

Special Inquiry into St Andrew's Hostel

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

Friday, 20 April 2012 at 10.03am  
(Day 22)

Before: The Hon Peter Blaxell

1 HIS HONOUR: Please be seated. Yes, Mr Dobson.  
2  
3 MR DOBSON: Yes, your Honour. This morning we propose to  
4 call Mr Neil Hamilton Thompson. He is in the room.  
5  
6 HIS HONOUR: Right. Well if Mr Thompson could come  
7 forward and sit here. Thank you, Mr Thompson.  
8  
9 <NEIL HAMILTON THOMPSON, sworn:  
10  
11 HIS HONOUR: Take a seat, Mr Thompson. And I failed to  
12 note your appearance, Mr Davies.  
13  
14 MR DAVIES: Yes, if your Honour pleases, I appear for  
15 Mr Thompson.  
16  
17 HIS HONOUR: Very good. Yes, Mr Dobson.  
18  
19 MR DOBSON: Your Honour, before I commence, I can inform  
20 you that this morning we have been handed a signed  
21 statement provided by Mr Thompson. I don't propose to  
22 tender it as an exhibit, your Honour. However, I will  
23 provide copies to Mr Jenkin and Mr Hammond.  
24  
25 HIS HONOUR: Very good.  
26  
27 MR DOBSON: And I will hand one up to you as well, your  
28 Honour. In fact, I will hand the original and a copy up.  
29  
30 HIS HONOUR: Right.  
31  
32 MR DOBSON: Thank you.  
33  
34 HIS HONOUR: Do you wish to have the statement tendered at  
35 all, Mr Davies, or it doesn't matter?  
36  
37 MR DAVIES: I think probably the statement should be  
38 tendered, your Honour.  
39  
40 HIS HONOUR: I am happy to receive it as an exhibit.  
41  
42 MR URQUHART: We haven't been doing that for the other  
43 witness statements, that's all, sir.  
44  
45 HIS HONOUR: Right. Is there any problem with that, do  
46 you think?  
47

1 MR URQUHART: Well, if one goes in they all should go in.

2  
3 HIS HONOUR: Well, they don't have to be formal exhibits  
4 anyway.

5  
6 MR URQUHART: Yes, that's right.

7  
8 HIS HONOUR: I mean I can inform myself as I think fit.  
9 So I always look at the statements when they come to the  
10 Inquiry but if Mr Davies wants it to be an exhibit it will  
11 become an exhibit. It will be exhibit 60 and I will just  
12 simply note, if anyone else would ever want their witness's  
13 statement to be tendered, I'd always receive it, yes.

14  
15 EXHIBIT #60 STATEMENT OF NEIL HAMILTON THOMPSON

16  
17 <EXAMINATION-IN-CHIEF BY MR DOBSON:

18  
19 Q. Now, your full name is Neil Hamilton Thompson?

20 A. Correct.

21  
22 Q. Is that correct?

23 A. Correct.

24  
25 Q. Thank you. And just for the transcript, your Honour,  
26 "Thompson" is with a "P", spelt with a "P". And you live  
27 at an address here in the metropolitan area and you are a  
28 retired school principal. That's so?

29 A. Correct.

30  
31 Q. You are 78 years old, you are married and you have  
32 three children?

33 A. Correct.

34  
35 MR DOBSON: Your Honour, I don't propose to go into  
36 Mr Thompson's employment history.

37  
38 HIS HONOUR: No.

39  
40 MR DOBSON: It's detailed extensively in his statement.  
41 There is a great amount of detail there which sets out his  
42 history.

43  
44 Q. But what we will speak about, if we may, please,  
45 Mr Thompson, is your service at the Katanning high school.  
46 You went there as principal. In what year?

47 A. 1980.

1  
2 Q. Now, I understand from the statement that you  
3 provided - and I might go through this quickly, if I may -  
4 but there are approximately 43 members on staff at  
5 Katanning. You had two deputy principals. One was a male  
6 and one was a female. Is that right?  
7 A. That's correct.  
8  
9 Q. There was also a guidance officer there at the time.  
10 Is that correct?  
11 A. That's correct.  
12  
13 Q. And is it fair to say that the role of the guidance  
14 officer is similar to that of a school psychologist, as of  
15 today?  
16 A. That's correct.  
17  
18 Q. There were two administrative staff in your office?  
19 A. Yes.  
20  
21 Q. And do you recall approximately how many students were  
22 at the school during your time, please?  
23 A. I really can't recall what that would be. This is  
24 over 30 years ago.  
25  
26 Q. Yes, so somewhere between 300 to 400 students?  
27 A. About that.  
28  
29 Q. It was a large school?  
30 A. It was a large school, yes.  
31  
32 Q. And I also understand that during the time you were at  
33 Katanning two of your children went to that high school?  
34 A. That's right.  
35  
36 Q. And the younger child went to --  
37 A. Katanning Primary.  
38  
39 Q. -- the primary school, all right. Now, part of your  
40 time and your role as principal, you also spent time  
41 attend - I'll initially say attending board meetings at the  
42 St Andrew's Hostel. Is that correct?  
43 A. That's correct.  
44  
45 Q. Now, the reason why I say "attending board meetings"  
46 is because I would like to ask you, at the time, what was  
47 your understanding of your role in relation to the board?

1 A. Well, I had no understanding of it. I was just rung  
2 by Dennis McKenna and said that "The principal usually  
3 comes to the board meeting", and I had no constitution of  
4 the board meeting or anything like that. That's - was the  
5 basis that I went there and I acted as a member of the  
6 board.

7

8 Q. So you certainly were not elected. Is that correct?

9 A. That's correct. I don't know that there's any  
10 procedure for electing people to the boards. The whole  
11 point is, that it's very difficult to get people to attend  
12 that sort of thing in a country town and most of the  
13 parents are far flung from the school and the burden was  
14 taken on by many of the town's people. I think I mentioned  
15 there the manager of the Commonwealth Bank, I think the  
16 manager of the Co-op. It's probably good for their  
17 business because it brought their clients to town but I  
18 don't think they were actually obligated to do it.

19

20 Q. No. You mentioned the manager of the Commonwealth  
21 Bank. Do you recall his name, please?

22 A. No, I can't tell you now.

23

24 Q. If I said to you the name John Renk, R-E-N-K; John  
25 Renk?

26 A. I think that's probably right but I'm not sure.

27

28 Q. All right, and you also mentioned the manager of the  
29 Co-op. Do you recall his name?

30 A. No, I don't but I think - last week Mr Levitski was  
31 buried and he was a manager of the Co-op but I don't know  
32 whether that was the one that came to the board meetings.

33

34 Q. All right, well I'm sorry to hear about Mr Levitski  
35 but he's not the chap I had in mind. What about the name  
36 Wilkinson?

37 A. Don't know.

38

39 Q. When you started - I'll say "on the board", and that's  
40 not to say that you remember because my understanding of  
41 the way you are speaking is that you didn't regard yourself  
42 necessarily as being a member of the board. Is that right?

43 A. Well, I wasn't appointed by anybody. I don't know how  
44 the other people were appointed.

45

46 Q. But you go along. It was your understanding that when  
47 you were transferred into Katanning to be the principal of

1 the high school that you were to attend the board meetings?  
2 A. I really didn't know there was a hostel. That's to be  
3 quite frank.  
4  
5 Q. All right, but you obviously found out because you  
6 started attending the board meetings, in any event?  
7 A. I was invited to. I think it was Dennis McKenna that  
8 told me that the principal usually came.  
9  
10 Q. Now, did you go along there to represent the school's  
11 interests, the students. Do you recall what your view was  
12 once you started attending meetings?  
13 A. I think I was representing the school, I was  
14 representing the students.  
15  
16 Q. Did you receive any training regarding this board  
17 membership before you started attending?  
18 A. No training.  
19  
20 Q. Were you spoken to by any person from the Country High  
21 School Hostels Authority before you --  
22 A. No.  
23  
24 Q. Did you receive any, say, for example, a booklet or  
25 anything like that?  
26 A. Not at all.  
27  
28 Q. Nothing?  
29 A. Nothing.  
30  
31 Q. I appreciate this is a long time ago. Can you recall  
32 how the board was regarded within the town or any people  
33 that spoke to you about the board and its functions at the  
34 time you began attending?  
35 A. I don't think I had any information given to me.  
36  
37 Q. Now, as your role as the principal, the obvious point  
38 would be that you were there to deliver education programs?  
39 A. Correct.  
40  
41 Q. And manage and supervise your own staff?  
42 A. Correct.  
43  
44 Q. And see to the welfare of students?  
45 A. Correct.  
46  
47 Q. Is there anything else you wish to add to that, that

1 you can think of?  
2 A. In what way?  
3  
4 Q. Your role as the principal. It was obviously said to  
5 you, upon arrival, that you were expected to attend these  
6 board meetings so that's another function. Is that  
7 correct?  
8 A. That's correct.  
9  
10 Q. Dennis McKenna, can you recall his role at the board  
11 meetings. Did he attend?  
12 A. He always attended and gave a report.  
13  
14 Q. I think that was known as a "warden's report", is that  
15 correct?  
16 A. Yes.  
17  
18 Q. And then, there were also minutes of the meetings.  
19 Can you recall who was taking minutes during the meetings?  
20 A. I really don't know. I think it was probably Dennis.  
21  
22 Q. And they were subsequently typed up and then  
23 circulated. Is that correct. Do you remember that?  
24 A. No.  
25  
26 Q. In relation to Mr McKenna, I think you mentioned it in  
27 your statement but I'll ask you: was your first meeting  
28 when you took up your post as principal of the Katanning  
29 Senior High School?  
30 A. Yes.  
31  
32 Q. And do you recall, did you meet him at the school, was  
33 it in your office or was it down at the hostel. Can you  
34 recall?  
35 A. I think he came over to the school, introduced  
36 himself.  
37  
38 Q. What's your recollection from then on as to meetings,  
39 frequency of meetings, where they might be held. Did you  
40 have much to do with Mr Dennis McKenna?  
41 A. Well, the meetings I think were monthly.  
42  
43 Q. No, no, sorry, sir, I may have confused you there.  
44 Not the board meetings. Not the board meetings but these  
45 meetings that you had with Mr McKenna. You have just  
46 mentioned meeting him at the school. How much contact did  
47 you have with Mr Dennis McKenna?

1 A. I'd say quite a bit but they weren't formal or  
2 anything like that. It was --  
3  
4 Q. No, no, I'm not suggesting they were formal meetings.  
5 Are you able to recall where you met him and on what basis?  
6 A. He would sometimes come over to me and report what was  
7 happening at the hostel. I would sometimes go over to the  
8 hostel. We met him informally quite a lot because my  
9 children went to functions at the hostel, to the movies  
10 that he ran, and also, he'd established a sort of gymnasium  
11 circuit in their hall there and I think my - my son might  
12 have been to one of them but that's about the extent of it.  
13  
14 Q. After you arrived and you've been dealing with  
15 McKenna, let's say after a few months dealing with Dennis  
16 McKenna, did you form any view about him as a person. Were  
17 you able to make any assessment of him, form an opinion?  
18 A. Well, we're all pretty much hoodwinked but I thought  
19 he was a pretty good fellow. He ran the hostel well, the  
20 hostel students were good students at school, they were  
21 well presented, they worked hard. I thought he did the job  
22 very well but, you know, we didn't know about the nocturnal  
23 activities.  
24  
25 Q. No. Mr Thompson, you just used the word "hoodwinked"  
26 so that clearly implies that you felt that he put something  
27 over you, that in some way --  
28 A. Now, I think that --  
29  
30 Q. Yes, with the benefit of hindsight?  
31 A. -- but, I mean, as you are probably aware by now, that  
32 most people in Katanning thought the sun shone out of the  
33 man.  
34  
35 Q. Yes, that's what I was saying. So with the benefit of  
36 hindsight, knowing what you know now, you say that he  
37 hoodwinked you back in the early 1980s?  
38 A. Well he was certainly hoodwinking - I don't know - I  
39 mean I can't say what was happening in the early 1980s.  
40  
41 Q. No, no, that's what I'm saying, sir. I'm saying you  
42 had no idea then, you took him --  
43 A. No, no, we had no idea. Remember I had two - two  
44 students at the school. My wife was active in the  
45 community as a community health nurse. So we had a lot of  
46 contact with the people - we had friends, farming friends  
47 in the district. Nobody knew anything.



1  
2 Q. I was about to ask you about your social life or  
3 private life. Did you play any sport when you arrived or  
4 join any clubs like Rotary?  
5 A. No, not at all.  
6  
7 Q. Lions?  
8 A. No.  
9  
10 Q. But you did make friends, by the sounds of it?  
11 A. We had farming friends there, still farming friends  
12 and, you know, my - the children with the two families  
13 integrated. My kids, that's one of the things I can't  
14 understand about the thing, is that the hostel kids must  
15 have known things and were so close, yet I thought they  
16 would discuss it at school and that my own children might  
17 have got some inkling with. They say no, my friend's child  
18 or our friend's boy who's at school, they had no - no  
19 concept whatsoever that anything like this was happening.  
20  
21 Q. So am I to understand from what you have just said  
22 that after finding out - I assume that you did find out  
23 that Mr McKenna was charged - you have since spoken to your  
24 children and said "Did you have" --  
25 A. I have.  
26  
27 Q. -- and you said to them "Did you have any idea about  
28 this"?  
29 A. Yes, well, I thought the kids would - you know, I mean  
30 kids talk, and the hostel kids, I would have thought, if  
31 they knew, would have told other kids "Dennis is doing  
32 this" or "Dennis is doing that" and, as far as I can  
33 ascertain, there was nothing like that happening.  
34  
35 Q. Before I move on, just in relation to the board when  
36 you first started, or first started attending, do you  
37 recall a Mr Parks being a member of the board, a farmer  
38 named Mr Parks?  
39 A. I know the name Parks but I couldn't say, you know,  
40 whether he was attending the board meetings, but yes, he  
41 certainly had been to some board meetings.  
42  
43 Q. Now, you have mentioned a chap named Noel Parkin. I'm  
44 going to speak to you about him in a second. Is it correct  
45 to say that you were the principal of Katanning from 1980  
46 to 1982 inclusive?  
47 A. That's correct.

