

Special Inquiry into St Andrew's Hostel

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

Friday, 11 May 2012 at 11.08am  
(Day 29)

Before: The Hon Peter Blaxell

1 HIS HONOUR: Please be seated. Now, Mr Illari, you are  
2 now at Albany. You can hear me, can you?  
3  
4 MR ILLARI: Yes, good morning your Honour. I can hear  
5 you.  
6  
7 HIS HONOUR: And you are appearing for Mr Wilkinson.  
8  
9 MR ILLARI: And I have Mr Wilkinson by my side.  
10  
11 HIS HONOUR: Very good, and you are appearing for  
12 Mr Wilkinson.  
13  
14 MR ILLARI: Yes, Mr Leonard Wilkinson is by my side, sir.  
15  
16 HIS HONOUR: Thank you. Mr Urquhart.  
17  
18 MR URQUHART: Yes, thank you sir. The only witness the  
19 hearing is calling today is Mr Wilkinson, so I formally  
20 call him now. That's Leonard Wilkinson. Thank you, sir.  
21  
22 HIS HONOUR: Now, Mr Wilkinson, have you got the oath  
23 there ready to read?  
24  
25 MR ILLARI: Yes, but your Honour, my client intends to  
26 take the affirmation.  
27  
28 HIS HONOUR: Yes, very well. If you could read out the  
29 affirmation, please.  
30  
31 <LEONARD ALBERT WILKINSON, affirmed:  
32  
33 <EXAMINATION-IN-CHIEF BY MR URQUHART:  
34  
35 Q. Mr Wilkinson, do you see me in front of you there?  
36 A. Yes, I can, Mr Urquhart.  
37  
38 Q. I'm counsel assisting. I will be asking you some  
39 questions first. There seems to be a bit of a delay in the  
40 transmission so we will just have to be careful of that and  
41 try and ensure that we don't talk over each other. But  
42 from experience, that's something that's going to happen  
43 from time to time. Okay?  
44 A. Okay.  
45  
46 Q. Mr Wilkinson, do you have a middle name?  
47 A. Albert; Leonard Albert Wilkinson.

1  
2 Q. Are you 61 years of age?  
3 A. Yes, I am.  
4  
5 Q. And you reside in Albany?  
6 A. Yes, I do.  
7  
8 Q. Have you got a current occupation?  
9 A. I'm self-employed. I operate a general counselling  
10 service.  
11  
12 Q. And counselling in what areas?  
13 A. Mainly in the area of relationships counselling and  
14 sort of around - around the emotions, around anger and so  
15 on.  
16  
17 Q. Mr Wilkinson, do you have any qualifications?  
18 A. I have a double major degree in psychology and  
19 philosophy and I have a postgraduate qualification in  
20 counselling.  
21  
22 Q. And when did you obtain those qualifications?  
23 A. I commenced to acquire them in the late 1990s. I  
24 think I started about 1998 and I finished the whole lot  
25 sort of mid - mid nineteen - mid 2000s, about 2006, 2007.  
26  
27 Q. Did you make an eight-page typewritten statement for  
28 the Inquiry?  
29 A. Yes, I did.  
30  
31 Q. I am not going to take you to that just yet but did  
32 you make that statement earlier this month?  
33 A. I made that statement a few days ago.  
34  
35 Q. And was that after you received a number of documents  
36 from the Inquiry advising you that those documents might be  
37 referred to in your examination here today?  
38 A. Yes, that's correct.  
39  
40 Q. As I understand it, you haven't actually signed that  
41 statement, have you?  
42  
43 MR ILLARI: No. Actually, Mr Urquhart, if I can assist  
44 you, Mr Wilkinson signed the document in my presence  
45 yesterday and we faxed it - I faxed it through, I think.  
46  
47 MR URQUHART: All right. Good.

1  
2 MR ILLARI: You should have received it.  
3  
4 MR URQUHART: Okay, then.  
5  
6 MR ILLARI: But anyway, I can assure you, if you haven't  
7 got a copy, it was signed as unaltered in the form that you  
8 have got it there.  
9  
10 MR URQUHART: That was going to be my next question.  
11 Thank you, Mr Illari.  
12  
13 Q. And there is a declaration at the end of that that  
14 just says - I'm condensing it, but it's true and correct to  
15 your best knowledge and belief?  
16 A. Yes, that's correct.  
17  
18 Q. I understand it is your recollection that you lived in  
19 Katanning some time towards the end of 1979?  
20 A. Yes, that's correct.  
21  
22 Q. And that you remained there until late 1986?  
23 A. Yes, that's my recollection, yes.  
24  
25 Q. If, in fact, there was some documentation that was  
26 made at the time which would suggest that you were still  
27 there in May of 1987, would you disagree with that?  
28 A. I find it difficult to agree with it because I'm  
29 fairly sort of sound in my understanding of the basis in  
30 which I sort of reached that idea of when I left, and it  
31 was significantly tied into my son starting high school,  
32 the year in which he started high school, would have been  
33 1987, and I know that we were established as a family in  
34 Perth, living in Perth when he commenced his first day of  
35 high school. That's the basis on which I sort of reach an  
36 understanding of when I would have left Katanning.  
37  
38 Q. All right. I will take you to a document later on in  
39 regards to that and get your comment on it. Nothing much  
40 really turns on it. But you lived in Katanning with your  
41 wife and you just had the one child, is that right?  
42 A. Yes, that's correct, yes.  
43  
44 Q. And you had lived in Katanning before?  
45 A. No.  
46  
47 Q. And you previously lived in Perth up until then?

1 A. Yes, that's correct, yes.  
2  
3 Q. And why was it that you moved to Katanning?  
4 A. I moved to Katanning for employment.  
5  
6 Q. And where was that?  
7 A. With a company called Western Family stores, which  
8 were previously operated as David Jones, and it's my memory  
9 that David Jones sold off - they had three country stores,  
10 one in Narrogin, one in Katanning and one in Albany, and  
11 they sold off those stores and I was employed by the owners  
12 to manage the Katanning store.  
13  
14 Q. Did you apply for that position from the  
15 advertisement. How did it come about that you got that  
16 job?  
17 A. I would have - I responded to an advertisement.  
18  
19 Q. What produce did that particular store sell?  
20 A. It was a - it was a department store, what you would  
21 call a department store. It had - it sold clothing, both  
22 men's and women's clothing, children's clothing, kitchen  
23 ware, cosmetics, shoes, furniture. I think that - I think  
24 that's mostly what it sold. It was a general department  
25 store.  
26  
27 Q. And whilst you were manager, did it subsequently  
28 close?  
29 A. Yes, it did. The - and I can't recall exactly how  
30 long. It was 12 to 18 months it remained open and the  
31 owners decided that they were going to close the whole -  
32 every store, each store, yes.  
33  
34 Q. Did you know the reason for that. Was it because they  
35 were not very profitable?  
36 A. No, I really don't know the exact reason. The store  
37 in Katanning was, you know, to my - from my perspective had  
38 reasonably good sales. But no, I'm not - I wasn't sort of  
39 aware of what at the end of the day was their real reasons  
40 for closing the three stores. I know that they may have  
41 been wanting to sort of realise the value in the  
42 properties, but other than that, I'm not 100% sure of their  
43 reasons for it.  
44  
45 Q. Did you then go and work for a business called the BKW  
46 CO-Operative?  
47 A. Yes, that's correct.

1  
2 Q. And was that as a supermarket manager?  
3 A. Yes, that's correct.  
4  
5 Q. And what was the BKW CO-OPERative?  
6 A. Well, it - again, you'd call it a department store.  
7 It sold a very diverse range of merchandise, had its own  
8 supermarket, it had its own sort of hardware, franchise, it  
9 had an electrical franchise, it sold clothing, it had a  
10 cafeteria, it sold farm merchandise.  
11  
12 Q. Shortly after you started work there, did you resign?  
13 A. Yes, that's correct, yes.  
14  
15 Q. Do you recall about how long you worked as a  
16 supermarket manager at BKW?  
17 A. Not really. It might have been something like 12  
18 months, somewhere around that, I believe. It was at the  
19 time that Woolworths came to Katanning and I know that, you  
20 know, the - one of the main reasons I think they employed  
21 me was to - to sort of, you know, try and get their  
22 supermarket operation able to function competitively with  
23 the fact that Woolworths had come to town, and I think I -  
24 I believe I would have remained in that position around 12  
25 months, maybe a little bit more.  
26  
27 Q. And the reason for your resignation?  
28 A. I had an opportunity to sort of run my own little sort  
29 of corner store in Katanning and I took up that  
30 opportunity.  
31  
32 Q. And what did you sell there?  
33 A. It was just like a general corner store. We just sold  
34 a very small range of groceries, a very small range of  
35 fruit and veg., did sort of lunches. There was a school  
36 across the road. Sort of did school lunches and sold cool  
37 drinks and cigarettes, and so it was just a general store -  
38 a corner store.  
39  
40 Q. And did you go into that business with anybody else?  
41 A. No, it was just my wife and I.  
42  
43 Q. And who worked there. Who were the staff?  
44 A. No, it was just myself and my wife would occasionally  
45 help out.  
46  
47 Q. And how long did you have that business for?

1 A. Well, again probably maybe 12 months or a little bit  
2 less than that. I can't absolutely recall the length of  
3 time but I would say less than 12 months.  
4

5 Q. And was there any reason why you only operated that  
6 for that amount of time?

7 A. Well, my main - I was approached by the BKW CO-OP as  
8 to whether I would consider coming back and working there  
9 because the general manager was going to be retiring, and  
10 they were offering me a position back there and I sort of  
11 said to them "Well, I'd only come back if you offered me  
12 the general manager's position", and eventually they did  
13 and it was a discussion - a decision between myself and my  
14 wife as to which was the best way forward financially for  
15 us. So it was - we decided that we would attempt to sell  
16 the corner store business. We were only leasing the  
17 premises and - no, that's not actually correct. I think we  
18 were entering into an arrangement to buy the premises but  
19 that never went through and then we made that decision,  
20 that it would be best if we try and sell the business and I  
21 go back and work at the Co-op.  
22

23 Q. And did you sell it?

24 A. Eventually, yes. After - after probably a period of  
25 three or four months or something like that we eventually  
26 sold it.  
27

28 Q. Can you recall who you sold it to?

29 A. I think - I think it was the person by the name of  
30 Fairclough, who had been a business person in town and had  
31 gone away from the town and had come back and was looking  
32 for a small business to operate. I think I've got that  
33 name right but I'm not 100% sure.  
34

35 Q. We have just heard evidence that around this same time  
36 - and I gather there were a number of these sorts of stores  
37 but there was a similar store that was run by Dennis  
38 McKenna and his family. Do you recall that?

39 A. I don't really. However, I have a vague recollection,  
40 now that you've mentioned it.  
41

42 Q. But we are not talking about the same store?

43 A. No, definitely not, no.  
44

45 Q. The McKenna family didn't take over your store?

46 A. No, definitely not, no.  
47

1 Q. So you were approached by BKW and you end up being  
2 their general manager?  
3 A. Yes.  
4  
5 Q. And is it your recollection that you remained their  
6 general manager for three years?  
7 A. I believe that would be about right, yes.  
8  
9 Q. Would I be right in saying that you took over that  
10 position as general manager in or around 1984?  
11 A. I would imagine that would probably be fairly  
12 accurate, yes.  
13  
14 Q. And that you remained there for about three years?  
15 A. Yes. Up until - in my mind, up - well, more like  
16 probably two and a half years, if that's the case. It  
17 depends - it depends on what sort of exact date and what  
18 month in '84, but between two and a half and three years,  
19 yes.  
20  
21 Q. And at the time you took over the BKW CO-OP as the  
22 general manager, am I right in saying that it was a  
23 profitable company?  
24 A. Yes, that would be correct in saying, yes.  
25  
26 Q. That it would make an annual profit of over \$100,000?  
27 A. I can't - I can't specifically recall amounts of  
28 profits so no, I wouldn't be prepared to say that that is  
29 accurate. I can't recall the amounts of profits.  
30  
31 Q. Was the Co-op overseen by a board?  
32 A. Yes, it was.  
33  
34 Q. Can you recall who it was that was on that board at  
35 the time that you worked there?  
36 A. I can remember the chairperson's name. That was Geoff  
37 McGuire. There was a - there was certainly a person by the  
38 name of Beck. Whether it was Geoff Beck, I'm not 100% sure  
39 of the first name, but other than those two, just off the  
40 top of my head now, no, I can't remember any other names  
41 right now.  
42  
43 Q. Is it your recollection, Mr Wilkinson, that there was  
44 a significant drop in profits at the Co-op whilst you were  
45 general manager?  
46 A. I think towards the end of the - the end of the time I  
47 was there that would be accurate to say, yes.



1  
2 Q. I was going to suggest to you indeed that by the time  
3 you left it was in some financial difficulty?  
4 A. No, that's - I'm not sure whether that is - how  
5 accurate that is. The time that I was there, we went  
6 through a significant time of sort of renovation in the  
7 building. Well that - and trying to sort of move the  
8 business to a point of where it was going to be competitive  
9 because Woolworths had come to town, there was significant  
10 concerns about the impact that that was going to have on  
11 the whole town and not just the sort of retail environment  
12 of the town, and I know that I was, you know, assigned the  
13 task, I guess, of trying to put in place strategies and  
14 structures in the business that enabled it to remain  
15 competitive into the future, and I know that we would have  
16 - there would have certainly been costs incurred in doing  
17 that and there was a - there was plans to do a substantial  
18 renovation of the building. I know that at - I know that  
19 there was some drop off in sales in certain segments of the  
20 business and I know that at the end of the day there was a  
21 significant increase in the stockholding, for example, and  
22 that sort of reflected unsold stock.  
23  
24 Q. So what's --  
25 A. To say that the business - sorry.  
26  
27 Q. What segments were experiencing some financial  
28 difficulties?  
29 A. Well it was more a downturn in sales. I think from  
30 my - from my memory it was more to do with like the  
31 clothing sections of the store, whether - which it was  
32 experiencing sort of downturns in sales.  
33  
34 Q. What about the supermarket --  
35 A. And I'm not 100% --  
36  
37 Q. Sorry, go on.  
38 A. But from my recollection, the - I don't think - I  
39 think we survived quite well the coming of Woolworths to  
40 the town and - but I - but I also would certainly comment  
41 that to maintain customers and to - in the supermarket  
42 aspect of the business and to make sure that we didn't lose  
43 customers to Woolworths, that there was some fairly heavily  
44 sort of discounting of prices going on in the form of  
45 weekly specials, of which we were being supported by our  
46 supplier at the time, which was Foodland, to sort of  
47 maintain our sort of - our customer numbers, and I can see

1 how that would have had, you know, some impact on the  
2 profitability of the business at the time.  
3  
4 Q. Speaking of support, Mr Wilkinson, did you have the  
5 support of the board towards the end of your time there as  
6 general manager?  
7 A. No, I would think not.  
8  
9 Q. Wasn't it the case that the board terminated your  
10 employment?  
11 A. Yes, that's correct, yes.  
12  
13 Q. And what was the reasons it gave for that?  
14 A. From my memory, it was to do with they were not happy  
15 with the way that the - well, I guess at the end of the day  
16 it was to do with the profitability of the business and the  
17 sort of stagnating, I guess, of, you know, sort of forward  
18 movement in regard to the sales and profitability.  
19  
20 Q. And whether, rightly or wrongly, they attributed the  
21 blame of that to you. Would that be fair to say?  
22 A. Yes, that's true, and that would be - in my position,  
23 that's - that would be the natural thing to occur.  
24  
25 Q. And can you recall who took over from you?  
26 A. Yes, Graeme Norrish.  
27  
28 Q. Had he been working at the Co-op under you or did he  
29 come in from outside?  
30 A. No, he was working there as the - I can't remember the  
31 correct title, but probably more as the accountant.  
32  
33 Q. And do you know whether the business picked up under  
34 his stewardship?  
35 A. No, I don't. Once I left Katanning, I, you know, had  
36 very - had zero interaction with the town or what was  
37 happening in the town.  
38  
39 Q. And you worked for the Dumbleyung Co-op after that,  
40 didn't you?  
41 A. For a short period of time, yes.  
42  
43 Q. I will just spell that for the transcript,  
44 D-U-M-B-L-E-Y-U-N-G. In what capacity did you work there?  
45 A. As manager.  
46  
47 Q. And how long were you there for?

1 A. No, David (inaudible). Only for a few months, and it  
2 was - this is - I was there for a few months while we were  
3 sort of waiting for that school year to finish, and this is  
4 where I get confused around these dates that you were  
5 alluding to at the beginning. Because I know that I was  
6 working at that Co-op as sort of filling in waiting for  
7 this - the current school year, and this would be the 1986  
8 school year, to finish, as we had already made that  
9 decision, that we were going to be moving back to Perth.  
10 So I worked there for a period of a few months and then  
11 left, and that's when I - I believe that I made  
12 arrangements to move down to Perth.

13  
14 Q. Would you agree that you became a member of the hostel  
15 board in the year 1980?

16 A. I certainly became a member of the hostel board at  
17 some time. Whether it was 1980, I can't categorically  
18 state that that's when it was. I haven't been able to  
19 really confirm that but I know that I certainly wasn't in  
20 Katanning for very long, I guess, before I became involved  
21 in the hostel.

22  
23 Q. Mr Wilkinson, contemporaneous records that we have  
24 from that time seem to indicate that you did start on the  
25 board in that year?

26 A. Okay, yes.

27  
28 Q. And that also, contemporaneous records - and I'm  
29 referring to minutes as well - show, at least as far as the  
30 minutes appear, that you were still attending meetings of  
31 the board into 1987?

32 A. I have some difficulty with that. I'm not saying  
33 that, you know, I've got it - I haven't got it wrong but my  
34 - the recollection I have is that I left Katanning at the  
35 end of 1986. I don't - and I don't remember travelling  
36 back to Katanning to go to board meetings at the hostel.  
37 The only - having left Katanning, the only reason - the  
38 only time I can recall going back was to do the furniture  
39 removal to move my family down to Perth. So I do have some  
40 difficulty reconciling that - those documents that show  
41 that I attended meetings of the hostel into 1987.

42  
43 Q. Might it have been the case that you drove down just  
44 to attend the meetings from Perth?

45 A. No, I never - I do not remember ever doing that. I  
46 would have - I believe that I would have resigned from the  
47 board prior to leaving Katanning, and I left Katanning to

1 come to Perth to find a house and I did that - I stayed at  
2 some friends' house in Perth while I was doing that. I  
3 then went back to Katanning and shifted my family down to  
4 the house I had rented, and I know my son started school in  
5 Perth first day, first term in the year he turned 14 - in  
6 the year he turned 13, sorry, and he was born in 1974. So  
7 it would have been - it would have been first day, first  
8 term 1987. That's why I find it difficult to sort of  
9 reconcile that.

10  
11 Q. All right. It's not a particularly significant point.  
12 Is it your recollection that from 1980 through to 1982 you  
13 were just simply an ordinary member of the hostel board?

14 A. Yes.

15  
16 Q. And that in 1983 you assumed the position of deputy  
17 chairman?

18 A. Okay, I - that's most likely correct. I don't  
19 actually recall being the deputy chairman but if the  
20 records show that then yes, that would be correct. I don't  
21 remember being the deputy chairman.

22  
23 Q. And then for the years 1984, 1985 and 1986, and we  
24 will leave to the side 1987, so for the three years '84,  
25 '85 and '86 do you accept that you were chairman of the  
26 hostel board?

