30 HIS HONOUR: Q. He'd stay overnight, would he?  
31 A. I don't recall that.  
32  
33 Q. I see.  
34 A. No, I'm not saying he didn't, your Honour, but I don't  
35 recall him staying overnight.  
36  
37 HIS HONOUR: Right.  
38  
39 MR URQUHART: Q. And who would he socialise with on --  
40 A. All of us.  
41  
42 Q. -- those visits?  
43 A. All of us.  
44  
45 Q. Have you been following the evidence that has been led  
46 at this Inquiry since February of this year?  
47 A. You gotta bet your life, yes. Too right I have.

1  
2 Q. And have you been reading the transcripts, or you've  
3 been just following it on the reports in the newspapers, or  
4 both?  
5 A. I've been watching the tellie and watching what's been  
6 written in the papers that I have a difficulty in reading,  
7 it takes me a long time to read --  
8  
9 Q. Okay.  
10 A. -- so I don't get to a lot of it; but, yeah, I get  
11 through the guts of it.  
12  
13 Q. Have you been looking at the transcripts of the  
14 evidence that's been given?  
15 A. What's a transcript?  
16  
17 Q. That's when everything is typed up as to what's said  
18 in the hearings, and you can go on to a website and read  
19 that?  
20 A. I can't even work a phone, let alone a --  
21  
22 Q. Okay. Well, that answers that question. Well, are  
23 you aware of what Kerryn's saying what happened to him at  
24 the hands of Dennis McKenna?  
25 A. Yes, I'm very much aware. We --  
26  
27 Q. All right. Okay. So --  
28 A. Can I say a bit there, or not?  
29  
30 Q. Well, I'll just put it in - just remind you what it  
31 was that he says, because this is where the dates are a  
32 little important. He said that the sexual abuse of him by  
33 Dennis McKenna started in April of 1976 - that's when he  
34 was in fourth year, or Year 11 - and it continued right  
35 through to when he left school at the end of fifth year.  
36 So that's the end of 1977. Okay.  
37 A. (No audible answer).  
38  
39 Q. Yes. Now, you've told investigators that Kerryn's -  
40 you noticed a change in Kerryn's state of mind whilst he  
41 was at the hostel?  
42 A. No, I didn't say that.  
43  
44 Q. All right. Well --  
45 A. What I said was I saw a - a big change in Kerryn when  
46 he came home from the hostel, and I gave the example that  
47 was one perfect day for harvesting, he and the chap we

1 employed with us, we had two headers going and at 5 o'clock  
2 they came in, and I said to them, "What's wrong?" And  
3 Kerryn said, "We're not slave labourers", and that's what I  
4 said, wasn't it? Yes, that's what I said. Nothing more.

5

6 Q. So that --

7

8 HIS HONOUR: Q. Didn't you say when he came home from  
9 the hostel? You mean on holidays from the hostel, do you  
10 mean?

11 A. No, when he finished.

12

13 Q. When he finished the hostel altogether?

14 A. Yes, he was working at home.

15

16 MR URQUHART: Okay.

17

18 Q. So you didn't notice any change in his behaviour when  
19 he would come home during school holidays?

20 A. No, that was the first time I ever noticed change,  
21 and - yes, first time.

22

23 Q. Well, you see, Keith, Kerryn's given an account of  
24 what happened during the May school holidays of 1977. So  
25 he's in fifth year and he's home, and he's helping you out  
26 on the farm, and you noticed - you asked him what was wrong  
27 with him, why he was so useless, and he said to you:

28

29 Wouldn't you be useless if Dennis McKenna  
30 was fucking you up the arse all the time?

31

32 And you replied:

33

34 I'll have to talk to him about it.

35

36 And then you took him back to school at the end of those  
37 holidays and he says that you left the car park and he  
38 assumed you were going to Dennis McKenna's office, and then  
39 you came back out to him and he recalls you saying to him  
40 that he was to stop telling lies and get on with it,  
41 "You've got to be at school"?

42 A. (No audible answer).

43

44 Q. You're shaking your head there, Keith. Do you have  
45 any recollection of what your son's saying about what he  
46 said to you?

47 A. Absolutely not. You know. No, I didn't hear or

1 remember anything like that. And Keith had it in for me  
2 for a very long time, and here's his chance to have a real  
3 go, and that's what he's doing. The first time that  
4 Shirley and I knew there was any infidelity with Kerryn was  
5 when Shirley says, "Look at this. There's Dennis McKenna  
6 just been arrested in Katanning for" - for what he's been  
7 doing, and that was the first time. And then Kerryn's  
8 wife, Sue, came to Shirley and told her what had happened,  
9 and told Shirley that Kerryn didn't want it to be talked  
10 about, and Shirley said to me now - she said, "Just keep  
11 your mouth shut, he doesn't want it talked about." That's  
12 exactly how it was with us. What he wants to say is his  
13 problem, not mine.  
14

15 Q. All right. So when you're saying that when you found  
16 out about Dennis McKenna being charged, are you talking  
17 about - going back about 22 years now, back to 1990?

18 A. When he was charged in Katanning. When he was  
19 arrested in Katanning.  
20

21 Q. Well, that was September 1990?

22 A. Well, I --  
23

24 Q. Yes. And there was lots of news reports about it,  
25 yes.

26 A. Yes, yes, yes, and that was the first time Shirley and  
27 I knew. First time.  
28

29 Q. And then --

30 A. And up until then we had no knowledge whatsoever. We  
31 knew Kerryn was drinking excessively, we knew he wasn't  
32 running any of his businesses well. We knew all of that,  
33 but we put it down - there is a drinking problem right  
34 throughout our family, and going back to way back, we just  
35 put it down to that, and we just hoped that he would  
36 somehow come through it. And one day he turned up at our  
37 place and he was in a lot of trouble. And he came down to  
38 Shirley, brought him down in the car to where I was at the  
39 piggery, and he said, "Dad, will you take me to Perth to  
40 see your psychiatrist, because I think I need some help."  
41 I rang Dr Kay, the psychiatrist I've been under since 1995.  
42 He wouldn't see him for obvious reasons, and - but he  
43 arranged for somebody to see Kerryn. Now, I drove him  
44 straight from the farm to that place. We went in to see  
45 the psychiatrist, and Kerryn just sat there, wouldn't say  
46 anything, and the psychiatrist - you don't want me to go on  
47 with this?

1  
2 Q. No, no, fair point. Yes. Well, can I ask you this:  
3 obviously this is some time after 1995, is it?  
4 A. To me, a farmer, another day's another day.  
5  
6 Q. Well, we'll put it in context. You said you  
7 recommended him to your psychiatrist and you said that  
8 you'd been seeing that psychiatrist since 1995?  
9 A. Yes.  
10  
11 Q. So therefore it had to be after 1995?  
12 A. It was after that, yes.  
13  
14 Q. Okay. So you're saying that the first time you became  
15 aware of Dennis McKenna doing anything to your son was when  
16 Kerryn's wife, Sue, spoke to you and Shirley --  
17 A. No, she spoke to Shirley --  
18  
19 Q. Spoke to Shirley?  
20 A. -- and Shirley spoke to me.  
21  
22 Q. And that was what, shortly after you became aware that  
23 Dennis McKenna had been charged with a sexual abuse of  
24 other --  
25 A. I don't know. I don't know how long - one, two,  
26 three days, I am not sure --  
27  
28 Q. Okay.  
29 A. -- but he never said any --  
30  
31 Q. All right. Well, Keith, I'm going to ask you this,  
32 because this is what I have been asking all the witnesses  
33 when there's a disagreement between what one witness has  
34 said to another, okay. So when - in circumstances where  
35 one witness said, "No, that conversation didn't happen", I  
36 then ask that witness what they would have done if that  
37 conversation had happened. So I'm going to ask you that.  
38 If it happened, and I stress if, if --  
39 A. I would have gone straight to the cops, no doubt, no  
40 doubt. Straight to the bloody cops in Katanning, taken him  
41 with me, and his mother, and we'd have gone to the cops and  
42 we'd have said so straight out. No matter what we thought  
43 of Dennis McKenna or anything else, that's where we would  
44 have gone, and that's the way I would have handled it no  
45 doubt. No doubt whatsoever about that in my mind.  
46  
47 Q. You wouldn't have spoken to Dennis McKenna first?

1 A. Christ. Of course not. He would be the last person  
2 you'd speak to under conditions like that. It was on the  
3 air, he'd been caught for goodness sake. He'd been  
4 arrested. Why would you want to go to him when he's  
5 already been arrested?  
6  
7 Q. No, Keith, no. Sorry, I'm going back to 1977. This  
8 is when Kerryn says he came - he said those things to you?  
9 A. Well, the same thing would have applied.  
10  
11 Q. So, yes.  
12 A. I mean, if you go to Dennis, he'd deny it. Of course  
13 he would.  
14  
15 Q. Dennis McKenna hadn't been charged then. This is  
16 13 years before that, okay. So --  
17 A. Doesn't make any difference.  
18  
19 Q. That's what I'm saying, if your son had said that to  
20 you whilst he was still at school, and up until then you  
21 hadn't been aware that Dennis McKenna was doing this type  
22 of thing, would have you gone to the police?  
23 A. Well, you can't go to the Chairman. No, I would have  
24 gone to the police, yes.  
25  
26 Q. And you wouldn't have gone to Dennis McKenna first?  
27 A. No. Why would I want to do - he's going to blame  
28 Kerryn for telling lies; he's going to blame me for  
29 whatever, and no. By that time we had gotten to know -  
30 like, he had whispering campaigns against me, he --  
31  
32 Q. Well, given the high regard you held for Dennis  
33 McKenna, and the high regard he had within the community  
34 and at the hostel and at the school, is it something that  
35 you would have believed if your son had said that to you?  
36 A. I'm his father for goodness sake and, of course I  
37 believed him. Why wouldn't I believe my own son? Why  
38 would I go and ask some other person that had already shown  
39 hurt towards me, you know?  
40  
41 Q. Well, Keith, isn't it the case that you were aware  
42 from what you saw with your own eyes, that the relationship  
43 Dennis McKenna had with your son, Kerryn, while Kerryn was  
44 at school, was not a normal one?  
45 A. It didn't seem anything different to me, and --  
46  
47 Q. Well --

1 A. No, didn't seem - he - Dennis had definite favourites,  
2 and Kerryyn was one of his favourites. There were other  
3 favourites so, you know. We went up to Geraldton - I can't  
4 remember what the hell we went to Geraldton for, but we  
5 went to Geraldton and now Kerryyn came. Now, whether he  
6 asked to come or whether - I wouldn't have made him come  
7 because I had to pay the bill.  
8  
9 Q. Keith, but I'm asking you now isn't it the case that  
10 you saw a particular incident which would suggest that your  
11 son's relationship with Dennis McKenna was not a normal  
12 one? You don't know what incident I'm talking about?  
13 A. Absolutely not.  
14  
15 Q. When you went to the hostel?  
16 A. Oh, yes, yes, I remember that. Yes, I brought that  
17 up. You're talking about the one when I saw them in bed?  
18  
19 Q. Yes.  
20 A. Yes, I saw them in bed. I'm not happy about that, but  
21 that was a relief, because it was something I didn't know  
22 about otherwise. What happened was I can't recall whether  
23 I knocked on the door and then opened the handle, or  
24 whether I just opened the handle and walked in. First of  
25 all I asked the kids where Dennis was, "In his room", so I  
26 went down there, and they --  
27  
28 Q. So this is when - so you went - okay, so you went to  
29 visit the hostel --  
30 A. Yes.  
31  
32 Q. -- because you needed to see Dennis?  
33 A. Yes.  
34  
35 Q. And this is when you were - what, the Chairman?  
36 A. Yes.  
37  
38 Q. -- of the Board?  
39 A. Yes, I think so.  
40  
41 Q. Kerryyn's still at school?  
42 A. Yes.  
43  
44 Q. Okay. Right. So you asked the kids where Dennis is,  
45 they say he's in his room --  
46 A. Yes.  
47