1  
2 Q. And whilst I don't expect you to remember the exact  
3 dates, Mr Hamilton --  
4  
5 MR DOBSON: I'm sorry, I did this all yesterday. I  
6 apologise, your Honour. I apologise to Mr Thompson.  
7 Mr Urquhart kept telling me off. For some reason I got the  
8 name mixed up.  
9  
10 Q. I don't expect you to remember the dates, sir, but you  
11 were a member of the board between those dates, 1980 to  
12 1982 inclusive?  
13 A. I would have attended most board meetings.  
14  
15 Q. Now, I mentioned the name Noel Parkin. I can tell you  
16 he had three sons who went to the Katanning high school but  
17 I want to speak to you about one in particular named  
18 Bradley. Do you recall Bradley Parkin at all?  
19 A. Not at all.  
20  
21 Q. All right then. If I said to you that he started at  
22 Katanning high school in 1982 and he was the middle son of  
23 three sons, three Parkin boys, does that help you in any  
24 way?  
25 A. Not at all.  
26  
27 Q. I have to move on and keep telling you about Bradley  
28 Parkin. We have heard evidence that Bradley Parkin was  
29 staying at the hostel while attending at the high school  
30 and in about June 1980 he ran away from the hostel.  
31  
32 MR DAVIES: Well, can I just rise to ask my learned friend  
33 to clarify that. I think my friend put that Bradley Parkin  
34 started in 1982.  
35  
36 MR DOBSON: I'm sorry. Sorry, I beg your pardon. June  
37 1982, your Honour. That was my error. I'm obliged to my  
38 friend.  
39  
40 HIS HONOUR: So what's the error you made?  
41  
42 MR DOBSON: I said that Bradley Parkin ran away in June  
43 1980. I meant to say June 1982, your Honour.  
44  
45 HIS HONOUR: I see. Right, June 1982, yes. So after he  
46 had been at school about six months.  
47

1 MR DOBSON: Yes.  
2  
3 Q. So do you have any recollection of a boy either by  
4 that name or another boy running away in June 1982?  
5  
6 MR DOBSON: Actually, I'm sorry, your Honour. I'm sorry,  
7 your Honour. I'm looking at Craig's days. Bradley Parkin  
8 started at Katanning in 1979.  
9  
10 HIS HONOUR: All right.  
11  
12 MR DOBSON: And this, in fact, was June 1980. My original  
13 dates were correct.  
14  
15 HIS HONOUR: All right. So started in 1980.  
16  
17 MR DOBSON: No, 1979, your Honour.  
18  
19 HIS HONOUR: 1979.  
20  
21 MR DOBSON: Bradley Parkin started at Katanning. It is  
22 just that I had the three brothers mentioned in the same  
23 area of my notes, your Honour.  
24  
25 HIS HONOUR: All right. So Bradley Parkin started at the  
26 Katanning Senior High School in 1979.  
27  
28 MR DOBSON: Yes.  
29  
30 HIS HONOUR: And he ran away in June 1980.  
31  
32 MR DOBSON: June 1980.  
33  
34 HIS HONOUR: Right.  
35  
36 MR DOBSON: I managed to confuse everyone there, perhaps  
37 mostly myself.  
38  
39 Q. All right. I'll start again, Mr Thompson. Bradley  
40 Parkin, starting in 1979, you said you have no knowledge of  
41 that boy or you cannot recall the name?  
42 A. I got - I can recall the name Parkin. That's all.  
43  
44 Q. So June 1980, can you recall a boy - put aside the  
45 name - running away from the hostel and there following  
46 some problems with that. Can you recall any boy running  
47 away from the hostel?

1 A. Not running away from the hostel. It wouldn't have  
2 been reported to me.  
3  
4 Q. And the boy's father, Mr Noel Parkin, has said that he  
5 received a phone call from the school and he said that in  
6 particular it was from the headmaster of the school.  
7  
8 MR DAVIES: I don't think he did. He didn't give that  
9 evidence.  
10  
11 MR DOBSON: Well, he did, your Honour.  
12  
13 MR DAVIES: Where's the transcript reference?  
14  
15 HIS HONOUR: We need to check it.  
16  
17 MR DOBSON: 578, your Honour, Mr Noel Parkin's evidence.  
18 I was going to initially do it in general terms, your  
19 Honour, and then obviously giving Mr Thompson the  
20 opportunity to comment, and then I was going to do it and  
21 particularise it.  
22  
23 Q. If I go to 578, at the top of the page there is a  
24 question:  
25  
26 Q. So after you found this out about what  
27 Brad had done, did you go and speak to  
28 anyone at the school?  
29 A. No, the school rang and talked about  
30 the - suggest I took Bradley to a  
31 psychiatrist in Perth.  
32  
33 Q. Can you recall who it was at the  
34 school who recommended that --  
35 A. At the time I think it was headmaster,  
36 I think it was someone Thompson, yes. I  
37 guess that was - or he was. He was a  
38 headmaster there anyway. I think that was  
39 him.  
40  
41 A. I have no recollection of recommending anybody to a  
42 psychologist or a psychiatrist and that would have to be a  
43 doctor who recommended them, a doctor's referral.  
44  
45 Q. So are you saying that if someone from the school --  
46 A. It would be likely to be the guidance officer.  
47

1 Q. Now, how often would it be that a child would be  
2 recommended - someone from the school would speak to a  
3 parent and recommend that the child go to a psychologist or  
4 psychiatrist?  
5 A. I've never heard of it before.  
6  
7 Q. That's what I was wondering. In that instance, did  
8 the guidance officer seek any input from you. Do you  
9 recall this actually happening?  
10 A. No, I can't. The guidance officer is supposed to be  
11 quite separate and secretive from the - you know, the  
12 problems that a child might have, unless it was a  
13 behavioural-type problem.  
14  
15 Q. Now, you have heard me read out --  
16  
17 HIS HONOUR: Q. Can I just clarify something here. You  
18 say it ordinarily would be a doctor that would refer anyone  
19 to a psychiatrist, and that's quite correct, but have you  
20 got some understanding about guidance officers being able  
21 to do it or not?  
22 A. Well, no, I have no understanding. I would have  
23 thought, though, that the guidance officer might have  
24 attacked - contacted the Guidance Branch of the Education  
25 Department, who could perhaps have arranged, but certainly  
26 I couldn't have arranged it.  
27  
28 Q. And do you recall who the guidance officer was in  
29 1980?  
30 A. No, I can't.  
31  
32 Q. You can't, all right. Thank you.  
33  
34 MR DOBSON: Q. Are you saying that you can recall the  
35 guidance officer actually having done this?  
36 A. No.  
37  
38 Q. Or are you saying --  
39 A. That would be the procedure, I would think.  
40  
41 Q. I wanted to be fair to you and make certain of that.  
42 That if this thing happened, then you are saying the  
43 guidance officer was solely responsible for arranging the  
44 psychiatric or psychologist care?  
45 A. I'm saying that should be the procedure. I didn't say  
46 it happened. That should be the procedure.  
47

1 Q. And given your role as principal, you are saying,  
2 though, that you weren't informed of anything like that?  
3 A. I don't - I can't recollect it. I don't think so.  
4  
5 Q. Given that you would expect, if something serious has  
6 happened, to have a child referred to either a psychologist  
7 or a psychiatrist, would you have wanted to be informed of  
8 something like that  
9 A. I would have - yes, I think I would have liked to have  
10 been informed.  
11  
12 Q. And one of the most basic reasons being any impact it  
13 could have on other students or the general running of the  
14 school?  
15 A. I don't think it would have an impact on the general  
16 running of the school or the other students.  
17  
18 Q. But depending on the reason why, of course, would you  
19 accept that; the reason why this person needed help?  
20 A. Yes, I suppose that it comes in as a factor.  
21  
22 Q. Now, Mr Noel Parkin also gave evidence to say that he  
23 went off and did take his son to Perth to see a  
24 psychiatrist. Regardless of what he says, do you have any  
25 recollection of that occurring?  
26 A. No, I have no recollection of that occurring and I  
27 think he also made a statement that the school paid for  
28 the - for the psychiatrist visit.  
29  
30 Q. Yes, I was about to ask you --  
31 A. And there was no - I would have not used school funds  
32 to pay for something like that.  
33  
34 Q. I was about to ask you about that, Mr Thompson. So  
35 putting aside whether or not this happened and your  
36 knowledge or anything else, you are saying that it would  
37 never have been paid for by the school?  
38 A. As far as I know, unless somebody else authorised it.  
39  
40 HIS HONOUR: Q. Can I just ask you, from your years of  
41 experience around that time, were you aware whether,  
42 through the guidance officer, the Education Department  
43 might pay for such visits to a psychiatrist?  
44 A. I would doubt it but I don't really know.  
45  
46 Q. You don't know, all right.  
47

1 MR DOBSON: Q. Do you recall who the guidance officer  
2 was in about June 1980?  
3 A. No, I can't.  
4  
5 Q. Do you recall who the guidance officer was during any  
6 of your time at Katanning?  
7 A. Not without looking up the old Education circulars,  
8 no.  
9  
10 Q. Thank you for that, Mr Thompson. Now, Mr Parkin has  
11 said, given evidence, that during his visit to Perth with  
12 his son, Bradley, he also visited the Perth office of the  
13 Hostel Authority - I will call it that, shorten it down,  
14 "the Hostel Authority" - and he said that he caused trouble  
15 there. There is no suggestion, of course, that you were  
16 present but did you later hear anything said about  
17 Mr Parkin causing trouble in Perth?  
18 A. No.  
19  
20 Q. Didn't hear anything at all?  
21 A. Not at all.  
22  
23 Q. Now, Mr Parkin has also said that he wanted to review  
24 a report about his son, Brad, but he was told that that's  
25 not to happen. Putting aside the name "Brad Parkin", can  
26 you recall any psychiatric or psychologist's reports being  
27 sent to the school during your time in relation to any  
28 students?  
29 A. Not at all. It would go to the guidance officer,  
30 though, and they are sort of - you know, work in their own  
31 context. It's fairly secret.  
32  
33 Q. I appreciate that, that there may be some aspects of  
34 confidentiality, but would you expect perhaps that the  
35 guidance officer might be able to talk to you and --  
36 A. There's a problem.  
37  
38 Q. -- "There's a problem within the school"?  
39 A. Yes, I would expect the guidance officer to - if it  
40 was something that could be remedied.  
41  
42 Q. All right. If there is a problem within the school,  
43 they might come to you and explain to you what's going on?  
44 A. Yes.  
45  
46 Q. And that never happened --  
47 A. Well --

1  
2 Q. -- during your time at Katanning?  
3 A. I don't think so.  
4  
5 Q. Now, Mr Parkin has said that after a few days in  
6 Perth, when he took his son Brad to Perth, he returned to  
7 his farm and he thinks it was around about the Monday that  
8 he rang the police. Now, I don't expect you to have any  
9 knowledge of what the police did but I can also explain to  
10 you that Mr Parkin gave evidence - I won't read it, your  
11 Honour, but this is 585 - that he told a person named Keith  
12 Stephens, and he told the manager of a shop the Co-op, he  
13 told a board member from the bank and he told a board  
14 member who was a newsagent words to the effect that Dennis  
15 McKenna was interfering with children and there had been a  
16 problem. Did you hear anything like that, not directly  
17 from Mr Parkin, I'm not suggesting that, but did you hear  
18 anything like that from others --  
19 A. I did not.  
20  
21 Q. -- being represented by other people?  
22 A. No, not at all.  
23  
24 Q. Did you hear anything like Noel Parkin running around  
25 saying these things about Dennis McKenna? Anything like  
26 that?  
27 A. I can't recall that either. I don't think so, though.  
28  
29 Q. All right. You don't think so. Is there some memory  
30 there, sir, or --  
31 A. I think Dennis might have mentioned that Noel Parkin  
32 was causing a bit of a stir, but that's --  
33  
34 Q. I was about to get to that shortly, but we'll return  
35 to that if we could, please, in a moment. Now - this is  
36 586, your Honour - excuse me - top of 586, beginning of  
37 line 4, when you gave evidence on 28 February this year,  
38 Mr Parkin, and I'm not reading this exactly, I'll just give  
39 you in general terms - Mr Parkin has said that during the  
40 period after his visit to Perth, taking Bradley and seeing  
41 the psychiatrist. During the period afterwards, that he  
42 went to the school and he asked them for the headmaster -  
43 so he's not saying he spoke with you. He asked them he  
44 wanted the headmaster, he wanted to talk about it. He said  
45 that no one wanted to talk to him about it. So to be  
46 clear, and to be totally fair to you, he's not saying that  
47 he spoke with you on that occasion. Do you understand me?



1 A. Go on.  
2  
3 Q. But did any of your employees, any of your staff, tell  
4 you at any time that Noel Parkin had attended and wanted to  
5 speak with you? Can you recall anything --  
6 A. No, I can't recall anything like that.  
7  
8 Q. All right. This boy Brad Parkin was taken out of the  
9 school at about that time. Does that assist your memory?  
10 A. Not at all.  
11  
12 Q. No. Do you remember any more that --  
13 A. I know that he left the hostel. That was --  
14  
15 Q. How do you know that he left the hostel?  
16 A. I think it came up in the hostel report.  
17  
18 Q. All right. Now, you mentioned Dennis McKenna a short  
19 time ago. You mentioned that Dennis McKenna had told of -  
20 about Noel Parkin running around saying things. So Dennis  
21 McKenna mentioned that Noel Parkin was causing a stir. Do  
22 you remember --  
23 A. I believe - I believe that there was some mention of  
24 that.  
25  
26 Q. Where did Dennis McKenna mention that?  
27 A. At a Board meeting, I would say.  
28  
29 Q. All right. Now, do you recall - this is difficult for  
30 you, but do you recall when that Board meeting was?  
31 A. No, I have no idea whatsoever.  
32  
33 Q. Do you recall who else was present?  
34 A. No.  
35  
36 Q. At the Board meeting, I'm saying?  
37 A. Members of the Board.  
38  
39 Q. All right. And Dennis McKenna - did he raise this  
40 subject off his own bat, or did one question him about it?  
41 A. I have no recollection who raised it.  
42  
43 HIS HONOUR: Perhaps if you can just say what you do  
44 recollect as best you can, you know.  
45  
46 MR DOBSON: Yes.  
47

1 HIS HONOUR: Like what comes to mind about this. You also  
2 said that the - that Bradley Parkin left the hostel, it  
3 came up in the report or a report. So you just say what  
4 you do remember about that subject, about the - about Mr  
5 Parkin and about his son leaving the hostel.  
6  
7 THE WITNESS: Well, it would have been reported to me by  
8 Dennis, I guess, that Parkins have withdrawn the boy from  
9 the hostel. That's - and, of course, from school.  
10  
11 HIS HONOUR: Q. And you remember that, do you?  
12 A. No.  
13  
14 Q. So why are you saying that happened?  
15 A. Because I believe that is what happened.  
16  
17 Q. Well, I'm trying to ascertain what you, in fact,  
18 remember, if you - I mean, it's all very easy because of  
19 what you read in the paper and about the evidence of this  
20 Inquiry to remember what's been said in the papers, for  
21 example, but really what I'm asking you is what you  
22 independently remember about this subject, about what you  
23 recall about that happening at the time?  
24 A. Well, I can recollect there was a stir about the  
25 Parkin boy, who left the hostel and left school. That's as  
26 much as --  
27  
28 Q. And do you remember anything else? You said that  
29 Dennis said Noel Parkin causing a stir?  
30 A. Well, he did - that came up in a hostel meeting, yes,  
31 a Board meeting.  
32  
33 Q. And was there anything said about the nature of the  
34 stir he was causing?  
35 A. No.  
36  
37 Q. And do you remember anything else about that at all?  
38 A. Not really.  
39  
40 HIS HONOUR: All right. Yes, Mr Dobson.  
41  
42 MR DOBSON: Q. Can you recall - you've got Dennis  
43 McKenna speaking at a meeting. We've just discussed that,  
44 and his Honour wanted to make certain that you talk about  
45 your own recollection as opposed to something that you've  
46 read or been told or heard in the meetings --  
47 A. Yes.