27 A. Yes, yes. Yes, definitely.

28  
29 Q. Mr Wilkinson, you obviously had no children at  
30 Katanning Senior High School, did you, at the time?

31 A. No.

32  
33 Q. How was it that you came to be on the board?

34 A. I have been giving this a fair bit of thought. I am  
35 trying to recollect how that would have happen. In my  
36 statement I gather what I believe is probably the most  
37 likely scenario, is that the business I was working for  
38 would have been sponsoring an award or something at the  
39 hostel, and I would have been approached to go to the  
40 hostel and make a presentation - which I can remember doing  
41 from time to time - and I believe that's how I would have  
42 been introduced.

43  
44 Q. What was the business that was sponsoring the award at  
45 that time?

46 A. I'm not a hundred percent certain whether that was  
47 when I was with Western Family Stores or whether it would

1 have been when I went to the Co-op. I can't accurately  
2 recall whether it was western family stores or the Co-op,  
3 to be honest. It would depend on what time that was.  
4

5 Q. Can you recall who it was, or who it might have been  
6 who approached you to come on the board?

7 A. No, I can't. I can only assume it would have been  
8 either Dennis McKenna or an existing board member. But I  
9 can't recall who it was.

10  
11 Q. How did it come about that you were appointed  
12 chairman?

13 A. That would have been through normal process - I assume  
14 it would have been an annual general meeting. It's an  
15 assumption it was an annual general meeting. Someone on  
16 the board - on the committee would have nominated myself  
17 and someone would have seconded it, and I obviously  
18 accepted it. That is an assumption that it was at an  
19 annual general meeting. That is how it would have  
20 happened.  
21

22 Q. Clearly you accepted the nomination?

23 A. Yes.  
24

25 Q. Why was that? Why did you agree to assume the  
26 responsibility as chairman of the board?

27 A. The only, sort of, idea that comes to mind is that I  
28 know there was an idea that it was more convenient to have  
29 a chairperson who lived in the town, bearing in mind the  
30 composition of the board, from my recollection, there were  
31 a couple of members from the town and the rest were parents  
32 of children. I think there was an idea that it was more  
33 convenient to have someone from the town who was the  
34 chairperson. Outside of that, the only sort of idea that  
35 comes to my mind, and as I said in my statement, I made a  
36 commitment to be involved in the community in a number of  
37 ways. I would imagine that I probably thought about it in  
38 the context: well, this is something that I've probably got  
39 the time to do and I would do it.  
40

41 Q. Would you agree with me that it is a position with  
42 some responsibility?

43 A. Oh, yes. Definitely.  
44

45 Q. Obviously there were chairmans who were appointed  
46 before you whilst you were still on the board; is that  
47 right?

1 A. Yes.  
2  
3 Q. If a person was - go on?  
4 A. No. No, that would be correct. When I went on the  
5 board there would have been someone who was already in that  
6 chairperson position, yes, if that is what you mean; yes.  
7  
8 Q. Now, if a person was nominated to be a chairperson of  
9 this board, was that person required to disclose any  
10 reasons that ought to be considered by the other members of  
11 the board in their assessment as to whether that person was  
12 suitable?  
13 A. Not to my - not to my memory.  
14  
15 Q. So there wasn't any obligations to disclose anything  
16 of that nature?  
17 A. Not to my memory.  
18  
19 Q. You didn't have to do that when you accepted the  
20 nomination?  
21 A. No. No.  
22  
23 Q. Mr Wilkinson, going back to when you became a member  
24 of the board, were you provided with any guidelines or any  
25 information as to the function of the board?  
26 A. Not to my memory, sir, no.  
27  
28 Q. How then did you find out exactly what this board was  
29 supposed to do?  
30 A. I guess I would have just acquired that understanding  
31 by attending meetings and just participating in meetings  
32 and gaining an understanding of, I suppose, the history of  
33 how things were done. It would have been in that sort of  
34 context that I gained an understanding of what was the role  
35 of the board and the purpose of the board.  
36  
37 Q. What did you regard the board's functions to be?  
38 A. I have some difficulty in answering that question.  
39 The reason I say that is because when I think about that I  
40 still end up with some uncertainty about what was the  
41 relationship between - what was the role of the Country  
42 High School Hostels Authority and what was the role of the  
43 local board? I still have some uncertainty in my mind  
44 today as to just where those lines crossed and where the  
45 lines were blurred. I would see the purpose of the board  
46 was to provide support to McKenna; it was to, I guess, play  
47 a role in the ongoing development of the hostel; to support

1 it to maintain its purpose - you know its capacity to  
2 operate, basically. It was more along those lines and  
3 there was - obviously we received financial reports.  
4

5 Basically, at the end of the day I think it was mostly  
6 about supporting McKenna in the running of the hostel, in  
7 the context where there were difficult situations or  
8 whatever and he felt as though he needed to come to the  
9 board to get a sense of direction around something.

10  
11 Q. He always attended the board meetings, didn't he?

12 A. Yes.

13  
14 Q. So you said: provide support to McKenna; to play a  
15 role in the ongoing development of the hostel; and maintain  
16 its capacity to operate?

17 A. Yes.

18  
19 Q. Were they the three areas?

20 A. Yes.

21  
22 Q. What about ensuring that the children at the hostel  
23 were looked after properly?

24 A. Definitely, yes. That would have been - yes, that  
25 would have been an innate part of our role, yes.

26  
27 Q. That would be, I would suggest to you, the major part  
28 of your role; would it not?

29 A. Yes, I would agree with that.

30  
31 Q. More important than providing support to McKenna?

32 A. Well, I put it that way in the context that we didn't  
33 have anything to do with the day-to-day running of the  
34 hostel. In the context of supporting McKenna, I meant if  
35 there were issues arising in his role as managing the  
36 day-to-day functions of the hostel then I would perceive  
37 our role as the board to be there to hear what he has to  
38 say and give a sense of direction, or elements of support  
39 that could be provided. But certainly at the end of the  
40 day the hostel system was there in place to provide a safe  
41 environment in which parents could send their kids when  
42 they had to go away from home to go to school.

43  
44 Q. Are you satisfied that the board, in your years there,  
45 did its best in providing a safe environment for the  
46 children?

47 A. If I answer that question in the context of what we

1 know now, the answer to that is no. If I answer that  
2 question in the content of what I was aware of and what the  
3 board were aware of, and you say in the context of going  
4 back 20, 25 years ago, if you were to have asked me that  
5 question in the time that I was on the board at the hostel  
6 I would answer yes.

7  
8 Q. A categorical yes that the board did everything it  
9 could to ensure the well-being and protection of the  
10 children?

11 A. To my knowledge - to my knowledge that is correct. To  
12 my knowledge.

13  
14 Q. You mentioned there, Mr Wilkinson, a little earlier,  
15 you still have difficulty grappling of the responsibility,  
16 I understand you were saying, of the board and the  
17 Authority?

18 A. Yes.

19  
20 Q. Can you just clarify that? Why is that the case even  
21 to this day?

22 A. Well, the only reason I have obviously been thinking  
23 about it is because, you know, the summons to appear before  
24 the Inquiry. For example, I am still uncertain who was  
25 responsible for the hiring and firing of the warden of the  
26 hostel. I know that the warden had the responsibility for  
27 hiring staff who worked at the hostel. But just as an  
28 example, as an explanation or an example of some  
29 uncertainty, I am not sure who, at the end of the day,  
30 actually had the capacity to discipline the warden and to,  
31 for example, if necessary, dismiss the warden, whether that  
32 sat with the local committee or whether that sat with the  
33 Country High School Hostels Authority.

34  
35 When it came to the financial viability of the hostel,  
36 you know, I sit here with a sense that, for example, in  
37 regards to deficits it's my understanding that deficits  
38 were a historical part of the hostel, and way before I  
39 became involved each year there used to be a deficit.  
40 Obviously that was how it naturally was. But then, in  
41 hindsight, when you look back at some of these years, and  
42 say in particular the night the deficit accrued in the end  
43 of 1983, there was this urgency around doing something  
44 about it. But up until that date - and I imagine prior to  
45 that date - it was at the end of the day the Authority sort  
46 of secured those deficits. There was just sort of no  
47 definitive line of responsibility, I guess, around a lot of



1 this stuff. This is in my mind and how I see it.

2

3 Q. Can I just stop you there, Mr Wilkinson, and why  
4 didn't you bother to find out in the six or seven years  
5 that you were on the board?

6 A. I had constant conversations with the High School  
7 Hostels Authority about these issues.

8

9 Q. Stop there. You mention a number of issues there.  
10 What about the hiring and firing of staff? Did you ever  
11 raise that with them?

12 A. No, I didn't. That's in hindsight. At the time -  
13 there was no moment during my time of involvement with the  
14 hostel, there was no moment when that became an issue  
15 needing to be considered. There was certainly times in  
16 conversations with the hostel - with the Authority, where  
17 those conversations were about McKenna, that they were only  
18 ever in the context of trying to rein him in in regard to  
19 the extra-curricular activities that the hostel was  
20 involved in in the community. But never, sort of, got  
21 instructions, direct instructions from the hostel authority  
22 to dismiss McKenna. So there was no real moment when that  
23 needed to be tested.

24

25 Q. Mr Wilkinson, weren't you not aware of a document that  
26 was titled "Letter of Arrangement" which actually set out  
27 the duties and responsibilities of the board? It was a  
28 two-page document.

29 A. I honestly can't recall that document. I'm not saying  
30 that I may not have read something like that, but I can't  
31 recall doing that.

32

33 Q. The copy that we have got, the very first  
34 responsibility of the board is for the hiring and firing of  
35 hostel staff.

36 A. Well, that is interesting then, you know, because in  
37 the context of the people working under McKenna I can  
38 identify with that. In the context of Dennis McKenna  
39 himself, I can't, with the same degree of certainty, say  
40 that my understanding was that that applied to him. I am  
41 not even certain who employed McKenna in the first place,  
42 whether it was the High School Hostels Authority or the  
43 board at the time.

44

45 Q. You didn't actually ever speak to anyone at the  
46 Authority about this question of being responsible for  
47 removing McKenna, if that was the step to be taken?

1 A. The only conversation I can remember having with the  
2 Authority within that sort of context was one day - and I  
3 can't accurately recall the year, but looking at some of  
4 this documentation it could well have been the '83 year,  
5 although I tend to think it was a bit later than that -  
6 having a conversation with either - and I can't recall who  
7 it was - Colin Philpott or Peter Lammis about an immediate  
8 need to address with McKenna some issues around those extra  
9 curricular activities of the hostel and that there was a -  
10 I can't use the term "threat" - but there was certainly,  
11 from my memory, a sort of an idea that if he didn't do this  
12 that the Authority was going to act.

13  
14 I can remember going and talking to at least one. I  
15 assume I talked to a number of board members about that  
16 conversation to get their support and views. I distinctly  
17 remember going and talking to whoever was the head master  
18 of the high school at the time, because he was a local  
19 member of the board, and having a conversation with him  
20 about what the Authority had said, and walking away with  
21 his support around the idea that we were going to go to  
22 McKenna and tell him that things had to be reigned in.

23  
24 It was only ever a conversation with the Authority in  
25 the context of what I have just described there. But also  
26 the Authority was going to do that. Whether that  
27 diminishes, you know, what was the expected role of the  
28 local board in the area of hiring and firing of McKenna, to  
29 be honest I'm just not totally clear around all of that.

30  
31 MR ILLARI: If I may there, in fairness, Mr Urquhart, the  
32 document which you referred to, "Letter Of Arrangement", is  
33 one of the documents, as far as I am aware, we haven't been  
34 supplied with. Mr Wilkinson hasn't been able to refresh  
35 his memory from that document.

36  
37 MR URQUHART: I must confess, Mr Illari, I thought he  
38 would have been aware of that document. I was not  
39 expecting to ask him about it. I wish to take him to the  
40 first responsibility of the board as set out there, yes.  
41 We can certainly make that available in due course. That  
42 is all I intend to ask about that arrangement.

43  
44 MR ILLARI: Thank you.

45  
46 MR URQUHART: Q. You mentioned there you are not quite  
47 sure the year, it might have been around 1983 you had a

1 conversation with either Colin Philpott or Peter Lammas  
2 from the Authority about the need to address Dennis  
3 McKenna's extra-curricular activities. I gather you are  
4 referring to the spending on items or infrastructure that  
5 were not directly related to the hostel?  
6 A. Correct, yes.  
7  
8 Q. An example of that would be the theatre, is that one?  
9 A. Yes. And the indoor cricket.  
10  
11 Q. The skating rink, would that be another?  
12 A. I don't have a lot of recollection about the skating  
13 rink.  
14  
15 Q. That is all right. Mr Wilkinson, am I right in  
16 saying, though --  
17 A. It was those activities.  
18  
19 Q. Am I right in saying, though, to use your expression,  
20 Dennis McKenna's extra-curricular activities were never  
21 actually reigned in during the time that you were on the  
22 board?  
23 A. I think, you know, at the end of '83 when - there was  
24 certainly efforts made to do that. I find it difficult to  
25 be quite specific about those efforts, but I know that  
26 there was certainly - well, I have to assume here, because  
27 I can't actually recall myself individually going to  
28 McKenna and saying, "Look, this is what has to happen" -  
29 but I think probably at the board level we would have  
30 collectively sought to address these issues with Dennis  
31 McKenna.  
32  
33 Q. Address that issue with him present or in his absence?  
34 A. Oh, no, in his presence, yes.  
35  
36 Q. Did the board ever think about discussing these sort  
37 of matters in his absence so that the board members could  
38 speak openly and without fear of Mr McKenna knowing what  
39 was discussed?  
40 A. I can't recall that that happened. That may have, but  
41 I can't recall that happening.  
42  
43 Q. Am I right in saying that he could be a fairly  
44 imposing figure?  
45 A. He was very, very defensive. And imposing - no, I  
46 wouldn't personally use that term. But he was very, sort  
47 of, you know, quite quick to, sort of, defend himself.

1 Whether that, sort of, comes across as "imposing" I'm not  
2 sure. But that's the description I would more use, that he  
3 was quite quick to defend himself and quite quick to  
4 justify situations or whatever.

5  
6 Q. Would you agree with this description of him, that he  
7 wouldn't be a good enemy to have?

8 A. I never - never personally experienced Dennis McKenna  
9 in that way. But if you look at some of the documents and  
10 some of the reactions to things, that's obvious that with  
11 some people that would be an accurate description. He was  
12 never that way with me. He was never that way with the  
13 board collectively. Whether he was that way with board  
14 members individually, I'm not sure. But he certainly  
15 wasn't that way with me, and certainly not that way with  
16 the board. It is not as though he came into board meetings  
17 and dominated and demanded and sort of stood over.

18  
19 Q. Might it be that he didn't have that relationship with  
20 the board because the board almost universally accepted  
21 whatever he wanted or requested?

22 A. There's probably an element of truth in that, but to  
23 me it is a rather, sort of, complex situation as well. I  
24 don't think it was that McKenna always just got what he  
25 wanted in the content of the board. I'm not necessarily -  
26 I don't necessarily believe that we always knew everything  
27 that was going on either. I think there was a fair bit of  
28 filtering - obviously, in hindsight, a fair bit of  
29 filtering by Dennis McKenna as to what he brought to the  
30 board and in what sort of format he brought things to the  
31 board.

32  
33 Q. Can I just stop you there --

34 A. But, you know --

35  
36 Q. Can I just stop you there as to why you say that now,  
37 "with hindsight"? Weren't you picking that up at the time?

38 A. No. I don't think I was. In the context of the  
39 things that the hostel was involved, in the context of the  
40 community and what was happening on the hostel grounds in  
41 regards to providing services and that for community  
42 members, like the skating rink and the cinema and so on, we  
43 certainly had an awareness of what was happening and why it  
44 was happening. I don't think we had a look in at the  
45 documentation anyhow, and a totally accurate picture being  
46 provided to us around how that was all being, sort of, you  
47 know - how the finance was funded; but in other context -

1           sorry, I've forgotten the question.  Sorry.  
2  
3           Q.  I am wondering why it was in hindsight you weren't  
4           aware of what was happening?  See, for example, you have  
5           referred to the documents.  Obviously you are referring to  
6           the documents that have been provided to you.  Isn't it the  
7           case that a vast majority of those documents you would have  
8           cited them at the time that they were made?  
9           A.  The vast majority of documents, I would agree with  
10          that statement, yes.  
11  
12          Q.  So you had the information there in front of you  
13          throughout the time that you were on the board?  
14          A.  Yes.  Look, it's --  
15  
16          Q.  The spending by the hostel --  
17          A.  What I was going to say - sorry, I interrupted you  
18          there.  Sorry.  
19  
20          Q.  That is all right.  You had the documents in front of  
21          you which indicated that Dennis McKenna was over-extending  
22          the budget, that the hostel was regularly going into  
23          deficit?  
24          A.  Yes.  
25  
26          Q.  And so my question of you then is: You don't need any  
27          benefit of hindsight to see that that was happening over a  
28          considerable period of time?  
29          A.  Yes.  But what that ignores is the context within  
30          which that was happening.  The overall context was one that  
31          this was a hostel that was seen to be operating in a way -  
32          in the context of what the hostel was doing within the  
33          community and so on, and involving the kids in the  
34          community, involving the community with the kids was seen  
35          as a really good thing.  Within that sort of context, I  
36          said in my statement, if we were to use terminologies today  
37          we would be talking about the way the hostel was actually  
38          being operated, was something back then - we would now say  
39          it was best practice, and the Authority constantly held the  
40          hostel up in Katanning as the way that hostels - other  
41          hostels should be functioning.  It wasn't just the  
42          Authority that held that view and displayed it for all to  
43          see, it was the local community held it up as sort of, you  
44          know, an icon in the town and the --  
45  
46          Q.  Mr --  
47          A.  -- Board, I believe, yes.

1  
2 Q. Mr Wilkinson, can you see the hypocrisy there with  
3 stating that the Katanning Hostel is the be all and end  
4 all, yet at the same time it's incurring costs that cannot  
5 be met?  
6 A. I can certainly see the hypocrisy in that, yet it  
7 was - it was allowed to happen year in/year out and I'm  
8 left with that, therefore - that question in my mind, not  
9 so much why - yes, it is a question in part of why was that  
10 allowed to happen, and I think in part it was allowed to  
11 happen year in/year out because it was - it was still  
12 being - wanted to be held up as being, you know, the - you  
13 know, the best model.  
14  
15 Q. Well, the Board wanted to seek --  
16 A. And I'm perhaps not explaining that well.  
17  
18 Q. Yes. The Board wanted to see it like that, didn't it,  
19 as well as the Authority?  
20 A. And as well as the community, yes. There's no doubt  
21 about it. The Board obviously wanted to - the hostel to  
22 be - to continue to be viewed that way, yes.  
23  
24 Q. But are you as chairman of the --  
25 A. And --  
26  
27 Q. No, you as Chairman of the Board, who did you think  
28 would have to pay then for this, for this over-budgeting?  
29 Who was going to pay for it?  
30 A. Well, it was my understanding, and this was based on  
31 an historical reality, that it was the Authority that was  
32 picking up the annual sort of - either picking up or  
33 securing the annual deficits. The issue, I think, became -  
34 the deficit continued to grow, and it got to a point where  
35 there had to be something done about it.  
36  
37 Q. You see --  
38 A. But there was never any instruction, from my memory,  
39 never any instruction from the hostel to - to, you know - I  
40 was going to say for there not to be deficits. It was got  
41 to a point where it got to a level where something had to  
42 be done about it.  
43  
44 Q. I think when you said you didn't get an instruction  
45 from the hostel, I think you meant the Hostel Authority,  
46 did you not?  
47 A. Yes, sorry, I - yes, I did, yes.