1 Q. -- so you go there, you knock on - well, you don't  
2 know if you knock on the door or if you just open the door.  
3 So go on, yes.  
4 A. And they were laying in bed with the cover over them.  
5 They were about, you know, that far apart.  
6  
7 Q. So you're indicating, just for the transcript - you're  
8 indicating about 50cm apart, yes, which is about 20 inches?  
9 A. What's a --  
10  
11 Q. Yes. 20 inches --  
12 A. That far.  
13  
14 Q. Okay. Yes.  
15 A. I couldn't tell whether they were naked or not. I  
16 spoke to them.  
17  
18 Q. Can you recall whether this was night-time?  
19 A. No, this was the middle of the day.  
20  
21 Q. Middle of the day, yes.  
22 A. Middle of the afternoon, yes. And I kind of went out  
23 and, "What do I do now?", and I thought, "Well, either way  
24 I go here, I'm a loser", so maybe I'll go home and see what  
25 Shirley has to think about this.  
26  
27 Q. Okay. Why did you think either way you look at  
28 this --  
29 A. Well, if I --  
30  
31 Q. -- you were a loser?  
32 A. Well, if I have said something about them being into  
33 bed together or made inferences to what they might be there  
34 for, then Kerryn would have backed Dennis, and he would  
35 accuse me of making mountains out of molehills, telling  
36 lies, or they were just watching a movie or music or  
37 whatever, and I would be the criminal, not - not them. And  
38 so I asked Shirley and she said, "Well, there's not much  
39 you can do about it, you're going to lose any way", so --  
40  
41 Q. Well, Keith, what did you think when you first saw  
42 that here's your teenage son --  
43 A. I just thought that they were very, very good friends,  
44 and I just thought that if they had been touching one  
45 another or anything like that, then I would have acted  
46 differently, but they weren't doing that, and I can't  
47 remember whether there was a television or there was music,

1 I can't remember any of that, so I just thought, "Well,  
2 they're good friends, they're just laying there talking",  
3 or, you know, and - naive, sure; mistake, yes, but I made  
4 it, and I have never denied that. Right from the first  
5 interview, I have said that. I have to take the punishment  
6 for that.

7

8 Q. Keith, you said you were naive, but by my calculations  
9 you would have been in your mid 30s by this stage, even  
10 late 30s?

11 A. Well, if you want to put things on me, you handle on  
12 me, but that's - you know, I did the thing that I thought  
13 was right for my son and the hostel at the time, and it was  
14 wrong, very wrong, and I know that now, but I didn't know  
15 it then.

16

17 Q. What you saw, I suggest to you, would at least have  
18 looked suspicious to you?

19 A. I've already answered this a couple of times. Of  
20 course it looked suspicious.

21

22 Q. Did you ask your - subsequently ask your son about it?

23 A. No.

24

25 Q. Did you subsequently ask Dennis McKenna about it?

26 A. No, I didn't.

27

28 Q. Why didn't you ask your son about it?

29 A. I have no idea why I didn't ask my son about it. No  
30 idea at all.

31

32 Q. It would be the logical thing to do, wouldn't it?  
33 Wouldn't it?

34 A. Today, right now, yes.

35

36 Q. Why --

37 A. 25 years ago it was - it wasn't the same. We were -  
38 it was - it was just different. It would - look, I've  
39 already admitted to what I seen, what I said, what I've  
40 done, and I've admitted it was my mistake. And it - it's  
41 cost, so I bear it. Do you think I don't hurt over this  
42 every day?

43

44 Q. Did you ask either of them at the time, "What's going  
45 on here?"

46 A. No.

47

1 Q. Why not?  
2 A. I can't answer that. I have no idea why I didn't.  
3 It's a long time ago, and things were different then, and I  
4 just - I don't know, I thought I had already answered that  
5 anyway.  
6  
7 HIS HONOUR: Can I just ask a couple of things?  
8  
9 Q. Now, you said it was the middle of the afternoon?  
10 A. Mm.  
11  
12 Q. Does that mean it was a weekend?  
13 A. No, it was - oh, good question.  
14  
15 Q. Was it a school day or not?  
16 A. I can't remember that. There was just a lot of kids  
17 around, but they were around there all the time anyway, I  
18 think, your Honour. I really don't know.  
19  
20 Q. And when you came into the room, was either of them  
21 asleep or were they both awake?  
22 A. Both awake.  
23  
24 Q. So were they just laying still in bed, or what?  
25 A. Yes, just lying flat on their back, that far apart.  
26  
27 Q. And you say you couldn't tell whether they were naked  
28 or not?  
29 A. No.  
30  
31 Q. I mean, how far up did the bedclothes go?  
32 A. To about here, I think.  
33  
34 Q. So you're indicating across the chest?  
35 A. Yes, or about --  
36  
37 Q. Well, could you see whether their shoulders were bare  
38 or not?  
39 A. No, I don't recall seeing them bare, no.  
40  
41 Q. And when you came to the room, did they look startled  
42 at all?  
43 A. No, not at all. Kerryn seemed quite relaxed and  
44 happy.  
45  
46 Q. Was there any conversation between you and them?  
47 A. Yes, yes.

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47

Q. What did you talk about?

A. I can't remember what. I can't remember, your Honour, I'm sorry. I don't know what that was about. I needed to talk to Dennis about something, and I went there and unfortunately I saw what I saw. I've been honest with this whole Inquiry what I saw, and I've told the truth all of the time, and I can't - I'm not going to make up lies just to please the police.

Q. When you saw this, how did you feel about that?

A. I was surprised, yes. I was surprised, yes, but they were good friends, and they used to always go everywhere together and - you said it was Year 5, Year 11?

MR URQUHART: No, no, I haven't asked you that yet.

HIS HONOUR: Q. Excuse me, why - did it occur to you why would they be in bed in the middle of the afternoon together - you know, with bedclothes covering them?

A. Yes, it did. Yes, it did. But, your Honour, I - I've thought this over a million times over the last 30-odd years and I can't give myself an answer to that. I really just can't answer why they were there. I can't answer why I didn't do more about it, and I knew that - and as I've said, I held considerable guilt over that, and I can't do any more.

HIS HONOUR: All right, Mr Urquhart.

MR URQUHART: Q. Now, I was going to ask you, can you recall when this happened - either what year or what year Kerryn was in?

A. No, I can't.

Q. Clearly he was still at the school, still a school student?

A. He was still in high school, yes.

Q. Yes. Was it a time when you were Chairman of the Board?

A. It would have been.

Q. Okay. So it would be some time - well, Kerryn says that he was being abused by Dennis McKenna in --

A. I read it in the paper.

1 Q. -- in April of 1976. That was when he was in Year 11.  
2 So if that's, in fact, correct, it was - it would have  
3 been, it seems, and he was in either Year 11 or Year 12 --  
4 A. I - like, I really don't know.  
5  
6 Q. All right.  
7 A. I can say yes and no and that would basically be  
8 untrue, because I really just don't know. If I knew, I  
9 would honestly tell you.  
10  
11 Q. Did --  
12 A. You've got all those things down. I don't know.  
13  
14 Q. As a result of what you saw, did Dennis McKenna say  
15 anything to you?  
16 A. About them being in bed?  
17  
18 Q. Yes.  
19 A. No, never.  
20  
21 Q. So you didn't ask him?  
22 A. No.  
23  
24 Q. Well, did it come about that he made - he said  
25 something to you about what you'd seen?  
26 A. No.  
27  
28 Q. Isn't it the case that you say he threatened you?  
29 A. Your Honour, I just committed a crime. I've told a  
30 lie.  
31  
32 MR URQUHART: That's all right.  
33  
34 HIS HONOUR: Q. Sorry, I didn't hear that, sorry?  
35 A. I said I've told a lie, I've committed a crime. Yes,  
36 he did. He said to me, "If you say anything about what you  
37 saw I will destroy you." That's the shortened one. There  
38 was a lot more to it than that.  
39  
40 Q. Let's hear the lengthened version of it?  
41 A. "If you say anything about what you saw then I will  
42 have your farm. I'll smash your family. I'll smash your  
43 marriage and I'll destroy you". And, your Honour, he has  
44 done exactly that, even though he hasn't tried.  
45  
46 Q. When was it that he said that to you? Was that at  
47 the time that you saw him in bed with your son?

1 A. It would have been just after that. I can't be  
2 accurate. Really can't be accurate. But it was - there  
3 was a lot of things happening and things got going mad.  
4 But he would have said that somewhere.

5  
6 When I heard what - when I read what Kerryn said in  
7 the paper about me going into the office, I kind of thought  
8 that might have been when that happened. Then I thought,  
9 well, why would that happen then? So I have been trying to  
10 work all these answers out for you, and I can't answer a  
11 lot of them, cause I really just don't know.

12  
13 Q. Kerryn says that you went to the office, he assumes,  
14 because of what he told you --

15 A. Yeah.

16

17 Q. -- that Dennis McKenna was doing?

18 A. Yeah. That's why the whole thing just doesn't gel. I  
19 wish I knew so I could not only tell you and you, your  
20 Honour, but be settled to it in my own heart that I know  
21 what really took place, but I can't remember. I have  
22 stewed over this and stewed over it.

23

24 Q. Before Dennis McKenna made those threats to you were  
25 you going to tell someone about it?

26 A. No. Why would I?

27

28 Q. Were you going to tell someone about what you had  
29 seen?

30 A. No.

31

32 Q. With your son in bed with him?

33 A. I had spoken to Shirley about it and she said, "Look,  
34 they're good friends" - I just told you all this.

35

36 Q. Because of what your wife told you you weren't going  
37 to tell anyone, in any event?

38 A. No. No. My wife and I argued regularly, but we had a  
39 very, very close understanding and we discussed everything  
40 with one another at all times. And I wouldn't have done  
41 anything unless I spoke to her. I went home and told her  
42 what I saw and I told her everything, probably more than I  
43 told you, because I can't remember all of it. She just  
44 said, "Look, I think they're just good friends", you know,  
45 "don't worry about it".