1  
2 Q. -- so just your recollection. At the next meeting,  
3 the next Board meeting, do you have any recollection of  
4 your own, of a Board member speaking about Dennis McKenna  
5 and boys?  
6 A. No, I do not. The first intimation we had of the sort  
7 of activity you're looking into was after we'd left  
8 Katanning, and it was when Mrs Dawkins sort of brought  
9 information like it. That's the first intimation we had.  
10  
11 Q. That something was going on?  
12 A. Yes.  
13  
14 Q. Something improper. All right. I asked you about the  
15 name Alan Parks earlier. Do you recall earlier today I  
16 said, "Do you know his name?" All right.  
17 A. Yes.  
18  
19 Q. The reason why I said that, is Mr Parks has also given  
20 evidence, and it's 10 April this year, so earlier this  
21 month, and it begins on about 1429 your Honour, but this is  
22 just Mr Parks' story. He says something similar to you,  
23 that Dennis McKenna raised the Noel Parkin stir at a  
24 meeting of the Board. So we'll just stop there. But  
25 you've also said that you - you have some recollection of  
26 your own about Dennis McKenna raising that subject?  
27 A. I believe that's right. The name came up quite a  
28 number of times.  
29  
30 Q. All right. Mr Alan Parks has said that at the next  
31 meeting of the Board, a Board member raised the same  
32 subject about Dennis McKenna. Can you recall that?  
33 A. No.  
34  
35 Q. All right. And if I - if you just listen to this,  
36 please, this is Mr Alan Parks' evidence, it's at 1431, your  
37 Honour. Earlier this month Mr Parks told the Inquiry, in  
38 an answer about when did something come up about Dennis  
39 McKenna interfering with boys, and he said:  
40  
41 Well, I think one of the board members  
42 brought it up and said that Noel had been  
43 going around telling people that Dennis was  
44 interfering with boys.  
45  
46 Do you have any recollection - forget what other people  
47 have said - anything at all? Do you have any recollection

1 of that being brought up at a Board meeting by a Board  
2 member?  
3 A. No, I have not, and I - you know, doubt whether it  
4 was.  
5  
6 Q. Okay. I was about to ask you, the next thing then  
7 is - and I'm talking hypothetically now. Had that been -  
8 had that ever been raised at a Board meeting, Mr Thompson?  
9 If a Board member had ever said Dennis McKenna sexually  
10 interfering with boys, how do you think - this is looking  
11 back now, how do you think you would have dealt with that,  
12 individually, to begin with?  
13 A. I would have said, "If that's happening it should be  
14 reported to the police. They're the people that deal with  
15 it."  
16  
17 Q. All right. And would you also think that you would  
18 have taken steps yourself to report it to the police, or  
19 would you just discuss it with the Board. How do you think  
20 you would have dealt with that?  
21 A. If I'd known, I would have expected - counselled the  
22 people whose child had been offended against, to report it  
23 to the police. It's not my business to report it to the  
24 police.  
25  
26 Q. All right. But you're saying that had that been  
27 brought up at a Board meeting, you would have stated your  
28 view that this should be reported to the police?  
29 A. I would, indeed, but it didn't happen.  
30  
31 Q. Okay. No, no, no, you made clear of that. During  
32 your time attending Board meetings, can you recall any  
33 meetings where complaints were aired about Dennis McKenna,  
34 where things had to be dealt with about Dennis McKenna?  
35 A. I think that was something that - I've only caught up  
36 on lately, was that there'd been some sort of a complaint  
37 and it had been discussed and discussed and discussed, and  
38 no resolution was being made, and I moved that - how is it  
39 worded - that we support the warden, that we support Dennis  
40 McKenna in his role, but the motion was passed. I think  
41 that's because so many of the Board thought he was doing a  
42 good job, and looking at it, looking at the students, and  
43 what was happening, and what was happening at the hostel,  
44 he was doing a good job as manager or warden of the hostel.  
45 But his other activities were not good.  
46  
47 HIS HONOUR: Q. And do you recall what that complaint

1 was that was "discussed and discussed and discussed"?  
2 A. No, I don't. It was - somebody had made a - not an  
3 accusation, but I really can't tell you, I can't remember,  
4 but I know that it was going on - discussion was going on  
5 all the time and I thought, "Well, anyway, the only way to  
6 fix this is to make a motion", which I did.  
7  
8 Q. All right. So clearly it was not of a sexual nature,  
9 the complaint?  
10 A. I don't think so.  
11  
12 Q. Well, it could have been?  
13 A. It could have been.  
14  
15 HIS HONOUR: It could have been. All right.  
16  
17 MR DOBSON: Q. Can you recall, Mr Thompson - this is in  
18 general, as to when - you've said that there's one that you  
19 recall, a McKenna complaint being dealt with. Would that  
20 be dealt with in his absence, or would he be present?  
21 A. He would be present at all the meetings, I would  
22 think.  
23  
24 Q. All right. Did anyone - any Board member ever suggest  
25 that Dennis McKenna leave while a complaint about him be  
26 discussed and dealt with, do you recall that?  
27 A. I can't recall that happening.  
28  
29 Q. All right. But there is one - you can recall one  
30 complaint about McKenna being aired and dealt with?  
31 A. Yes.  
32  
33 Q. But in fairness to you - and I know you've said to his  
34 Honour that it could be sexual - in fairness to you, it  
35 seems like you're not certain about what that subject  
36 matter was?  
37 A. No, I'm not certain at all.  
38  
39 Q. All right. If - and again this is hypothetical - I'm  
40 saying if something had happened. If a Board member aired  
41 a sexual allegation about Dennis McKenna, looking back, do  
42 you think you would have asked that McKenna be removed from  
43 the room, that he'd have to be away from the Board meeting  
44 while that was discussed?  
45 A. Well, I wasn't the chairperson.  
46  
47 Q. No, but would you have put forward your own view

1 if something that serious was aired and it needed to be  
2 discussed by the Board? What would your view have been  
3 about the presence of McKenna? Can you look back and think  
4 how you would have dealt with that?  
5 A. My view would be that it would be the prerogative of  
6 the Chairperson of that particular Board meeting.  
7  
8 Q. All right. Now, this is going to stretch it for you,  
9 but we've had a look at the Board meeting minutes for 1980,  
10 and it seems that there was a Board meeting once a month  
11 from February through to December inclusive. And on the  
12 meeting minutes you're listed as being absent for September  
13 that year, but October is not clear. Can you recall now  
14 how many meetings you didn't attend that year, 1980?  
15 A. No, I couldn't.  
16  
17 Q. All right. Now, I've already touched on this, but I  
18 just want to make clear. I've mentioned the name John  
19 Renk, the bank manager, Alan Parks, farmer, the newsagent  
20 Board member, and the Co-op Board member. So during --  
21 A. Who is the newsagent Board member.  
22  
23 Q. Mr Parkin didn't name him by name. I don't know who  
24 that is off the top, but in any event you're saying that no  
25 Board member at all ever directly raised it. Noel Parkin  
26 had complained to them about this Perth issue and Dennis  
27 McKenna, it wasn't something that was discussed?  
28 A. At a Board meeting?  
29  
30 Q. Yes.  
31 A. It may have been discussed at a Board meeting.  
32  
33 Q. Pardon?  
34 A. It may have been discussed at a Board meeting.  
35  
36 Q. All right. But is that your recollection or are you  
37 going on what other people have said?  
38 A. I'm probably going on what other people have said.  
39 It's not my recollection of it.  
40  
41 HIS HONOUR: Q. I think your evidence is that you don't  
42 recall whether or not these things were discussed; is that  
43 right?  
44 A. As I say, it's over 30 years ago.  
45  
46 HIS HONOUR: That's right, it's a long time, yes.  
47

1 MR DOBSON: Yes. All right. If I may, I might just take  
2 a minute, your Honour, to just briefly discuss something  
3 with Mr Urquhart.  
4  
5 HIS HONOUR: Yes.  
6  
7 MR DOBSON: Sorry, your Honour, in the running I'm just  
8 trimming the issues that deal with Mr Thompson. All right.  
9  
10 Q. So to be clear, you never spoke with Noel Parkin and  
11 told him about a psychiatrist or psychologist?  
12 A. Not that I can recollect.  
13  
14 Q. All right. Now, in relation to that answer, are you  
15 saying that that could have happened, but you just can't  
16 recall, or it didn't happen?  
17 A. I'm not saying it didn't happen, I can't recollect it.  
18 I don't think it happened.  
19  
20 Q. Yes. And, again, his Honour's touched on this: with  
21 the passage of time, that would have affected your memory,  
22 simply --  
23 A. Time's affected my memory, yes.  
24  
25 Q. It's so long ago?  
26 A. Yes.  
27  
28 Q. And this question is definitely not intended to be  
29 rude, but you are 78?  
30 A. Mm.  
31  
32 Q. Have you noticed that your memory has deteriorated as  
33 you've gotten a bit older?  
34 A. Ask my wife over there.  
35  
36 MR DOBSON: All right. Thank you for that. I have  
37 nothing further of the witness. Thank you, Mr Thompson.  
38  
39 HIS HONOUR: All right. Mr Hammond.  
40  
41 <CROSS-EXAMINATION BY MR HAMMOND:  
42  
43 MR HAMMOND: Q. Mr Thompson, if a school such as  
44 Katanning were to have a student population of 500 instead  
45 of the 300-400 that was discussed, would that increase the  
46 salary of the principal?  
47 A. Not at all.

1  
2 Q. That's your recollection, that the number of students  
3 didn't have an impact on the salary of the headmaster?  
4 A. Well, no, it wouldn't. If it's a senior high school,  
5 it wouldn't. It's been declared that by the department.  
6  
7 Q. And going back to the 1980s, I think you said that if  
8 you had come across a report of sexual misconduct, that is  
9 something you would have encouraged the parents to  
10 report --  
11 A. To go to the police.  
12  
13 Q. -- to the police. You didn't see it as your role to  
14 go to the police?  
15 A. No.  
16  
17 Q. And you didn't see it as the role of any of the other  
18 teachers to go to the police if they became aware of it?  
19 A. I would have thought that the guidance officer, if  
20 they found that, would be part of her - his or her role.  
21  
22 Q. That the guidance officer could go to the police and  
23 report the --  
24 A. Well, they're the person that's most likely to find  
25 out about something like that.  
26  
27 Q. Because when you did hear about a complaint possibly  
28 at a Board meeting about a sexual misdemeanour on the part  
29 of McKenna, that's something you may have heard, you  
30 indicated to the inquirer; is that right?  
31 A. I'd say in the years '80, '81 and '82, we never heard  
32 anything of a sexual complaint at a Board meeting.  
33  
34 Q. About Mr McKenna?  
35 A. That's right.  
36  
37 Q. Or at any other time whilst you were at the school?  
38 A. Well, no.  
39  
40 Q. So your evidence is that at no stage whilst you were  
41 principal at the school, did you hear about any sexual  
42 misconduct on the part of Dennis McKenna?  
43 A. I'd say - stretch it even further - at no time during  
44 the time we were in Katanning did we hear anything like  
45 that, or even for some time afterwards. As I said, until  
46 Ms Dawkins raised it, and she didn't get much joy out of  
47 raising it either. That's the sort of admiration the man



1 had in Katanning, and it was later on that it really came  
2 out and, of course, when he went to gaol.

3  
4 Q. And you do recall --

5  
6 HIS HONOUR: Can I just clarify there.

7  
8 Q. When you say you became aware Mrs Dawkins raised it,  
9 you're referring to what you read in the papers at the  
10 time?

11 A. Yes.

12  
13 HIS HONOUR: Okay. Thank you.

14  
15 MR HAMMOND: Q. And, Mr Thompson, you do recall there  
16 being a fuss about the Parkin boy, and he was withdrawn  
17 from the hostel and the school?

18 A. No, I don't recall that.

19  
20 Q. You don't recall that?

21 A. No.

22  
23 Q. I thought you indicated to the Inquiry that you did  
24 recall Parkin being withdrawn from the hostel, and as a  
25 result of that the school as well?

26 A. Well, that would be - if he was put out of the hostel  
27 for some reason, then he would certainly be withdrawn from  
28 the school because he would have no place to live.

29  
30 Q. And it's fair to say it would be a dramatic step for a  
31 young student to be withdrawn from the hostel?

32 A. Yes.

33  
34 Q. And even more dramatic if that was in years 11 or 12?

35 A. I don't think it was in years 11 or 12 though, was he?

36  
37 Q. So your evidence to the Inquiry - are you saying now  
38 you have no recollection of anything happening in relation  
39 to the Parkin boy?

40 A. I know the name, and I know something did happen.

41  
42 Q. And what is it that you knew did happen back when you  
43 were principal of Katanning Senior High School?

44 A. I can't recollect.

45  
46 Q. Did you know Dennis McKenna well when you were the  
47 principal of Katanning Senior High School?

1 A. Fairly well.  
2  
3 Q. Did you go down to the Katanning - did you go to the  
4 St Andrew's Hostel at all?  
5 A. At the Board meetings, yes.  
6  
7 Q. And did you go there and dine with the students from  
8 time to time?  
9 A. No, never.  
10  
11 Q. So you didn't - and did you observe Dennis McKenna  
12 taking the students into the town of Katanning at all to  
13 undertake any sort of voluntary work?  
14 A. I know some was done, but I didn't observe it. They  
15 went up and cleaned up the cemetery at one stage, I think.  
16  
17 Q. And did you --  
18 A. Polished the gravestones.  
19  
20 Q. That would have been a very gawdy task, wouldn't it,  
21 for high school students?  
22 A. I don't know, but I gather that's what they did at one  
23 stage.  
24  
25 Q. Were you, in your position as principal of Katanning  
26 Senior High School, concerned about what occurred at St  
27 Andrew's Hostel?  
28 A. Very much so.  
29  
30 Q. Did you then raise with Dennis McKenna any students  
31 you thought might have had concern - that you were  
32 concerned with at the school, in terms of their studies or  
33 any other behaviour?  
34 A. No.  
35  
36 MR HAMMOND: I don't have any other questions, sir.  
37  
38 HIS HONOUR: Nothing for you, Mr Jenkins?  
39  
40 MR JENKIN: No, thanks.  
41  
42 HIS HONOUR: Do you wish to lead evidence, Mr Davies?  
43  
44 MR DAVIES: No, your Honour, but I just want to ask a  
45 couple of quick questions.  
46  
47 <CROSS-EXAMINATION BY MR DAVIES:

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MR DAVIES: Q. Mr Thompson, have you been watching the television news of the reports of this Inquiry as it's been progressing?

A. We have, and we've been avidly reading the paper too.

Q. Okay. So you've been reading the paper. And have you from time to time been provided with material by this Inquiry in connection with you being called as a witness?