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Q. You see, we've heard from Mr Lammas - and I don't know whether you've read his evidence or not. He described --

A. No, I haven't.

Q. He described it as having an acceptable deficit and an unacceptable deficit. So, yes, he was saying a hostel can have an acceptable deficit, but it ought not have an unacceptable deficit, and what he's saying, in Katanning, over a number of years, there was this unacceptable deficit. Now, was the deficit ever explained to you in that way by anybody from the Authority?

A. No, not to my knowledge. No, I haven't heard those sort of terminologies used. I viewed the whole issue of deficits as something that - you know, I would have used the term "managed the deficit"; that the deficit - there was an attempt each year to manage the deficit. And that would be my sort of, you know, description of - that framed, I guess, our approach as a Board to that issue of deficits.

Q. So who do you say bore the ultimate responsibility for incurring this debt? Was it the Board's call to allow this debt to grow, or was it the Authority's call, or a combination of both?

A. I would - I would say it was a combination of both --

Q. And it certainly shouldn't have been --

A. -- because it --

Q. Sorry, go on.

A. No, go on.

Q. No, no, I interrupted you.

A. I say that because - yes - I say that because just that that historical nature of the deficit, that it was something that accrued each year and that the Authority took responsibility around dealing with that deficit each year, and at the moment it was my memory at the end of every year that the Board had to write - would write to the Authority stating what the deficit was, and seeking their - their intervention, I guess, to deal with that deficit.

Q. Did the deficit ever concern you, particularly when you were Chairman of the Board?

A. I would believe it did. Definitely, yes

1 Q. And the action that you took --  
2 A. Was in - was in the context of conversations with the  
3 Authority, with the High School Hostels Authority, and  
4 collective discussions at Board level, and the necessary -  
5 what were perceived obviously to be the necessary actions  
6 to be taken. How successful we were, I can't - I can't  
7 sort of accurately make a claim there. I don't think I had  
8 all the figures in front of me, but how successful we were,  
9 what were the barriers for that - so if it was not  
10 successful, what were the barriers. I - I can't with any  
11 certainty sort of say.  
12

13 Q. Well, I'm going to suggest to you that there were  
14 times there where the measures you took weren't very  
15 successful, and that there was just one barrier, and that  
16 was Dennis McKenna?

17 A. I would agree with you 100%.  
18

19 Q. Which comes back to my question - and I think you've  
20 already answered it, that the fact that there weren't  
21 solutions to this problem, the responsibility you say lay  
22 both with the Authority and the Board?

23 A. Yes, yes.  
24

25 Q. Now, you mentioned two people from the Authority when  
26 you mentioned that conversation - you weren't sure who you  
27 had it with - regarding the need to address Dennis  
28 McKenna's extracurricular activities. You mentioned either  
29 Peter Lammas or Colin Philpott. Can I start with Peter  
30 Lammas. What sort of relationship did you have with him?

31 A. The very minimal relationship. He would - and I can't  
32 remember the frequency now, but he would occasionally come  
33 to Katanning and visit the hostel. I'm not sure what his  
34 actual position description was in the Authority, but my  
35 understanding was that he would travel around out to the  
36 hostels and be that sort of representative, the hostel  
37 representative, and he would visit the hostel. I - I think  
38 sometimes he would - he would time that so that he would  
39 attend Board meetings. I'm not sure whether that was  
40 always the case, but I really had very little to do with  
41 him, other than those times when he would have - may have  
42 attended a Board meeting.  
43

44 Q. And Colin Philpott - what sort of relation did you  
45 have with him?

46 A. Sorry, I would have met Colin Philpott a number of  
47 times, I'm not sure how many. He would have, on occasions,



1 come to Katanning in his position as Chairman of the  
2 Authority. And - and then there would have been letters  
3 that we would have corresponded between each other, and I  
4 would assume definitely the occasional phone call.

5

6 Q. And what were your impressions of him?

7 A. I found him to be a very nice man. I didn't know him  
8 that well, but that's the last impression I have of him.

9

10 Q. Now, if I can go back to that - your recollection of  
11 that conversation you had with either of those two men in  
12 or around 1983, and you mentioned that the idea that you  
13 got from that conversation was that if Dennis McKenna  
14 didn't address his extracurricular activities, the  
15 Authority would act?

16 A. Yes, that's correct.

17

18 Q. Now, from what followed after that, did you expect the  
19 Authority to act?

20 A. No, that's not my recollection, because what - my  
21 recollection is based on what I can remember, which is  
22 going and talking to another local Board member on the same  
23 day that I had that conversation with, from the Authority,  
24 to just - that's someone to go and talk to about what -  
25 what the conversation with the Authority had been about,  
26 and to - and I guess to sort of get a sense of direction  
27 around what we would do. And I'm unsure whether I then  
28 went and spoke to other Board members, either on the phone  
29 or whatever, I can't recall that, but I - I think out of  
30 that, and I - I'm trying to make the links here, but I'm  
31 not 100% - not with 100% certainty, but the forming of the  
32 Finance Committee and so on, I - I'm assuming came out of  
33 that - was all around that time as well. The action that  
34 we took I can't accurately recall, but I believe it would  
35 have been sufficient to, I suppose, eliminate that need.  
36 Obviously it was sufficient to eliminate the need for the  
37 Authority to carry through what they said they would  
38 probably do --

39

40 Q. Okay.

41 A. -- but I just can't recall accurately what it was that  
42 we actually did, but obviously there would have been  
43 correspondence going back and forth to the Authority about  
44 what we were doing. And I - I guess all of those actions,  
45 all of that - whatever it was that unfolded, ended up, I  
46 guess, in no actions being taken against McKenna.

47

1 Q. Now, I gather what you said previously regarding the  
2 hiring and firing of staff, is that in all the years that  
3 you were on the Board, the Board - I gather from what you  
4 were saying, the Board didn't take any role in the  
5 employing of staff at the hostel?

6 A. That's my recollection, that it would have been Dennis  
7 McKenna who was hiring and firing the staff - well, hiring  
8 the staff. I can't remember specific incidences where, for  
9 example, he came to the Board and said he needed to dismiss  
10 a staff member, but I don't think we ever involved  
11 ourselves in interviews, for example --

12

13 Q. No, and --

14 A. -- of the staff.

15

16 Q. And I suggest to you it was the case that he would  
17 just say to the board, as a fait accompli, "I've employed  
18 so and so", and the Board would just merely rubber-stamp  
19 that?

20 A. I tend to think that that's the most likely scenario,  
21 because I can't - I don't recall it being any other way.

22

23 Q. And another description of "so and so" would be, "I've  
24 just employed another member of my family".

25 A. In relation to that, I think or believe that his - the  
26 family members were already employed at the hostel when I  
27 became involved at committee level, but I can't say that  
28 with total accuracy --

29

30 Q. No, we've --

31 A. -- but I can't say that with total accuracy, but if -  
32 if that - but that's probably how it did happen. If there  
33 was a member of his family employed during the time I was  
34 there, that's most likely how it would have happened.

35

36 Q. Yes, because there were two employed there when you  
37 started on the Board, and that there were a further three  
38 employed during the years that you were on the Board, and  
39 that's going to the end of 1986.

40 A. Okay. I would assume they would have been the wives  
41 of the brothers.

42

43 Q. Yes. Well, there was two husbands and wife teams, one  
44 that was already --

45 A. Okay.

46

47 Q. -- employed there when you --

1 A. Yes.  
2  
3 Q. -- sat on the Board; one that was employed whilst you  
4 were on the Board - and that's Neil and Wendy McKenna - and  
5 then two sister-in-laws also employed - one sister-in-law  
6 also employed, Christine McKenna. So three employed during  
7 the time that you were there, and at various stages there  
8 were five - five plus McKenna?  
9 A. Yes.  
10  
11 Q. Now, did the - and throughout the time that he was  
12 warden, which also included when you were there on the  
13 Board, there were always at least two family members  
14 working alongside him. Okay.  
15 A. Yes, that would be so, yes.  
16  
17 Q. Did that ever cause you a concern?  
18 A. Not at the time it didn't, no.  
19  
20 Q. Because these --  
21 A. Because I had no reason to - I had no reason to  
22 consider it a concern at the time.  
23  
24 Q. I'll give you an example where you might have  
25 considered it a concern. You see these --  
26 A. Yes.  
27  
28 Q. -- these members of his family were invariably  
29 employed in the rung below the warden - that is to say,  
30 they had a supervisory role?  
31 A. Yes.  
32  
33 Q. There was only one who had, as part of her role at one  
34 stage, a laundry kitchenhand, so all the others had  
35 supervisory roles. Now, can you see a predicament that a  
36 student would be in if they wanted to make a complaint  
37 against the warden? If they wanted to do that, ordinarily  
38 they would go to their supervisor, but you can see the  
39 potential there for them not wanting to do that if the  
40 supervisor was a member of a relative of the warden?  
41 A. I can certainly see that today, and I can see the high  
42 level of potential conflict for interest there.  
43  
44 Q. But you couldn't see that then?  
45 A. But that, for whatever reason - for whatever reason,  
46 that didn't enter my mind anyhow back to when we're talking  
47 about. It seemed to be - seemed to be as though it was a

1 convenient way of finding staff; but, you know, again in  
2 hindsight, it obviously does have those - those bring with  
3 it those potential sort of conflicts.  
4

5 Q. But you see, Mr Wilkinson, I can assure you you're not  
6 the first witness to talk about the advantage of hindsight,  
7 but something so obvious as this, I would suggest to you,  
8 wouldn't need the advantage of hindsight; that it would  
9 have been clearly evident to you at the time that this  
10 could be a potential problem?

11 A. Yes, well, it didn't enter my mind in that way, and I  
12 - you know, why didn't it enter my mind in that way?  
13 Again, I - as a means of explanation, I guess, coming from  
14 that context, that, you know, the hostel was running well.  
15

16 Q. Well, that's --

17 A. And the staff that were employed were, you know, were  
18 creating those types of results. The hostel was running  
19 well.  
20

21 Q. Yes, but, again, when I suggest to you the reason for  
22 that might have been because the view was generally, not  
23 just with your view, is that this was a man who could do no  
24 wrong and, therefore, there wouldn't be any complaint made  
25 against him.

26 A. Well, I certainly didn't - to the best of my  
27 knowledge, I certainly didn't view it that way. You know,  
28 talking about the reality that family members were employed  
29 at the hostel, to me, was, I think, mostly about the  
30 convenience of it. Not that it was McKenna trying to, you  
31 know, sort of control things or whatever; but, again, that  
32 kind of reflected back or thinking back to how my thinking  
33 was at that time, yes. All I can say is that that idea  
34 didn't enter my head, that this was McKenna trying to  
35 manipulate or control or whatever.  
36

37 Q. You mentioned --

38 A. Whether that was the general - whether that was the  
39 general feeling of the other Board members, I'm not sure.  
40

41 Q. Well, you mentioned in there it was just the  
42 convenience of things, but it wouldn't be very convenient  
43 for a student who wanted to make a complaint regarding  
44 Dennis McKenna's behaviour. Would you agree with that?

45 A. Yes, definitely.

46  
47 Q. Yes.

1 A. Definitely.  
2  
3 Q. And I think we've already determined that the response  
4 to the - primary responsibility of the Board is the care  
5 and wellbeing of hostel students?  
6 A. Yes.  
7  
8 Q. So the Board in that instance that I've given you, has  
9 failed to consider that responsibility properly?  
10 A. In the way that you put that together, I - you know,  
11 yes, I have to sit here today and agree with you.  
12  
13 Q. Is there any other way of putting it?  
14 A. Well, there is the way of putting it, I guess, that  
15 reflects what was the context at the time, but I don't want  
16 to use that as a means of diminishing in any way the truth  
17 of what you said, but I think the context is relevant  
18 and - but, you know, using the term - the word "hindsight"  
19 again, you're absolutely correct.  
20  
21 Q. But the context that you're putting it in is the macro  
22 context, isn't it, of what a great thing this hostel is  
23 doing for the Katanning community?  
24 A. Well, yes, but also in the micro context that the  
25 hostel on a daily basis, from my, you know, awareness and  
26 observation, was running quite smoothly. So I can bring it  
27 down to sort of micro context from that perspective, but I  
28 think the macro context, again in hindsight, was the most  
29 influential context at both Board level, at community  
30 level, and at the Authority level.  
31  
32 Q. Okay. And, Mr Wilkinson, I'm asking this about your  
33 state of mind in the 1980s when you were on the board, and  
34 not now, okay?  
35 A. Yes.  
36  
37 Q. Who did you regard back then as responsible for  
38 dealing with complaints made against hostel staff?  
39 A. Initially Dennis McKenna.  
40  
41 Q. Yes. And then I would assume that he would bring that  
42 to the Board, so that would have been my sort of  
43 understanding of the process of the steps - the steps in  
44 that process?  
45 A. But what if that complaint was against him, Dennis  
46 McKenna?  
47

1 Q. Well, I would assume that it then became initially the  
2 responsibility, I guess, if that's the word, of the local  
3 Board, who would then, if there was reason to, go to the  
4 High School Hostels Authority?  
5 A. I see.  
6  
7 Q. So with that scenario, what was - did you have any  
8 guidance as to what the Board should do in that context of  
9 the complaint, if it heard of a complaint made against the  
10 warden, whether it's --  
11 A. Sorry, did we have any what?  
12  
13 Q. Did you know what to do? Did you receive any  
14 guidelines or --  
15 A. Not to my knowledge, not to my memory.  
16  
17 Q. So this would just be something you would have to --  
18 A. We would have just --  
19  
20 Q. Sorry, go on.  
21 A. Yes, it would be something that we would have dealt  
22 with at the Board level whenever that situation arose, if  
23 it ever arose.  
24  
25 Q. And would you --  
26 A. In my mind, yes - sorry, no, in my mind I would have  
27 certainly involved the Authority. It would have been my  
28 first port of call.  
29  
30 Q. Did you think you had the resources to conduct your  
31 own investigation? When I say "your own", I'm referring to  
32 the Board.  
33 A. Well, I find that difficult to answer because I can't  
34 recall that ever being tested, that we ever had to do that.  
35  
36 Q. So you're saying your recollection is you never had a  
37 matter before you that required further Inquiry?  
38 A. There was certainly occasions when there would be -  
39 I'm not sure whether these are - some of this documentation  
40 shows that there were times when there were complaints made  
41 against the warden, and that they would have been dealt  
42 with at Board level. If necessary, it would have then gone  
43 to the Authority.  
44  
45 Q. All right, sir.  
46 A. At the same time if I had of felt that there was an  
47 urgency about taking it to the Authority, I would have gone

1 directly there myself, but that's what I don't recall,  
2 having any - any incident of needing to do that.

3  
4 Q. I'm now going to ask you, Mr Wilkinson, about the  
5 relationship that you had with Dennis McKenna, and again  
6 I'm just concentrating on the times that you were in  
7 Katanning.

8 A. Mm-hmm.

9  
10 Q. All right. So how would you describe your  
11 relationship with him?

12 A. That relationship was totally framed within my sort of  
13 position on the local Board, be that just as a member or  
14 the chairperson, and his position as warden of the hostel.  
15 I had no other type of relationship with Dennis McKenna. I  
16 didn't - we didn't have - we didn't socialise, and as I  
17 said in my statement I didn't know him - didn't know his  
18 personal life. It was, to me, at reasonably arm's length.

19  
20 Q. Well, you had to work closely with him, didn't you, in  
21 your - particularly in your role as Chairman of the Board?

22 A. Yes, that's true, but that was mostly just most often,  
23 I guess, a - attendance at a Board meeting monthly, and I -  
24 and I - obviously there would have been other times when  
25 there was a need for him and I to be together talking about  
26 things, but - and occasionally I would go up to the hostel  
27 just to drop in, but I probably did that probably. I don't  
28 know whether I did it once a month, once every second  
29 month, but I'd occasionally just go and drop in, but I  
30 certainly didn't have what I would call a close personal  
31 relationship with Dennis McKenna. It was always framed  
32 within hostel business.

33  
34 Q. Can I ask you this: you got on well with him. Would  
35 you accept that?

36 A. Yes, yes.

37  
38 Q. So the working relationship in that regard could be  
39 described as good, could it not?

40 A. Yes, it was a good working relationship, yes.

41  
42 Q. You see, Mr Wilkinson, I think you have already been  
43 provided with this relevant transcript page but you have  
44 been described as being a good friend of Dennis McKenna?

45 A. I read that a couple of times and I would say that  
46 there are other people - that's other people's perceptions.  
47 I'm not sure on what basis they made that perception but I

1 didn't view Dennis McKenna as a good friend. I very rarely  
2 had anything to do with Dennis McKenna outside of - well,  
3 never had anything to do with him outside of hostel  
4 business. So that idea that we were good friends, I have  
5 some difficulty in sort of reconciling that.  
6

7 Q. All right. Well, I know it's all to do with  
8 perceptions but this lady knew you. You know the lady who  
9 gave that evidence, Mrs Brokenshire?

10 A. Mrs Brokenshire, yes.  
11

12 Q. Yes, she cleaned your house in Katanning during the  
13 time?

14 A. I believe so, yes.  
15

16 Q. So I know it is all about perception but would you  
17 agree with me then that when you were seen in public with  
18 Dennis McKenna, like, for example, at an awards night, if  
19 you were seen together at board meetings, it seemed, at  
20 least on face value, that you got on well with each other?

21 A. That would be accurate and I - you know, and I also  
22 would have often been in a situation where I would have  
23 been - I can only use the term "praising", I guess the work  
24 of Dennis McKenna. I can remember at, you know, the end of  
25 every school - at the end of every year there was an awards  
26 night, an end of the year function at the hostel and there  
27 was an awards night, and I can remember in your role as  
28 chairperson making a short speech around the history of the  
29 year, basically, and I can - you know, obviously I would  
30 have been standing there saying, once again, you know,  
31 Dennis McKenna and the staff at the hostel had done a good  
32 job. Now, you know, those things would have happened, yes,  
33 but I just didn't have a personal relationship with him.  
34 He never came to my home. Well, he did once. Once he came  
35 to my home in the whole time that I was involved in the  
36 hostel.  
37

38 Q. And what was that for?

39 A. That was a really quite strange situation. It was  
40 late at night, and I don't know what year this was now, I  
41 can't remember, but it was late at night and there was a  
42 knock on the door, and I think it was my wife who went and  
43 answered the door, and Dennis McKenna was there in a  
44 reasonably distressed state and so, you know, he came in  
45 and he told us this story about how he had just got back  
46 from Perth or something and that he had just found out that  
47 he had got a woman pregnant and he was asking our advice as



1 to what he should do. It was all very strange, and I can't  
2 remember how long the conversation went on for and exactly  
3 what we said to him but we eventually left. I know my wife  
4 and I looked at each other and said "What on earth was that  
5 all about?", but - yes, that's the only time.  
6

7 Q. Just on that, did you believe him, this story that he  
8 was telling you?

9 A. I - I didn't have any reason to not believe him  
10 because he was fairly distressed and obviously upset, but  
11 it was just so out of the blue that you just - I just - I  
12 know I thought "Well, you know, is it true or is it not  
13 true?", but I didn't go anywhere else with it in my head,  
14 other than "Is it true or is it not true?". But that's the  
15 only time he ever came to my home in the number of years  
16 that I was involved in the hostel.  
17

18 Q. In all those years that you were involved in the  
19 hostel, you never actually saw him or he never told you  
20 that he had a girlfriend, did he?