46

47 Q. If it were your decision what would you have done?

1 A. The same.  
2  
3 Q. You wouldn't have taken it any further?  
4 A. No. Because I knew if I did I would go under or - I  
5 couldn't - I was in a no-win situation.  
6  
7 Q. Keith, you hadn't done anything wrong so why would it  
8 be that you would go under?  
9 A. I hadn't done anything wrong but if I had gone to  
10 whoever - the only place I could have gone to was the  
11 police and said that, then Dennis would say they were just  
12 lying there, whatever, watching music or whatever, playing  
13 music and having a chat. They're good friends and Kerry  
14 would back him to the hilt. Bang, I would be under.  
15  
16 Q. What about raising it with the board?  
17 A. That's a good question. Yeah, I should have done  
18 that, but I didn't.  
19  
20 Q. Why didn't you?  
21 A. That's a good question too. I don't know. I don't  
22 know why I didn't.  
23  
24 Q. Is it because of what Shirley said to you or was it  
25 because --  
26 A. Oh, look, that's not a fair question.  
27  
28 Q. Why? Because Shirley told you not to worry about it?  
29 A. We discussed that as husband and wife and a father,  
30 not as a board member. She's not a board member. Why  
31 should I discuss it with her?  
32  
33  
34 Q. Put your board member's hat on for a moment. Don't  
35 you think this was something that the board should have  
36 discussed?  
37 A. And the same thing would have happened as I've already  
38 said. The board - Dennis had the whole board eating out of  
39 the palm of his hand, and that's what would have happened.  
40 And I knew that at the time, and I was worried about my  
41 son, but we never saw any real change in him until he came  
42 home from school. That was the first time we noticed that.  
43  
44 And another thing, he started going out with Sue just  
45 after he came home from school, and he came home and he  
46 said to us "at least Dennis approves of Sue". What the  
47 hell - that's what we said, "What's it got to do with

1 him?".  
2  
3 Q. Keith, are you saying that the threats that Dennis  
4 McKenna made to you had no bearing on your decision not to  
5 raise this with anyone except your wife?  
6 A. Yeah.  
7  
8 Q. No bearing at all?  
9 A. No. I told you yes, it should of. Of course it did.  
10  
11 Q. How did you think he would be able to take your farm,  
12 for example?  
13 A. I don't know how he would have tried to do it. But he  
14 was a very - he's a very sly customer. He got away with a  
15 hell of a lot over a long time. I just - you know, I  
16 haven't got any handle on law and all of that kind of  
17 thing. I didn't know.  
18  
19 Q. How did you think he could smash your marriage?  
20 A. Lies.  
21  
22 Q. About what?  
23 A. About anything. He already lied.  
24  
25 Q. What has he already lied about?  
26 A. Well, he lied that - about Lorene being a little tart,  
27 that she sat down with boys on either side of her, blanket  
28 over her and they used to enjoy themselves with her. Then  
29 he lied that she'd stolen stuff from down the street and -  
30 and he got her expelled. He called the meeting.  
31  
32 Q. Yeah, hold on. This was much later though. I'm just  
33 asking you at the time in which he made these threats to  
34 you --  
35 A. Hm.  
36  
37 Q. -- at that time, how did you think he could smash your  
38 marriage?  
39 A. Well, he would make up some reason. I don't know.  
40 Look, it was just - we were struggling financially. We  
41 were struggling bringing up a family. We were struggling  
42 with the elements and pressure was on all of the time. And  
43 just any little bit more pressure was going to be too much.  
44 And I have told you all - I'm just going to keep telling  
45 you the same thing, because I just don't know any more.  
46  
47 Q. All right, Keith. Let me ask you about something --

1 A. I don't know. Look, we --  
2  
3 Q. Did you believe that he had some information about you  
4 that was of a personal nature and that could be  
5 embarrassing for you if he was to disclose that?  
6 A. He - I read it somewhere that he said I was - that  
7 Shirley used to ring up and ask where I was, because I  
8 hadn't come home. That was a joke, because she didn't ring  
9 up. She always knew where I was. I'm a Freemason and  
10 Masons have some things that they stick to. I used to call  
11 in and see my friend's wife. He had a car accident close  
12 to his house and we used to call in there and see that she  
13 was all right, under Masonic duties, if you like.  
14  
15 Their youngest daughter wanted to go on some sort of a  
16 thing - what do they call those things? - go to Japan.  
17  
18 Q. An exchange?  
19 A. Yeah. And the Masons had one going at the time. So we  
20 were working that out all of the time. But I rang Shirley  
21 when I got there and I rang her when I left, and there was  
22 no other - I don't see any necessity for this. This is -  
23 your Honour, this isn't really it, is it?  
24  
25 HIS HONOUR: Q. Sorry?  
26 A. I think we are going a bit out of bounds here.  
27  
28 Q. Did Dennis have any sort of hold on you?  
29 A. No. No. He might have thought he did, but he didn't.  
30 He might not - look, I don't know.  
31  
32 Q. When he made these threats what effect did that have  
33 on you?  
34 A. Well, like I've just said, your Honour, we were having  
35 - we were struggling to keep afloat, and we just couldn't  
36 afford to have anything extra on us. That's about the best  
37 I can explain it without going back through the diaries and  
38 all of those things, that have probably been destroyed  
39 anyway. I don't know. I really don't know.  
40  
41 MR URQUHART: Q. You see, what we are just trying to  
42 find out, Keith, is what basis he could have for you  
43 thinking that he could destroy you?  
44 A. I told the committee this - the other inquiry this the  
45 other day. I still don't think this has got anything to do  
46 with it, but, look, we used to go - I used to go to the  
47 Lodge and on the way home I would maybe call into the

1 hostel or something and I probably said, "I'm going to go  
2 and see a broad on the way home", which was my mate's wife  
3 who needed to know something about this exchange or just to  
4 see how she was. We look after one another.

5

6 Q. That's right. As I understand it --

7 A. That's all it was about, you know. He has gone "pssh"  
8 you know.

9

10 Q. I understand from what you're saying that Shirley knew  
11 about that?

12 A. Oh, like I've said so many times in this Inquiry -  
13 I've been here for about eight hours now - that we argued a  
14 lot, but we had a wonderful relationship. We discussed  
15 everything with one another.

16

17 Q. Can I ask you this, Keith, did you believe that if you  
18 raised this with the police or with the board that it could  
19 become very messy for you?

20 A. Oh, absolutely. Look, your Honour, I've said this so  
21 many times. How many times?

22

23 Q. Am I right in saying that at this time in your life  
24 you had aspirations and ambition to be a member of  
25 parliament?

26 A. Yes, of course I did. That's no secret. In fact I  
27 ran - I think it was about 1980 or something like that,  
28 around about 1980, I ran for the National Party. You know,  
29 I got a lot more votes than I expected I'd get, but never  
30 got in. But I enjoyed it.

31

32 Q. Politics runs in your family; is that right?

33 A. Yes, it does.

34

35 Q. Wasn't it the case that you had these ambitions to run  
36 for parliament for many years prior to 1980?

37 A. I was involved in the Country Party from about 1960.  
38 The reason I got involved in the Country Party in 1960 is  
39 my dad took me down to meet with a man called Jack Hallett.  
40 And at that stage we just started out on the block,  
41 clearing a new block, and all the rest of it. We both  
42 worked for my father and run a telephone exchange for him,  
43 so we kind of missed the telephone.

44

45 So Jack Hallett didn't get elected into the House that  
46 time, but the next election he did. We kept campaigning  
47 with him all the time. And then it eventuated that because

1 of our persistence or co-operation, or whatever the words  
2 are, for Jack Hallett he actually got a telephone for us -  
3 telephone exchange. There was no way that the post master  
4 general or Telecom, whatever it was, would give us the  
5 ordinary line, like telephone. The only thing that they  
6 would consider was what was known as a microwave link.  
7 They had one up at Derby and they wanted one down here  
8 somewhere, so we got that.  
9

10 The idea of that was so that they could test whether  
11 they could bring this microwave stuff across the Nullarbor,  
12 as I understand it, your Honour. So, that was when I first  
13 got involved with politics. And then, you know, I followed  
14 along a bit.  
15

16 Then, of course, there was the split up between the  
17 Country Party and then the National Party joined. My  
18 uncle, who was in the House at that stage, he asked me to  
19 come to the meetings to bolster up the meetings. Nobody  
20 was going to put up to the upper House, so I did.  
21

22 Q. Keith, you agree with me that if you went and raised a  
23 storm about what you'd seen, your son and Dennis McKenna in  
24 bed together, that it would cause some controversy? This  
25 was just several years before you ran for parliament. Did  
26 that have a bearing on your decision not to do anything  
27 about this, the fact that you may not get preselection if  
28 you got involved in a controversy such as this, and  
29 potentially Dennis McKenna spreading false stories about  
30 you?

31 A. Oh, he did that anyway. To answer your first  
32 question, no. I just - just didn't think I had a chance of  
33 winning preselection for the first time. But then I was  
34 the only candidate and uncle Matt and him kind of backed me  
35 so I got a go. Then when we came up in 1983 for the second  
36 go then the parties come together again.  
37

38 Q. Keith, I want to stop you there because I want you to  
39 go back now to 1976 and 1977, when you saw your son in the  
40 same bed as Dennis McKenna. Is it the case that you  
41 thought this could damage your aspirations to become a  
42 politician if you went public?

43 A. No.  
44

45 Q. And that was --

46 A. Absolutely no. No. No. No. What - what occurred to  
47 me at the time, and I've already said this to you, that we

1 were battling like hell to make a go of things, and just  
2 one more petal on the scales would have ended us forever.  
3 That was the fear of my life. The thing that Shirley and I  
4 dearly wanted to do was to make our own farm. And we did  
5 that eventually, but at that point of time any sort of  
6 difference could have destroyed us.

7

8 Q. Did you believe Dennis McKenna when he threatened to  
9 you that if you were to say anything about this --

10 A. Absolutely.

11

12 Q. -- no, let me finish.

13 A. Absolutely.

14

15 Q. That he could destroy you and take your farm from you?

16 A. Absolutely.

17

18 Q. But how would he be able to do that if all you were  
19 doing was raising what seems to be a legitimate concern  
20 about him being in bed with your son?

21 A. How many times are you going to ask me this?

22

23 Q. I am just trying to understand, Keith, why it was that  
24 you thought this man could take your farm from you. I'm  
25 just trying --

26 A. At that stage I was going through a great deal of  
27 stress and one of the things that I had the greatest fear  
28 of was defamation of character. That just ruled my life  
29 for years and years, until I met - or became a patient of  
30 Dr Kay. That's what it was. Look, I'm --

31

32 Q. Okay.

33 A. I just don't know. I can't tell you any more. I've  
34 told you everything I know.

35

36 Q. Has that happened to you on other occasions in your  
37 life, where you've got to worry about someone suing you for  
38 defamation?

39 A. I worried about like if I made a brash statement, for  
40 instance, about you, then I'd go away "God Almighty, he's  
41 going to sue me". I think they call it a phobia, your  
42 Honour, don't they? Something like that. Anyway, yeah, it  
43 was terrible. It was horrible. It took a long time and a  
44 lot of pills, a lot of perseverance with Dr Kay just to  
45 take that away from me. And I'm very grateful to him for  
46 that.

47

1 Q. Were you at all concerned about what Dennis McKenna  
2 might be doing to your son, Kerryn, after you saw them in  
3 bed together?

4 A. No. No.

5  
6 Q. You weren't?

7 A. Never ever gave me - look, your Honour, how many times  
8 do I have to put up with this? You know, I've done the  
9 best I can do. I've told the truth and he just keeps  
10 coming back and back and back. How long, please?

11  
12 HIS HONOUR: I think the problem is that it's so hard to  
13 understand. It doesn't seem to be what most people would  
14 think would be the normal reaction to that situation.  
15 That's why you are being asked, because Mr Urquhart  
16 obviously can't understand why you would behave in this  
17 way.

18  
19 THE WITNESS: Well, that's the way I did. I can't change  
20 that. If I could I would. It was just - those years in  
21 that chair were bloody hell, I'll tell you. Absolutely  
22 hell.

23  
24 MR URQUHART: Q. Did you at least tell Kerryn not to do  
25 that sort of thing again?

26 A. I never mentioned it to him. I told you that. I  
27 never mentioned it to him at all.

28  
29 Q. You obviously thought there was something that could  
30 be wrong so did you give him some advice as his father?

31 A. I just thought they were good friends like - look, we  
32 went up to Geraldton, the three of us, and they were just  
33 walking around as good friends, and that's what I thought  
34 it was. And I can't change my thoughts. If I'm wrong I'm  
35 wrong, your Honour. And I am wrong. I was wrong. But I  
36 can't change it. And crikey, do you think I haven't had my  
37 heart eaten out over the last 30 years over all this thing  
38 - over the last 10 years.