A. Yes.

Q. And have you read that material?

A. Yes.

Q. Do you think that by watching the news or reading the paper or by reading material sent to you, that has in any way affected your memory or recollection of these matters?

A. I think time has affected my recollection.

Q. Okay. But what I'm asking you, do you think by watching the TV or reading the paper or by reading materials in relation to this Inquiry, has it caused you to start having memories about things, and what other people have said and so forth? Has it been affecting your own memory about what you can and can't remember?

A. I'd say no.

MR DAVIES: All right. That's all, sir.

HIS HONOUR: Thank you. Anything arising?

MR DOBSON: Nothing arising, thank you, your Honour.

HIS HONOUR: All right. Thank you very much, Mr Thompson, that completes your evidence, you are now free to go, thank you.

THE WITNESS: Thank you.

<THE WITNESS WITHDREW

MR DOBSON: Your Honour, that completes the proceedings this morning, and I think we're due back at 2pm --

HIS HONOUR: 1.30pm.

MR DOBSON: I beg your pardon, 1.30pm, where Mr Urquhart

1 will resume with Mr Murray, I believe.  
2  
3 HIS HONOUR: Very good. We'll adjourn until 1.30pm.  
4  
5 LUNCHEON ADJOURNMENT  
6  
7 UPON RESUMPTION:  
8  
9 HIS HONOUR: Please be seated. Yes, Mr Urquhart.  
10  
11 MR URQUHART: Thank you very much. Sir, I should just  
12 announce at the hearing that currently these proceedings  
13 are being video linked down to the Albany courthouse, where  
14 there is at least one person there who wished to avail  
15 himself of the opportunity of watching these proceedings.  
16  
17 HIS HONOUR: Yes.  
18  
19 MR URQUHART: Thank you, sir.  
20  
21 MR HAMMOND: Before Mr Urquhart commences, sir, there is  
22 just one matter that I think I should avail the Inquiry of,  
23 and that is my clients have informed me that Mr McKenna has  
24 today - Dennis McKenna, that is - again been charged with  
25 66 fresh counts relating to 16 complainants. So I think  
26 the Inquiry should know that.  
27  
28 HIS HONOUR: I was aware that was about to happen.  
29  
30 MR HAMMOND: You were aware?  
31  
32 HIS HONOUR: Yes.  
33  
34 MR JENKIN: Thank you, sir.  
35  
36 HIS HONOUR: Very well. Yes, Mr Urquhart.  
37  
38 MR URQUHART: Thank you very much, sir.  
39  
40 <IAN WALLIS MURRAY  
41  
42 <EXAMINATION BY MR URQUHART, continuing:  
43  
44 MR URQUHART: Q. Now, Mr Murray, Mr Manera has provided  
45 the Inquiry with two further affidavits today. I will just  
46 clarify with you that one is from a David Andrew King. Is  
47 that right?

1 A. Correct.  
2  
3 Q. Right, and he worked with you at the Katanning Senior  
4 High School in 1988 and 1989 and also in 1990?  
5 A. Correct.  
6  
7 Q. And he was a teacher. Is that right?  
8 A. He was the head of department.  
9  
10 Q. And he has provided an affidavit in support of your  
11 role as the principal of the school?  
12 A. That's correct.  
13  
14 Q. And then there is a further affidavit, because there  
15 was one from yesterday, and that is from a Norman John  
16 Snell. Is that right?  
17 A. Correct.  
18  
19 Q. And he was a teacher who you worked with from 1995 to  
20 2002 when you were principal at Mt Lawley Senior High  
21 School?  
22 A. Correct.  
23  
24 Q. And once more, Mr Snell recounts how he found you as  
25 the principal of that school?  
26 A. Correct.  
27  
28 Q. And the first one was from Mr Manno yesterday. Now,  
29 Mr Murray, before I just ask you some more questions about  
30 this matter, I understand that you might like to clarify an  
31 answer that you gave yesterday as to how it was that Dennis  
32 McKenna could have found out about the complaint that Todd  
33 Jefferis made to you at the first meeting on Monday, 6  
34 August 1990. Is that right. Is there something you would  
35 like to say further. I know you said that one possibility  
36 for Dennis McKenna finding that out is that you might have  
37 told Garth Addis and Garth Addis might have told him. Am I  
38 right there?  
39 A. Correct.  
40  
41 Q. As I understand it, you don't recall telling Dennis  
42 McKenna?  
43 A. That is correct.  
44  
45 Q. And you have racked your brain to see if there might  
46 be another means by which he came to know about what Todd  
47 Jefferis was complaining about?

1 A. Right.  
2  
3 Q. Would you like to explain that?  
4 A. Every afternoon after school, when all the students  
5 had gone and most of the staff had gone, I used to have a  
6 meeting with my two deputies and we would discuss what had  
7 gone on during the day, and it could have been mentioned -  
8 it probably was mentioned to them that I had a meeting with  
9 Todd Jefferis.  
10  
11 Q. And do you recall what you might have said to them?  
12 A. No. Look, I can't. Look, sir, I just might explain,  
13 I have spent, since I left the Inquiry yesterday until I  
14 was picked up to come back in here today, and I mean all  
15 the time, I have spent racking my brain. It's made me very  
16 distressed because there are so many things that I find  
17 that I can't remember.  
18  
19 Q. Certainly.  
20 A. Things such as my mother's funeral.  
21  
22 HIS HONOUR: Q. Now, Mr Murray, you obviously are not  
23 feeling very relaxed. Now if you want a break --  
24 A. No, I'll try to keep going, sir. I will try to keep  
25 going.  
26  
27 Q. Yes, all right. At any stage if you want a break,  
28 just say so?  
29 A. Thank you very much, sir. I appreciate that.  
30  
31 Q. And may I take the opportunity of saying I very much  
32 regret the incident that happened when you were leaving the  
33 building last night when you were harassed. When people  
34 are subpoenaed to come to a hearing like this, that should  
35 not happen and I do regret that that occurred?  
36 A. Thank you sir, but I'll try to keep going.  
37  
38 Q. Very good, yes.  
39  
40 HIS HONOUR: Mr Urquhart?  
41  
42 MR URQUHART: Thank you, sir.  
43  
44 THE WITNESS: Things that have cropped up, you know, my  
45 sister died on my birthday three months ago and I was  
46 present at her death and I didn't think it had got to me  
47 but I have racked my brains all night, I haven't slept,

1 trying to remember some of these things that have happened  
2 and it really distresses me. I work at Brighton Ward with  
3 dementia people and, you know, I see the impact the loss of  
4 memory has on them and their quality of life. I'm  
5 dreadfully sorry what happened to the boys and all the  
6 victims for the past. I'm dreadfully sorry that somehow or  
7 other I didn't understand what Todd was getting at. I  
8 followed the procedure that I believe was right. The  
9 counselling that I didn't give him was similar to the  
10 counselling that wasn't given anywhere. I didn't give any  
11 counselling and that really didn't start in schools,  
12 counselling students, until we had the critical incidents  
13 and the reports that came out in the 1990s and then we used  
14 to provide a lot more counselling because we weren't really  
15 up to it. We weren't really capable of doing it then, but  
16 I really regret what happened and I really, really feel for  
17 those - the victims of this hoodwinker. I know that I  
18 didn't play any part in hiding any of the offences that  
19 occurred. I know that I checked up that Todd Jefferis had  
20 gone to the police because I believe if he hadn't have I'd  
21 have got to him again to go to the police because I believe  
22 that was what - his job to do. I believe it was his  
23 parents, when they were aware of it, their job to take him  
24 to the police. That's what I really sincerely and strongly  
25 believed. All I can say is, given 2012 ideas, given 2002  
26 when I finished in the Education Department, what we used  
27 to do then, things might have been done differently in  
28 1990. That's all I can say, sir.

29  
30 MR URQUHART: Q. Thank you for that, Mr Murray. You do  
31 understand that I do have some other questions to ask you  
32 --

33 A. Yes, I understand, I understand.

34  
35 Q. -- and it will relate to matters that occurred over 20  
36 years ago?

37 A. Well some things I do remember very well but some  
38 things I have no recollection of.

39  
40 Q. And that is why I need to ask you about those things,  
41 to see whether you do have a recollection of them?

42 A. I understand, sir, and I'm happy to cooperate.

43

44 Q. Do you understand the terms of reference for this  
45 Inquiry?

46 A. Yes.

47

1 Q. You have read those?  
2 A. Yes.  
3  
4 Q. So there are matters, unfortunately for you - you were  
5 caught up in this towards the end of it and so, therefore,  
6 you are a witness that will be able to hopefully, if you  
7 can recall, provide some information to the Inquiry?  
8 A. Certainly will try.  
9  
10 Q. And you do also understand that witnesses have  
11 referred to you and what you did during this time in 1990  
12 and 1991 and this gives you now an opportunity of  
13 responding to what they say you did, or said, and it gives  
14 you an opportunity to see whether you agree with that or  
15 disagree. All right?  
16 A. Yes.  
17  
18 Q. Now, Mr Murray, we have got you on a screen there in  
19 front of you. Do you find that disconcerting. Because if  
20 you do, we might be able to make some arrangements?  
21 A. At this stage it's not.  
22  
23 Q. I have now recalled it to your attention. You might  
24 find it's disconcerting. If it is, you let me know, and  
25 again, if his Honour says you need a break, by all means do  
26 so. Okay?  
27 A. Thank you. I really do appreciate that.  
28  
29 Q. Can I just ask you a couple of things about what you  
30 have said regarding possibly raising this with the meetings  
31 that you had with your deputy principals. Do you recall  
32 who those principals were in 1990?  
33 A. Pat Pringle.  
34  
35 Q. And Rod Guthrie?  
36 A. Rod Guthrie, yes.  
37  
38 Q. Now, once more, Mr Murray, I might be asking you some  
39 questions and the answers which you give might not look so  
40 good for you, now that we have got the benefit of  
41 hindsight. Do you appreciate that?  
42 A. Yes.  
43  
44 Q. Because I'm asking you questions about things you did  
45 before Dennis McKenna had been convicted of these offences  
46 in 1991?  
47 A. Yes.



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Q. Would you accept that you went too far in your support of Dennis McKenna after he was charged on 27 September 1990 and before he was convicted in June the following year?

A. I don't quite know what you are meaning by that. I know on the - the day that he was charged, I was contacted, I believe, by the police I think it was, to come and pick him up, wherever he was, and attend to him there. At that particular time I spoke to him at the - and I don't know whether it was the police station or the courthouse, I can't remember which place it was - I spoke to him quite strongly about what he had to do: get a lawyer, tell the truth, don't hide things, get it sorted out. I understood there was one issue that he had been charged with.

Q. Yes, there was one complaint at that stage?

A. Yes, that's what I understood.

Q. And I can tell you now, it wasn't Todd Jefferis. It was a young man by the name of Michael Hilder and it referred to allegations going back to the late 70s?

A. I didn't know that.

Q. Would you have known that at the time?

A. No. I assumed that it was Todd Jefferis.

Q. You assumed. I know it is difficult but can you recall when it was that you found that it wasn't the allegation that Mr Jefferis was making, that, in fact, it was another student altogether?

A. I never found out. That's the first time I've heard about it. Because I heard at the trial there were about five or six or something.

Q. Yes, that's right.

A. Yes.

Q. The reason why I asked that question about whether you would accept you went too far in your support of Dennis McKenna, I'm asking you that in the context of your position, that you were principal of the high school. So in order to assist you in answering that question, I will ask you a few more precise questions in that regard. You have now told us that you believed it was the Todd Jefferis allegation that was the subject matter --

A. Yes.

1 Q. -- of Dennis McKenna being charged on 27 September,  
2 but at the very least - and this is what you said  
3 yesterday - you found it difficult to believe that the  
4 allegation that Todd Jefferis was making was true. I  
5 suppose I should clarify that. When you found out,  
6 whenever it was you found out, that the allegation was  
7 actually of sexual abuse, you found it very hard to believe  
8 it could be true?

9 A. I still found - I still - did find it hard to believe  
10 but I wasn't passing judgment on it.

11  
12 Q. Do you recall convening a meeting with the hostel  
13 students the day after Dennis McKenna was charged. So that  
14 would be the final day, 28 September, or thereabouts.  
15 There was an announcement made over the PA?

16 A. I - I recall a meeting.

17  
18 Q. Yes, there was an announcement over the PA at the high  
19 school?

20 A. Yes.

21  
22 Q. Asking for all hostel students to return to the hostel  
23 and it was there that you addressed them --

24 A. I thought it was lunchtime that I addressed them.

25  
26 Q. Okay, well, it might well have been at lunchtime, yes,  
27 at the hostel?

28 A. I did address them, yes. That was a response from  
29 parents who - who were very upset and their kids were  
30 getting upset because they didn't know what was going on.

31  
32 Q. What's your recollection then of what you said at that  
33 meeting?

34 A. My recollection is that I said straight out that  
35 Dennis McKenna had been charged with sexual offences. I  
36 said it very simply and it was - if I - I'm fairly vague in  
37 my memory but it was received with a fair amount of shock  
38 by the kids. A student asked me had he been set up and I  
39 replied something in the like of "Well he could have been  
40 set up but he could be guilty", he had been charged so it's  
41 a court that's going to sort it out. Then another student  
42 said, one of the senior students I believe it was, I don't  
43 know who it was, said "What can we do to help him?", and  
44 again I really didn't know what could be said or done to  
45 help him, and one of the mothers said "Can I write to  
46 Dennis?". There were about two, three, four mothers there,  
47 I can't remember the exact number, and I said yes, they can

1 write to Dennis and "tell him of your support and give it  
2 in to the hostel".

3

4 Q. Anything else that you can remember?

5 A. Not that I'm aware of.

6

7 Q. So from what you can recall, you were fairly  
8 impartial, if I could use that word; that you clearly  
9 hadn't taken one side or the other?

10 A. Well, I tried to be impartial.

11

12 Q. A witness who was a student at that assembly or  
13 meeting - she has given evidence at the Inquiry - recalls  
14 that you said that Dennis McKenna had not just been accused  
15 but had been falsely accused. Do you recall stating it in  
16 that way?

17 A. No. I think a student asked me had he been set up or  
18 words to that effect and I replied "He may have been but he  
19 may be guilty. It's up to the court to sort it out".

20

21 Q. Mr Murray, at that time, a day after or very shortly  
22 after Dennis McKenna had been charged, you actually  
23 believed then that he had been falsely accused, didn't you?

24 A. No, I did not believe he had been falsely accused. I  
25 hoped that it could be sorted out because I still at that  
26 stage felt it was a physical assault on Todd Jefferis.

27

28 Q. Are you sure about that because when I asked you what  
29 you said at the meeting, you said that you told the  
30 students that Dennis McKenna had been charged --

31 A. Yes.

32

33 Q. -- with sexual offences?

34 A. That's right. That's exactly right. I told them what  
35 it is but it was my belief, personally, that it was a  
36 physical assault.