21 A. No, he didn't. He didn't, but then I didn't need or  
22 want to know that anyhow. But no, I wasn't aware that he  
23 was in relationships or anything like that. I know he used  
24 to often go to Perth, as did most people I guess who lived  
25 in Katanning, but, you know, what his personal life was, I  
26 really didn't have any sort of understanding of it.  
27

28 Q. Do you know if he used to go in company with another  
29 or others when he went to Perth?

30 A. No, I don't.  
31

32 Q. No?

33 A. I never saw him in the company of a partner, even if  
34 it was, you know - yes, if it was, you know, a function or  
35 something at the hostel or whatever, I never saw him in the  
36 company of another - of a partner.  
37

38 Q. No. What I suggest to you, that when you used to see  
39 him around the hostel, the times that you would visit, that  
40 he always seemed to be invariably in company with boys?

41 A. That's not my total recollection, that he was always  
42 in the company of boys. Most times when I would go to the  
43 hostel during the day there would be - well most kids were  
44 at school so there wasn't - no, that's not what I, you  
45 know, constantly saw.  
46

47 Q. In times when school wasn't on and you were there --

1 A. Yes, well --  
2  
3 Q. -- wouldn't it be the case that you would see him in  
4 the company of boys?  
5 A. No, he was in company of - in the company of kids. I  
6 don't sort of sit here with any sort of recollection that  
7 he was always solely in the company of boys because I would  
8 go into the office and we might then go to the kitchen and  
9 have a cup of tea or something, but there was generally  
10 boys and girls in the hostel at the time.  
11  
12 Q. So in all the years that you were on the hostel board,  
13 you never noticed that he appeared to enjoy the company -  
14 I'm not suggesting anything sinister about this but he  
15 seemed to have the company of boys rather than girls?  
16 A. I don't know. No, I don't - I don't have that  
17 understanding. I understand that he was - he always  
18 coached the football team, for example, and that, you know,  
19 in that context he was always in the company of boys, but  
20 as far as when he was within the hostel, to me, my  
21 recollection is that he was in the company of kids. Now,  
22 what was the exact mix of boys and girls, I'm - I can't say  
23 with any accuracy, but - no, I don't recall, you know, any  
24 sense of sort of concern in the time. Maybe I just wasn't  
25 there at the right time, I don't know, but I never sort of  
26 got that impression.  
27  
28 Q. So going back to this time he made that late night  
29 call to your house, can you remember about the time it was?  
30 A. It was fairly late in the evening. If I said  
31 somewhere around 11 o'clock or something like that, and I  
32 think it probably was - I'm not sure, I think it was  
33 probably more towards the end of the week, something like a  
34 Friday night or something like that, or maybe even a - I  
35 think it was a week night.  
36  
37 Q. And what advice exactly was he seeking from you and  
38 your wife?  
39 A. I think it was - I think it was in the context of what  
40 should he do. It was more a sort of a moral dilemma he was  
41 presenting and what should he do about it.  
42  
43 Q. And what did you answer?  
44 A. I really can't - I really can't remember what I would  
45 have answered. I would have - I assume I would have said  
46 to him he needed to do what was the right thing. I imagine  
47 that's - but I can't remember exactly what I said to him.

1 I know that my wife was there at the time and she would  
2 have had some sort of input into the conversation. The  
3 conversation probably lasted 20 minutes and then he left.  
4

5 Q. Okay.

6 A. And I didn't really talk to him about it afterwards.  
7

8 Q. And then he never raised it again?

9 A. No, no.

10

11 HIS HONOUR: When you get to a convenient point, I  
12 wouldn't mind adjourning.  
13

13

14 MR URQUHART: Yes, I have one more.  
15

15

16 HIS HONOUR: Yes.  
17

17

18 MR URQUHART: Q. So I am going to ask you now to use the  
19 advantage of hindsight. With everything you know about him  
20 now, would it be your view that this was just a  
21 fabrication?

22

23 A. Yes, obviously to try and create some type of  
24 understanding that he was in a particular place at a  
25 particular time.

25

26 Q. Are you saying you think now that it might well have  
27 been a question of a potential alibi?

28

29 A. I think so, yes.  
30

29

30 MR URQUHART: Yes, thank you sir.  
31

31

32 THE WITNESS: It was just so out of - it was just so out  
33 of context, sorry.  
34

34

35 HIS HONOUR: That's all right. We will adjourn now for  
36 lunch and resume at 2.15.  
37

37

38 **LUNCHEON ADJOURNMENT**  
39

39

40 **UPON RESUMPTION:**  
41

41

42 HIS HONOUR: I would like to say to you, Mr Illari and  
43 Mr Wilkinson, there is no need for you to stand when I come  
44 in and out of the hearing room.  
45

45

46 MR ILLARI: Thank you, your Honour.  
47

47

1 MR URQUHART: Mr Wilkinson, can you see me?  
2  
3 MR ILLARI: Yes, we can.  
4  
5 MR URQUHART: Thank you, Mr Illari.  
6  
7 Q. Now, Mr Wilkinson, we were talking before lunch  
8 firstly about your relationship with Dennis McKenna and you  
9 recalled that occasion when he visited your house. Aside  
10 from the relationship you had with him as both being on the  
11 board, did you not both have a business relationship?  
12 A. In the sense of? I'm not quite sure what you mean by  
13 that.  
14  
15 Q. In the sense of when you were general manager at BKW  
16 that store was providing food supplies to the hostel?  
17 A. The hostel would have had an account with the co-op.  
18  
19 Q. Yes?  
20 A. And he would have used that account to make purchases,  
21 yes.  
22  
23 Q. That account, is it your recollection, was with BKW  
24 during the time that you were at BKW and when you were on  
25 the board there was always an account there?  
26 A. I would assume so. I assume that account was there  
27 before both, went to work at the co-op and went on the  
28 board of St Andrews, yes.  
29  
30 Q. It was an account of a substantial nature, wasn't it?  
31 A. I honestly can't recall amounts of money that went  
32 through that account.  
33  
34 Q. Would you accept that there were some significant  
35 sums?  
36 A. I'm not sure that I can answer yes to that. I can't  
37 really recall what the level of purchases were being made  
38 by the St Andrews Hostel through the co-op account. For  
39 example, I can't recall that they purchased cartons of  
40 items from the co-op. They would have come and purchased  
41 things that they were running short of. That's my  
42 recollection.  
43  
44 Q. If I was to suggest to you there was often bulk  
45 ordering of supplies, that wouldn't accord with your --  
46 A. Off the top of my head it doesn't, to be honest. I  
47 don't have a recollection, for example, of there being

1 large deliveries to the hostel.  
2  
3 Q. Do you recall Dennis McKenna recommending the  
4 expulsion of students from the hostel during your time on  
5 the board?  
6 A. Yes, that would be have been the case; yes.  
7  
8 Q. And that not always, but not infrequently a reason  
9 that would be put forward for a student's expulsion was a  
10 stealing allegation?  
11 A. Yes, that would have been the case; yes.  
12  
13 Q. Do you recall those occasions would sometimes be  
14 stealing from the canteen; that was one that came up from  
15 time to time?  
16 A. The canteen at the hostel?  
17  
18 Q. Yes.  
19 A. Not with any certainty, no.  
20  
21 Q. Was another stealing allegation that you can recall  
22 would involve theft from the co-op where you were manager?  
23 A. No. No, I really honestly can't recall a particular  
24 incident where that was the case. I'm not saying  
25 occasionally that didn't happen, but I can't recall it  
26 happening. I guess I say that in the context of my overall  
27 memory of the extent of known shoplifting from the co-op.  
28 It wasn't significant. I'm not saying that there wasn't  
29 shoplifting going on that we didn't know about, but the  
30 number of incidences that we were able to successfully  
31 observe someone stealing something was really quite minimal  
32 throughout any year.  
33  
34 Q. Can you recall discovering that children from the  
35 hostel were stealing from the co-op?  
36 A. No no.  
37  
38 Q. Would that be something that you would remember, given  
39 your affiliation with the hostel, it would be something  
40 that you would remember?  
41 A. I would have thought so, if it was brought to my  
42 attention. You know, I would imagine I would remember it.  
43 It certainly doesn't sit in my mind now.  
44  
45 Q. You see, the reason why I ask that, Mr Wilkinson, is  
46 that we have heard evidence that these stealing allegations  
47 - I am using that in a general sense - would often be

1 fabricated in that the student had never been involved in  
2 any stealing, and we have heard accounts where there would  
3 be false allegations about stealing from the canteen but  
4 also false allegations made by Dennis McKenna that students  
5 were stealing from stores in Katanning. A store that has  
6 come up is one where you were managing.

7 A. I certainly have no recollection of those ideas being  
8 presented to me that there was false allegations being  
9 made. I've got no recollection of that at all.

10  
11 Q. Furthermore, that these items that had been stolen at  
12 somewhere other than on the hostel grounds, those items  
13 would be discovered in the possession of the student back  
14 at the hostel. So it was never a case where the student  
15 was caught stealing at the store in question.

16 A. No, I haven't heard that before.

17  
18 Q. Do you ever recall an occasion when you were on the  
19 board that Dennis McKenna's recommendation that a student  
20 be expelled was not accepted?

21 A. I can't say that I do recall any specific examples of  
22 that. But I do want to say that I know that it wasn't just  
23 an automatic acceptance by the board that a child would be  
24 suspended or removed from the hostel, and that it was given  
25 due consideration. Whether that means that any time that  
26 we went against what Dennis was recommending, I can't say  
27 with any certainty say that that did happen.

28  
29 Q. What is your recollection of the due consideration?

30 A. That we wanted to be fair about it and would want to  
31 be able to, I guess, affirm in our minds that there was  
32 valid reasons for the child to be removed. I certainly  
33 don't recall it being just an automatic rubber stamping of  
34 Dennis's recommendations around it. I understand the  
35 difficulty in that would be that to one extent we went  
36 outside of Dennis McKenna's presentation or facts around it  
37 - I'm uncertain.

38  
39 Q. That's what I wanted to ask you about. The records  
40 that we have relating to the board minutes - and we don't  
41 have every board minutes during the time that you were  
42 there, but we certainly have most of them - there never  
43 appears in the minutes that we have got where the board has  
44 done anything other than accept Dennis McKenna  
45 recommendation there and then.

46 A. If that's what the minutes show the only comment I  
47 would make again is that there would have been a level of

1 discussion around it before the board would have voted one  
2 way or another on it. Yeah, I really can't recall any  
3 particular examples or instances of that.  
4

5 Q. Mr Wilkinson, in that instance you would only have one  
6 side, wouldn't you? You would have one side of the story  
7 and it would be from Dennis McKenna?

8 A. Yep, that's right. I can't remember an occasion when  
9 we would have interviewed the child, for example.  
10

11 Q. Why not? If you wanted to give the matter due  
12 consideration, why didn't you do that?

13 A. I find it difficult to answer that question, why  
14 didn't we do it. Well, obviously it wasn't a part of a  
15 normal process. Why didn't we do it? I'm not sure, to be  
16 honest, why we didn't do it. Maybe that's not a  
17 satisfactory answer, but I'm struggling to --  
18

19 Q. Might I suggest that you were happy - and I mean the  
20 board - was happy to accept the umpire's decision, as it  
21 were, that is, Dennis McKenna's?

22 A. After consideration and discussion based around what  
23 Dennis McKenna would have presented, obviously we then  
24 would have made a decision around it. The extent to which  
25 we got additional information or whatever, you know the  
26 minutes show if that didn't happen I need to say it didn't  
27 happen.  
28

29 Q. We have heard accounts given by students that they  
30 would recall a student just simply being expelled there and  
31 then by Dennis McKenna and that was it. If that was the  
32 situation it would only be at a later date that the board  
33 would ratify that decision, but by then the student had  
34 been expelled?

35 A. I guess that's a likelihood. I assume McKenna would  
36 have had solid reasons for doing that. There was that  
37 assumption that McKenna was making these types of decisions  
38 based on what was deemed to be hostel policies and  
39 procedures, I guess. If he was following those, in as much  
40 as he was deciding to expel a student because they had done  
41 something that was outside the guidelines of being at the  
42 hostel, then I could see how the board would go along with  
43 that.  
44

45 Q. Did you realise back then the significance of a  
46 student being expelled from the hostel, in the sense that  
47 it effectively more commonly than not meant that the

1 student was expelled from the school because they had no  
2 place to stay?

3 A. Yes. Most definitely understood that. That's why I  
4 say obviously, however, within a very narrow sort of  
5 context, I do say that at the board we didn't take those  
6 decisions lightly around agreeing to expel a student or  
7 endorsing something that the warden had already done. Bear  
8 in mind that the major - the board was significantly made  
9 up of parents, you know. There was that absolute  
10 awareness, I believe, of the impacts and effects it would  
11 have on the child and the family. So I still say those  
12 decisions were not taken lightly. But whether they were  
13 taken within a sufficiently broad sort of context, probably  
14 have to agree with you that they weren't.

15

16 Q. Therefore, to use the phrase that you used earlier,  
17 there really wasn't due consideration given to the matter?

18 A. I find it difficult to agree with that statement that  
19 there wasn't due consideration. There was certainly  
20 consideration given to it, I guess, in the sense if that  
21 consideration was not sufficiently broad enough then I  
22 guess one would say, yes, it wasn't duly considered.

23

24 Q. Mr Wilkinson, would you ordinarily notify the  
25 Authority in writing that a child had been expelled from  
26 the hostel?

27 A. I don't think so. I think that - I think that that  
28 would have been reflected in - I assume that would have  
29 just - would have been reflected in the minutes, and the  
30 minutes would go to the Authority.

31

32 Q. We found an instance where you actually went beyond  
33 that and notified the Authority independently of that  
34 process.

35 A. Oh, okay. Yes. I don't recall that.

36

37 Q. It was a student by the --

38 A. Was that something that --

39

40 Q. Sorry. Go on?

41 A. No, go on. Sorry, I interrupted you.

42

43 Q. I think I might say I interrupted you. It was a  
44 student by the name of Kylie Haddow. It was towards the  
45 end of 1986.

46 A. I can't recall the particular circumstances, I'm  
47 sorry, of that.



1  
2 Q. You mentioned there how the minutes of the board would  
3 be sent off to the Authority; is that right?  
4 A. That's my assumption, yes.  
5  
6 Q. Did you know who was responsible for that during your  
7 time as chairman?  
8 A. Well, not specifically. But I assume it would either  
9 be the secretary or Dennis McKenna.  
10  
11 Q. What was your opinion of Dennis McKenna when you left  
12 Katanning in 1986 or 1987? What was your opinion of him at  
13 that stage?  
14 A. I assume I would have thought he was - I don't know if  
15 I had an opinion. I suppose I thought that he was still at  
16 the hostel and, therefore, was doing an okay job, I guess.  
17 I don't think I had any opinion of him outside of that.  
18  
19 Q. Did you have an opinion of him that he was a worthy  
20 recipient of the Cannington Person of the Year Award or  
21 Citizen of the Year?  
22  
23 HIS HONOUR: Katanning.  
24  
25 THE WITNESS: Cannington or Katanning?  
26  
27 MR URQUHART: Q. Katanning.  
28 A. You are a few hundred miles out, but that is all  
29 right.  
30  
31 Q. Can you stop laughing now.  
32 A. I will try to, Mr Urquhart, thank you.  
33  
34 Q. Katanning Citizen of the Year. Firstly, you were  
35 aware of that?  
36 A. It does sit in my mind. I'm not sure what year that  
37 is, whether I was in Katanning.  
38  
39 Q. 1984?  
40 A. Well, I would have - I probably would have thought  
41 that that was - he was a worthy recipient of that,  
42 primarily because of the work that the hostel did within  
43 the community, the way that the community and the hostel  
44 were linked together, and there was that general perception  
45 that the hostel was very good for the town, in as much as  
46 what it provided for community members to come to and what  
47 it did out in the broader community. On that basis I think

1 the general feeling was that he was a worthy recipient.  
2  
3 Q. Did you actually serve as a councillor at Katanning?  
4 A. Yes.  
5  
6 Q. What years were they?  
7 A. I'm going to say '83 to '86.  
8  
9 Q. I think that might sound about right. Again, was this  
10 your sense of committing to the well-being of the town, was  
11 it? You were already a board member and you became a  
12 councillor.  
13 A. No. I went on the council with a, sort of, single  
14 agenda, I guess, and that was to influence the council  
15 providing better recreational facilities around the town.  
16 I was involved in playing basketball and involved in the  
17 basketball association. I could see that there was a  
18 distinct lack of - we were still playing on bitumen courts,  
19 and there was a lack of overall good recreational  
20 facilities in the town, and it was for that purpose and  
21 intent.  
22  
23 Q. That is fine. Do you recall finding out about Dennis  
24 McKenna being charged with child sexual abuse in 1990?  
25 A. Yes, I do. Yes.  
26  
27 Q. Can you recall what your reaction was?  
28 A. Well, I think it was one of shock and one of - I don't  
29 want to say so much disbelief, but I certainly found it, I  
30 think, hard to reconcile, I guess, that this is what had  
31 happened.  
32  
33 Q. In your seven years - I just noticed Mr Illari handing  
34 you a note. Is there some problem there?  
35 A. No.  
36  
37 MR ILLARI: No, no problem.  
38  
39 MR URQUHART: Okay.  
40  
41 Q. In your seven years as a board member had you heard or  
42 received any information that would suggest Dennis McKenna  
43 was sexually interfering with students?  
44 A. No. Never did.  
45  
46 Q. Not a suggestion?  
47 A. Not to my recollection. There was suggestions that

1 Dennis McKenna was, you know, like sometimes a difficult  
2 person. He would have his favourites and if you weren't in  
3 his group of favourites then he could make life hard for  
4 you at the hostel - talking about students here. So there  
5 was the occasional sort of comment about that sort of angle  
6 of that, if you didn't get on with Dennis then it could be  
7 a hard life for you at the hostel. But there was never any  
8 - and I am really quite strong around this - I never was  
9 presented - no-one ever said to me, made any suggestion to  
10 me, that Dennis McKenna was abusing students at the hostel.

11

12 Q. You mentioned there you did find out that he could  
13 make life hard for those students who weren't his  
14 favourites.

15 A. Yes.

16

17 Q. What did you hear about that? How was he making life  
18 hard for them?

19 A. That he would, I guess, in a sense pick on them, I  
20 guess. I really don't have any specific examples here.  
21 There was just comments that would be a parent, I would  
22 assume, would have made to me at some stage that he could  
23 make it difficult for the child at the hostel. He might  
24 denigrate the child in some way in front of others. He  
25 might - yeah, I guess that was the most, sort of, common  
26 comment that I heard, that he would denigrate the child in  
27 front of other people.

28

29 Q. Do you regard that as appropriate behaviour by a  
30 warden?

31 A. No, definitely not.

32

33 Q. What did you do about that?

34 A. I'm not actually certain because I find it difficult  
35 to remember specific examples. But I know that I certainly  
36 would have discussed it with whoever was talking to me  
37 about it. And then I believe I would have gone to Dennis  
38 and had a conversation with him about it and got his side  
39 of the story in that sense.

40

41 Q. You believe --

42 A. We are probably talking two or three times over this  
43 period of time.

44

45 Q. Mr Wilkinson, we have heard some quite distressing  
46 examples of how he would publicly humiliate students at the  
47 hostel. To give you an example, that this public

1 vilification would take place in front of the other  
2 students at the dining room and it would involve extremely  
3 distressing remarks made to students who were called out to  
4 the front of the group, and it was clear that it would be  
5 an extremely upsetting and distressing experience for them.  
6 Is that sort of thing that you heard?