39  
40 Q. The trip to Geraldton, was that before or after you  
41 saw them in bed together?

42 A. Well, I can't remember.

43  
44 Q. Okay.

45 A. I really don't remember.

46  
47 HIS HONOUR: Q. So just three of you went away to

1 Geraldton, was it?  
2 A. Yeah. It must have been some sort of a hostel  
3 association meeting or whatever. Your Honour, just that we  
4 went there for a particular hostel meeting.  
5  
6 Q. So Kerryn came along as well?  
7 A. Yeah. Seemed perfectly normal. I'm not all that  
8 bright a person but --  
9  
10 Q. When you say they were going around together at  
11 Geraldton, what do you mean by that?  
12 A. Oh, just we were walking up and down the wharf and  
13 around wherever we went, around the streets or whatever, to  
14 the meeting. And we were walking up and down the wharf in  
15 Geraldton. The three of us working out what next year's  
16 plan might be, you know, and the things we can do and how  
17 we can do it.  
18  
19 Q. How long after seeing Kerryn and Dennis in bed  
20 together, how long after it was it that he made threats to  
21 you? Was it straight away or some time later?  
22 A. No. I can't recall that, your Honour. It was just -  
23 I've been trying to gruel that out, like I said earlier,  
24 and I really - I know it happened. I know that Dennis has  
25 denied it, but I know it happened. Like Kerryn and Dennis  
26 have denied being in bed together, but I saw them and I  
27 said so. I'm being honest.  
28  
29 Q. You know Kerryn denies that you saw him in bed with  
30 Dennis, don't you?  
31 A. It was written in the paper. And Dennis said the  
32 same. But it did, your Honour. I did. And that - I wish  
33 to Christ I hadn't because now I'm copping this.  
34  
35 Q. So Kerryn was definitely awake when you saw them in  
36 bed together?  
37 A. Yeah, yeah.  
38  
39 MR URQUHART: Q. Did you ever consider removing Kerryn  
40 from the hostel?  
41 A. No.  
42  
43 Q. Putting him in another school?  
44 A. No.  
45  
46 Q. Why was that?  
47 A. Well, he was happy there, we thought.

1  
2 Q. What about your other sons?  
3 A. They seemed happy enough.  
4  
5 Q. Did you consider thinking that maybe they shouldn't go  
6 to the Katanning hostel any more because of what might  
7 happen to them?  
8 A. Well, I didn't know anything had happened to them. I  
9 told you that.  
10  
11 Q. But given what you'd seen, Dennis with Kerryn in bed,  
12 did you think that maybe - well, you wouldn't want that  
13 situation happening with your other sons, is that fair to  
14 say?  
15 A. Well, I didn't think anything was wrong or was  
16 happening so it wasn't - just didn't raise - didn't raise  
17 the question. No wonder we are going to take a long time  
18 if you are going to keep on this one for the next half an  
19 hour or so.  
20  
21 Q. No, I've moved on now, Keith, to ask you about whether  
22 you had any concerns regarding your other sons. Your  
23 answer to that was no you didn't?  
24 A. No. No. And I found out two weeks ago for the first  
25 - I knew that Dennis was teasing Darryl and calling him a  
26 nickname and that, but I didn't - didn't know that he had  
27 been interfered with. And I asked Andrea did she know  
28 whether he had and she said, "No, he hasn't". That's his  
29 wife.  
30  
31 And the other day I drove a whippy van for a friend of  
32 mine down at Middleton Beach in Albany. I was getting out  
33 and one of the other shed owners came by, the lessee, and  
34 he said to me "Have you got a son working on the wharf?"  
35 And I said, "Yes, Darryl". And he said, "I work with him."  
36 And then he went on and he told me that Darryl had been  
37 interfered with. That's - and his name is Mick Webb, if  
38 you write that down. So I'm open. He told me that Darryl  
39 said that he'd told me, but I didn't take any notice.  
40 Well --  
41  
42 HIS HONOUR: Q. So you were told that by this Mick,  
43 what, two weeks ago?  
44 A. Yeah, two weeks ago. Two or three weeks.  
45  
46 Q. Before that you never knew Darryl had been interfered  
47 with?

1 A. No. No. I asked Andrea and she said, "no. Just a  
2 nickname."

3  
4 MR URQUHART: Q. I gather from what you are saying,  
5 Keith, you didn't think anything inappropriate was  
6 happening between your son and Dennis?

7 A. No, I didn't.

8  
9 Q. And that you weren't concerned that he could well be  
10 behaving with other boys in this same way, that is --

11 A. What question is that? No, of course I wouldn't. No  
12 way. Gee. It is bad enough with my own kids, not only  
13 other kids that you are responsible for as well.

14  
15 Q. You weren't just any ordinary parent who came in on  
16 this, you were actually chairman of the board at the time,  
17 yes?

18 A. Mmm-hmm.

19  
20 Q. If a parent had come to you and you were chairman of  
21 the board, and a parent had come to you and said, "look"  
22 and describe exactly what you had seen Dennis do, or what  
23 position Dennis was in with their child, it would be the  
24 case, wouldn't it, that you and the board would seriously  
25 consider dismissing Dennis McKenna?

26 A. That would be for the board to decide. I would  
27 certainly call the board together and ask this parent to  
28 meet with the board and the decision of the board would  
29 suffice. I'm a democratic person. I'm not a - I'm not a  
30 dictator. I just rule by majority.

31  
32 Q. But in that situation there would be every chance that  
33 the board would have Dennis McKenna dismissed because it is  
34 not appropriate conduct of a warden, is it?

35 A. No. Of course it's not. But that never happened, to  
36 my knowledge.

37  
38 HIS HONOUR: Q. I have to ask this question: If it is  
39 not appropriate for the warden with someone else's child  
40 why do you think there was nothing inappropriate with your  
41 child?

42 A. I don't really understand the question, but I'll try  
43 to answer that anyway. Like I said, your Honour, we were  
44 all good friends. We got on very well together. There  
45 didn't seem to be any problems or troubles whatsoever. And  
46 - I just saw what I saw. I reported what I saw to you  
47 people. I know now, because I wouldn't be here doing this

1 if I'd of probably put him in. But then I wouldn't have  
2 had a farm either. I firmly believe that, your Honour.  
3  
4 Q. I think you know that the Inquiry first became aware  
5 of this incident from Mr Watson, your local member at  
6 Albany?  
7 A. I told Peter.  
8  
9 Q. Yes. He felt, quite rightly, that he should inform  
10 the Inquiry what you told him?  
11 A. Hm.  
12  
13 Q. Mr Watson's evidence was the effect that he got to  
14 know you over a period and you came and talked about this  
15 and it was as if you were getting it off your chest. Would  
16 you agree with that description that it had been worrying  
17 you and you were getting it off your chest?  
18 A. No. What happened was, Darryl, who started all this,  
19 I think, my second son, Darryl, he rang me or come and saw  
20 me, whatever, and said, "Will you go and tell Peter Watson  
21 - you know you were the chairman, what you know?" And  
22 that's what I did. I rang up and got an appointment with  
23 Peter and I went around and I told him. Getting it off my  
24 chest - I --  
25  
26 Q. Well, when you learned in 1990 of what Dennis had  
27 done, did you think back to this incident?  
28 A. Of course. Of course.  
29  
30 Q. What did you think then?  
31 A. Oh, horror. Absolute horror. Absolute horror. Tore  
32 my - tore me to bits. Just too hard. Just too hard. Of  
33 course it did, you know.  
34  
35 Q. When you were in that situation of 1990 did you ever  
36 think, well, you should have done something different when  
37 you'd seen your son in bed with Dennis?  
38 A. When we saw Dennis being arrested in Katanning?  
39  
40 Q. Yes.  
41 A. Yeah, of course we should. Oh, gee. Yeah, Shirley  
42 and I sat down and we cried and we cried.  
43  
44 Q. So what did you think about at that stage?  
45 A. Oh, gee. What - what - what have - what have we done?  
46 What have we allowed to happen? We should have just gone  
47 ahead and nailed him, but we would have lost so we wouldn't

1 have nailed him anyway. So - you know, that's just how it  
2 is. We were pretty much struck, all those kids, all those  
3 lives and all those families.

4  
5 HIS HONOUR: Yes, Mr Urquhart.  
6

7 MR URQUHART: Q. Did what you saw in Dennis McKenna's  
8 bedroom have an impact on your relationship with him after  
9 that?

10 A. I don't think so, no, because I really believed, like  
11 I said earlier, I really believed that it was just a  
12 friendly thing, you know. We were - we were brought up  
13 during the Second World War and boys and girls slept in the  
14 same bed, and boys slept with boys, and it just didn't  
15 occur to me that - I'd never heard - I didn't know what a  
16 paedophile was, I had to get the blooming dictionary out,  
17 find out. I said to Shirley, "What's a bloody paedophile?"  
18 She said, "I don't know", so we got the dictionary out,  
19 find out what it was.

20  
21 Q. Yes. That's when you found out that Dennis McKenna  
22 had been charged --

23 A. Yes.

24

25 Q. -- in 1990?

26 A. Yes, yes, yes.

27

28 Q. All right. But after that incident with you walking  
29 into the bedroom and seeing that, did your relationship  
30 with Dennis McKenna remain fine?

31 A. Yes, okay. Weak as water. I know, you can say that.

32

33 Q. Well, wasn't there an occasion when Sir Charles Court  
34 came to visit the hostel --

35 A. Yes, that was after.

36

37 Q. -- and you noticed something?

38 A. That was a long time after that. That was - I don't  
39 know how long after that, but --

40

41 Q. I can tell you.

42 A. Yes, Sir Charles Court was coming. Dennis did all of  
43 these - you know, he's a mongrel, we know that, I know  
44 that --

45

46 Q. Okay.

47 A. -- but what happened was he had Lady Kyle come down

1 and wrote in the kids, "We all built a swimming pool", and  
2 all that with funds and that, then Charlie Court, Sir  
3 Charles Court came down for some reason --  
4  
5 Q. He opened the --  
6 A. -- I forget what it was.  
7  
8 Q. He opened a nursery.  
9 A. Well, yes, okay. I can't remember, but I came out of  
10 the function room down there. Dennis - the office was  
11 here, Dennis come out of the office here and he got about  
12 halfway down, and when he got halfway down he saw me and  
13 spun around and went back. And I thought, "Whoops, what's  
14 - something's wrong here now." And that was when I knew.  
15  
16 Q. So you're saying that's a long time after you saw the  
17 incident in the bedroom?  
18 A. I can't tell you how long, but --  
19  
20 Q. Okay.  
21 A. -- yes, that was a long time after.  
22  
23 Q. All right. Well, we know that that visit by Sir  
24 Charles Court to the hostel was in April 1977?  
25 A. So it was after, not long after. How long after --  
26  
27 Q. You see, Kerryn says he spoke to you during the May  
28 school holidays of 1977.  
29 A. Well, he never spoke to me. I told you that.  
30  
31 Q. Yes, I know that.  
32 A. And he never spoke to me --  
33  
34 Q. I know that --  
35 A. -- and that's --  
36  
37 Q. -- because --  
38 A. -- you know, he can say what he likes, he's a big boy.  
39  
40 Q. Because --  
41 A. He's not two years old, he can say what he likes.  
42 If --  
43  
44 Q. Because if I'm right, if that did happen - I'm saying  
45 "if" - if he had told you in May 1977, it would be most -  
46 it wouldn't be right, would it, for you to say to him that  
47 he's lying because, in fact, you would have seen with your