37

38 Q. All right then, and I gather you didn't believe that  
39 he would be capable of a physical assault, given his  
40 reputation?

41 A. I was surprised.

42

43 Q. And you'd even be more surprised if, in fact, the  
44 allegation was sexual?

45 A. One can never be sure about any of these things and  
46 since then, I must admit, that I have had doubts on lots,  
47 since he was found guilty, on lots and lots and lots of

1 things.  
2  
3 Q. I'm just staying now with September 1990 for the  
4 moment. You see, you must have formed a view when you  
5 found out that he had been charged with a sexual offence  
6 and I am going to suggest to you your view was that he  
7 could not have been guilty of that offence?  
8 A. I can't really comment on what I felt 22 years ago, I  
9 really can't. I can't remember my emotions then.  
10  
11 Q. Are you sure about that?  
12 A. I can remember general emotions but I can't remember  
13 that.  
14  
15 Q. I'm going to suggest to you that given your  
16 relationship with him, given his standing in the community  
17 and given what --  
18 A. I was extremely surprise that he had been charged.  
19  
20 Q. And you were extremely surprised because you did not  
21 believe it?  
22 A. In the initial stages, probably I did not believe it,  
23 probably, because I believed it was a physical assault on  
24 Todd Jefferis. That was the impression that Todd had given  
25 me in the interview.  
26  
27 Q. Do you agree that the students were encouraged by you  
28 to write letters of support for Dennis McKenna?  
29 A. No, I gave them the opportunity to write letters of  
30 support. I don't know how many did. I don't think there  
31 were very many.  
32  
33 Q. Did you ever say, at that meeting or at any other  
34 time - would you ever say to the hostel students that they  
35 could write letters of support to, say, Todd Jefferis?  
36 A. No.  
37  
38 Q. Any reason for that?  
39 A. No.  
40  
41 Q. Wouldn't that be the balanced thing to do?  
42 A. Possibly, yes, but the question was asked of me "What  
43 can we do to support Dennis?"  
44 Q. But given your role as the principal of the school, I  
45 am suggesting to you that the more balanced way of  
46 addressing that question was to say "Yes, if you want to,  
47 but if you also want to you can write letters of support to

1 Mr Jefferis"?

2 A. Yes, in the hindsight when you think about it

3 rationally, you are quite correct, but at that time it was

4 a very emotional time. I - I had never experienced

5 anything like this before. I was really battling to cope.

6

7 Q. The ex-student who gave evidence regarding this matter

8 was a lady by the name of Tania Edwards and her maiden name

9 at the time was Tania Groves. I'm not expecting you to

10 remember her, I'm just stating to you who it is who

11 provided this evidence?

12 A. No.

13

14 Q. She said that you told the students that these letters

15 of encouragement to Dennis McKenna were to be given to Neil

16 McKenna?

17 A. I said to give to the hostel, yes. I don't know

18 whether I said to Neil. I said to give them to the hostel.

19

20 Q. So you wouldn't take issue, in fact, you had nominated

21 Neil McKenna as the person to receive the letters?

22 A. No, I don't. I - I - he was the verticum as 2IC so it

23 would be logical for them to give the letters to Dennis

24 McKenna - to Neil McKenna.

25

26 Q. And she says that you specified that the envelopes

27 that the letters were to be in were not to be sealed. Do

28 you remember stating that?

29 A. No. No, I do not remember stating that.

30

31 Q. If you can't remember stating that, do you remember if

32 somebody else there told the students --

33 A. No, I don't remember that at all.

34

35 Q. -- it was to be done that way?

36 A. No.

37

38 Q. Could you offer any explanation, that if that was

39 said, why that would be so?

40 A. No, I cannot offer any explanation.

41

42 Q. Were you aware that that was the hostel rule under

43 Dennis McKenna, that letters written by the students were

44 to be left in his office and were always to be unsealed?

45 A. No, I was not aware of that rule.

46

47 Q. Are you surprised now to hear of that rule?

1 A. I'm fairly surprised, yes, a little bit surprised,  
2 yes.  
3  
4 Q. Because there is really no plausible explanation for  
5 that, is there?  
6 A. No, unless they wanted to put a - letters going to  
7 parents, if they wanted to insert something else, an office  
8 notice or something like that.  
9  
10 Q. But this is the students writing personal letters to  
11 people outside of the hostel?  
12 A. Yes, I would normally expect them to give any external  
13 note to go home to parents to the students to put in with  
14 their letters, yes.  
15  
16 Q. But that wasn't the case?  
17 A. Well I have no idea why that was done.  
18  
19 Q. There would be no basis for doing that unless the  
20 warden wanted to read those letters?  
21 A. Well, I guess so.  
22  
23 Q. If you knew that, would you condone that?  
24 A. No.  
25  
26 Q. If you found out about that, do you think you would  
27 have had the capacity to put a stop to that?  
28 A. I would have had to take it to the board, I presume,  
29 and get the board to make - do something about that. I  
30 don't think I would have the capacity as the school  
31 principal to do anything about that but I could take it to  
32 the board.  
33  
34 Q. I'm going to suggest to you, Mr Murray, that if it was  
35 done in this instance when you addressed the students that  
36 they were to be placed in unsealed envelopes, that the only  
37 reason they were told to do that would be so that the  
38 context of the letter could be checked, before they were  
39 sent, by Dennis McKenna?  
40 A. Well, I assumed that the letters would be on paper and  
41 not even put in an envelope at all. When we are going to  
42 send a bulk - when we worked - as a teacher, when I had  
43 students write to Amnesty International or to any other  
44 area, we would put the letters in bulk when they were  
45 writing these letters.  
46  
47 Q. Well, whether they were placed in envelopes or not, so

1 if they were left not in an envelope or if they were placed  
2 in an envelope with a rule that it had to be unsealed, the  
3 2IC, who just so happened to be Dennis McKenna's brother,  
4 would be able to find out what or which students was  
5 supporting his brother and which students weren't?

6 A. Yes.

7

8 Q. And, you see, given that was the case, do you realise  
9 there that some students might have felt compelled to write  
10 the letter, even though they didn't want to, for fear of  
11 being ostracised by either Dennis McKenna or his brother  
12 Neil?

13 A. No, I don't necessarily see that. It could be so  
14 but --

15

16 Q. Did you ever think, at the time, that the statement to  
17 the students only to write letters of support to Dennis  
18 McKenna might not have been the appropriate thing to say?

19 A. No, I didn't think that at the time, no. I was  
20 reacting to a request "What can we do to support Dennis?"

21

22 Q. That was a mother who said that?

23 A. No, it was a child who said "What can we do to support  
24 Dennis?". I thought it was one of the senior students who  
25 said "What can we do to support Dennis?" and it was a  
26 suggestion from one of the mothers standing alongside me  
27 that perhaps they could write a letter and it seemed a  
28 reasonable idea at the time.

29

30 Q. I just want to read out to you what Mrs Edwards said  
31 about the dilemma she faced when this was stated --

32 A. Yes.

33

34 Q. -- to all the students about writing letters of  
35 support to Dennis McKenna. It appears at page 691 at line  
36 29. Now, I asked Mrs Edwards:

37

38 Q. Did you want to support him.

39 A. I felt I had absolutely no choice  
40 because I was terrified of the man, and  
41 terrified that he was coming back and he  
42 would know who had written letters and who  
43 hadn't, and there could be consequences.

44

45 Q. If you had a choice, would you have  
46 written a letter of your own volition if  
47 Mr Murray hadn't --

1 A. Absolutely not.  
2  
3 Q. -- asked people.  
4 A. No.  
5  
6 Q. And do you know how many other  
7 students wrote these letters.  
8 A. I think there was many students that  
9 wrote them.  
10  
11 A. I was under the impression that there weren't that  
12 many who wrote them. That was the impression that I had.  
13  
14 Q. Fair enough, but I'm more interested there in what he  
15 had to say about the situation that that particular student  
16 found herself in?  
17 A. Well, I just don't understand that.  
18  
19 Q. You don't understand it?  
20 A. I understand what she is saying but I - I can't  
21 understand why she would feel that way. But knowing - now,  
22 I'll just say this. Knowing what I'm hearing about the  
23 man, Dennis McKenna, knowing how I was hoodwinked, knowing  
24 how parents were hoodwinked, knowing how teachers and  
25 people in town were hoodwinked, I can see how he had more  
26 control than what we thought.  
27  
28 Q. But after he had been charged at the end of September  
29 of 1990, he never asked you to galvanise support for him?  
30 A. No, he did not.  
31  
32 Q. See, that was your own idea, wasn't it?  
33 A. The letters?  
34  
35 Q. Well, that and a number of other things. Because I'm  
36 going to suggest to you that you displayed absolutely no  
37 impartiality in respect to this matter in the months after  
38 Dennis McKenna was charged?  
39 A. I had lots of parents - I mentioned this yesterday. I  
40 had parents, I had people in the town all asking me  
41 regularly "What can you do" - what can we do to get  
42 Dennis" - asking me what I could do to get him - get him  
43 out, get the matter resolved, and what could they do, and  
44 again, the thing that I suggested to anybody was to write a  
45 letter to Dennis McKenna.  
46  
47 Q. I have no difficulty, Mr Murray, with you privately



1 answering those questions from parents but what I would  
2 like to ask you and put to you is that, in fact, you went  
3 well beyond just doing that. You, in fact, weren't just  
4 reactive to requests that were being made as to how they  
5 could support Dennis McKenna but you were proactive?

6 A. Would you explain that, please?

7

8 Q. Okay. Well look, I'll give you some examples. Let's  
9 start with on the very night he was charged. Can you  
10 recall where he stayed that night?

11 A. No, I cannot.

12

13 Q. You can't recall that he actually stayed at your  
14 house?

15 A. I saw that in --

16

17 Q. Alan Park's evidence?

18 A. Alan Park's evidence. The reason why I hesitate with  
19 that, is I was moving out of the town in a couple of months  
20 time and I had started removing my goods. I was selling  
21 some of the excess furniture to people that I knew in  
22 Perth, and I have taken some of that excess furniture back,  
23 including single beds. So I have no recollection of him  
24 staying, I have no recollection of that meeting that he  
25 says was at my house, because we had - I had - I had a  
26 lounge suite and a couple of chairs in the kitchen, but I  
27 have no recollection that may --

28

29 Q. You don't know whether he might well have --

30 A. -- might have been on, but I have no recollection of  
31 that meeting.

32

33 Q. You see, Mr Murray, I think part of his bail  
34 conditions that were set after he was released from the  
35 police station, was that he wasn't to return to the hostel?

36 A. Yes, I understand that.

37

38 Q. So he had to sleep somewhere?

39 A. Yes, I understand that.

40

41 Q. And he was at your place and it was getting late in  
42 the evening. It may well have been the case that he bunked  
43 down there at your place for the night?

44 A. I really don't recall that --

45

46 Q. Okay.

47 A. I really don't recall that at all.

1  
2 Q. With respect to that night, do you remember ringing  
3 anybody up, contacting anyone about the fact that Dennis  
4 McKenna had been charged?  
5 A. No, I do not.  
6  
7 Q. Do you recall at all ringing the Authority's Chairman?  
8 When I say "Authority", I'm referring to the Country High  
9 School Hostels Authority.  
10 A. No, I do not.  
11  
12 Q. You don't recall that?  
13 A. No, I do not.  
14  
15 Q. Someone ought to have contacted the Authority though,  
16 shouldn't have they?  
17 A. Well, either presumably the Chairman of the Board.  
18  
19 Q. And if - do you recall that Neil McKenna was named as  
20 the replacement for - or nominated as the replacement for  
21 his brother?  
22 A. I don't recall that, but I know that he was. I don't  
23 recall that being done, but I know that he was.  
24  
25 Q. And can you recall if the Board had any involvement in  
26 that decision?  
27 A. I thought it was a Country Hostel Authority decision.  
28  
29 Q. Are you aware that the - did you know how it came to  
30 be that the authority was responsible for that decision?  
31 A. I think it was under - I seem to recall the Board  
32 suspending Dennis. I think they suspended Dennis. I can't  
33 remember when it was and that. I thought that the Chairman  
34 of the Board communicated that decision to the Country  
35 Hostel Authority.  
36  
37 Q. Yes. I think we're getting a bit sidetracked here. I  
38 think that's correct, yes. And then he was --  
39 A. And I thought they appointed --  
40  
41 Q. So you thought the Authority --  
42 A. I thought the Authority appointed --  
43  
44 Q. -- appointed Neil McKenna. Were you not aware that  
45 under the letter of arrangement that existed between the  
46 Board and the Authority, that it was the Board who could  
47 dismiss or hire staff?

1 A. No, I was not aware of that.  
2  
3 Q. It's their responsibility?  
4 A. Not aware of that at all.  
5  
6 Q. Have you got any comment to make about the  
7 appropriateness then of appointing Neil McKenna as the  
8 acting warden whilst his older brother faced charges of  
9 child sexual abuse?  
10 A. In hindsight, it was an extremely bad decision.  
11  
12 Q. Well, wasn't it --  
13 A. At the time it was someone - I guess the Country  
14 Hostel Authority thought that someone knew what was going  
15 on, to keep things going in the short term.  
16  
17 Q. I would have thought that without the benefit of  
18 hindsight, it's an inappropriate decision to make?  
19 A. Well, I don't necessarily say that because the brother  
20 has done something the second brother should not be deemed  
21 to be the same as the first brother. It's exactly the same  
22 as we have various people in the society whose parents or  
23 people have done something wrong and they're appointed to  
24 very responsible positions.  
25  
26 Q. Mr Murray, what if there were other children at the  
27 hostel who wanted to make a complaint against Dennis  
28 McKenna? The logical person for them maybe to raise that  
29 complaint would be the warden. Would you agree with that?  
30 A. Yes, that sounds logical.  
31  
32 Q. Well, the warden, if they were to make a complaint  
33 against Dennis McKenna, would be his brother Neil?  
34 A. Yes, I believe that the appointment of Neil McKenna  
35 wasn't the right decision. So I agree with you there, but  
36 I can understand why the Hostel Authority didn't.  
37  
38 Q. Because what, they needed somebody who knew how to run  
39 that particular hostel?  
40 A. Yes, yes. In the short term.  
41  
42 Q. Back then, I'm talking about 1990, Mr Murray, did you  
43 have any understanding of how difficult it would be for a  
44 boy in Todd Jefferis's position to disclose that not only  
45 had he been subjected to homosexual sexual abuse, but he'd  
46 been subjected to that by a highly respected person in the  
47 community. Did you have an understanding of how difficult

1 that would be for him.  
2 A. That would be difficult for him.  
3  
4 Q. And then, having taken that big step, he finds out  
5 that the principal of the school that he goes to, the  
6 Hostel Board, and the Chairman of the Hostel Authority, all  
7 of whom are supposed to take care of him and his fellow  
8 students, seem to be publicly supporting the man he says  
9 has abused him?  
10 A. It would have been extremely difficult for that lad.  
11  
12 Q. And you see I'm going to put some documents to you  
13 which shows that you were the prime mover behind that  
14 galvanising of public support for Dennis McKenna; that you  
15 were making public appeals for people to get behind him and  
16 support him. All right. And I'm going to show you those  
17 documents. And then I'm going to ask you some questions  
18 about that. Okay?  
19 A. Yes.  
20  
21 Q. And these are documents that had been provided to you  
22 and Mr Manera, so I gather you would have had an  
23 opportunity to look at them. The first, Madam Associate,  
24 is exhibit 44, which is the minutes of an extraordinary  
25 meeting. If you just have a look at that document. It's  
26 not a very long one. Whilst you look at that I'll just  
27 explain for those of us who are here, who haven't got  
28 access to the copy. It's Minutes of an Extraordinary  
29 Meeting of the Board which was held at - on Monday, 15  
30 October 1990, and you were present, together with other  
31 Board members; and Mr Colin Philpott is described as a  
32 Chairman from the CHSHA, and Mr R Cairns was also in  
33 attendance. And the general business was titled "The D  
34 McKenna Affair". I just want to take you to the last two  
35 paragraphs under that heading "General Business":  
36  
37 After an expression of opinion of Board  
38 Members the matter was left in the hands of  
39 the CHSHA to make a final decision.  
40  
41 Can you recall what the "expression of opinion" was of  
42 Board members?  
43 A. I guess it was people for and against Dennis.  
44  
45 Q. And was it your recollection, however, that there was  
46 nobody against Dennis?  
47 A. I can't remember that.