7 A. No, that's not - I didn't hear things to that - to  
8 that extent and to that level. These were more just  
9 individual scenarios. I really can't recall anything  
10 specific. But it just sticks in my mind that there were  
11 those sort of - on two or three occasions those sort of  
12 claims made, that "Dennis could make life hard for a  
13 student at the hostel if the child wasn't on the right side  
14 of him" - whatever that means, I'm not quite sure. But I  
15 certainly didn't hear anything as you were describing  
16 there.

17  
18 Q. You see, Mr Wilkinson, we also heard accounts of where  
19 he would ostracise students who had rejected his sexual  
20 advances.

21 A. I've got no --

22  
23 Q. What did you do to investigate these two or three  
24 occasions that you heard about? Did you speak to the  
25 student concerned?

26 A. No. I would not have spoken to the student. I would  
27 have spoken to the parent and then I would have gone and  
28 spoken to Dennis about it. I don't recall ever speaking to  
29 a student about these things.

30  
31 Q. Wouldn't that be the best person to give you this sort  
32 of information?

33 A. Well, if I - maybe in certain circumstances. But if  
34 I've already spoken to the parent and they've conveyed to  
35 me their, you know, what they're thinking, and then I go to  
36 Dennis and talk to him about it and there is some sort of  
37 resolution there, then I wouldn't have spoken with the  
38 child. But these were incidences of a very minor nature  
39 compared to what you were expressing or talking about, and  
40 didn't in any way ever include any claim of abuse in any  
41 way.

42  
43 Q. If that was the case you never heard of him watching  
44 the boys shower?

45 A. No. Never heard that.

46  
47 Q. You never heard of him encouraging boys to be stripped

1 naked by their peers?  
2 A. No. Never heard that.  
3  
4 Q. Well, would publicly ridicule students. Am I right  
5 about that, or are you saying this ridicule was just one on  
6 one?  
7 A. No, my recollection was that it wasn't just a  
8 one-on-one thing, that it happened - it happened with other  
9 students around, but there was no, sort of - I can't recall  
10 for example, the number of students. I certainly don't  
11 recall it ever being, as you described, in front of - in  
12 the dining room in front of the rest of the hostel  
13 students. That's not what - that's not a scenario that  
14 was - that was sort of presented to me.  
15  
16 Q. What about the use of the PA system to publicly  
17 denigrate the student?  
18 A. No, I've never - never heard of that being done.  
19  
20 Q. Never heard of humiliating nicknames he had for boys  
21 that related to the size of their penises?  
22 A. No, never heard that  
23  
24 Q. Did you ever hear that he read students' mail without  
25 their knowledge?  
26 A. No, never heard that.  
27  
28 Q. Never heard that he supplied - and I'm talking about  
29 at the time you were on the Board - never heard him - heard  
30 him supplying boys with alcohol?  
31 A. No, certainly never heard that, no.  
32  
33 Q. Never heard that he was playing pornographic videos to  
34 boys?  
35 A. No, never heard that. Never heard that at all, no.  
36  
37 Q. Given his reputation, if you had heard of those things  
38 that you'd never heard about, would have you found it  
39 difficult to believe?  
40 A. I don't - I don't think I would have found it - why  
41 would I have found it difficult to believe? I certainly  
42 would have reacted to it, and I would have - I'm assuming  
43 here what I would have done. I assume I would have - if  
44 someone had ever come to me and made those types of claims  
45 and accusations, I know - I know - I am sure I know what I  
46 would have done, I would have made immediate contact with  
47 the Authority, and either spoken to Colin Philpott or to

1 Peter Lammas and got some - a sense of direction around  
2 where to go to from here with this. And then I assume I  
3 would have made contact with the Board members. I don't  
4 believe I just would have gone straight to McKenna and -  
5 and sort of, you know, talked it through with him. I  
6 viewed the Authority was the - as the person I reported to  
7 basically, as the party I reported to, and I strongly  
8 believe I would gone straight to Colin Philpott or to Peter  
9 Lammas and said, "This is - this has been said or stated,  
10 what - you know, which way do you want to go with it?"  
11

12 Q. Okay. Did you at least hear that he would have boys  
13 in his unit at night-time watching videos?

14 A. I - I have a recollection that that may have been  
15 something that did happen. With what frequency I'm not  
16 sure, but I think I do have a recollection that that was  
17 something that happened.  
18

19 Q. And was it your recollection that this was at  
20 night-time after lights out?

21 A. No, no. With my recollection, it might have been, you  
22 know, on the weekend or something like that, when the kids  
23 were not at school. It certainly doesn't contain the idea,  
24 the understanding that this was happening at night time --  
25

26 Q. And did that --

27 A. -- after lights were out, no.  
28

29 Q. And that didn't cause you any concern, that students  
30 would be invited into his unit to do that, because --

31 A. Not - not in the context of what my understanding was;  
32 that it was - that they were - and I don't know with what  
33 frequency this was happening; that - that there might be  
34 a - and I don't know if it was just all boys. I'm not - I  
35 can't be certain that it was just all boys, but there was  
36 students who would collect together and go and watch a  
37 movie. That's the only recollection I have. I don't  
38 automatically go to that place of assuming it was just all  
39 boys.  
40

41 Q. Okay.

42 A. But never - it doesn't - my recollection doesn't  
43 contain that idea that this was happening after lights out  
44 at night-time.  
45

46 Q. Would that cause you concern, if you were to find out  
47 about that?

1 A. Definitely. I would assume it would have caused me  
2 concern, yes.  
3  
4 Q. I'm going to ask you to look at some documents that  
5 relate to the financial affairs of the hostel at the time  
6 that you were - in the time you were actually Chairman of  
7 the Board, rather than just simply an ordinary member.  
8 Now, they are in front of you, I hope, and the first one is  
9 going to be a letter on Country High School Hostels  
10 Authority letterhead. It's addressed to the Chairman, and  
11 it's dated 22 March 1984, and it's exhibit 100 in the  
12 bottom right-hand corner.  
13  
14 MR ILLARI: We've got that, yes. You've got it there.  
15  
16 THE WITNESS: Yes, we have that.  
17  
18 MR URQUHART: You've got that one there, good. All right.  
19  
20 Q. Now, I gather you might well have had an opportunity  
21 to have a look at this beforehand, but it's a letter dated  
22 22 March 1984 of the Authority Secretary to the Chairman.  
23 A. Yes.  
24  
25 Q. And it refers to a number of items that the Secretary  
26 has investigated. And the first I want to have a look at  
27 there is "Cost of provisions per student - 1983". Do you  
28 see that?  
29 A. Yes.  
30  
31 Q. And the Secretary sets out cost per student for  
32 provisions at Katanning was \$981, and then uses in  
33 comparison the amounts for six other hostels, all for  
34 considerably less sums of money. Do you see that?  
35 A. Yes.  
36  
37 Q. It seems to be a significant anomaly, doesn't it?  
38 A. Yes, it does, yes.  
39  
40 Q. It's 50% more than the next highest cost per student;  
41 yes.  
42 A. Yes, yes.  
43  
44 Q. And I'm going to suggest that some, if not a  
45 substantial amount, of these provisions were actually  
46 coming from BKW?  
47 A. I can't - I can't confirm that one way or the other,

1 I'm sorry.

2

3 Q. But, Mr Wilkinson, would you agree that if it was -  
4 let's just use the fact that say there were 100 students  
5 there at the hostel, and that half of that amount - say  
6 \$500 of that amount was coming from BKW, that would  
7 represent a sum of \$50,000 for the year. So that that  
8 would be a significant sum of money coming in to BKW.  
9 Would you at least agree with that?

10 A. Yes, yes.

11

12 Q. Are you able offer any explanation as to why the cost  
13 per student for provisions would be so much higher than the  
14 other hostels listed?

15 A. I know - I think my basic answer to that question is  
16 no, but I do - I do recall that this particular issue was  
17 not so much a constant discussion at Board level, but I can  
18 certainly recall it being discussed, and there being, sort  
19 of, explanations provided, one of which, I think - but I  
20 can't be quite certain, was to do with - and in the  
21 documentation provided it was mentioned that the provision  
22 of a cooked breakfast, for example, was going to be stopped  
23 as a means of reducing this provision cost per student.  
24 So, you know, outside of that idea that the hostel at  
25 Katanning was providing not so much different types of  
26 meals, but additional meals than what we were being  
27 provided. If we were doing a cooked breakfast and the  
28 others weren't, for example, that that would give some  
29 explanation to that. That connection between that higher  
30 provision cost at Katanning and me being on the Board, and  
31 me being the manager of the Co-op - I find that - I find  
32 that sort of difficult to - to sort of link into that  
33 connection because, you know, I'm not aware that we were  
34 actually providing the hostel with significant quantities  
35 of foodstuffs. And if we were doing that, why were we  
36 doing that if they could have been buying it cheaper  
37 somewhere else? I - so I can't really give a very good  
38 explanation of that, other than if it was that we were  
39 providing extra meals compared to the other hostels, for  
40 example. I don't think - I personally don't think it would  
41 have been related to the cost at which the hostel was  
42 buying product because I'm sitting here still assuming that  
43 a lot of that product they were getting direct from  
44 suppliers.

45

46 Q. Mr Wilkinson, do you see the potential conflict here  
47 with you as Chairman of the Board and general manager of a



1 store that was supplying provisions to the hostel and  
2 across --  
3 A. I can - I can certainly see the potential conflict,  
4 yes.  
5  
6 Q. And the cost of those provisions was a regular problem  
7 that the Board had throughout the time that you were  
8 Chairman. I can take you to the fact that this problem  
9 still existed in 1986/1987. We'll do that now.  
10 A. Yes.  
11  
12 Q. Have a look at the document which is titled Report on  
13 Expenditure Items, 1986/1987, St Andrew's Hostel Katanning  
14 - it's exhibit 102, Mr Illari.  
15  
16 MR ILLARI: I don't have them numbered, I'm afraid, Mr  
17 Urquhart.  
18  
19 MR URQUHART: Okay.  
20  
21 MR ILLARI: All right.  
22  
23 MR URQUHART: It's a fairly substantial document. It  
24 looks like that, gentleman.  
25  
26 MR ILLARI: All we can see is a white sheet of paper from  
27 here --  
28  
29 MR URQUHART: Yes, well, it's virtually a white sheet of  
30 paper.  
31  
32 MR ILLARI: -- with lines on it.  
33  
34 MR URQUHART: Yes, it's virtually a white sheet of paper,  
35 yes.  
36  
37 MR ILLARI: Sorry, what's the title of the document again?  
38  
39 MR URQUHART: "Report on Expenditure Items - 1986/1987".  
40  
41 MR ILLARI: I think I know the one you mean.  
42  
43 MR ILLARI: I've got it here. Yes, we have it, Mr  
44 Urquhart.  
45  
46 MR URQUHART: Thank you.  
47

1 Q. And if we can go to page 3 of that, and it's under the  
2 heading "Suspense Payments", and it's a little harder to  
3 follow than the other table that we looked at, but  
4 essentially what it shows is this - the best way of looking  
5 at it is those - the second-last paragraph which starts  
6 "YTD Food Costs", year to date food costs, Katanning, to 30  
7 April '86. Can you see that there?

8 A. Yes.

9  
10 Q. The comparison that's been used here is the food costs  
11 at Katanning are compared to the food costs to Northam.  
12 And the final paragraph there:

13  
14 It can be seen that the cost of food and  
15 provisions is still a cause for concern  
16 since they are considerably higher than  
17 costs for Northam for both years and are  
18 only marginal lower for Katanning Hostel  
19 during the same period last year.

20  
21 So this report several years after 1983 is still indicating  
22 that the food costs of Katanning are considerably higher  
23 than the costs in this instance using a hostel in Northam.  
24 What I'm suggesting to you, Mr Wilkinson, is the problem  
25 didn't seem to have been rectified over the years?

26 A. On those figures there, you're correct. I - I'm  
27 struggling to give you an explanation about that. And I'm  
28 also struggling to sort of tie it back to that idea, I  
29 guess, that if they were purchasing food from the Co-op,  
30 that that was at a higher cost than what they could have  
31 got it elsewhere. I don't believe - I personally don't  
32 believe that it - if they were having to pay for higher  
33 costs for food by purchasing from the Co-op, that as a  
34 Board we would have condoned that.

35  
36 Q. Okay. So I'd like you now to have a look at a  
37 document titled - it's exhibit 101, sir - a document  
38 titled - it's directed - it's addressed to Director of  
39 Administrations, as an audit of accounts of Katanning  
40 Senior High School Hostel, St Andrew's, and once more it's  
41 a 10 page document.

42  
43 MR ILLARI: I did see that.

44  
45 THE WITNESS: Yes, we have that.

46  
47 MR URQUHART: Okay.

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Q. And this audit is dated 11 May 1984, and I want to draw your attention to what was identified as some examples of questionable postings. So that's at page 8. Sorry, I apologise, before we do that, can we go to page 4?

A. Yes, we have that.

Q. Yes. And just to give you an example of why it is that it was often difficult for auditing to be done of the Katanning books, underneath "Canteen and Catering", underneath "A. Expenditure Main Account", do you see that?

A. Yes.

Q. :

This was the most difficult area to isolate as all the expenditure relating to either canteen or catering paid through the main account were all posted to Groceries.

Can you see that?

A. Yes.

Q. Was it your experience, Mr Wilkinson, that the bookkeeping at Katanning Hostel during your time as Chairman was woefully inadequate?

A. We represented at the - each Board meeting with financial statements, and it was - it was the information contained in those statements that we would have perused and considered. The - what sort of went on behind the scenes there, I guess, in that - that led to those statements being prepared, and what sort of bookkeeping was actually going on behind the scenes, I - I don't think I had a lot of sort of understanding of. All that we saw as the Board - that's me personally - all we saw as the Board was the - was the presented statements. We certainly - we had, as the audit reports were coming in and that, we were obviously becoming more aware of the lack of, across the Board, satisfactory controls around the receipting of moneys and expenditure. That, to me, seems to be mostly to do with those extracurricular activities. It's my understanding that there was always adequate receipting and so on taking place around student fees and so on --

Q. Well --

A. -- but it was around these extra activities of running a canteen and --

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Q. Let's have a look --

A. Yes.

Q. Let's have a look at some of those examples. At page 8 now, which I originally took you to, have a look at those. And at item 4, about halfway down the page:

Some examples of questionable postings are as follows:

And it lists just six. For example, \$98 Lazy Crab, posted to Food, and a whole lot of expenditure relating to Hole in the Wall, which is clearly a reference to the Hole in the Wall Theatre, was posted to Recreation, Shed and Skating on another occasion, Amenities once more, there's a fourth time for Hostel. And, again, \$2,100, Summit Ceilings Theatre was posted to Amenities. Now, there are clear errors there, aren't there?

A. Yes, yes.

Q. And errors, I would suggest to you, that are difficult to really justify.

A. Well, I mean, I can sit here and say I don't even know what they're for, in a sense. I can read what they're - I can read what it said on the bit of paper, but I can't relate to exactly what those were - those things were, apart from some Summer Ceilings Theatre I can sort of - okay, it was something to do with the ceilings in the theatre, but the others I've got no idea what on earth they're about.

Q. Well, therein lies a problem that the person doing this audit found, because if you can go to page 9, this person had worked out that the actual total hostel deficit was \$84,827. Do you see that?

A. Yes.

Q. And that's for 1983, and you had quoted in your correspondence with Mr Philpott - and the letter's there in front of you if you need to have a look at it - the previous month that the 1983 deficit was just over half that, \$43,264. But leaving that --

A. Sorry --

Q. Did you want to have a look at that letter?

1 MR ILLARI: Yes, what date is it?  
2  
3 MR URQUHART: That's 17 April 1984, so three and a half  
4 weeks to the date before this audit. It's on St Andrew's  
5 letterhead and is addressed to Mr C Philpott. A two-paged  
6 letter.  
7  
8 THE WITNESS: I do remember that letter.  
9  
10 MR URQUHART: And it's titled "1983 Deficit, St Andrew's  
11 Hostel."  
12  
13 MR ILLARI: Yes, we have it.  
14  
15 THE WITNESS: Yes.  
16  
17 MR URQUHART: So --  
18  
19 THE WITNESS: What I - and this is just as I'm sitting  
20 here thinking about that, I imagine that that '83 - in that  
21 letter to Mr Philpott on 17 April, that that - that that  
22 figure was relevant specifically to that 1983 period. That  
23 was the deficit for that period, which somewhat, I guess,  
24 matches in with those other figures, but obviously doesn't  
25 take into account the \$35,000 existing overdraft. That's  
26 my, sort of, reaction to those figures.  
27  
28 MR URQUHART: All right.  
29  
30 Q. Well, in any event, it's a substantial sum of money?  
31 A. Yes, yes.  
32  
33 Q. And the person who conducted the audit identified at  
34 page 9 a number of problems. About two thirds of the way  
35 down - have you got that page:  
36  
37 The variance between the above statement  
38 show the approximate deficit and the real  
39 deficit was due to the following:  
40  
41 And he sets out five examples there which, at the very  
42 least, would suggest some very lax keeping of records?  
43 A. Yes.  
44  
45 Q. Do you agree with that?  
46 A. Yes, definitely.  
47

1 Q. And for the sake of clarity, I do accept that in the  
2 second-last paragraph there on page 10, the auditor  
3 concluded:

4  
5 Generally speaking it would appear that as  
6 no evidence of misappropriation was  
7 discovered during the audit, the deficit  
8 was solely caused by overspending in the  
9 non operating amenities area.

10  
11 Okay. So --

12 A. Yes.

13  
14 Q. -- I accept there's no evidence of misappropriation,  
15 but clearly the problem has been identified as being  
16 overspending. Okay?

17 A. Yes.

18  
19 Q. Did you want to make any further comments about either  
20 of those two documents?

21 A. No, not specifically about those documents. I would  
22 perhaps just like to make the comment again that what we  
23 saw at Board level was, I guess, the conclusion of all of  
24 those transactions, some of which obviously haven't been  
25 recorded appropriately, and I think as a Board it wasn't  
26 until this Audit Report came in that we would have had that  
27 level of awareness around the - the degree to which there  
28 was lack of financial sort of controls across the Board.

29  
30 Q. And financial controls - we are talking about Dennis  
31 McKenna, aren't we? He was responsible for that?

32 A. That's my understanding. I'm not sure whether - what  
33 I can't recall is whether there was a paid staff member who  
34 did the bookkeeping. I'm just not sure who did the  
35 bookkeeping as such, the day to day --

36  
37 Q. I can tell you eventually.