1 own eyes some evidence supporting what he was saying  
2 because you'd earlier seen him in bed with Dennis McKenna?  
3  
4 A. I've got two things mixed up here - I've got Sir  
5 Charles Court and Karen (Indistinct).  
6  
7 Q. Don't worry, yes, but - okay.  
8 A. But what - what's the question?  
9  
10 Q. Well, the question is it would be - it would have been  
11 wrong of you if it happened, if he complained to you about  
12 what Dennis McKenna was doing to him, it would be wrong for  
13 you to say to him, "He's lying", because you would have  
14 seen with your own eyes a compromising position of him in  
15 bed with Dennis prior to that?  
16 A. I don't understand.  
17  
18 Q. Okay. It's all right. It doesn't matter. So you  
19 noticed something was - the relationship between you and  
20 Dennis McKenna was - if I can describe it as strained, when  
21 you saw him turn around and walk back into his office?  
22 A. I knew that he was - the other night I'd walked in on  
23 the Board members, and Dennis walked out and they stopped  
24 whispering, and I knew - you know, in all that area of  
25 time.  
26  
27 Q. Well, was there any stage where you raised with the  
28 Board a concern you had with Dennis McKenna doing things  
29 with supplies from the hostel?  
30 A. I was told, and I can't tell you the name of the  
31 person. If I could, I would. I know there were three bank  
32 managers. One we nicknamed Mandrake because of his  
33 haircut. And the other was John Renk, and then there was a  
34 third one. And it was the third one that told me that he'd  
35 been told by the police, or one - a policeman, that the CIB  
36 should be coming because "things weren't quite right".  
37 Now, these were not his words, these are the words that I'm  
38 using now, "are not quite right, cool drinks or soft  
39 drinks", or however he put it, were being ordered from the  
40 hostel and paid for the hostel - by the hostel, and  
41 delivered to the shop that Dennis's family was running in  
42 the centre of Katanning.  
43  
44 Q. All right. And you said "Dennis's family". Can you  
45 remember who it was in his family who was running that  
46 shop?  
47 A. Yes, it was the whole lot of them. There was - well,

1 his mother and his father for starters, and I don't  
2 remember whether the others - see, the kids used to go  
3 down - Dennis used to allocate kids to go down there and  
4 help and all of those kinds of things and --

5

6 Q. And what sort of shop was it?

7 A. Well, it was the green grocer's shop, and I got very  
8 concerned about this, and that's why I brought - I can't  
9 remember if I just brought the executive committee of the  
10 Board or the whole Board, but I brought some of them in  
11 anyway, and --

12

13 Q. Well, Dennis McKenna wouldn't have been at that  
14 meeting, would he?

15 A. I can't remember. Yes, he was. Yes, he was.

16

17 Q. So you raised it with him present?

18 A. Well, we did, yes, because this was - you've lost me  
19 now, I'm sorry.

20

21 Q. That's all right. So you said how you had heard  
22 from --

23 A. Yes.

24

25 Q. -- someone who worked at the bank who was on the  
26 Board, as I understand it.

27 A. Yes.

28

29 Q. He'd heard - the policeman had said to him, "The CIB  
30 should investigate this matter involving cool drink being  
31 bought by the hostel, but being given to the McKenna  
32 family's green grocer shop to sell"?

33 A. Well, they were sold into the McKenna family. So we  
34 had a talk about that, but Dennis was far smarter than me,  
35 and smarter than the Board members as well, and he said  
36 that there was no - and I can't think of that word,  
37 impropriety --

38

39 Q. Inappropriateness or --

40 A. Yes.

41

42 Q. -- impropriety?

43 A. Yes, something like that.

44

45 Q. Or misappropriation?

46 A. And what had happened, but one thing he - I've got -  
47 this was the first time that I ever really got doubt when

1 it was in Sir Charles Court and a few other things, but he  
2 used to say that, "We did well at the shop today, we made  
3 \$350", "Did well at the shop today, we did X number of  
4 dollars." And I said, "What was the profit margin Dennis?"  
5 He would never answer that. I found out afterwards there  
6 wasn't a profit involved. What was profit because he  
7 wasn't paying for them, apparently.

8  
9 Q. You're saying it was those supplies were just coming  
10 from the hostel?

11 A. No, they were bringing it from the markets or  
12 somewhere. I can't tell you where they're coming from.

13  
14 Q. Okay.  
15 A. But, yes, they had these green groceries and all that  
16 down there, and --

17  
18 Q. But the allegation that you raised at the meeting --  
19 A. Yes, it was the cool drinks.

20  
21 Q. Was that he was supplying cool drinks that were bought  
22 by the hostel, just giving them to the shop; is that right?

23 A. That's what I was told, and I'm pretty sure that the  
24 person that told me was there, but I can't vouch for that.  
25

26 Q. But you were the one who raised it at the meeting?

27 A. Yes, I said, "I've been told this as Chairman. This  
28 is the situation", and then --

29  
30 Q. So you were pretty much accusing him of stealing?  
31 A. Oh, well --

32  
33 Q. Yes.  
34 A. -- so be it.

35  
36 Q. Were you concerned about him carrying out any threats  
37 against you?

38 A. I can't recall that because it was - it was - I'm  
39 trying to get it right down to the finer hair. Anyway, it  
40 was all discussed, and Dennis was --

41  
42 Q. So, sorry, you weren't worried about what he had  
43 threatened you with if --

44 A. I would have been, sure, sure, yes, absolutely. I'll  
45 get to that.

46  
47 Q. Okay. So we all discussed it. And they said, "Well,

1 we've got nothing to worry about here", and they all - and  
2 Dennis said, "Well" - said to them all, because I went,  
3 "come down through the pantry and have a look what's there,  
4 you can see what's there." We weren't talking about the  
5 pantry, we were talking about the shop down there, but see  
6 he fooled them all, and I was the only one that went  
7 through the pantry - don't know what for, I didn't know  
8 what was supposed to be there anyway, and they all went.  
9 And that was - he had this power, tremendous power. He  
10 fooled the whole town, for goodness sake.

11

12 Q. Did he fool you?

13 A. Obviously.

14

15 Q. So when you were bringing that to the Board's  
16 attention, were you trying to establish that he - that he  
17 wasn't behaving inappropriately in the running of the  
18 hostel?

19 A. I was trying to establish that everything was all and  
20 aboveboard. That was my job. That was --

21

22 Q. You were trying to establish that?

23 A. Yes.

24

25 Q. But hold on, I thought you were raising it with the  
26 Board because this could be a potential problem?

27 A. That's right.

28

29 Q. Yes.

30 A. That's right. That's what I said. I also said that  
31 it was my job as the Chairman to make sure that everything  
32 was in order. Now that what I was told, I had implied to  
33 me, was incorrect, and everything was okay in the hostel.  
34 That's all I had to worry about.

35

36 Q. Well, that's what Dennis said. So was Dennis  
37 McKenna's word just accepted?

38 A. I guess that's - I guess so, yes.

39

40 Q. Well, once you'd raised that, did your relationship  
41 with him deteriorate?

42 A. I can only tell you the bits and pieces I remember.  
43 Whether it deteriorated or not, I don't know. I just went  
44 around through their pantry with him, and got the heck out  
45 of it.

46

47 Q. All right. Well, that takes us then to the incident

1 involving your daughter, okay. We know from the records  
2 that we've obtained, that would have been July 1977. So  
3 this is Kerryn's final year at school, and your daughter  
4 would have been in - only just started school. She would  
5 have only been in Year 8. Can you tell us what - what  
6 happened there? Was it the case that he advised the  
7 Board - well, advised you that he had expelled your  
8 daughter from the hostel?

9 A. No, no.

10

11 Q. Okay.

12 A. He rang me and said that there is a meeting of the  
13 Board to discuss Lorene's - I can't remember - presence or  
14 something like that, and I can't remember what he said, but  
15 there is going to be a Board meeting to discuss whether she  
16 stays at the hostel or not, basically, and all of the Board  
17 members turned up --

18

19 Q. And did he tell you what it was, the reason why?

20 A. Stealing.

21

22 Q. Stealing. Stealing from where?

23 A. From a shop down in Katanning, and I - I always had it  
24 in my mind it was Quantum-owned shop, or Coles, or  
25 something. Anyway, I don't - but it was down there. She  
26 was supposed to have done this stealing, and so we - we all  
27 got in there, the whole Board turned up, and I sat off to  
28 one side. I hadn't called the meeting so I wasn't going to  
29 chair it. Would you?

30

31 Q. Okay. Never mind, go on.

32 A. Anyway, so somebody said, "Keith, you're going to go  
33 up and Chair the meeting?", and I said, "No, no, I didn't  
34 call it, I'm not going to chair it." So somebody else  
35 chaired it and then I said, "Well, look, I'm not going to  
36 be here while things are said about my daughter, she's very  
37 special to me", and so I left. The meeting was over, and  
38 they all walked out. Dennis walked out past me, never said  
39 anything, and then somebody else, one of the members of the  
40 Board, came out and said, "We've expelled her, Keith", so  
41 we took her home, and I rang a cousin of ours in - or a  
42 cousin of my dad's actually, in the - she's a nun, in  
43 Lesmurdie, in Leederville, and she - we went and had a  
44 meeting with her. She organised a meeting with sister Ann  
45 at St Bridgid's, Lesmurdie, and Lorene went to Year 11  
46 there and was very happy, did quite well there, and then  
47 she got a job with Telecom as a telephonist, and now she's

1 quite a happy girl. Her and her husband are now touring  
2 Europe. They've done very well, and she's a beautiful  
3 lady.  
4  
5 Q. All right. That's good to hear. Now, if we go back  
6 to 35 years ago now, 1977. Did you believe this allegation  
7 of Dennis McKenna's, of your daughter?  
8 A. No. Stealing?  
9  
10 Q. Yes.  
11 A. No.  
12  
13 Q. Did you ask your daughter about it?  
14 A. Yes, of course I did.  
15  
16 Q. And did she deny it?  
17 A. Yes, of course. She's been here, she's been in this  
18 Inquiry for goodness sake.  
19  
20 Q. Right. Well, were you - can you offer us any  
21 explanation as to why Dennis McKenna would have your  
22 daughter expelled on a groundless accusation?  
23 A. Just a conspiracy against me, your Honour. That's how  
24 I felt it, and that's how it was.  
25  
26 Q. Was this just after you'd raised that matter regarding  
27 him --  
28 A. I can't recall that.  
29  
30 Q. -- taking the cool drink?  
31 A. I don't know when it was. It was just a very horrific  
32 time for us. We've only got the one little girl and she's  
33 a beautiful person, and to have that kind of thing hanging  
34 over her head, the best thing we could do was to get her -  
35 although she had to go, the best thing to do was to get her  
36 the hell out of there and into a decent school.  
37  
38 Q. Right.  
39 A. And that's what we did.  
40  
41 Q. Were you at this time trying to have Dennis McKenna  
42 removed as the warden?  
43 A. I never wanted him removed.  
44  
45 Q. No?  
46 A. No, never, never.  
47

1 Q. Not at all?  
2 A. No.  
3  
4 Q. Okay.  
5 A. What, did he say I did?  
6  
7 Q. No, no?  
8 A. Well, I never.  
9  
10 Q. Just asking you that?  
11 A. Well, no way. He was around for 12 years after I was  
12 gone, or 11 years or whatever else.  
13  
14 Q. That's why I said "trying". I'm not saying you were  
15 successful.  
16 A. No, no, I wouldn't - I didn't have any idea what was  
17 going on until we saw he got arrested in Katanning.  
18  
19 HIS HONOUR: Q. What was the items she was supposed to  
20 have stolen?  
21 A. Your Honour, I - I don't know. I don't think he ever  
22 told me, but he found them in her locker apparently, and  
23 she has vowed and stated to this very day, and she's about  
24 48 now I think, that she never pinched anything, and she  
25 never put it in her locker.  
26  
27 Q. And there would have been plenty of witnesses here to  
28 say the same sort of thing happened to them or their  
29 children, and most of these false - these expulsions based  
30 on allegations of stealing involved items which would seem  
31 planted in lockers, but anyway.  
32 A. I wish I could bring her in here now, your Honour, and  
33 you would be - you would understand the pride we have.  
34  
35 MR URQUHART: Q. I just want to go now to December of  
36 1980, and that is - was the month and the year that Graham  
37 had the bus driven into him, when Dennis McKenna was the  
38 driver, at Perth airport. You can recall that, can you?  
39  
40 Q. So Graham would have been, yes, 13 years at the time.  
41 He would have just finished Year 8. As I understand it,  
42 there was a trip planned by Dennis McKenna for a number the  
43 students?  
44 A. Busload of students, from what I can remember.  
45  
46 Q. Yes. And that what happened was that he - as I  
47 understand, he asked your son to get out of the bus to get

1 a parking ticket, and as your son was trying to get back on  
2 to the bus, the bus was driven into him, is that right, and  
3 he suffered a serious leg injury?