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Q. How about read out the last sentence?

A. :

The Board expressed its complete support  
for ... Dennis McKenna.

Q. So that suggests therefore that there were no  
dissenters?

A. That suggests after the discussion there was no  
suggestion. "expression of opinion" means there would have  
been discussion.

Q. You see, Mr Murray, by the Board expressing "complete  
support for Dennis McKenna", it implicitly meant, didn't  
it, that the Board would not be supporting the student who  
has made the allegation? Is that a fair conclusion to  
make?

A. Yes.

MR URQUHART: Sir, I won't tender that document, because  
it already is an exhibit.

THE WITNESS: Can I just comment that --

MR URQUHART: Q. By all means, Mr Murray --

A. In that second-last sentence:

After an expression of opinion of Board  
Members the matter was left in the hands of  
the CHSHA --

Q. "To make a final decision", yes.

A. Yes.

Q. Yes.

A. Which is what I said earlier.

Q. Yes, I'm not disputing that.

A. I thought you were.

Q. No, sorry, I wasn't. I was asking you, with respect  
to that sentence, can you recall what the "expression of  
opinion" of the Board members were?

A. No. Before that I thought you - I thought you were  
talking earlier --

1 Q. No.  
2 A. -- the Board - you were inferring the Board made  
3 decisions, the local Board, and it was - I thought the  
4 Country Hostel Authority had made all the decisions on  
5 this.  
6  
7 Q. Well, with respect to the Dennis McKenna matter, I'm  
8 not disputing that the Authority made the decision?  
9 A. And I thought they appointed Neil McKenna too.  
10  
11 Q. All right. Well, you may well be right there.  
12 A. Yes.  
13  
14 Q. Yes. Do you recall writing a letter to Dennis McKenna  
15 after that meeting?  
16 A. No. The letter that I have seen - is that the  
17 unsigned letter?  
18  
19 Q. It was a copy of a letter that was on - that was part  
20 of the - in the files of the Board?  
21 A. Right.  
22  
23 Q. Okay. Let's have a look at that, shall we --  
24 A. Yes.  
25  
26 Q. -- so you know exactly what I'm talking about.  
27 A. Yes, I know what you're talking about. I've got a  
28 couple of comments to make about that, if I may.  
29  
30 Q. And this is why I'm giving you the opportunity to do  
31 that.  
32 A. Yes.  
33  
34 Q. Yes. So that's going to be 0158, Madam Associate.  
35 A. Can I keep this for a second, please? Keep this for a  
36 second?  
37  
38 Q. Yes, you can keep both if you like, yes.  
39 A. Talk to them.  
40  
41 Q. Okay. We'll go through the contents of that letter in  
42 a moment. I can assure you, Mr Murray, you'll have every  
43 opportunity of making whatever comments you would like  
44 about it. But do you - firstly, do you recall preparing  
45 that letter?  
46 A. No.  
47

1 Q. You don't?  
2 A. No.  
3  
4 Q. Do you dispute, given the fact we have a copy there,  
5 that you must have prepared that letter?  
6 A. No, I still say couple of things I make about it. If  
7 you look at the signature --  
8  
9 Q. There's no signature.  
10 A. Could you look at the words - the words on the  
11 signature, "Ian W MURRAY".  
12  
13 Q. Yes.  
14 A. Well, I always sign myself "I W" or "Ian MURRAY".  
15  
16 Q. Right.  
17 A. So that - I have doubts whether that was my signature  
18 on that letter. It could have been written in my name.  
19  
20 MR MANERA: Your Honour, I think it needs to be clarified  
21 there is no signature.  
22  
23 MR URQUHART: I have. I have, yes.  
24  
25 MR MANERA: You have.  
26  
27 MR URQUHART: Yes. There is no signature, we established  
28 that.  
29  
30 MR MANERA: The witness kept saying there is.  
31  
32 THE WITNESS: Can I compare that letter to the minutes  
33 that have just been shown to us before --  
34  
35 MR URQUHART: Yes.  
36  
37 THE WITNESS: I tended to write fairly short, terse  
38 letters.  
39  
40 MR URQUHART: Yes.  
41  
42 THE WITNESS: I tend to write very short letters, and that  
43 doesn't seem to me to be my writing. That doesn't appear  
44 to be my style.  
45  
46 MR URQUHART: Q. Well, it doesn't appear to be your  
47 style --

1 A. No.  
2  
3 Q. -- because it's longer than a short letter?  
4 A. Yes, and the - the actual write - the words that have  
5 been used, it doesn't appear to be my style of writing.  
6  
7 Q. Okay, so you've identified the fact that there's a "W"  
8 in between "Ian" and "MURRAY" on the copy letter that's  
9 addressed to Dennis McKenna, is not your style?  
10 A. That's right.  
11  
12 Q. Although can you see there that "Ian" is - appears  
13 lower case in the minutes, and appears lower case in the  
14 letter. Do you see that?  
15 A. Where's that?  
16  
17 Q. Where you've - where it's been written, "Ian MURRAY".  
18 I gather what you're saying is the minutes have been  
19 prepared by you - yes.  
20 A. Yes.  
21  
22 Q. Okay. See "Ian" in the minutes, which is exhibit 44,  
23 it's lower case. It's "I" then there's a lower case "a",  
24 lower case "n"?  
25 A. Yes.  
26  
27 Q. And it's the same on the letter. See that?  
28 A. Yes.  
29  
30 Q. And what I want to draw your attention to is I know  
31 the "W" doesn't appear on the minutes and the "W" appears  
32 in the letter, representing "Wallis" for your --  
33 A. Yes.  
34  
35 Q. -- middle name, but "MURRAY" is upper case --  
36 A. Yes.  
37  
38 Q. -- for both the minutes and the letter. So that --  
39 A. Standard English teaching, that.  
40  
41 Q. So that's something that is the same, isn't it?  
42 A. It just doesn't appear to be my style of writing.  
43  
44 Q. But you agree with what it says though, don't you?  
45 You agreed with that at the time?  
46 A. Well, see, I don't remember --  
47



1 Q. No, don't - do --  
2 A. There's some things in this letter I just don't  
3 remember, so I don't think - I've got - I've got a real  
4 doubt about whether I wrote this letter or not.  
5  
6 Q. Because you say that the "W" appears there?  
7 A. Yes.  
8  
9 Q. And anything else? And it's not your --  
10 A. It's just not my style --  
11  
12 Q. -- manner of writing?  
13 A. -- of writing.  
14  
15 Q. All right. Well, I'll read it out:  
16  
17 Dear Dennis,  
18  
19 The Board of Saint ANDrew's Katanning  
20 Residential College wishes to express its  
21 complete support for you in your current  
22 personal situation.  
23  
24 The Board has full confidence in you and  
25 trusts that you will be able to clear your  
26 name in the very near future before  
27 returning to your position as Warden of the  
28 College.  
29  
30 The Board has accepted the Country High  
31 School Hostels Authority's decision to  
32 suspend you pending the resolution of the  
33 action but wishes to advise you that such  
34 suspension will be "with pay."  
35  
36 It is hoped that you will commence work  
37 immediately with the Authority so that some  
38 of your experience and knowledge can be  
39 passed on to others.  
40  
41 We trust that you know that the Board's  
42 thoughts are with you and individual  
43 members have expressed the wish that you  
44 should feel free to contact them if the  
45 need arises. If you need help, please ask.  
46  
47 Have courage, Dennis. Clear your name and

1           then get on with your life.  
2  
3           Good Luck,  
4           Yours sincerely,  
5  
6           And your name appears:  
7  
8           Ian W MURRAY  
9           Secretary of the Board  
10          29 October 1990.  
11  
12          A.    It just doesn't sound like my - my style.  
13  
14          Q.    Well, it sounds like the style of someone who is  
15          giving their complete and whole support to Dennis McKenna.  
16          Do you agree with that?  
17          A.    Of the Board?  
18  
19          Q.    Yes, in the capacity of the Board.  As a Board member  
20          --  
21          A.    Giving the Board --  
22  
23          Q.    -- who had written that?  
24          A.    -- Board support.  
25  
26          Q.    And you agreed with what the Board's stance was in  
27          relation to this - that it was to offer its complete  
28          support to Dennis?  
29          A.    See, there are a couple of things --  
30  
31          Q.    No, no.  Can you just answer that question first?  
32          A.    Sorry?  
33  
34          Q.    Yes.  Can you just answer that question first?  
35          A.    Would you repeat the question again, please?  
36  
37          Q.    You were 100% behind the Board's position on this  
38          matter - that it would offer Dennis McKenna its complete  
39          support?  
40          A.    I was behind - I supported the Board.  
41  
42          Q.    Yes.  
43          A.    I went along as a Board member supporting the Board.  
44          We all did.  
45  
46          Q.    And you had always hoped, didn't you - or, in fact, I  
47          put it to you that you expected his name would be cleared?

1 A. I hoped that the matter would be sorted out, yes.  
2  
3 Q. Yes. And sorted out on the basis that he would be  
4 cleared?  
5 A. Well, yes.  
6  
7 Q. Yes. And that he would come back to work at the  
8 hostel?  
9 A. I always had doubts of whether he would be able to  
10 come back to the hostel and work again when you've been  
11 charged with an offence. Doesn't matter what the offence  
12 is, I thought in my heart of hearts that he would probably  
13 not be able to ever return to the hostel.  
14  
15 Q. But you would be supporting it though?  
16 A. Him coming back to the hostel?  
17  
18 Q. Yes.  
19 A. I don't think I would have. I would have suggested  
20 very strongly that he went somewhere else; that he was  
21 transferred to another hostel, or something like that.  
22  
23 Q. Mr Murray, in your view, on one view of what a student  
24 can recall you saying at the assembly, is that you stated  
25 that he'd been falsely accused?  
26 A. Well, I - I've already answered that.  
27  
28 Q. All right. So are you suggesting that somebody else  
29 has written this letter and put your name to it?  
30 A. I've got a feeling that that has happened.  
31  
32 Q. And who? Any idea who that would be?  
33 A. No.  
34  
35 Q. And could you offer any explanation as to why they  
36 would do that?  
37 A. To get a letter out.  
38  
39 Q. Well --  
40 A. The fundamental - the first part of the letter --  
41  
42 Q. I'm sorry, to get the letter out?  
43 A. To get a letter going and out --  
44  
45 Q. Yes.  
46 A. -- out to Dennis, to Mr McKenna.  
47

1 Q. But why would they have to use your name?  
2 A. Because I was Secretary of the Board.  
3  
4 Q. So?  
5 A. Well, I know that often in a school people have put  
6 out --  
7  
8 Q. Don't worry about the school.  
9 A. Can I just - please, please. People in the school  
10 have written out letters with my name on the bottom, and  
11 they've initialled it at the bottom and they've sent it out  
12 under my name. I haven't written the letter, and they've  
13 sent it out because they needed to get a letter out and I  
14 haven't been around.  
15  
16 Q. But the Board never did that, did they?  
17 A. Well, I don't know. I don't know whether this was  
18 done that way or not. Normally it wasn't, because I wrote  
19 very, very, very few letters for the Board. I can't really  
20 remember writing any of this for them.  
21  
22 Q. But this would be a subject matter that you would be  
23 putting your hand up to write, wouldn't it?  
24 A. Not necessarily.  
25  
26 Q. Well, of all the Board members, wasn't it the case  
27 that your relationship with Dennis McKenna was the closest?  
28 A. Professionally myself and Pat Pringle were also - she  
29 was in the same sort of relationship as I had with Dennis  
30 McKenna. She was my Deputy.  
31  
32 Q. Can you recall then how it was resolved that meeting?  
33 Presumably - well, look back at the previous page. There's  
34 no actual - sorry, go back to the previous exhibit,  
35 exhibit 44. There's no actual minute there of a letter  
36 even being written, is there?  
37 A. That's right.  
38  
39 Q. And you'd expect that this was the decision of the  
40 Board, to send a letter because all we've got there is it's  
41 expressing its complete support? If the decision was to  
42 send a letter, that should be minuted.  
43 A. And that's another reason why I have doubts that it  
44 was done with my signature --  
45  
46 Q. But how --  
47 A. -- because I used to follow my system when I was

1 Secretary of the Swimming Association, Secretary of all  
2 sorts of things, I have always followed the letter - I  
3 followed policy and procedures very closely.  
4  
5 Q. Mr Murray, what you've done here is that you've sent  
6 this letter in your own name, off your own bat as it were?  
7 A. I dispute that. I have actually no --  
8  
9 Q. So when --  
10 A. -- recollection of this letter going out.  
11  
12 Q. That may be the case, but you won't be able to recall  
13 every single letter you sent in 1990, can you?  
14 A. Well, for the Board of the hostel, I don't remember  
15 sending any letters at all.  
16  
17 Q. Are you saying that when you - I'll withdraw that.  
18 Okay. When did you first become aware of this letter, that  
19 you can recall?  
20 A. Recently, at this --  
21  
22 Q. At the interview?  
23 A. At the interview I think it might have been, yes.  
24  
25 Q. With the investigators, all right?  
26 A. Yes.  
27  
28 Q. Well, what do you say about the writing of this  
29 letter? Do you think it is appropriate? Is it appropriate  
30 for the Board to send this type of letter to Dennis  
31 McKenna, in the circumstances?  
32 A. He's been charged, but has not been found guilty, so  
33 apart from the - no, I - I don't think it's totally  
34 inappropriate, but --  
35  
36 Q. Well, okay.  
37 A. But in hindsight possibly it was when he was found  
38 guilty, but the Board was dealing with a person who had  
39 hoodwinked them, who had conned them, and they thought was  
40 a genuine person, and they thought that this genuine person  
41 needed support, obviously.  
42  
43 Q. Did the Hostel Board exist to care for the students  
44 who boarded at the hostel?  
45 A. Yes, and the staff.  
46  
47 Q. Well, in this instance, did the Board exist to care

1 for the students who boarded at the hostel, or the warden?  
2 Who should have taken priority?  
3 A. That's a very vexed question, because the students at  
4 the hostel hadn't been charged with anything. The warden  
5 had been charged. Now, if the Hostel Board was satisfied  
6 in its mind that the welfare of the students or the hostel  
7 was still good, they would have taken care of the students  
8 of the hostel.  
9  
10 Q. What about the student who made that complaint?  
11 A. He was no longer a student - a resident of the hostel,  
12 and in hindsight, yes, I should have been taking care of  
13 him too.  
14  
15 Q. One moment, please, sir. As I understand the way  
16 correspondence was dealt with at the Board, and correct me  
17 if I'm wrong, is that any correspondence would be read out  
18 at the Board meeting? Is that your recollection?  
19 A. Well, that's the normal procedure, so I assume that's  
20 what would happen.  
21  
22 Q. So correspondence coming in and correspondence going  
23 out?  
24 A. That would be the normal procedure of a normal Board.  
25  
26 Q. Was it the result of what you've said about this  
27 letter, Mr Murray - I'm going to show you some minutes of a  
28 meeting that you haven't seen before, but it's just the  
29 highlighted portion that I want you to have a look at. We  
30 don't have copies, I'm just going to ask - have it shown to  
31 my learned friends. Just look at that. We can see they  
32 are the minutes of the Board of 22 November 1990, and you  
33 can see a highlighted portion there under "General  
34 Business"?  
35 A. Yes.  
36  
37 Q. And under the heading "Outwards", which was referring  
38 to correspondence going outwards?  
39 A. Yes.  
40  
41 Q. Can you just read that highlighted portion out?  
42 A. :  
43  
44 DJ McKenna letter of support.  
45  
46 Q. So "DJ McKenna letter of support"?  
47 A. Yes.