38 A. -- but it was Dennis McKenna who presented the  
39 financial statements to the Board.

40  
41 Q. Eventually there was, Mr Wilkinson, because the  
42 supervisor that Mr McKenna was tasked - had tasked to do  
43 the reconciliation statements, his brother Neil, was found  
44 to be hopelessly inadequate at doing that, so it was  
45 some years later, after 1983, that that person was employed  
46 to do that. Now, I just wanted to quickly ask you  
47 something about some minutes that I discussed with

1 Mr Illari just before we started this morning, that was  
2 provided to you just today, and it's the minutes of the  
3 board meeting dated 20 February 1985?  
4  
5 MR ILLARI: 20 February '85 or '87?  
6  
7 MR URQUHART: 1985, Mr Illari.  
8  
9 MR ILLARI: '85.  
10  
11 MR URQUHART: Yes.  
12  
13 MR ILLARI: All right, okay.  
14  
15 MR URQUHART: Q. I don't know whether it will be  
16 necessary to have you in front of it. Gentlemen, I only  
17 wanted to ask one line from that and I don't think the  
18 document will necessarily help you but it is exhibit 33 and  
19 it just simply said:  
20  
21 Mr Wilkinson thanked board members for  
22 their efforts over a difficult year in  
23 1984.  
24  
25 Did you hear that?  
26 A. Yes, yes.  
27  
28 Q. I was just going to ask you whether you could recall  
29 what it was that made 1984 a difficult year?  
30 A. I - my initial reaction to that is it would have been  
31 the same as what made 1983 a difficult year. It would have  
32 been around, I assume, trying curtail the deficit of the  
33 hostel. That's the only thing that comes to mind in that  
34 context of it being a difficult year. Nothing else comes  
35 to mind.  
36  
37 Q. I want to show you now the minutes of the meeting of  
38 the hostel board on 20 February 1987 - Mr Illari, this is  
39 the document I spoke to you about this morning.  
40  
41 MR ILLARI: Yes, we have that.  
42  
43 THE WITNESS: Yes, we have that.  
44  
45 MR URQUHART: Q. And we can see there that the minutes,  
46 it has you as present, Mr Wilkinson, even though, by my  
47 calculation, that would be a couple of weeks or at least a

1 week after the school term would have started that year.  
2 Do you see that?  
3 A. Yes, I do, yes.  
4  
5 Q. Just leaving aside that for one moment, I just want to  
6 take you to the heading "Financial Report". It is just  
7 about halfway down the first page?  
8 A. Yes.  
9  
10 Q. And the fifth line there:  
11  
12 Review of staffing structure and food costs  
13 to be carried out in an endeavour to  
14 further reduce potential deficit.  
15  
16 And underneath that:  
17  
18 A Parents and Friends Association to be  
19 formed to handle income and expenditure  
20 relevant to Non-Operating activities of the  
21 hostel.  
22  
23 It would seem there that the food costs were still a cause  
24 for concern and I think we have already looked at that with  
25 respect to the expenditure item report we looked at, and it  
26 seems the board was of the view that the Parents and  
27 Friends Association ought to handle the expenditure with  
28 respect to non-operating activities of the hostel. Do you  
29 see that?  
30 A. Yes.  
31  
32 Q. Non-operating activities, are they the  
33 extra-curricular activities you have referred to  
34 previously. Do you know?  
35 A. I would have to assume they - I'm assuming they are,  
36 yes.  
37  
38 Q. All right.  
39 A. Yes, that's the only thing that comes to mind.  
40  
41 Q. Mr Wilkinson, I didn't provide you with these  
42 documents because I hadn't anticipated there would be a  
43 problem as to when you actually left the board. I don't  
44 want to make a big thing of it but I will just bring to  
45 your attention that we have got a copy of the minutes of  
46 the meeting of the board held on Wednesday, 25 March 1987?  
47 A. Okay.



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Q. And it has you as an apology for that meeting. And then it doesn't appear that we have the minutes for April 1987 but we do have the minutes of the meeting held on Wednesday, 13 May 1987 and it shows you as being present. And then, under "General Business", it has:

Election of office bearers - L. Wilkinson resigned as Chairman.

And there were elections and A Parks was elected chairman. So if your recollection is correct, then these minutes couldn't be right. Because your recollection is that you wouldn't have been present in May of 1987?

A. No, I still sit here believing I'm accurate in my sort of recollection around the dates and that I left, but, you know, the more I look at this the more I start to doubt myself, but the only way it could have happened - there is only one - perhaps a couple of ways it could have happened: (a) that I kept returning to Katanning for the meetings but I just don't recall ever making those trips, or (b) I've got my dates just mixed up and my son didn't start - my son must have started high school that year and I just don't recall him ever going to Katanning Senior High School. I'm sure he started high school in Perth and - but I would need to somehow corroborate my memory around that because these minutes start to sort of raise some questions for me as to have I got it right and did I actually just - did I send in a letter of resignation or was I actually at the meeting.

Q. Well, it seems you were present and --

A. Okay.

Q. -- it simply says:

L. Wilkinson resigned as Chairman.

Now, I can tell you that in these minutes you didn't move or second any item. I can tell you that but, then again, that might be explained on the basis that you were going to resign?

A. Yes.

Q. But, in any event --

A. I would - yes, I would need to make some checks as to whether I've got my dates right but it will hinge on did my son actually go to high school in Katanning at all, which

1 would give them some - if he went there for the first time  
2 it would give some explanation, but I am of the firm  
3 opinion that he started school in Perth, high school in  
4 Perth, and I just don't remember travelling.  
5  
6 Q. Mr Wilkinson, as I say, I don't think it is a  
7 significant issue.  
8 A. Okay.  
9  
10 MR URQUHART: Sir, I will tender those minutes dated 13  
11 May 1987 and we will make sure a copy is sent to Mr Illari.  
12  
13 HIS HONOUR: 30th of May?  
14  
15 MR URQUHART: 13th of May 1987.  
16  
17 EXHIBIT #107 MINUTES OF BOARD MEETING DATED 13/5/1987  
18  
19 MR URQUHART: Also, the minutes of the board from 20  
20 February 1987 as well. Thank you, sir.  
21  
22 EXHIBIT #108 MINUTES OF BOARD MEETING DATED 20/2/1987  
23  
24 MR URQUHART: Q. Mr Wilkinson, I want to move to another  
25 area and this involves some transcript that's already been  
26 provided to you regarding a phone call that a parent who  
27 had a student at the hostel recalls. His name is Noel  
28 Parkin.  
29 A. Yes, we have that, yes.  
30  
31 Q. Noel Parkin --  
32  
33 MR ILLARI: Just for certainly, sorry, this is page 585 of  
34 the transcript, is it, of 28 February?  
35  
36 MR URQUHART: I will just confirm that with you,  
37 Mr Illari. Yes, that's correct, yes.  
38  
39 MR ILLARI: Thank you, we have got that.  
40  
41 MR URQUHART: Q. Just to place this in context,  
42 Mr Wilkinson, Mr Parkin has given evidence that in 1980 he  
43 had formed the view that Dennis McKenna was interfering  
44 with boys at the hostel and, according to his account, he  
45 made plenty of noise about this. He had told the Authority  
46 or made an oral complaint to the Authority, he had made an  
47 oral complaint to the police, he had told other parents and

1 he also told members of the board at the time, in 1980.  
2 Now, we know from the minutes, and you don't dispute that  
3 you were a member of the board then, and he says that he  
4 rang you - or, sorry, he rang the board member who was the  
5 manager of the Katanning BWK CO-Op and told him that Dennis  
6 McKenna was interfering with boys. Now, I can see you are  
7 just going to the statement there, Mr Wilkinson, but for  
8 the moment, if I could just ask you, without looking at  
9 that, whether you can - or, firstly, do you accept that in  
10 1980 you would have been the only board member fitting that  
11 description?

12 A. Yes, yes.

13

14 Q. And do you recall such a conversation, that is Noel  
15 Parkin ringing you, a parent from the hostel, complaining  
16 that Dennis McKenna was interfering with boys or stating to  
17 you something to that effect?

18 A. No, I don't have any recollection of that phone call  
19 at all.

20

21 Q. Often I have asked witnesses this, as to whether they  
22 appreciate the distinction between stating that, no, they  
23 did not have a conversation with a person and "I don't  
24 recall having a conversation with that person". Do you see  
25 the distinction?

26 A. Yes, I don't recall having a conversation with that  
27 person.

28

29 Q. Therefore, it might leave open the possibility that  
30 you might well have?

31 A. Yes, yes.

32

33 Q. And not just a conversation with that person but a  
34 conversation along the lines of what that person is saying;  
35 that is, that he told you --

36 A. No, no.

37

38 Q. No?

39 A. No. I could have had a conversation with Mr Parkin.  
40 If I did, it did not contain an accusation that Dennis  
41 McKenna was abusing kids at the hostel. It might have been  
42 a conversation about something else to do with whatever he  
43 - was Mr Parkin a parent?

44

45 Q. Yes, he was?

46 A. At the - yes.

47

1 Q. Yes, and he had a troubled son at the hostel?  
2 A. Okay, yes. So, you know, Mr Parkin could have  
3 contacted me about his son at the hostel, issues to do with  
4 his son at the hostel, but certainly I have no recollection  
5 at all of Mr Parkin, as a part of that conversation, making  
6 any accusation about the warden - that the warden was  
7 abusing children at the hospital - at the hostel.  
8  
9 Q. With the passage of time, we don't know whether he  
10 actually stated interfering with boys. That's his  
11 description in his evidence but I'm asking you if he said  
12 something like "Dennis McKenna is a pedophile"?  
13 A. No.  
14  
15 Q. "Dennis McKenna's fiddling with the boys"?  
16 A. No.  
17  
18 Q. You are obviously aware of what those two descriptions  
19 obviously entail, back then?  
20 A. Yes.  
21  
22 Q. I asked that because there is a witness who didn't  
23 know what a pedophile was until he looked it up in the  
24 dictionary?  
25 A. Okay. No, I believe I - back then I knew what those  
26 words meant.  
27  
28 Q. I am saying "if", if Mr Parkin told you that. Before  
29 I ask you that, did you know who Noel Parkin was. Is that  
30 a name that rang a bell with you not so much now but back  
31 then?  
32 A. The name - the name "Parkin" rings a bell but I think  
33 it was more to do with his son than with Mr Parkin, the  
34 father. So that - I think my recollection of the name  
35 "Parkin" was actually more to do with a recollection around  
36 the son than with the father. I don't know whether I ever  
37 met Mr Parkin.  
38  
39 Q. Can you remember what your recollection is about his  
40 son and why you might --  
41 A. That he was a good sportsman, that he was a good  
42 sportsperson, and I know that there was one year when I  
43 coached the basketball team from the hostel and I believe  
44 it was his son was a very good sportsman. If we are  
45 talking about the same Parkin here, but I can't recall - I  
46 can't recall the son's first name now.  
47

1 Q. That's all right. There were at least two?  
2 A. Were there?  
3  
4 Q. But the recollection of the surname "Parkin" has got  
5 nothing to do with difficulties that that boy with that  
6 surname was having at the hostel?  
7 A. No, no.  
8  
9 Q. Okay.  
10 A. The - yes.  
11  
12 Q. Now, if - I am going to say "if", Mr Wilkinson,  
13 because I appreciate what you are saying about this - but  
14 if Mr Parkin had told you that, words to the effect of that  
15 "Dennis McKenna is interfering with boys", now I would  
16 suggest that you would have had a great difficulty  
17 accepting that, accepting the truthfulness of that  
18 allegation?  
19 A. I don't - no, I don't think that's necessarily so,  
20 that I would have had a great deal of difficulty accepting  
21 that. I would have - I believe I would have wanted to  
22 explore that and get to the bottom of it. I don't think I  
23 was a person who - you know, this idea that Dennis McKenna,  
24 you know, was a friend and was sort of - you know, I didn't  
25 feel intimidated in any way by Dennis McKenna and I - I do  
26 firmly believe that if anyone, including Mr Parkin, had  
27 said something to me along those lines, that I would have  
28 acted on it. Now, I feel quite certain that I would have  
29 gone straight to the Authority. I don't - I didn't feel  
30 intimidated by Dennis McKenna, you know, and there was  
31 instances - there was times when, you know, there was -  
32 there was I guess the need to tell Dennis how things had to  
33 be done and I didn't have any hesitation around, you know,  
34 telling Mr McKenna - and these would have been things to do  
35 with discussions we had had with the High School Hostels  
36 Authority around sort of reigning in the deficit and stuff  
37 like that, and I had no hesitation in going to Dennis and  
38 telling him, you know, "This is how it needs to be".  
39 Whether he listened to me is another question, I guess.  
40  
41 Q. Mr Wilkinson, I hear what you say about what you say  
42 you would have done had Mr Parkin said that to you, but  
43 again you are not alone in these scenarios that we are  
44 giving to witnesses who have allegedly been told things.  
45 Once more, what you say you would have done is, in fact,  
46 not in accordance with what Mr Parkin says you actually  
47 did. Because you know from reading the transcript that

1 Mr Parkin says that you dismissed it and that was, in fact,  
2 the common response that he got from the other board  
3 members that he rang?  
4 A. Mr Parkin says I hung up on him.  
5  
6 Q. Yes.  
7 A. And he hung up on me. I have no recollection, and  
8 that's not my nature - sorry, it's not my nature to hang up  
9 on people but, you know, this is back then, but I have no  
10 recollection of ever treating a parent of the hostel in  
11 that way. So I have difficulty acknowledging that what  
12 Mr Parkin is saying there is accurate.  
13  
14 Q. It might well have been the case, Mr Wilkinson, that  
15 he wasn't making this complaint in a rational manner and  
16 speaking pleasantly. It may well have been the case that  
17 he was somewhat irate and angry and he may well have been  
18 quite rude and abrupt. He doesn't say that as much but  
19 given the tenor of his evidence, it was something that he  
20 was very angry about. So he come across as --  
21 A. Well then --  
22  
23 Q. -- rude and abrasive. Would that have a bearing on  
24 how you would have reacted to this accusation. I know it  
25 is difficult.  
26 A. I don't think so.  
27  
28 Q. Okay.  
29 A. Yes, I don't think so but I think if that had have  
30 been the case it would have given me even more cause to  
31 remember it. If he had have been sitting on the phone in a  
32 very abusive way, you know, it probably would have stuck in  
33 my memory that I had this experience with this Mr Parkin  
34 and I've got no recollection of that at all and I - if he  
35 was angry and irate - no, I find it difficult to sort of  
36 try and sense what I would have done but I just don't have  
37 any recollection of the phone call full stop.  
38  
39 Q. All right. That's all I need to ask you regarding  
40 that matter. Mr Wilkinson, another matter I just want to  
41 ask you about is this: you have said in evidence before  
42 lunch that, as I understand it, you had heard that Dennis  
43 McKenna would have videos playing to boys in his unit. Is  
44 that right?  
45 A. Movies, yes.  
46  
47 Q. Movies, yes.

1 A. Yes.  
2  
3 Q. I will just clarify with you that your recollection  
4 doesn't extend to what type of movies they were?  
5 A. No, no, not at all, no.  
6  
7 Q. It didn't involve X-rated or pornographic videos?  
8 A. No. No, definitely not.  
9  
10 Q. Mr Wilkinson, the next matter I want to ask you about  
11 is the minutes and a warden's report involving a student  
12 who was going to - and hopefully Mr Illari has advised you  
13 of this. These are the documents where we are going to  
14 refer to the student as "S", okay, and not by his full  
15 name. It is some minutes of a board meeting held on 20  
16 July 1983 and it should also have attached to it the  
17 warden's report of the same date - sir, this is exhibit 28.  
18  
19 MR ILLARI: We have those three documents.  
20  
21 MR URQUHART: Thank you, Mr Illari.  
22  
23 Q. If you can just go to the warden's report so you can  
24 see in what context I want to set these questions. It is  
25 just under the heading of "Students" and I just want you to  
26 read that to yourself. There is a reference to two  
27 students --  
28 A. Yes.  
29  
30 Q. -- and the one I'm interested in is the one that's  
31 described as being in year 10. Can you see that. Have you  
32 read that. Have you got that or not?  
33 A. No, I think we are looking at something different.  
34  
35 MR ILLARI: All right, we have got the right document now.  
36  
37 MR URQUHART: 20 July 1983, "Warden's report".  
38  
39 MR ILLARI: Yes, we have got that, yes.  
40  
41 MR URQUHART: Q. I just want you to just observe the  
42 name, but don't say it, of the second student that's  
43 mentioned there as being in year 10 --  
44 A. Yes.  
45  
46 Q. -- as causing problems, and I'm going to read this  
47 out:

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Both have psychological and behaviour problems with their home life which are the main reasons for their erratic behaviour.

And if you could just go to the front page of the minutes of the meeting of the same date, 20 July 1983, we can see that you are recorded as being present?

A. Yes.

Q. And that, about two-thirds of the way down under the heading "Warden's report", resolved on the motion of yourself?

A. Yes.

Q. And seconded by Mr Harris that:

The boys --

And they are both then named:

-- will have to leave; parents to be advised accordingly.

Do you see that?

A. Yes.

Q. Now, am I right in saying there that if the minutes are correct, then it's been resolved on your motion that these two boys are having to leave, which is a polite way of saying that they are essentially expelled?

A. Yes.

Q. Yes, do you agree with that. If you could just then now go to the document - it's on the St Andrew's letterhead, which hopefully is also there - dated 2 August of 1983, so just a bit less than two weeks after the board meeting. Do you have that there?

A. Yes, we do.

Q. It is addressed to the officer in charge of the Community Welfare Department. Now, the boy that we are identifying as "S", Mr Wilkinson, was actually a ward of the State and the information that we have received is that he was the only ward of the State at the hostel at the time. Have you been able to read that letter?

A. Yes.



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Q. It's been signed by Dennis McKenna, and this is exhibit 29. It seems there that the warden is actually advising the officer-in-charge that "S" is actually going to be given a further chance and that he will only be immediately expelled if he commits any further breaches of the hostel rules. Do you see that?

A. Yes, yes.

Q. So, in fact, what appears to happen here - and I can also tell you that we know from other records that "S" actually subsequently completed that year at the hostel?

A. Okay.

Q. So he wasn't actually expelled. So it seems here that Dennis McKenna has not set out what the board had resolved to do. Now, from our search of the board's minutes, there is no indication that the board had changed its decision to have this boy leave. So the question I'm asking of you, Mr Wilkinson, is if you are able to shed any light on why it is that the warden took a different tact with respect to this boy?

A. No, I'm sorry, I can't - I don't have any recollection of this particular instance but I do note at the bottom of the letter in handwriting is the comment:

Visited Mr McKenna with SWS. Situation is okay now.

Q. Yes.

A. I'm not sure who would have written that or what that means.

Q. No, we have conducted inquiries in that regard?

A. Yes.

Q. It's been written by, it would seem, Mr Namour, who was the case officer for this boy?

A. Okay. I don't have any recollection of this particular instance so I'm not really able to sort of throw any light on it.

Q. Were you aware of any investigation by the Department of Community Welfare regarding "S" at around this time?

A. No. No, I've got no recollection of that at all.

Q. An investigation which was dropped very suddenly?

1 A. No. I wasn't even aware that we had a ward of the  
2 State at the hostel. Did we - I was not even aware that we  
3 had a ward of the State at the hostel so - and I'm not  
4 aware of any sort of investigation around that.  
5  
6 Q. Mr Wilkinson, the interests that the Inquiry has with  
7 respect to this particular boy is that he has made an  
8 allegation that he was sexually abused by Dennis McKenna.  
9 A. Okay.  
10  
11 Q. That is why we are asking you these questions as to  
12 whether you can cast your mind back and if you can shed any  
13 light on this anomaly where the board has resolved to have  
14 him leave and then Dennis McKenna writes to the officer in  
15 charge of the Community Welfare Department, not going  
16 through with that resolution, but in fact giving the boy an  
17 extra chance.  
18 A. I'm afraid I can't. You suggested is that didn't  
19 appear in the minutes afterwards, there was no reference to  
20 it in future minutes?  
21  
22 Q. No.  
23 A. No. I'm sorry, I can't throw any light on it.  
24  
25 Q. You don't recall discussing this matter with Dennis  
26 McKenna and --  
27 A. No.  
28  
29 Q. -- resolving that the resolution should not take  
30 effect?  
31 A. No, I don't have any recollection of that conversation  
32 at all, if it took place.  
33  
34 Q. That takes care of that matter, Mr Wilkinson.  
35 A. Sorry, I believe Mr McKenna would have had to have to  
36 give some explanation. I believe he would have had to come  
37 to the next board meeting and give some explanation as to  
38 there was a reversal of the situation, unless that just  
39 didn't happen.  
40  
41 Q. That should be the way in which the matter had of been  
42 dealt with correctly, do you agree with me; that should be  
43 the way it should have been done?  
44 A. Yes.  
45  
46 Q. Mr Wilkinson, I want to move on to another matter.  
47 Before I do that, if it was suggested to you that you

1 extended preferential treatment to Dennis McKenna to the  
2 potential detriment of students under his care, I gather  
3 you would deny that suggestion?