4 A. As I understand it, what I was told, and what we've  
5 always believed was that - we refer to him as "Tubby" - do  
6 you mind?

7

8 Q. That's all right, that's fine.

9 A. Anyway, sorry, your Honour, that's his nickname. He  
10 was asked by Dennis to get out and get the ticket. He was  
11 the most beautiful boy, he couldn't do enough for anybody.  
12 So he got out and got the ticket, and while he was out or  
13 thereabouts, somebody said something behind Dennis, who was  
14 in the driver's wheel, the driver's seat, and he turned  
15 around and a bit of pressure went off the brake, and the  
16 bus jammed Tubby's leg between whatever, the bus and  
17 whatever. And so about midnightish - it was late at night,  
18 we got a phone call from somebody that said that Graham  
19 was - he was in hospital, and Dennis had asked him to come  
20 down and ring us and let us know, because it was serious,  
21 and so on. All those kind of details, and I can't remember  
22 whether we just jumped in the Fairlane and just took off to  
23 Perth, or whether we decided that by doing that, it wasn't  
24 going to help anything, so we - anyway, when we got there;  
25 Dennis was sitting in a chair beside Graham. And he was  
26 quite cheerful. Tubby's leg was out and - god, it looked  
27 awful, and for most of those six weeks we didn't know  
28 whether he was going to lose his leg or not. He didn't,  
29 thank goodness, and for the whole six weeks Dennis sat  
30 beside him. And was there any misappropriation - not that  
31 I was aware. He was sitting somewhere down towards the end  
32 of the bed, talking to him. There was no way he could  
33 tiddle or do anything, your Honour.

34

35 Q. No.

36 A. It was very, very, very appropriate I thought, and his  
37 mother thought.

38

39 HIS HONOUR: Q. This was in your home, was it?

40 A. Hey?

41

42 Q. Was this in your home?

43 A. In North Perth Hospital.

44

45 Q. North Perth Hospital, right, yes.

46 A. North Perth Hospital. Anyway, eventually everything  
47 settled down and his leg was saved and he came home, and

1 Dennis was back at the hostel, and this is where I'm vague,  
2 because I can't remember just exactly what, but I know  
3 Dennis and all of the kids on the bus, and other people all  
4 agreed that everything Tubby did was in order, that he  
5 hadn't done anything wrong. All of a sudden it changed -  
6 it was Tubby's fault, he wasn't told to get off the bus, it  
7 was all his fault. Nobody else could be blamed, but Graham  
8 himself, and I got that Colin Philpott had told Dennis to -  
9 not to take blame any more, because it would harm the -  
10 harm the name of the hostel. And that's what I have got.  
11 And I've held that against Colin Philpott to this second.  
12 That was a terrible thing to do that to that little boy.

13  
14 MR URQUHART: Q. Do you know how it came about - do you  
15 know who told you that about Colin Philpott?

16 A. No, I don't, but I've always - look, I really don't,  
17 but I've always felt - no, I really don't. I can't tell  
18 you a name. I can't.

19  
20 Q. Someone other than Colin Philpott who told you that?

21 A. It was not him, no.

22

23 Q. Wasn't him?

24 A. No.

25

26 Q. And was that after you'd started court proceedings or  
27 before, or you can't remember?

28 A. Well, I can't remember accurately, but I think it  
29 was - that was before.

30

31 Q. Okay.

32 A. Otherwise there wouldn't have been any court  
33 proceedings because it would have been all over and done  
34 with, whatever they call it - well, whatever they call it,  
35 insurance.

36

37 Q. Yes, all right. I think we know what you're talking  
38 about there. Now, Keith, do you know a parent who was at  
39 the school around the same time as you, by the name of Noel  
40 Parkin?

41 A. I've heard of him. I don't know him.

42

43 Q. And you'd heard of him at the time that you were - you  
44 were on the Board, or subsequently to that?

45 A. I just knew him. He's in the district. I think he's  
46 either at Ongerup or Pingrup or somewhere. I don't recall  
47 ever meeting him.

1  
2 Q. Okay. All right. Now, just before I ask you about  
3 him, I want to just clarify something before I forget. Do  
4 you know how it came about that you no longer - you were  
5 the Chairman of the Board? Do you know what happened  
6 there?  
7 A. Yes.  
8  
9 Q. Right. Can you just tell us about that?  
10 A. What happened was - and I said it was - we had a  
11 Board - the Board was pretty good - you know, bank manager  
12 and lawyers and all that. They weren't all farmers, but I  
13 think it was Peter Murray, I think, he's a barrister now,  
14 he was in Katanning, and he was on the Board, and I think  
15 he said to me it would be wise if I stepped down or out of  
16 the Board for a time while this business was going on about  
17 Graham's leg.  
18  
19 Q. I see.  
20 A. So I did, and I've never been recalled to this day,  
21 so --  
22  
23 Q. That's right, yes. But - I know that, I'm looking at  
24 the minutes there when that happened, and I'll show you  
25 those in a moment. That was 1981. But don't get upset  
26 about this, it's fine if you can't remember, that's fine,  
27 but you'd actually stopped being the Chairman for  
28 some years prior to that, so you stopped being Chairman,  
29 but you stayed on the Board until Mr Murray made that  
30 suggestion, so I'm just - I'm wondering can you recall how  
31 this was that you stopped being the Chairman, and still  
32 stayed on the Board?  
33 A. Yes, of course I can. That's easy.  
34  
35 Q. I want you to tell us about that.  
36 A. You know, these whispering campaigns that I mentioned  
37 before, and turning around with Sir Charles Court and all  
38 of those things were going on, and it became Annual General  
39 Meeting time, and I put my name up again, or was nominated  
40 again or whatever, and somebody else - and I really and  
41 honestly can't remember who the other person was - got  
42 nominated, and with all the whispering and all the little  
43 bits and pieces that were going on, I got beaten by one  
44 vote, so I just then - I wasn't - I still think I had  
45 learnt enough to have something now to offer, you know.  
46  
47 Q. Yes. Were you aware who it was who was responsible?

1 A. I was aware at the time, but I've forgotten now. I  
2 don't know, I wouldn't --  
3  
4 Q. No. Who was responsible behind the whispering  
5 campaigns?  
6 A. Sorry?  
7  
8 Q. Who had started these whispering campaigns against  
9 you?  
10 A. I've already told you, Dennis.  
11  
12 Q. It was Dennis. And do you know what he was whispering  
13 about?  
14 A. No. If I - had I have known, I wouldn't have been  
15 able to counteract it anyway.  
16  
17 Q. How did you find out that that's what he was doing?  
18 A. I could see it. I told you earlier on in this  
19 interview, if I was - there would be a group of Board  
20 members in, and Dennis would walk out and they'd all shut  
21 up when I walked in, and that was going on, yes.  
22  
23 Q. Is that something that you were familiar with when you  
24 weren't the subject matter of the whispering? Were there  
25 times there when he would spread gossip around the  
26 boardroom or the Board meeting when you were present?  
27 A. I'm on oath here. I'm on oath here.  
28  
29 Q. Yes.  
30 A. And I - I can't say things that I'm doubtful about  
31 here.  
32  
33 Q. I'm just asking whether - you don't know, you can't  
34 remember?  
35 A. Not accurately.  
36  
37 Q. All right. That's fine. Was it Gwen Wellstead or  
38 Wellstead that replaced you as Chairman?  
39 A. Was she?  
40  
41 Q. Yes. I'm just asking you if you can remember whether  
42 it was her or not?  
43 A. I told you I don't remember.  
44  
45 Q. Okay. I'm just jogging your memory there.  
46 A. It was Gwen?  
47

1 Q. Yes. All right. We'll go back now to Mr Parkin. Are  
2 you aware what he's alleging he said to you back in 1980?  
3 A. He said he rang me up and that I hung up on him.  
4  
5 Q. Yes. Just for the record, this is at pages 584 and  
6 585 of the transcript, and to put it in context, he was  
7 ringing up a number of Board members. This is what he says  
8 in 1980, complaining about what he believed Dennis McKenna  
9 was doing with boys, and he says that he told you that he  
10 thought Dennis McKenna was interfering with boys, and you  
11 replied, "You're telling lies", and you hung up on him.  
12 A. Well, if that's what he said. I don't recall it, but  
13 if that's what he said, he said it, and I don't know. I  
14 don't recall it, and once again, here, you know, I am on  
15 oath here. I don't have to tell lies, I can't tell lies.  
16 I said to you I don't recall, and I don't recall that.  
17 That's a vicious statement to make about me.  
18  
19 Q. Well, in fairness to you I'll ask you this: if that  
20 was - if that complaint was made to you, is it something  
21 you'd expect to recall, even though it was so long ago?  
22 A. Of course I would have.  
23  
24 Q. Yes. So you're saying you haven't got a recollection  
25 of it now?  
26 A. None whatsoever. I never knew about it until I read  
27 about it, or heard about it or whatever.  
28  
29 Q. And he also says that he called a Board member who  
30 worked at the Commonwealth Bank, who it would seem to be  
31 your friend Mr Renk, John Renk, and he rang - contacted the  
32 manager of the BWK Co-op who was also a Board member in  
33 1980. Do you remember being on the Board with the manager  
34 of the BWK Co-op by the name of Len Wilkinson?  
35 A. No, I don't.  
36  
37 Q. And he also said he thought he contacted another Board  
38 member who he believed ran a newsagency, or was a  
39 newsagent. Can you recall anyone on the Board in 1980 who  
40 made --  
41 A. That Len Wilkinson, that rings a bell. That really  
42 does ring a bell, but I don't know --  
43  
44 Q. You and he were on the Board together for two years;  
45 two years, it seems, yes, okay.  
46 A. I can't really remember it. I can't place him.  
47

1 Q. Okay.  
2 A. It rings a bell, but then my daughter lived with them  
3 for a while.  
4  
5 Q. Lived with the Wilkinsons?  
6 A. Yes. When she first left school and went in to work  
7 at - as a telephonist in Katanning.  
8  
9 Q. I see, okay. Now, if - I'm saying if Mr Parkin had  
10 said something to you like that, I'm not saying he didn't,  
11 but if he said something to you like that, he rang you in  
12 your capacity as a Board member and said he believes Dennis  
13 McKenna was interfering with boys, can I ask what you would  
14 have done?  
15 A. Very hard to know what I would have done, but I would  
16 have been horrified, that's for sure. I don't know what I  
17 would have done. I can't tell you what I would have done,  
18 but I know that something - I would have done something. I  
19 don't know what it would be, but I really can't tell you  
20 what it would be because I don't know. It's a horrible  
21 thing to happen. I know how we felt when we found out that  
22 he - that Dennis had been arrested, you know, just - it was  
23 a feeling that you have to experience yourself. You just  
24 don't know that feeling.  
25  
26 Q. What, was it? It was a shock, was it?  
27 A. Oh, it was more than shock. It was --  
28  
29 Q. Given what you knew, did you believe the allegations  
30 that were being made?  
31 A. By who?  
32  
33 Q. By those boys, or those men now, who had come forward  
34 in 1990?  
35 A. Well, you didn't have any doubt. He had been  
36 arrested. Yeah, of course. That was when - like I told  
37 you about two hours ago - that was when we found out for  
38 the very, very first time that our eldest son had been  
39 interfered with.  
40  
41 Q. Going back to if Mr Parkin had told you something  
42 along these lines, and you said you don't know. Would you  
43 not have wanted more information from him like --  
44 A. Look, that Bible is looking me in the eye, you know.  
45 I don't want to tell a lie. It is only what I would do  
46 now. What I would do now, of course, is invite - I would  
47 get hold of the chairman of the board at the time and ask

1           them or him, or her, to invite Mr Parkin to a meeting and  
2           discuss it. That is what I would do. And that's what I  
3           would have done then, I'm sure of that.  
4

5           Q.    He says he rang four board members and the response  
6           was all the same, that he was told that he was lying or  
7           making it up, or was told that he wasn't believed. Now,  
8           would you expect Mr Renk to say something like that?