1  
2 Q. Yes. And it's been moved by "S". And it's been moved  
3 by. And you were in attendance at that meeting?  
4 A. Yes.  
5  
6 Q. It's been moved by two other Board members --  
7 A. Yes.  
8  
9 Q. -- hasn't it? So, if correct procedure was followed  
10 that letter would have been read out --  
11 A. Yes.  
12  
13 Q. -- and if it was read out in its entirety, it would  
14 have "Yours sincerely, Ian W MURRAY, Secretary of the Board  
15 29 October 1990". And if you hadn't sent that letter, Mr  
16 Murray, I gather you would have had something to say?  
17 A. I'm not saying the letter wasn't sent. I'm saying I  
18 don't believe I wrote it.  
19  
20 Q. This is what I'm getting at. If the letter was read  
21 out --  
22 A. Yes.  
23  
24 Q. -- and it was under your name --  
25 A. Yes.  
26  
27 Q. -- you would have said at that meeting, "Hold on,  
28 who's writing letters in my name" --  
29 A. As I said before --  
30  
31 Q. -- "and it was never authorised"?  
32 A. As I said before, I have often had letters written in  
33 my name been sent out, which I have acknowledged has been  
34 sent out legitimately.  
35  
36 Q. But, Mr Murray, in this instance I'm going to suggest  
37 to you if this wasn't signed by you and sent out, it would  
38 be the only letter written by the Board that had been  
39 written in your name, but signed by somebody else?  
40 A. Well, I don't believe --  
41  
42 Q. Would that be right. Can you just answer that  
43 question first?  
44 A. No, I don't believe that's quite right --  
45  
46 Q. Would I be right in saying that?  
47 A. -- because the other things that were sent out there.

1 I don't believe that I would have written "refund fees"; I  
2 don't believe I would have written "repayment of fees". I  
3 have no con(indistinct) about re Modellis Medals,  
4 medallion.  
5  
6 Q. You might not of, but I'm just interested in this  
7 letter?  
8 A. And I don't believe I sent this one out. Those others  
9 may have had my signature on too.  
10  
11 Q. Are you saying you don't believe you sent this letter  
12 out because now, given what's happened, it's extremely  
13 embarrassing?  
14 A. Well, it's embarrassing to be under my signature, but  
15 I still don't believe it's my work.  
16  
17 Q. And it would be even more embarrassing if, of course,  
18 it had been your work, and you'd signed it?  
19 A. Well, it would be embarrassing if it had been my work  
20 and I had signed it. It would be embarrassing.  
21  
22 MR URQUHART: And I would tender that letter dated 29  
23 October 1990 that has barcode 0158. I would also tender,  
24 sir, the Minutes of the Board, 22 November 1990. It has  
25 not got a barcode number.  
26  
27 EXHIBIT #61 LETTER DATED 29/10/1990, BARCODED 0158  
28  
29 EXHIBIT #62 MINUTES OF THE BOARD DATED 22/11/1990  
30  
31 HIS HONOUR: Q. Did you do the minutes for the meeting  
32 of 22 November?  
33 A. I don't know.  
34  
35 Q. Does it - doesn't it say at the bottom?  
36 A. I don't know.  
37  
38 Q. Right, very well. Thank you.  
39 A. I don't think my signature was on that, was it, sir?  
40  
41 Q. There is nothing at the bottom.  
42 A. No.  
43  
44 Q. But it says you were present. According to the  
45 minutes, you were present and you were the secretary at  
46 that time still?  
47 A. Well, to tell the honest truth, sir, I didn't



1 realise - I didn't remember I was secretary but my name as  
2 the secretary appears on regular things. I didn't  
3 remember. At that particular time I was getting ready to  
4 vacate the school and a lot of things were done and I  
5 wasn't --

6  
7 MR URQUHART: Sir, there is a second page of those  
8 minutes.

9  
10 HIS HONOUR: There is a second page.

11  
12 MR URQUHART: I am just showing my learned friends. Sir,  
13 I will give you my copy of these minutes because it has  
14 been highlighted.

15  
16 Q. Have a look there now, Mr Murray. There is that  
17 second page which has your name and signature there?

18 A. Yes. Yes, again it's the same signature, "Ian  
19 Murray", which is what I put on firstly my letters.

20  
21 HIS HONOUR: Q. So those minutes were prepared by you.  
22 That's exhibit 62?

23 A. I don't remember doing it but they obviously were.

24  
25 Q. Would it be fair to say that given that those minutes  
26 refer to that letter that you say you don't think you sent,  
27 that regardless of whether or not you sent it you must have  
28 endorsed its contents, otherwise there would be something  
29 in the minutes saying you hadn't?

30 A. Well, the board endorsed the contents. I don't know  
31 how detailed the discussion was on it.

32  
33 HIS HONOUR: Yes, very well. Thank you. That can come  
34 back, the minutes.

35  
36 MR URQUHART: Q. So you are saying that when you type  
37 out a letter and type your name at the bottom of a letter,  
38 just underneath where you are going to sign it you don't  
39 use the initial "W"?

40 A. I usually don't use - I very - I don't remember when  
41 I've done that. I usually do it "I W" or "Ian", and if I'm  
42 writing to a particular person that I know, I would write  
43 "Ian".

44  
45 Q. I want to ask you to have a look now at a newspaper  
46 article from the Great Southern Herald dated 7 August 1991.  
47 That is 0156. Mr Murray, I understand that you may have

1 had a previous opportunity of looking at this. To put it  
2 into context, it's an article that appeared in the Great  
3 Southern Herald after Dennis McKenna not only had been  
4 convicted but sentenced. The heading is "Victim's mother  
5 wants harsher sentence for hostel pedophile", but I want to  
6 draw your attention to some matters that are on page 2 of  
7 that document, indeed page 2 of that edition of the  
8 newspaper, and it's the fourth column there and it's the  
9 second full sentence, starting:

10 In a newsletter dated --

11  
12  
13 Okay, so this is August 7, 1991. A newsletter dated  
14 September 28, if it was 1990, it would be the day after  
15 Dennis McKenna had been charged, and it reads:

16  
17 In a newsletter dated September 28, which  
18 was written at the time McKenna was  
19 charged, and soon after another complaint  
20 concerning sexual molestation, Mr Murray  
21 informed parents that McKenna had been  
22 charged with "obscene behaviour".

23  
24 And then it quotes the newsletter which says:

25  
26 "Dennis appeared in court today and will  
27 have to go to trial in December", Mr Murray  
28 wrote.

29  
30 It starts up again:

31  
32 "He intends to vigorously defend the  
33 charges and I, the board and the chairman  
34 of the hostel authority are certain as we  
35 can be that Dennis will be found innocent  
36 ... You can show Dennis you care by making  
37 this hostel work as well in fourth term.  
38 You can take other action. You can give  
39 Dennis your support."

40  
41 Do you see that?

42 A. Yes.

43  
44 Q. Do you accept, looking at that, that you did write the  
45 newsletter?

46 A. I have no recollection of that but I could have  
47 written the newsletter.

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Q. You could have. You wouldn't dispute that those quotes were attributable to you the day after he had been charged?

A. I don't know - what date was he charged?

Q. 27 September?

A. The date's there as September the 28th but I don't - I don't remember the newsletter.

Q. But it reads there that you have purportedly said that:

-- intends to vigorously defend the charges and I, the board and the chairman of the hostel authority are certain as we can be that Dennis will be found innocent.

Q. Now, you're stating there - that's what I refer to when I said "proactively" - were you actually setting out in a newsletter, presumably to parents, that not just you but:

-- the board and the chairman of the hostel authority are as certain as we can be that Dennis will be found innocent.

And then you say:

You can take other action. You can give Dennis your support.

This is what I was using an example of you being proactive in galvanising support for him?

A. Right, but you will also notice that I was exhorting them to make the hostel work in fourth term.

Q. That might well be so but I'm more interested in what your views are of expressing yourself in that way together with the board and the chairman of the Hostel Authority. Do you think it was an appropriate comment to make?

A. I think we were confident that he would be found innocent and sorted out.

Q. I accept that this charge on September 27 didn't relate to Todd Jefferis but he had already made a complaint to you regarding what Dennis McKenna had done to him the

1 previous month. Did it ever cross your mind to consider  
2 how he, and more importantly, his parents, might react if  
3 they read that newsletter?

4 A. I was thinking of the whole school population.

5

6 Q. The question was: did you ever consider how they  
7 might react to reading that?

8 A. No, I did not.

9

10 Q. Because it essentially accuses not just Mr Hilder but  
11 also Mr Jefferis as being liars, doesn't it?

12 A. No, it doesn't accuse them of anything. In - often in  
13 cases where charges are laid things can be sorted out  
14 because of people's perceptions.

15

16 Q. Go to the third paragraph in the last column. It  
17 reads:

18

19 In another letter to parents dated October  
20 30, Mr Murray called on parents to "devote  
21 your energy into providing character  
22 references et cetera from current and past  
23 students and parents".

24

25 Did you think it was appropriate in your capacity as  
26 principal of the high school to be so public in your  
27 support of Dennis McKenna?

28 A. Yes and no. I was getting continual - continual  
29 telephone calls, discussions, what can they do to help and  
30 the only thing I could suggest to help was to write  
31 character references.

32

33 Q. That's different. I say to you that's when you're  
34 reacting to someone making the call to you. In this  
35 instance here, in a newsletter and another letter, you are  
36 actually going out, you are asking people. They are not  
37 asking you, you are actually going out and stating?

38 A. Well that was a response to them asking you.

39

40 Q. But you had already answered their queries?

41 A. Well, I kept getting more and more and more. It just  
42 never stopped.

43

44 Q. Do you see, it might have been different, Mr Murray,  
45 if this man had been charged with a criminal offence that  
46 was unconnected with the school. Okay. But in this  
47 instance here, he had been charged with a criminal offence

1 in relation to an ex-student of the school. Do you  
2 appreciate the difference there?  
3 A. I can see that there is some difference but I still  
4 don't see that there was anything very wrong with telling  
5 people, if they wish to, to write character references.  
6  
7 Q. But can't you see the conflict when you say in a  
8 newsletter that you, the board and the chairman of the  
9 Hostel Authority are "certain as we can be that Dennis will  
10 be found innocent"  
11 A. I would like to see the newsletter.  
12  
13 Q. Well unless --  
14 A. You know that Pat Fraser and I did have a fairly major  
15 dispute in the school.  
16  
17 Q. She has recounted that in her evidence. You have read  
18 her evidence, haven't you?  
19 A. Yes.  
20  
21 Q. Okay, well that's on the record?  
22 A. And I would like to explain why - that Pat Fraser did  
23 have a very negative attitude towards me - particularly  
24 towards me.  
25  
26 Q. So, Mr Murray, are you suggesting there that she might  
27 not have quoted the newsletter correctly?  
28 A. I don't know.  
29  
30 Q. Well --  
31 A. I'd like to see the newsletter.  
32  
33 Q. In that case, you are suggesting that maybe she did  
34 get it wrong?  
35 A. She might have got it wrong.  
36  
37 Q. But you were, in your view, as certain as you can be  
38 that he was going to be found not guilty?  
39 A. I thought - I thought that it would be resolved.  
40  
41 Q. If this is a correct quote, how come you knew that the  
42 chairman of the Hostel Authority was as certain as he can  
43 be that Dennis will be found innocent. How did you know  
44 that?  
45 A. Well, I heard the results of the meeting that he had  
46 with the parents, the hostel parents, and he expressed that  
47 view there very strongly.

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Q. Well if the dates --

A. And I think he actually expressed it at the board meeting too, it could have been. He could have expressed it at the board meeting.

Q. That's subsequent --

A. Because part of the minutes you showed me before --

Q. I'm going to cut you off there. That's subsequent to 28 September. So if, in fact, the date of this newsletter is correct, it's the day after McKenna had been charged and so I would suggest to you that if you are stating, on 28 September, that:

The chairman of the hostel authority is as certain as he can be that Dennis will be found innocent.

You must have spoken to him, and I remind you of what Mr Park's evidence was, that you did, in fact, speak to Mr Philpott on the night that Dennis McKenna was charged and that was 27 September, the day before?

A. Again, I have said to you earlier, I have absolutely no recollection of that and I have no recollection of talking to - I don't really remember talking to Mr Philpott about - I remember talking to Mr Cairnes but I don't remember talking to Mr Philpott about it. Now, on minutes it showed that he was at a meeting that I was at so obviously he did talk to me, but I don't remember talking to him. I only remember talking to Mr Cairnes.

Q. I might have asked you this question before I showed you that material.

MR URQUHART: Before we do that, sir, I will tender that article, please.

EXHIBIT #63 ARTICLE FROM Great Southern Herald dated 7/8/1991, BARCODED 0156

THE WITNESS: Mr Urquhart, are you going to bring up Pat Fraser's comments, please?