4 A. Yes, I would.

5  
6 Q. But if you became aware, in your capacity as the  
7 board's chairman, that the warden, who the board was  
8 overseeing, was involved in the unzipping of a boy's fly,  
9 and this is a boy under his care, and he did that without  
10 any legitimate reason, would I be right in saying that you  
11 and the board would show that warden the door or, at the  
12 very least, conduct an investigation into that matter?

13 A. Yes. That would be my - that would be my belief, yes.

14  
15 Q. Mr Wilkinson, I want to show you now some documents  
16 that relate to some correspondence written by Coral  
17 Trezise, a parent who had a daughter at the hostel and at  
18 the school, and also some handwritten notes or letters, and  
19 some letters that were written by a firm of solicitors to  
20 Mrs Trezise, and also some other parents. Hopefully these  
21 documents will be one batch. They would start with a  
22 typewritten letter written to Mr Philpott by Mrs Trezise.  
23 That is dated 17 September of 1986. Have you got that  
24 letter there in front of you?

25 A. Yes.

26  
27 Q. I don't know whether you have had an opportunity of  
28 reading that letter. It is not so much the contents of  
29 that letter that I want to draw your attention to,  
30 Mr Wilkinson, it is the fact that there were two  
31 handwritten short letters that accompanied that typewritten  
32 letter. Hopefully you will see those handwritten letters  
33 in that file there immediately after?

34 A. Yes.

35  
36 Q. For the purpose of the transcript, Mr Wilkinson has  
37 got in front of him exhibit 11.1, being the letter to Colin  
38 Philpott by Mrs Trezise, and also looking at exhibit 8 and  
39 exhibit 10, the two handwritten letters that accompanied  
40 that.

41 A. Yes, we have those.

42  
43 Q. It doesn't seem to be in dispute, Mr Wilkinson, that  
44 Colin Philpott received that typewritten letter and that he  
45 also received attached to that letter those two handwritten  
46 letters; one from a Mr McPharlin and a Mrs Flanigan, and  
47 the other from a Mrs Neve. According to Mr Philpott,

1 according to him at least, he forwarded the letter from  
2 Mr McPharlin and Mrs Flanigan onto the hostel board. This  
3 would have been at a time when you were still chairman. If  
4 we can see from the stamp of the Country High School  
5 Hostels Authority on the typewritten letter that the action  
6 taken was "Forward copy to hostel chairman", then another  
7 note "tabled at next meeting". Okay?

8 A. Yes.

9

10 Q. Mr Philpott says that the letter that has been signed  
11 by Mr McPharlin and Mrs Flanigan was sent to the hostel  
12 board for them to take action. In particular, the action  
13 that the board was to take was in relation to the last  
14 sentence that appears in that letter:

15

16 The children were removed because they both  
17 complained of suspicious suggestions made  
18 to them by the house master, one Dennis  
19 McKenna.

20

21 Now, Mr Wilkinson, the question I have for you first is: Do  
22 you recall receiving any of this correspondence and, in  
23 particular, that handwritten letter that has been prepared  
24 by Mr McPharlin and Mrs Flanigan?

25 A. No, I don't. I don't recall receiving this  
26 correspondence. I would need to go back to the minutes of  
27 the following board meeting to see if they were tabled. I  
28 certainly don't recall receiving them personally. I would  
29 assume that they would have gone to the hostel.

30

31 Q. We can show you the minutes in a moment. Let's do  
32 that now, it is exhibit 54. It is the minutes of the board  
33 meeting held on 22 October 1986.

34 A. Yes, we have that.

35

36 Q. Thank you, Mr Illari. You can see there that the  
37 meeting was opened by you, Mr Wilkinson, at 9.40am. This  
38 is exhibit 54. Present at that meeting were a number of  
39 people, including Dennis McKenna and also Mr Lammas?

40 A. Yes.

41

42 Q. Who was, of course, from the Authority?

43 A. Yes.

44

45 Q. Correspondence in item E, if you can go to that,  
46 titled "Trezise":

47

1 Discussion followed by the motion moved by  
2 B Hendry and seconded by J Ireland - "Board  
3 endorses action taken by the Chairman and  
4 Warden in recent correspondence considering  
5 Trezise's". Carried.  
6

7 Do you see that?

8 A. Yes.  
9

10 Q. It would appear there that the action taken by the  
11 chairman and warden in recent correspondence concerning  
12 Trezises concerns - and we will show you this now - two  
13 letters dated 8 October 1986 from a firm of solicitors in  
14 Katanning by the name of Taylor, Nott & Murray. You  
15 should have those documents there. These are exhibits 9  
16 and 11.3. Do you see those?

17 A. Yes.  
18

19 Q. The first one, if we have a look at that, exhibit 9,  
20 is a letter to Mr B McPharlin and Mrs G Flanigan.

21 A. Yes.  
22

23 Q. It starts:  
24

25 We act for the Hostel Board and the  
26 Hostel's Warden, Dennis McKenna.  
27

28 We enclose a copy of a letter dated  
29 22 August 1985 apparently signed by you.  
30

31 That, Mr Wilkinson, could only be that handwritten letter  
32 of that date addressed "To whom it may be concerned", in  
33 which it is stated that the children were removed because  
34 they both complained of "suspicious suggestions" made to  
35 them by the house master, one Dennis McKenna. It encloses  
36 a copy of that letter and it says:  
37

38 It was attached to a letter written by  
39 Mrs Coral Trezise to the chairman of the  
40 Country School Hostels Authority.  
41

42 That would only have been that letter that I've shown to  
43 you, Mr Wilkinson, that is addressed to Mr Philpott dated  
44 17 September 1986. Now are you following all of this?

45 A. Yes. Yes.  
46

47 Q. Do you agree with what I have had to say so far?

1 A. Yes. Yep.

2

3 Q. It says:

4

5 The last sentence in your letter is  
6 libellous toward Mr McKenna.

7

8 Not only does it contain an imputation  
9 against the character of Mr McKenna, it is  
10 also clear that the statement has been  
11 published to others - to Mrs Trezise for  
12 one and to the members of the Country High  
13 School Hostels Authority secondly.

14

15 We have advised Mr McKenna that he has the  
16 firm basis for the issue of a Writ against  
17 you as authors of the statement. If  
18 however you sign and return to us the  
19 enclosed form of apology, he will consider  
20 not taking any further action.

21

22 If you go over the page it is a document that is titled "To  
23 Mr Dennis McKenna". It refers to the letter dated  
24 22 August 1985 and actually quotes the supposed offending  
25 passage in that letter that "children were removed because  
26 they both complained of suspicious suggestions made to them  
27 by the house master, one Dennis McKenna".

28

29 We now unreservedly withdraw the statement  
30 and any imputation of impropriety conveyed.  
31 We admit that the statement is without  
32 foundation. We regret making the statement  
33 and we tend to you our sincere apology.

34

35 Mr Wilkinson, I can tell you that neither Mr McPharlin nor  
36 Mrs Flanigan actually signed that statement. Okay.

37 A. Okay. Yep.

38

39 Q. If we can turn to the other letter now on the Taylor,  
40 Nott & Murray letterhead, exhibit 11.3, dated the same  
41 date. This time addressed to Mr and Mrs Trezise. The  
42 first four paragraphs of that letter deal with an  
43 outstanding debt that the hostel was claiming against the  
44 Trezises, being fees for the first term of 1985 in respect  
45 of their daughter.

46

47 The Inquiry, Mr Wilkinson, is more interested in the

1 second half of that letter which states, fifth paragraph:

2  
3 Also, we are instructed to respond to  
4 Mrs Trezise's letter to the Country High  
5 School Hostels Authority dated 17th  
6 September 1986 in particular letter  
7 attached to it bearing the date 22nd August  
8 1985.  
9

10 The second last paragraph states there: "This statement",  
11 and again repeats the suspicious statements statement, "is  
12 libellous. By you publishing this statement you are party  
13 to the defamation."  
14

15 Again, that letter sets out that if Mrs Trezise is to  
16 sign the statement that is attached to that letter  
17 Mr McKenna will consider not taking further action. It is  
18 a similar letter, or similar statement addressed to  
19 Mr Dennis McKenna, involves an unreserved withdrawal of the  
20 statement and any imputation or impropriety it conveyed.  
21 The last sentence reads:  
22

23 I admit that I was wrong in publishing the  
24 statement. I regret its publication. I  
25 tend to you my sincere apology.  
26

27 It was supposed to be signed by Mrs Trezise. Once more,  
28 Mr Wilkinson, the evidence we have already heard is that  
29 nor did Mrs Trezise sign that statement. Okay?

30 A. Okay, yes.  
31

32 Q. Do you have any recollection of this material, now  
33 that I have taken you through that material and the minutes  
34 of the board that was held on 22 October 1986?

35 A. I don't have any recollection of it. But obviously  
36 the way that you have gone through that indicates that this  
37 issue would have been discussed at a board level with the  
38 presence of Mr Lammas from the High School Hostels  
39 Authority.  
40

41 The term "suspicious suggestions" obviously must have  
42 been discussed at the board meeting as to what that meant,  
43 and I would assume that Dennis McKenna gave an explanation  
44 as to what that term, I suppose, meant to mean. But I just  
45 can't recall it being - that we had a discussion at a board  
46 meeting with Peter Lammas around that, we were talking  
47 about inappropriate sexual behaviour, if that's what this

1 "suspicious suggestion" is about. I just don't recall us  
2 having a discussion at a board meeting around the warden -  
3 to do with the warden and to do with sexual misbehaviour.  
4 And particularly because Peter Lammas was there as well,  
5 you know, there must have been some conversation go on  
6 about what was meant by this term "suspicious suggestion".  
7

8 Q. Mr Wilkinson, I will stop you there --

9 A. I honestly can't recall.

10  
11 Q. Mr Wilkinson, it would seem, by virtue of the fact  
12 that those two letters have been written by the hostel  
13 board's solicitors, who are also acting for the hostel  
14 warden, that a discussion had already taken place regarding  
15 that letter that had been written by Mr McPharlin and  
16 Mrs Flanigan, and I'm going to suggest to you that that  
17 discussion had already taken place between yourself and  
18 Mr McKenna and that Mr McKenna had told you that he had  
19 never, ever, conducted himself in such a way that would  
20 give rise to suspicious suggestions to the boys of  
21 Mr McPharlin and Mrs Flanigan. And that as a result of  
22 that, those letters were sent off by the board's solicitors  
23 who were also acting for Mr McKenna, stating that this  
24 libelous material that conveyed an imputation of  
25 impropriety by Mr McKenna was clearly false and that it  
26 must be withdrawn immediately. Now, do you accept that  
27 that is the scenario that must have taken place?

28 A. I think I would answer yes to that question.  
29

30 MR ILLARI: I must say, Mr Urquhart, that is a compendious  
31 question containing a number of different issues, and I  
32 cannot see how it is easy for Mr Wilkinson to answer that  
33 question in one go. Perhaps it ought to be broken down  
34 into its respective sections. For instance - and I am not  
35 trying to teach you to suck eggs, by any means - for  
36 instance, start maybe with the meeting itself or the  
37 minutes of the meeting and then go on to the letters  
38 written by the respective solicitors. It is a matter for  
39 you entirely, but it is a bit difficult for Mr Wilkinson to  
40 answer a compendious question: "Do you agree with that  
41 scenario?", with respect.  
42

43 MR URQUHART: Mr Illari, I thought we had done it piece by  
44 piece. I had taken your client to the minutes of the  
45 meeting. He says he can't recall that.  
46

47 HIS HONOUR: Can I intervene at this point? It might be



1 helpful if I suggest some stages.

2

3 Q. Would you agree, Mr Wilkinson, if you accept the  
4 validity of the correspondence in the minutes as  
5 indicating, what must have happened, do you accept, that  
6 McKenna must have given you some explaining which satisfied  
7 you that there had been no sexual impropriety?

8 A. Yes, your Honour, I would agree with that. And not  
9 just myself, but obviously the whole board.

10 HIS HONOUR: Yes, that is right. Perhaps if you take over  
11 from there, Mr Urquhart, given that is the position.

12

13 MR URQUHART: Okay.

14

15 Q. From that we could infer, could we not, that insofar  
16 as Mr McKenna was concerned that this suggestion that he  
17 had made, or this allegation that he had made, suspicious  
18 suggestions to these two boys was obviously of a sexual  
19 nature?

20 A. In hindsight that would seem to be the logical place  
21 to go because it is difficult, I guess, to consider the  
22 idea of the term "suspicious behaviour" in any other  
23 context.

24

25 At the time, going back to that period of time, I'm  
26 just not sure. I can't recall if it was ever explained to  
27 me what actually "suspicious behaviour" meant in the  
28 context of what the boys had said to their parents - that  
29 their parents then went and labelled "suspicious  
30 behaviour", what that looked like - I can't recall what  
31 that actually looked like.

32

33 Q. If the board was to conduct a proper inquiry into this  
34 matter, that question would be cleared up by the board  
35 contacting Mr McPharlin and Mrs Flanigan; do you agree with  
36 that?

37 A. Yes, I do. Yes.

38

39 Q. Because, indeed, on the face of it, would you agree,  
40 Mr Wilkinson, that this could be something very serious?

41 A. Yes.

42

43 Q. And that it could well be --

44 A. It could be --

45

46 Q. Sorry, go on?

47 A. No, I was going to say - I was going to repeat myself.

1 Yes, it could have been something quite serious.  
2  
3 Q. It could well involve something of a sexual nature?  
4 A. It could have. Obviously the explanation given to us  
5 at the time, however, didn't, I guess, cause us, as a  
6 board, to consider the option of investigating the matter  
7 further.  
8  
9 Q. Mr Wilkinson, can I stop you there. That must have  
10 been the explanation that was given to you by Dennis  
11 McKenna?  
12 A. Yes, that's correct. Yep.  
13  
14 Q. It would seem from this correspondence that his  
15 explanation was accepted?  
16 A. Yes. That's true.  
17  
18 Q. Would you agree with me if the board was to conduct a  
19 fair and balanced inquiry into this matter that it would  
20 also speak to the parents Mr McPharlin and Mrs Flanigan?  
21 A. I would agree with that. I wonder whether we, as a  
22 board, we considered that might have happened already if  
23 the parents had actually spoken to individual board  
24 members. Now, I'm not quite sure whether I am tying this  
25 all together correctly, but if the parents had already  
26 spoken to the individual board members, and those  
27 individual board members were present at the meeting and  
28 were conveying to the broader board those conversations  
29 with the parents, whether - and I'm only, sort of, making  
30 an assumption here - maybe we assumed that there had been  
31 sufficient communication with the parents. But in  
32 hindsight --  
33  
34 Q. I will stop you there. What if, in fact, there had  
35 been absolutely no communication by any member of the board  
36 to these parents as to what they were alleging when they  
37 said that "Mr McKenna had made suspicious suggestions to  
38 their boys"?  
39 A. We are left at that, in hindsight, inevitable  
40 conclusion that that matter was not broadly enough and not  
41 satisfactorily investigated; that we took the word of - we  
42 took the story that would have been provided by Dennis  
43 McKenna as an explanation of what was meant by this term  
44 "suspicious behaviour".  
45  
46 Q. I am now going to ask you, Mr Wilkinson, if that is  
47 what happened why did the board do that when a primary

1 obligation of the board is to ensure that students at the  
2 hostel were properly taken care of?  
3 A. Well, when it's put in that context I can't - I can't  
4 give a satisfactory explanation. If you look at it in that  
5 context, one can only conclude that there should have been  
6 further investigation.  
7  
8 Q. Yes. Because you see, Mr Wilkinson, if the Board had  
9 bothered to take that further investigation and made the  
10 simple phone call to these parents, the Board would have  
11 been told what it was, what it was that these "suspicious  
12 suggestions" were?  
13 A. Yes, yes.  
14  
15 Q. And, Mr Wilkinson, if the Board had bothered to make  
16 that call, it would have been told that the "suspicious  
17 suggestions" involved Dennis McKenna unzipping the fly of  
18 one of these boys, unzipping the fly of the pants of one of  
19 these boys not just once, but twice for no legitimate  
20 reason whatsoever. And had the Board bothered to make that  
21 Inquiry it would seem, from what you had said earlier, that  
22 the matter would have been referred to the Authority to  
23 conduct an investigation. Would you agree with that?  
24 A. I do. I do agree with you. I - the only thing that  
25 sits in my head around this right here, right now, is why  
26 didn't we do that, and why didn't the Authority, through -  
27 and I don't know here; but, anyhow, why didn't the  
28 Authority, through Peter Lammas - I won't say why didn't  
29 they direct us to do that, I don't want to assign to the  
30 Authority, you know, a responsibility that ultimately, you  
31 know, could have sat with the Board, but I just have a bit  
32 of uncertainty, a bit of uneasiness around that whole issue  
33 of Peter Lammas being at that meeting. And yet we still  
34 went ahead and made those decisions that we made. I  
35 struggle with that a bit, in the sense of trying to keep it  
36 into context, but I agree - I agree with you if that had of  
37 been investigated, it had of been sort of looked at more  
38 deeply, that - yes, well, I'm not quite sure where it would  
39 have ended up, but obviously that didn't happen, so it's  
40 speculation.  
41  
42 HIS HONOUR: Perhaps if I can just intervene here.  
43  
44 Q. I think what they're saying, Mr Wilkinson, is  
45 obviously Mr Lammas at that Board meeting must have  
46 received the same information that the Board had; they must  
47 have been similarly satisfied with whatever explanation

1 Dennis McKenna gave; and, therefore, I think you're  
2 suggesting that the Authority is equally responsible for a  
3 failure to investigate?

4 A. Yes, your Honour, I am, but I don't want to align or  
5 assign degrees of responsibility; but, you know, it would  
6 seem as though this mostly sits with the Board. That's my  
7 personal view on it.

8  
9 HIS HONOUR: Thank you for that. Yes.

10  
11 MR URQUHART: Q. Mr Wilkinson, the question I've got to  
12 ask you is why did the Board do that?

13 A. I really struggle to give you an answer. I - it's an  
14 answer to a very - to me it's a difficult question to  
15 answer, and I would normally sort of take time over trying  
16 to come up with an answer, but at the same time it would  
17 seem as though if Dennis McKenna was sitting at that  
18 meeting giving his side of the story, and his explanation  
19 as to what had happened, what had unfolded, what, you know,  
20 "suspicious behaviours" meant or could have meant, that we  
21 actually - we actually, you know, took on board his  
22 explanation and worked with just that. Whether that's an  
23 answer to your question, I'm not sure why did we do it. I  
24 would assume in part the answer to that is because that's  
25 how it was - had been done in the past; that - and there  
26 was no sort of other way of - other way of - no other  
27 established way of doing things. I know that's not a  
28 satisfactory answer in itself, but that's the best I can  
29 give at the moment. I don't think in any way - and I'm  
30 just putting this together as it's going through my mind -  
31 this was not about, in any way in my mind, protecting  
32 Dennis McKenna. It could be viewed as us standing up for  
33 Dennis McKenna in the sense that his role was the warden,  
34 and having to maintain a degree of control over the  
35 operation of the hostel so that it ran efficiently and  
36 effectively, but I don't think it was a case of we were,  
37 you know, wanting to defend him against the idea of  
38 accusations against him --

39  
40 Q. Mr Wilkinson --

41 A. -- and I don't think he --

42  
43 Q. -- it can't be seen any other way other than that,  
44 that the Board, in the presence of the representative of  
45 the Authority, were very much prepared to protect Dennis  
46 McKenna from this allegation?