9           A.    John Renk?

10

11          Q.    Yes.

12          A.    To say something like you just said?

13

14          Q.    Yes?

15          A.    I don't think so. You have to know John Renk. He is  
16          the most placid, wonderful, straight-out person. He just  
17          says it as it is, and he doesn't waste words. He's got a  
18          good vocabulary and he's the most wonderful man that you  
19          could ever meet. If he heard about things like that, look,  
20          I'm pretty sure that John would have done back somersaults  
21          to do something about it. He's the most beautiful person  
22          you've ever seen.

23

24          Q.    Len Wilkinson, or you don't really know him as well as  
25          Mr Renk?

26          A.    I can't recall him at all. The name rings a bell, but  
27          I can't recall him.

28

29          Q.    Again, if you had been contacted by this man, this  
30          parent, and told that, you would have gone through with  
31          what you said, you would have got him to come along to a  
32          board meeting, even though you realised the controversy  
33          this could cause?

34          A.    Well, actually I held them. The controversy has  
35          already been caused, if that's true. People are being  
36          involved, being upset and lives are being changed.

37

38          Q.    Would you have expected Dennis McKenna to be present  
39          at that meeting if in fact that went ahead, Mr Parkin came  
40          along?

41          A.    Well, I can't tell you that because it would be the  
42          chairman's prerogative to invite him or not. See, all I  
43          would do in that instance is tell the chairman that I had  
44          this complaint from Mr Parkin and suggest that he invites  
45          Mr Parkin to a hearing, a meeting of possibly the whole  
46          board. It would be then entirely up to the chairman. That  
47          would be the only way I could possibly go, I think.

1  
2 Q. I just want to go now to 1981. In this stage, in  
3 1981, you had had your daughter unfairly expelled, you had  
4 the incident involving the bus with Graham, with Dennis  
5 McKenna at the wheel. So in 1981 what sort of relationship  
6 did you have with this man Dennis McKenna?  
7 A. I can't tell you that because I don't know what  
8 happened in 1981. But I can tell you in 1983 --  
9  
10 Q. This was the last year you were on the board.  
11 A. I have no recollections. What I think about --  
12  
13 Q. You told us that your relationship just after he  
14 became warden was very good?  
15 A. Oh, yeah.  
16  
17 Q. He would come and visit you on your family farm?  
18 A. Oh, yeah.  
19  
20 Q. Was he still visiting you on your family farm --  
21 A. I don't think so.  
22  
23 Q. In 1981?  
24 A. No.  
25  
26 Q. So had the relationship cooled somewhat?  
27 A. Yes, absolutely. And I don't know why. It just did.  
28 And I don't know why the whispering campaigns, why the  
29 effort to get me out of the chair was there. By that time  
30 I was getting time to stand the necessity of the chairman,  
31 or the needs of the chairman, and all that. I didn't  
32 understand all that. But in 1983 when I was campaigning  
33 for - 1983 - it might have been 1981. Anyway, whenever I  
34 was campaigning for the Upper House, for the National  
35 Party, I went into the hostel and asked Dennis would he  
36 give me a bit of a hand. And, you know - no, that's not  
37 true. I went to the paper, Great Southern Herald, and  
38 asked would they do a story for me. And they said they  
39 would.  
40  
41 I thought I'll front up to the hostel. Dennis came  
42 round with us and he insisted going with the reporter back  
43 to the office, and I went away. Nothing ever appeared in  
44 the paper about that.  
45  
46 Q. You think he might have had something to do with it?  
47 A. Of course he did, yes.

1  
2 Q. I'm just going to show you now some minutes of two  
3 board meetings. They are exhibits 40 and 41. They are  
4 board meeting minutes from 19 August 1981 and minutes of a  
5 special meeting nine days after that. Are you just having  
6 a look at the one from the board meeting held on 19 August  
7 1981? I know you said you had some difficulty reading it.  
8 A. Which one is the one?  
9  
10 Q. At the top "St Andrews Hostel Board Meeting Held 19th  
11 August 1981"?  
12 A. Yeah.  
13  
14 Q. Do you see that? It has more typing on it than the  
15 other page. This is some minutes of that meeting. It  
16 shows that you were present, because we can see your name  
17 second from the end under the heading "Present". Then we  
18 have "Apologies", "Previous Minutes", "Correspondence",  
19 et cetera. Can you see that?  
20 A. No. Oh, yeah.  
21  
22 Q. I just want to ask you about this. We just go to that  
23 last item under the heading "General Business". We can see  
24 the word "Motion" underlined. I will read it out for you.  
25 Have you spotted that?  
26 A. Yeah.  
27  
28 Q. It says:  
29  
30 Motion: That parents be requested to make  
31 a donation of \$20 towards meeting the costs  
32 of this trip.  
33  
34 That trip being sending Dennis McKenna on a trip of his  
35 choice during the holidays in January of 1982 because he  
36 had been six years service to the hostel. Okay?  
37 A. Hm.  
38  
39 Q. So \$20 towards the cost of this trip, asking them to  
40 consider his service to the hostel during the past six  
41 years. It was moved by - I think it was G Harris - I am  
42 not quite sure of the first name there.  
43 A. And I seconded it.  
44  
45 Q. And you seconded it. And it was carried.  
46 A. Yep.  
47

1 Q. Can you recall this motion or not?  
2 A. No. Wow!  
3  
4 Q. I was going to ask you why would it be that you would  
5 second that motion?  
6 A. I obviously seconded it. It can't be denied. I tried  
7 to be pretty honest and fair in my dealings in things and,  
8 you know, I try not to let personal beliefs get involved in  
9 other things. That's the only explanation I can give you.  
10  
11 Q. Because, I gather from what you are telling us now,  
12 that given your relationship had deteriorated with him it  
13 wouldn't be something you would necessarily be supporting?  
14 A. Well, I'm not that kind of person. If it was  
15 recommended - there would obviously have been some  
16 discussion about it. Anyway, it is there. It happened. I  
17 can't change it and I can't really remember it so --  
18  
19 Q. That is fine. I was asking if you could?  
20 A. No. I wish I could.  
21  
22 Q. The next document is exhibit 41, barcode 0056. This  
23 is the minutes of a special meeting held on the 28th of  
24 August 1981. This was a special meeting convened, it would  
25 seem, for your solicitor, Mr Murray.  
26 A. Yep.  
27  
28 Q. To speak regarding the case against the motor vehicle  
29 trust. As you can see under the third paragraph under the  
30 heading "Business" you agreed to stand down as hostel board  
31 member until such time as this matter is finalised?  
32 A. Yep.  
33  
34 Q. Do you agree with me that you never - that was the  
35 last board meeting that you ever went to? You didn't go to  
36 another one after that?  
37 A. I was never asked back, no.  
38  
39 Q. Now, you may well have been absent during this motion.  
40 It is not clear. The motion is detailed in item 3 of  
41 "General Business of Minutes of Meeting Held 19/8/81 be  
42 rescinded. Moved G Harris. Seconded L Searle. Carried."  
43 In fact that is the motion that I referred to you a moment  
44 ago about the \$20 request from the parents. Okay.  
45 A. Yeah.  
46  
47 Q. I gather you don't have a recollection whether you

1 were present during that special meeting or not --  
2 A. No.  
3  
4 Q. -- when that was discussed. That is all with those  
5 items. Hand those back to Madam Associate. There are just  
6 two other matters I need to ask you about, Keith, and then  
7 we are finished. We know that Dennis McKenna went to trial  
8 in June of 1991 in the Albany District Court regarding  
9 those allegations being made against him by a number of  
10 ex-students. He was convicted. Do you recall whether he  
11 ever asked you to be a character witness for him, or one of  
12 his lawyers asked you?  
13 A. No.  
14  
15 Q. No. Okay. I am not suggesting they did. I am just  
16 asking whether they did?  
17 A. No. No. I'll tell you whether they did. I've got no  
18 shame there.  
19  
20 Q. After he was sentenced for those matters can you  
21 recall being interviewed by a lady journalist from the  
22 Great Southern Herald?  
23 A. No. I don't. But I remember - I read that.  
24  
25 Q. You have been shown a newspaper article just recently?  
26 A. Yeah, I can't remember what it was about, but I did,  
27 yeah.  
28  
29 Q. I am just going to show you that now. The first page  
30 of that story is exhibit 15. The second page of that story  
31 hasn't been attached to that exhibit, but that is the  
32 portion of the article I wish to show Mr Stephens. What I  
33 propose is that that becomes part of exhibit 15.  
34  
35 EXHIBIT #15 ADDITION OF SECOND PAGE OF STORY IN 'GREAT  
36 SOUTHERN HERALD'  
37  
38 MR URQUHART: If the witness could be handed both.  
39  
40 Q. Keith, just reading this, what you have quoted as  
41 telling this reporter, that suggests that you were somewhat  
42 supportive of Dennis McKenna. I will take you to those  
43 passages now. It is that page that I am looking at that is  
44 titled "McKenna gets seven years". It is the one line  
45 heading. Are you looking at that?  
46 A. Yeah, yeah.  
47

1 Q. You come into the story in the first column about  
2 two-thirds of the way down:

3  
4 Nyabing farmer, Keith Stephens, who was  
5 acting chairman of the St Andrews Hostel  
6 Board when McKenna was appointed warden  
7 agrees with Mr Philpott and believes that  
8 the hostel is a 'tribute' to McKenna.

9  
10 Do you remember saying that to them?

11 A. Not at that stage. There would be no doubt in  
12 anybody's mind in Katanning that it was anything else but  
13 that. It wasn't until the actual - initial - till he went  
14 up the first time that things started to change.

15  
16 Q. This was after - this is in fact after the trial.  
17 This is after he had been convicted. You are saying that  
18 the hostel is a tribute to him?

19 A. I said it. I can't deny it. No way.

20  
21 Q. It says:

22  
23 Mr Stephens however admits that eventually  
24 "friction" arose between himself, his  
25 family and McKenna but he did not wish to  
26 reveal details of the matter.

27  
28 You are referring there to what happened to Graham?

29 A. I think so. Yeah, that would be it. I think so.

30  
31 Q. And what happened to your daughter?

32 A. Well that could be included.

33  
34 Q. And what had happened to Kerryn?

35 A. Well, I wouldn't have known about that, would I?

36  
37  
38 Q. You may well have, yes. This is now about 10 months  
39 after he was first charged?

40 A. Oh, well, you know, I don't know.

41  
42 Q. Then you are quoted somewhat extensively after that.  
43 But I just want to take you to the third column now. You  
44 have stated about halfway down the third column, it is said  
45 this is what you told the journalist:

46  
47 Mr Stephens says that at no stage did he

1 suspect that there was anything amiss at  
2 the hostel.  
3  
4 Do you recall saying that to the journalist?  
5 A. I don't recall saying that, but I've said that here  
6 today. Until we first found out that he went to trial we  
7 didn't know anything was wrong.  
8  
9 Q. "He was shocked" when you heard the news of McKenna's  
10 charges late last year and then:  
11  
12 I've been asked many times since I left the  
13 board if there was any complaints like  
14 that. There was no complaint made to the  
15 board. I never heard any rumours that he  
16 was a homosexual.  
17  
18 That was your recollection then. That remains your  
19 recollection?  
20 A. Well, of course things have changed a hundred percent  
21 since then. But at that stage that would have been my  
22 recollection, yeah.  
23  
24 Q. "I never heard any rumours that he was a homosexual"?  
25 A. I never did. No.  
26  
27 Q. Never heard anything like that?  
28 A. No.  
29  
30 Q. You never saw anything?  
31 A. No.  
32  
33 Q. That would suggest that he might be that way?  
34 A. The only thing I ever saw was what I have already told  
35 you right at the beginning.  
36  
37 Q. It says:  
38  
39 A lot of people had a lot of good living  
40 and pleasure out of the hostel, but I feel  
41 terribly sad for those who had the other  
42 experience. Until this bubble burst he was  
43 held in the highest of esteem.  
44  
45 Was that your personal view of him?  
46 A. Oh, no. That was the view of Katanning. He got two  
47 or three Citizens of the Year.

1  
2 Q. But it wasn't your personal view, was it? You weren't  
3 holding him in the highest esteem before he got charged  
4 with these offences?  
5 A. I don't know.  
6  
7 Q. You can hand that back now. The other thing I want to  
8 ask you about, Keith, is something that the investigators  
9 have already asked you about. An ex-Albany warden says he  
10 had a conversation with a man --  
11 A. Yeah.  
12  
13 Q. -- at a jetty down at Albany. I will just remind you  
14 what he said. His name is Mr Christy. This appears at  
15 page 501 of the hearing's transcript:  
16  
17 A few years ago I was fishing down at the  
18 jetty at Albany and got talking to an older  
19 fellow there about working at the hostel.  
20 I do not know his name. He asked me if I  
21 knew Dennis McKenna or Colin Philpott and  
22 said that he'd been the chairman of the  
23 hostel after Colin Philpott. He told me  
24 that he had reported Dennis McKenna to  
25 Colin Philpott in relation to him abusing  
26 the boys and that as a result Colin  
27 Philpott had him removed from the board and  
28 he appeared to be angry and hold bitter  
29 feelings toward Colin Philpott.  
30  
31 A. No.  
32  
33 Q. Might that have been you?  
34 A. Wasn't me.  
35  
36 Q. You lived in Albany the last, I think, you said 10  
37 years or so?  
38 A. I've done a lot of fishing down on the wharf. I have  
39 done a lot of fishing out of my boat and I've walked around  
40 the streets. I've done a lot of things in Albany, but I  
41 can't remember anything like that. But, what he says it's  
42 me.  
43  
44 Q. Sorry, it fits you?  
45 A. Of course it does. But I don't recall that.  
46  
47 Q. If you had said something like this would have you

1 told him that you had reported Dennis McKenna to Colin  
2 Philpott?  
3 A. I very much doubt that. That's defamation.  
4  
5 Q. In relation to him abusing boys. You don't have  
6 any --  
7 A. I don't think I would have said that.  
8  
9 Q. Why are you able to say that?  
10 A. Well, I'm able to say that because I just believe  
11 that. I - I told you right at the beginning of this  
12 interview I had had a hell of a phobia about defamation.  
13  
14 Q. I am asking you now, going back to the time that Noel  
15 Parkin said he rang you. Might it be that he had rung you  
16 and he said something like that to you that you wouldn't  
17 have wanted to take it further because of your fear of  
18 defamation?  
19 A. No. Because as I said to you, I would have rang the  
20 board member, the chairman of the board, and said that  
21 Mr Parkin had something to say to me that should be heard  
22 by the chairman and probably the whole board. That's how I  
23 would have worded it.  
24  
25 Q. Leaving aside what he said about that, did you ever  
26 hold a belief that Colin Philpott was behind your removal  
27 from the board?  
28 A. No. No. No. No. No. The only thing I've got  
29 against Colin Philpott is that I was told he told Dennis  
30 and all the rest of them to say that it was Graham's fault.  
31 That's the only thing I've only had against Colin.  
32  
33 Q. But as a result of that you had to start court  
34 proceedings, didn't you, to recover compensation for  
35 Graham's injury?  
36 A. Hm.  
37  
38 Q. Yes. I think you earlier said that everything  
39 changed, everyone was saying that Graham was to blame and  
40 then you said that you were told that Colin Philpott had  
41 said that it couldn't be settled, as I understand it,  
42 because it would do damage to the hostel?  
43 A. Image of the hostel. That's what I was told.  
44  
45 Q. Then you had to step down from the board whilst the  
46 matter was resolved?  
47 A. It was suggested to me that I should stand aside, and

1 I thought it was the best thing to do.  
2  
3 Q. Did you attribute any blame to Colin Philpott for that  
4 because if the matter had settled then you wouldn't have to  
5 have the Court proceedings and you wouldn't have to have  
6 stood down from the board?  
7 A. Ian Murray and I had a talk about this, and it was  
8 best for me to stand aside. I can't think of the wording  
9 and all that. But just going on what you told me then  
10 that's what would have happened. No, there's nothing - I  
11 don't hold, you know, Colin hurt my son or he done it - I  
12 don't know what the words are. Probably missed out because  
13 of him.  
14  
15 MR URQUHART: That is all the questions I have, thank you,  
16 sir.  
17  
18 HIS HONOUR: Ms Morgan, do you have any questions?  
19  
20 <CROSS-EXAMINATION BY MS MORGAN:  
21  
22 MS MORGAN: Q. You mentioned earlier that Kerryn had it  
23 in for you for years. This was a possible opportunity for  
24 him to get back at you. Obviously I don't want to pry into  
25 private lives, but is there any reason that would be  
26 related to this Inquiry or related to his perception that  
27 you ignored his complaints or anything?  
28 A. I can't really hear you, I'm sorry.  
29  
30 Q. You mentioned that Kerryn had it in for you for years  
31 and that this would be a good opportunity for him to get  
32 back at you. Without prying into family issues, can you  
33 explain why he has it in for you? Would it be related to  
34 his perception that you have ignored his complaint, or did  
35 you ignore his complaints about --  
36 A. The reason he wanted to get back at me is because  
37 after three complete frosts in our family with no income,  
38 except for minimal, and then two complete droughts, we saw  
39 that if we were going to have any benefit out of our years  
40 of work that we should probably sell the farm if we could  
41 get a right and proper price for it; which we did.  
42  
43 It was Kerryn rumored it around, and he never said it  
44 to me, that he could have pulled the farm around, but he  
45 wasn't given the chance because "Dear Little Darryl" had to  
46 have his share. Now, that's what he was at. He's bitter  
47 at me over that. And that is personal.

1  
2 Q. You also mentioned that you didn't realise that Darryl  
3 had been interfered with by Mr McKenna but you were aware  
4 that he was teased?  
5 A. Yeah.  
6  
7 Q. Were you aware of the nickname, or any of the  
8 nicknames that Darryl was given by Mr McKenna?  
9 A. Yeah, I knew what they were.  
10  
11 MR URQUHART: I don't know whether we are going to go  
12 there, are we, sir?  
13  
14 MS MORGAN: Q. Sorry, I don't mean to actually state  
15 what they are, but you know the nature of the nicknames.  
16 A. I would like to know who your name is, please.  
17  
18 Q. Janet Morgan. Oh, I'm sorry. We are acting for the  
19 victims of Mr McKenna. Sorry. If you were aware of the  
20 nickname that Mr McKenna had given Darryl, did that give  
21 you any suspicions of anything further that could have  
22 happened to Darryl at the hands of Mr McKenna?  
23 A. No. No, it didn't. It was just --  
24  
25 MR URQUHART: You don't have to say the name.  
26  
27 THE WITNESS: No, it was just a name.  
28  
29 MS MORGAN: Q. So you just thought it was a name that he  
30 just - nothing really in it?  
31 A. It was a joke. A bit of a joke.  
32  
33 Q. Just a joke. Sure. Obviously Kerryn has given  
34 evidence that he didn't tell you about the abuse that he  
35 suffered. Is it possible that Kerryn has said something to  
36 you perhaps indirectly, not made a very direct statement  
37 and it perhaps was misunderstood?  
38 A. Anything's possible.  
39  
40 Q. But you have no recollection of anything that he would  
41 have said to you that could possibly conclude of the abuse?  
42 A. No. No.  
43  
44 MS MORGAN: That's all, thank you.  
45  
46 HIS HONOUR: Nothing from you, Mr Jenkin?  
47

1 MR JENKIN: No, thank you, sir.  
2  
3 HIS HONOUR: Would you like to deduce evidence?  
4  
5 MR ANDREWS: Just one matter. I don't wish to deduce any  
6 evidence other than ask one matter, sir.  
7  
8 <CROSS-EXAMINATION BY MR ANDREWS:  
9  
10 MR ANDREWS: Q. It has been sited in this newspaper  
11 article that you said to the journalist that you've never  
12 heard any rumours that Dennis McKenna was a homosexual?  
13 A. Hm.  
14  
15 Q. That's the truth, isn't it?  
16 A. Yes.  
17  
18 Q. In fact, weren't you, or did you become aware of a  
19 personal tragedy in Dennis's life that led him to gaining  
20 employment at the hostel in the first place that suggested  
21 quite the opposite to him being a homosexual?  
22 A. Yes. The first discussion I ever had with Dennis  
23 McKenna was that he was down from Perth grieving, away from  
24 his family, because he'd just lost his fiance. They were  
25 going to be married very shortly. He was away from it.  
26 That's, you know, quite right.  
27  
28 Q. Is that something that you continued to believe during  
29 the tenure of McKenna's employment at the hostel?  
30 A. Absolutely. That's probably the reason - now you're  
31 raising an issue, the reason why I wasn't so suspicious of  
32 them being in bed together.  
33  
34 MR ANDREWS: Nothing further, sir.  
35  
36 HIS HONOUR: Anything arising from that?  
37  
38 MR URQUHART: Nothing arising, thank you.  
39  
40 HIS HONOUR: That completes your evidence, Mr Stephens.  
41 You are now free to go. I think you are aware that the  
42 transcript evidence is going to be published. But that, at  
43 this stage, completes your requirement to be here. Thank  
44 you very much.  
45  
46 <THE WITNESS WITHDREW  
47

1 HIS HONOUR: We will adjourn until tomorrow?

2

3 MR URQUHART: We are adjourning until 10 o'clock tomorrow,  
4 sir.

5

6 HIS HONOUR: We are adjourning until 10 o'clock.

7

8 At 4.31PM THE HEARING ADJOURNED TO  
9 THURSDAY, 10 MAY 2012 AT 10AM

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