47 A. I - I have - personally I have some difficulty with

1 the word "protect". I think we would have been --  
2  
3 Q. Well --  
4 A. -- supporting Dennis McKenna.  
5  
6 Q. Well, okay, whatever way you want to look at it.  
7 Protecting --  
8 A. Yes.  
9  
10 Q. -- supporting Dennis McKenna - it means exactly the  
11 same thing, that the Board --  
12 A. The end result.  
13  
14 Q. -- that the Board was not even going to bother to get  
15 the account from these parents before it endorsed Dennis  
16 McKenna to take or threaten to take legal action against  
17 them?  
18 A. I - I can't disagree with you. I only want to,  
19 however, say that, you know, what sort of - what was said  
20 on that day, what the discussion was that took place, and  
21 how was it presented, and how was it discussed that led to  
22 that decision to deal with the matter how it was, I can't  
23 recall - I can't recall that.  
24  
25 Q. The decision to endorse the action taken by you and  
26 Dennis McKenna in having that law firm send those letters?  
27 A. Yes. Sorry, I - was that a question, sorry?  
28  
29 Q. Well, that is. That is. The decision was made by the  
30 Board to endorse the action that you and Dennis McKenna had  
31 taken, in having that law firm send those letters off two  
32 weeks earlier?  
33 A. I'm sorry, I'm just trying to get my head around the  
34 time line. That the time line that that - the  
35 correspondence was forwarded to us by the Hostels  
36 Authority. Sorry. Anyhow, I was concerned what was the  
37 time line around the - the correspondence that was  
38 forwarded to - to the local Board by the High Schools  
39 Hostel Authority.  
40  
41 Q. Yes, that would have been done --  
42  
43 MR ILLARI: That's the one we're talking about.  
44  
45 MR URQUHART: Q. That was done some time after 19  
46 September?  
47 A. 19 September. We've got 19 September and then we

1 have - sorry, we're just - we're getting that information  
2 together again.

3

4 Q. Well, it's the letter dated 17 September that  
5 Mrs Trezise sent to Mr Philpott, the Authority received on  
6 19 September, and the action they took was that they  
7 forwarded to you, or it was forwarded, yes, to the hostel  
8 Chairman?

9 A. Yes, sorry, I was just confirming that time line.

10

11 Q. You've got - you've got the letter. You've gone and  
12 spoken to Dennis McKenna about it?

13 A. Yes.

14

15 Q. Dennis McKenna says to you, "That is outrageous, I  
16 never made any suspicious suggestions to these children,  
17 this is defamation, I want a letter to be sent out by the  
18 Board's law firm stating that unless these parents withdraw  
19 this false accusation immediately, I'm going to threaten  
20 legal action"?

21 A. I would - that's correct, that is the - that is the  
22 timeline. I - did I - did I communicate with other Board  
23 members in between that interim time of having received the  
24 correspondence from the Authority and the - prior to  
25 McKenna going to the solicitor? Did I talk about that on  
26 the phone, and then at the following meeting it was  
27 endorsed? I don't - I don't think I would have just taken  
28 that action in isolation. And that's not me trying to, you  
29 know, not agree with what the time line is and what had  
30 happened; that I would have thought in my role I would have  
31 actually not taken that action just in isolation, I would  
32 have talked to other Board members first about it.

33

34 Q. That's fine. That's fine, Mr Wilkinson, you spoke to  
35 other Board members, but I'm putting to you that you never  
36 spoke to these parents?

37 A. I obviously - I certainly have no recollection of  
38 talking to the parents.

39

40 Q. No. And if, in fact, you were doing the job that you  
41 were supposed to be doing - and that is looking after the  
42 interests of the children who lived at that hostel, rather  
43 than looking after the interests of Mr McKenna - that is  
44 something that you should have done. Do you agree with  
45 that?

46 A. In hindsight, yes.

47

1 Q. Well, not in hindsight, at the time. If at the time  
2 you were supposed to be doing your job and looking after  
3 the interests of the children at the hostel, you would have  
4 spoken to these parents about this matter. Yes?  
5 A. Yes, I agree with you, yes.  
6  
7 Q. So why didn't you?  
8 A. I - we're back to a question that I find very  
9 difficult to answer - why didn't I, because I would have  
10 assumed that it was discussed at the Board level, amongst  
11 the Board members, and it was a collective decision as to  
12 what action was to be taken or not to be taken.  
13  
14 Q. Okay. A collective --  
15 A. Yes.  
16  
17 Q. -- decision was made by the Board that you were  
18 chairing, not to bother to call these parents?  
19 A. Yes.  
20  
21 Q. How on earth - how on earth could the Board make that  
22 decision?  
23 A. Well, I assume we did so because we took the word of  
24 the warden --  
25  
26 Q. Yes.  
27 A. -- as being the explanation.  
28  
29 Q. Yes. And was that appropriate?  
30 A. Well, it obviously seemed appropriate at the time;  
31 but, no, it wasn't appropriate, no.  
32  
33 Q. And why would it be appropriate at the time? Was it  
34 appropriate at the time because you couldn't care less what  
35 this allegation might be?  
36 A. No, absolutely not so. No. No, that's certainly not  
37 true; that we didn't care less. That is not true.  
38 Obviously these issues - this particular issue was not  
39 investigated sufficiently. To say that that was because we  
40 didn't care, I - I certainly have some difficulty with  
41 that --  
42  
43 Q. Well --  
44 A. -- with that statement.  
45  
46 Q. Well, why didn't you investigate it sufficiently?  
47 A. Well, I can only come back to the - the reality that

1 we took the record of McKenna.  
2  
3 Q. Yes. And was that appropriate?  
4 A. Well, no, no, it was not appropriate. I can say that  
5 now. We tend to go around in circles. I can say that  
6 now --  
7  
8 Q. It suggests, Mr Wilkinson, that Mr McKenna had your  
9 Board wrapped around his finger?  
10 A. I would - I would have to agree with that. At the  
11 same time I know that there were occasions when, going back  
12 to the financial issues, and trying to get them into - into  
13 some form of control, that we were quite sort of demanding  
14 at times around that --  
15  
16 Q. Mr Wilkinson, the finances of the hostel pale into  
17 significance, I would suggest to you --  
18 A. Yes.  
19  
20 Q. -- pale into significance --  
21  
22 HIS HONOUR: Insignificance.  
23  
24 MR URQUHART: Sorry?  
25  
26 HIS HONOUR: Pale into insignificance.  
27  
28 MR URQUHART: Q. Pales into insignificance, sorry, sir -  
29 pales into insignificance, compared to this matter?  
30 A. I agree, yes.  
31  
32 Q. And that if the Board had bothered to think about the  
33 welfare of the children at that hostel, it would have  
34 investigated this matter properly, and it may well have led  
35 now, with the hindsight, to Mr McKenna being stopped what  
36 he was doing there four years before he actually was.  
37  
38 MR ILLARI: Well, how could - sorry, Mr Urquhart, how could  
39 he answer that? That's a supposition that depends on so  
40 many different things.  
41  
42 MR URQUHART: Well --  
43  
44 MR ILLARI: If that's a question, how could Mr Wilkinson  
45 answer it?  
46  
47 MR URQUHART: Well, Mr Illari, it doesn't really, because



1 what I'm suggesting to your client is that if he bothered  
2 to do the right thing here, if the Board that he chaired  
3 bothered to do the right thing, we may well have seen  
4 Dennis McKenna's inappropriate behaviour at this hostel  
5 being discovered in 1986, rather than 1990.  
6  
7 MR ILLARI: But that's a statement, it's not a question.  
8 Mr Wilkinson is accepting that the Board should have done  
9 more investigations, I think, by his answer. I don't know  
10 that you can go any further than that --  
11  
12 MR URQUHART: Okay.  
13  
14 MR ILLARI: -- what may --  
15  
16 MR URQUHART: All right.  
17  
18 MR ILLARI: -- or may not have happened if they had done  
19 further investigation. You and I, or Mr Wilkinson, we  
20 don't know, surely, with respect.  
21  
22 MR URQUHART: I agree, sir.  
23  
24 HIS HONOUR: No, well, I uphold that objection, Mr Illari.  
25  
26 MR URQUHART: Yes, and I agree with it, yes.  
27  
28 MR ILLARI: Thank you, sir.  
29  
30 HIS HONOUR: And I make the point then you've got  
31 20 minutes of video link left.  
32  
33 MR URQUHART: Yes, and that's all I have.  
34  
35 HIS HONOUR: Yes, all right.  
36  
37 MR URQUHART: Thank you, sir.  
38  
39 HIS HONOUR: Anything from you, Ms Morgan?  
40  
41 MS MORGAN: No, thank you, sir.  
42  
43 HIS HONOUR: All right. Now, Mr Illari, do you wish to  
44 lead evidence from Mr Wilkinson?  
45  
46 MR ILLARI: Yes, I do sir, just on a number of matters  
47 that have been raised by Mr Urquhart in examination, just

1 in a very brief way. I think some of them have already  
2 been answered, but if I might just quickly go through them.

3  
4 <CROSS-EXAMINATION BY MR ILLARI:

5  
6 MR ILLARI: Q. Just starting, Mr Wilkinson, in relation  
7 to the fact you were on the committee of - sorry, you were  
8 on the Board of the hostel, were you on any other - you've  
9 already told us you were on, I think, other boards and  
10 committees in Katanning. What were they?

11 A. I was - I was involved in the Basketball Association,  
12 and on their - on their committee, and the only other  
13 involvement I had at committee level was on the local  
14 shire, local council.

15  
16 Q. So certainly this was - the hostel wasn't the only  
17 committee you were on?

18 A. No.

19  
20 Q. Okay. Now - and you may have already answered this -  
21 but you were not a parent of any child at the hostel; is  
22 that right?

23 A. Yes, that's right.

24  
25 Q. But the other members of the Board - were any of those  
26 parents?

27 A. It's my understanding the majority were parents.

28  
29 Q. All right.

30 A. I can't remember the exact sort of make-up, but the  
31 majority were parent members of the Board.

32  
33 Q. So when it's suggested to you that the Board was  
34 primarily interested in - or put to you in this way - the  
35 Board was more interested in protecting Mr McKenna than  
36 looking after the children at the hostel - in relation to  
37 the fact that many of the members were parents, what do you  
38 say about that?

39 A. I can see - I mean, if you look at it from the make-up  
40 of the Board, the idea that we were not focussed on  
41 providing a - an environment at the hostel that enabled the  
42 kids to sort of feel as though they were at home, and to  
43 feel as though they wanted to be at the hostel and wanted  
44 to go to school, I certainly reject that idea. Did we -  
45 did we ultimately provide a safe environment for them as a  
46 Board? Obviously we didn't.

47

1 Q. Thank you. There were some questions asked to you  
2 about the reining in the budget and so forth. You  
3 mentioned that the hostel - you used the term, "Now we  
4 would call it best practice". The hostel operated best  
5 practice, I think, was your expression. What did you mean  
6 by that?

7 A. I mean by that the context, trying to paint a context  
8 in which the things unfolded, in which the hostel operated.  
9 It was seen by - certainly by the community as being  
10 valuable and contributing significantly to the community.  
11 It was seen by the High School Hostels Authority as the  
12 model that other hostels have been following. It was  
13 obviously seen by the shire as a - as a valuable asset in  
14 the community, and I do think, you know, it was also seen  
15 by parents who continued to send their kids there as a  
16 place of - as a good place to send your kids so they can go  
17 to school. So it was that idea though, you know, was held  
18 up by the community and by the Authority and by the Board,  
19 but also by the parents as being the sort of best model of  
20 how a hostel should sit within a community and function  
21 within a community.

22  
23 Q. Well, what did you perceive of the Authority's  
24 attitudes towards Mr McKenna? What was your perception of  
25 their attitude towards him as a hostel warden?

26 A. I think it was a bit of a double-edged sword for them.  
27 I think they had these ongoing difficulties, as did the  
28 Board, around sort of reining in Dennis McKenna; around,  
29 you know, his involvement in extracurricular activities,  
30 you know, involving the hostel in extracurricular  
31 activities, but at the same time the hostel being seen as  
32 being, you know, a very good model of how, you know, a  
33 hostel should sit within a community, and fit within a  
34 community.

35  
36 Q. So from the point of view of your perception at the  
37 time of the Authority's attitude towards Mr McKenna, just  
38 very briefly, what was your perception of that - their  
39 attitude towards McKenna at the time, not now?

40 A. That - that he was a good warden; that he managed the  
41 hostel well in regards to if the hostel was full, but  
42 maintained its capacity, full capacity year in/year out,  
43 but at the same time they had some issues with him around  
44 the way that he sort of ran the hostel in regards to these  
45 extracurricular activities.

46  
47 Q. All right. You were asked about a letter of

1 arrangement, and subsequently I think we received a letter  
2 of arrangement which sets out the varies duties. You've  
3 seen it?  
4 A. Yes, I have, yes.  
5  
6 Q. Do you recall receiving any such letter at the time --  
7 A. No, no.  
8  
9 Q. -- that you were appointed to the Board, or that you  
10 became Chairman?  
11 A. No, I don't.  
12  
13 Q. Do you recall signing any such letter, as far as you  
14 can remember?  
15 A. No, I don't.  
16  
17 MR ILLARI: Thank you.  
18  
19 HIS HONOUR: Can I just ask there.  
20  
21 Q. Mr Wilkinson, do you think you would have remembered  
22 if you had seen or received such a letter? I'm asking  
23 whether it's just a matter of not recalling, or whether you  
24 think you didn't get it?  
25 A. I would have expected to have signed something like  
26 that, but I don't remember. I don't remember doing so,  
27 your Honour.  
28  
29 HIS HONOUR: Thank you.  
30  
31 MR ILLARI: Q. You were asked questions about food  
32 supplies to the hostel, and it was suggested, I think, that  
33 the cooperative, BKW, was in some way maybe benefitting  
34 from supplying to the hostel. As far as you understood it  
35 at the time while you were on the Board, who was the main  
36 supplier of food to the hostel?  
37 A. I honestly can't with any absolute certainty answer  
38 that question. I - I believed that they would have been  
39 getting bulk deliveries possibly direct from Perth.  
40  
41 Q. Was it BKW, as far as you were aware?  
42 A. No, no. I don't - I don't recall us being a major  
43 supplier of product, produce or whatever to the hostel.  
44  
45 Q. Would you have supplied the hostel at all?  
46 A. Yes.  
47

1 Q. How often would you say you supplied them with food  
2 for the hostel?  
3 A. I can't really recall that. It would be my  
4 understanding that they'd only use us when they ran out of  
5 things, but there could have been purchases over and above  
6 that, but I don't have an accurate recollection of those -  
7 of those purchases.  
8  
9 Q. You've been asked a number of questions by Mr Urquhart  
10 relating to this letter, that seems to have been sent by  
11 Mrs Coral - has been sent by Mr Coral Trezise to Mr  
12 Philpott, containing letters from Mrs Neve and Mr McPharlin  
13 and Mrs Flanigan, and it seems to have been passed to the  
14 Board, or seems to have been allegedly sent to you as  
15 Chairman. Do you remember receiving that letter at the  
16 time?  
17 A. No, I don't.  
18  
19 Q. Looking back on it, do you remember that?  
20 A. I don't have exact recollection of receiving the  
21 letter.  
22  
23 Q. All right. Now, you accept, don't you, that the  
24 Board's solicitors were Taylor, Nott & Murray --  
25 A. Yes.  
26  
27 Q. -- of Katanning?  
28 A. Yes.  
29  
30 Q. You accept obviously that letters were sent by this  
31 firm, purporting to be on behalf of the Hostel Board and  
32 Hostel Warden?  
33 A. Yes, yes.  
34  
35 Q. And they were sent to Mr McPharlin and Mrs Flanigan,  
36 and to Mr and Mrs Trezise on the same day, 8 October '86.  
37 Do you accept those letters were sent?  
38 A. Yes.  
39  
40 Q. Do you recall now authorising that firm to send those  
41 letters?  
42 A. I don't remember that specific instance.  
43  
44 Q. Do you recall having other matters with Mr and Mrs  
45 Trezise?  
46 A. No, all I - no. All I - all I can recall is that  
47 Taylor, Nott & Murray were used by the Board if there had to

1 be letters sent out to parents about outstanding fees or so  
2 on.

3

4 Q. And I don't think it's - I might be leading, but I  
5 don't think it's in dispute that there was an ongoing  
6 dispute with Mr and Mrs Trezise about outstanding fees?

7 A. Yes, that's right.

8

9 Q. Right. The letters sent by the solicitors clearly  
10 predate the meeting on 22 October '86, and in it there's a  
11 reference with Mr Lammas present, and with Mr McKenna  
12 present - Item E, that's already been referred to,  
13 "Trezise" - it's heading "Trezise Discussion", followed by  
14 motion, moved by B Hendry and seconded by J Ireland:

15

16 Board endorses action taken by the Chairman  
17 and the Warden in recent correspondence  
18 concerning Trezise. Carried.

19

20 Do you specifically remember that particular item in the  
21 agenda?

22 A. No, I don't. I don't have recollection of any of  
23 those Board meetings, basically.

24

25 Q. All right. But I take it you accept that the letters  
26 subsequently sent by the solicitors must have been in  
27 relation to that letter by Mrs Trezise?

28 A. Yes, yes, definitely, yes.

29

30 Q. All right.

31 A. I don't dispute the minutes at all, yes. It's just  
32 remembering specific instances.

33

34 Q. All right. Do you recall whether or not anyone from  
35 the Board approached Mr McPharlin and Mrs Flanigan about  
36 the allegations in their letter?

37 A. No, I don't have any recollection.

38

39 Q. Do you know - when you say you don't recall, do you  
40 mean it didn't happen, or you don't know whether it  
41 happened or not?

42 A. I don't know whether it happened. I certainly didn't  
43 do it.

44

45 MR ILLARI: No. All right. Thank you, Mr Wilkinson.  
46 Your Honour, that completes the questions I wish to ask Mr  
47 Wilkinson.

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HIS HONOUR: Thank you for that.

MR ILLARI: Thank you, sir.

HIS HONOUR: You have nothing further, Mr Urquhart?

MR URQUHART: Nothing, sir.

HIS HONOUR: Well, thank you, Mr Wilkinson, and thank you too, Mr Illari. And we'll now cut the video link. Thank you.

**<THE WITNESS WITHDREW**

HIS HONOUR: Now we'll adjourn until when?

MR URQUHART: I'll get this confirmed by your Honour's associate. 12.30, as I understand it, on Monday.

HIS HONOUR: 12.30 on Monday.

MR URQUHART: Next Monday at 12.30.

HIS HONOUR: Very well. We will adjourn until 12.30 on Monday.

**AT 4.53PM THE INQUIRY ADJOURNED UNTIL  
MONDAY, 14 MAY 2012 AT 12.30PM**