MR URQUHART: Q. Well, if you want to say something about her version --

A. Well, I would like to talk about the situation where

1 Pat Fraser and I had a disagreement.  
2  
3 Q. I will get to that in a moment. Can I just finish off  
4 with this subject matter?  
5 A. Okay.  
6  
7 Q. Because what I would like to say to you, that bearing  
8 in mind the contents of that extraordinary meeting, the  
9 letter to Dennis McKenna that's at least in your name, from  
10 the board, and apparently what you wrote in a newsletter on  
11 28 September and again in another letter on 30 October in  
12 1990, could you see how your public support of Dennis  
13 McKenna may have deterred other students from coming  
14 forward?  
15 A. No, I don't see that at all.  
16  
17 Q. You don't see that?  
18 A. No.  
19  
20 Q. Because, you see, don't you see that if there were  
21 other students who had been sexually abused by him, you  
22 have already conceded it would be a big step for someone to  
23 take to come forward and make a complaint?  
24 A. I don't see that.  
25  
26 Q. But isn't it a harder step to take when they can see  
27 in the local newspaper and see in letters that have been  
28 sent to the parents that the high school principal himself  
29 is stating he is certain as he can be that Dennis McKenna -  
30 to use your words as quoted here - "will be found  
31 innocent". Can't you see how that would make it even more  
32 difficult?  
33 A. It could make it difficult.  
34  
35 Q. See, wouldn't it have been better, in your capacity as  
36 not just the principal of the senior high school but also  
37 as the secretary of the board, that if you were going to do  
38 anything proactive, that you would be out there seeing  
39 whether there were other victims?  
40 A. Well, I didn't really think there were any other  
41 victims. I had absolutely no evidence and I have no way of  
42 going out and finding any. How will I find out if there  
43 are any other victims?  
44  
45 Q. You wouldn't know?  
46 A. I wouldn't know there were any other victims.  
47

1 Q. Well, Mr Murray, how about this. Just addressing the  
2 hostel students, stating that there are students coming  
3 forward - because there were two, Todd Jefferis and Michael  
4 Hilder - stating to the students "Well look, if there is  
5 anything on your mind about this, then we have the guidance  
6 officer you can speak to, and if you've got any information  
7 that you can give in relation to this, you will have 100  
8 per cent support of the school"?  
9 A. No, we did give that sort of general counselling --  
10  
11 Q. How hard would it have been to have done that --  
12 A. We gave general counselling like that regularly to  
13 students if they had any hassles at all, any problems at  
14 all to go to the school guidance officer.  
15  
16 Q. Well, you didn't say anything about this particular  
17 hassle, did you?  
18 A. We didn't - I didn't - didn't - didn't particularly  
19 mention this particular hassle but that was a standard  
20 thing at school assemblies, we regularly said this to the  
21 whole school.  
22  
23 Q. And that's because, Mr Murray, you didn't believe the  
24 students who were coming forward with these allegations.  
25 That's why you didn't do it?  
26 A. There was one student came forward.  
27  
28 Q. Yes, and then there was Mr Hilder?  
29 A. I didn't know anything about him.  
30  
31 Q. One student or two, it doesn't matter. You didn't  
32 believe either of them, did you?  
33 A. Well I don't know about Hilder because I never heard  
34 of --  
35  
36 Q. Mr Murray, you didn't believe Todd Jefferis, did you?  
37 A. I thought Todd Jefferis was telling me he had been  
38 physically assaulted.  
39  
40 Q. And you didn't believe him about that either, did you?  
41 A. I thought that was a highly likely situation owing to  
42 the fact that they had a strong argument.  
43  
44 Q. Would it surprise you to know that Dennis McKenna, in  
45 a general letter that he wrote to his supporters, stated  
46 you individually as someone he wanted to specifically  
47 thank?



1 A. I saw that letter and I know that he - I presume he  
2 was referring to the support that I had given him over the  
3 years and the support that I gave to him on the day that he  
4 was charged when I went through very strongly with him what  
5 he must do to - in the process: get a lawyer, tell the  
6 truth, do everything right and admit to anything that he  
7 had done.

8  
9 Q. I will show you 0005 now.

10 A. Sorry?

11  
12 Q. I'm going to show you the bar code for that letter now,  
13 0005. That's entitled "Dear friends". Do you accept it's  
14 an open letter --

15 A. Yes.

16  
17 Q. -- by Dennis McKenna. You received a copy of this,  
18 didn't you --

19 A. No.

20  
21 Q. -- back in 1990. You never did?

22 A. What date is this letter?

23  
24 Q. It would be some time around November, it would seem.  
25 It's not dated. Do you see that. I will just read out the  
26 fifth to last paragraph:

27  
28 I wish to sincerely thank John Brett, Jan  
29 and Dick Kuiper, Barry and Fay Morton and  
30 Carol Hartley for their total and sincere  
31 support. Words can never be said to cover  
32 the work, phone calls and the effort being  
33 put into supporting me. I know if it  
34 wasn't for these people, your letters, Ian  
35 Murray, Colin Philpott, the Authority staff  
36 and my family, I would not have made it to  
37 the present time. The battle ahead will be  
38 fought vigorously. I know I can count on  
39 your valued support over the coming months.  
40 The preliminary hearing is only a formality  
41 presenting the prosecution's case in  
42 February and I expect to go to court around  
43 18 May 1991. I will be on long service  
44 leave from 21 December and I hope to visit  
45 some of you during this time. I take this  
46 opportunity to wish you and your family a  
47 very happy and peaceful Christmas.

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Q. So I would suggest it would be December some time and prior to 21 December. Okay, November/December. Are you surprised to see that you were singled out?  
A. Yes.

MR URQUHART: I tender that letter, please, sir.

EXHIBIT #64 LETTER FROM DENNIS MCKENNA, BARCODED 0005

THE WITNESS: Just saying that I never personally spoke to Dennis at the time he - just after he was charged until the trial.

MR URQUHART: Q. Mr Murray, I'm sorry to go back over a matter but I must confess, I assumed that you were going to acknowledge that letter that was written with your name "Ian W Murray" at the bottom, expressing support --  
A. Yes. That's not my usual - that's not my usual signature. That's what I was saying.

Q. I do apologise having to go back to this but I'm going to show you this document. It's the minutes of the meeting of the board of the St Andrew's Hostel, Katanning Residential College held at Reidy House on Thursday, 25 October.

MR URQUHART: I don't think we have copies, unfortunately, sir. I'm just showing my learned friends now.

MR URQUHART: Q. Again, Mr Murray, this is not a document that you have seen previously. Do you see that that's the minutes of the meeting from 25 October 1990 involving the board. Yes. We will go through what's there. You were present?  
A. Yes.

Q. We will put it up on the screen, please. And you have taken the minutes, haven't you, because that's your signature?  
A. Yes, and I see I have put "IWM" and I have signed at the bottom.

Q. Yes, you have written your name as "Ian W MURRAY", haven't you?  
A. I've signed my name as "Ian MURRAY" but someone's typed "Ian W MURRAY". Yes, I've signed "Ian MURRAY"

1           though.  
2  
3           Q.    I'm sorry, I thought we had established that you were  
4           responsible for making the minutes of these meetings?  
5           A.    Yes.  
6  
7           Q.    So that's a document that you prepared?  
8           A.    I see?    I presume I prepared it, yes.  
9  
10          Q.    Would you do your own typing at the school?  
11          A.    No.  
12  
13          Q.    Or would you get your secretary to do it?  
14          A.    I presume the minutes of the hostel were done by the  
15          hostel.  
16  
17          Q.    By the secretary of the hostel, which is you?  
18          A.    No, no, no, no.  By a clerical person at the hostel.  
19  
20          Q.    By what, sorry?  
21          A.    A clerical.  
22  
23          Q.    A clerical person at the hostel, okay?  
24          A.    I presume they were done by the hostel.  I can't  
25          remember because I don't remember being secretary.  
26  
27          Q.    Back in 1990 when you prepared letters in your  
28          capacity as principal of the school --  
29          A.    Yes.  
30  
31          Q.    -- or you prepared the minutes of the meetings of the  
32          board, did you write it out in long hand or did you  
33          dictate.  Can you remember?  
34          A.    I wrote long hand usually.  
35  
36          Q.    You wrote long hand.  So with respect to this, you  
37          have written it out in long hand and then somebody, it  
38          would be at the hostel, has typed it up and they have  
39          written "Ian W MURRAY" at the bottom?  
40          A.    I didn't put that.  I would have put "Ian MURRAY".  
41  
42          Q.    No, but you wouldn't send those minutes back or a  
43          letter back to be corrected just to simply put a line  
44          through the "W", would you?  
45          A.    I don't know what I would have done.  
46  
47          Q.    Well, would it matter.  Would it really matter?

1 A. Well, normally I would insist on it being "Ian  
2 MURRAY", normally I would.  
3  
4 Q. Well you haven't insisted on it there?  
5 A. No, I didn't.  
6  
7 Q. And you have signed it, haven't you?  
8 A. And I said I had a doubt about that before that other  
9 one.  
10  
11 Q. All right, so just have a look at there. You can see  
12 "Ian W MURRAY"?  
13 A. Yes.  
14  
15 Q. Which is written in exactly the same way as that other  
16 letter --  
17 A. Yes.  
18  
19 Q. -- professing support for Dennis McKenna, appears,  
20 yes. And then the other matter there in the minutes that I  
21 want you to have a look at, it has been tagged on the side  
22 there, I am going to suggest that that establishes beyond  
23 any doubt whatsoever that you wrote that letter to Dennis?  
24 A. No, it doesn't. I - it could have been done by  
25 someone else still if it went out under my name.  
26  
27 Q. Just have a look now:  
28  
29 Letter to Dennis from board outlining  
30 support to be written by secretary.  
31  
32 Not, Mr Murray, "to be written for the secretary" or "on  
33 behalf of the secretary", it says "by secretary"?  
34 A. Yes.  
35  
36 Q. And this is your --  
37 A. And I still doubt that I wrote that letter.  
38  
39 Q. But then, in that case, it shouldn't have read like  
40 that, should it, the minutes that you prepared yourself?  
41 A. No, I agree --  
42  
43 Q. It is not accurate, is it?  
44 A. I agree with that.  
45  
46 HIS HONOUR: Q. So given all that, do you now accept  
47 that you did send that letter?

1 A. No, I have no recollection of sending that letter. It  
2 just doesn't appear to be my style.  
3  
4 Q. No, well you don't have any recollection but given the  
5 evidence of what's in the minutes, the minutes of 25  
6 October before the letter was sent saying "Letters of  
7 support to be written by the secretary" and then the  
8 minutes afterwards corresponds out saying that the letter  
9 of support had been sent, in light of that and given that  
10 they are your minutes --  
11 A. It would appear that that is correct but I still  
12 don't - don't think that I actually wrote the letter.  
13  
14 Q. So I'm just clarifying, do you now accept you did send  
15 that letter?  
16 A. No, I don't accept that I sent that letter. I just -  
17 I have a real doubt because it's not my style.  
18  
19 MR URQUHART: Q. Mr Murray, I can assure you that with  
20 the passage of time, that if you now accept that you must  
21 have written that letter, you won't be - can I say this  
22 your Honour: that Mr Murray won't be in trouble if --  
23 A. No, I'm not - whether I'm in trouble or not.  
24  
25 Q. -- if he earlier said that he did not write that  
26 letter.  
27  
28 HIS HONOUR: No, well he hadn't seen all of the evidence  
29 when you said that previously.  
30  
31 MR URQUHART: That's right.  
32  
33 THE WITNESS: I still - I still don't - I still can't  
34 remember writing that letter and it doesn't fit with my  
35 style. Again, you see, the minutes of this are very, very -  
36 one point line, one line things. I write very, very, you  
37 know, simple things. So I don't write --  
38  
39 MR URQUHART: I tender those minutes, sir.  
40  
41 EXHIBIT #65 MINUTES BOARD MEETING DATED 25 OCTOBER  
42  
43 THE WITNESS: And the other thing, your Honour, is that I  
44 always sign everything even if goes on the copies. I try  
45 to do that all the time, try to always sign it so it could  
46 be seen later on, and I tried to get other people who wrote  
47 things for me to do the same thing.

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MR URQUHART: Q. Mr Murray, before I get on to the next matter I wanted to ask you about, and before I forget, you wanted to say something about the relationship you had with Patricia - or Pat Fraser, now - or Pat Gill?

A. Yes, Pat Fraser as I - and I will use the term "Fraser", if I may.

Q. Certainly.

A. Okay. There was a film show at the hostel cinema, and one of the teachers was asked by Pat Fraser if she would write a review of that show. She wrote a review on a piece of scrap paper during the film, and straight after Pat Fraser requested if she could have that very, very rough notes given to her and she would tidy them up, put them up and put them as a review of the film. When the paper came out, those rough notes were taken as the finished article. Now, that teacher hadn't had a chance to look at spelling, grammar, syntax, anything whatsoever, and that was the basis of an article by Pat Fraser saying how the standards of teachers were so low, and this is what we would have our kids put up with, and we should be ashamed of this sort of thing. I took exception to that on behalf of that teacher who was doing a favour for Pat Fraser in writing the review.

Pat Fraser was always quite negative towards teachers insofar as we had three months annual long service leave, very short hours, very high pay, but that was to me - she hadn't done nothing prior to that in such a negative way, that I told her that I thought that was very poor standard of journalism, to actually misrepresent the material that had been presented by a teacher for her in good faith and for her to fix up and to have it quoted as the very bad standards of education of teachers. Of course, it was written half in the dark, at the end of the film, and I thought it was really in pretty poor taste.

I told Pat Fraser that if that was her standard of journalism that she was going to do, to send her cadet up to the school, which the young lass did come up regularly; we had regular meetings, and the information about school items continued in the newspapers unabated, but Pat Fraser, because of her attack I thought very, very underhand on a teacher, wasn't welcome in the school as a journalist.

Q. Right. Is that all? Is that everything? Thank you.

1 Okay. Mr Murray, I want to ask you now about something we  
2 touched on yesterday. As I recall your evidence, and  
3 correct me if I'm wrong, is that it's your recollection  
4 that either you or the Chairman raised with the subsequent  
5 Board meeting about the allegations that Todd Jefferis had  
6 been making about Dennis McKenna; is that right?  
7 A. At a Board meeting?  
8  
9 Q. Yes.  
10 A. Well, I presume the Chairman would have made it - done  
11 it.  
12  
13 Q. Well, it was a matter that should have been raised --  
14 A. Yes.  
15  
16 Q. -- at the very next Board meeting --  
17 A. Yes.  
18  
19 Q. -- shouldn't it? And if it had been raised, it ought  
20 to have been recorded in the minutes?  
21 A. Sometimes some matters at all organisations are  
22 discussed and are deliberately not minuted.  
23  
24 Q. Yes, I know that, and we clarified this yesterday.  
25 They were minor matters that something --  
26 A. Sometimes major matters too.  
27  
28 Q. -- that something like this is a major matter, isn't  
29 it, all right, because you do know, don't you - and we'll  
30 probably cut to the chase - that the minutes of the  
31 meetings that you prepared for 23 August 1990 and for  
32 Thursday, 27 September 1990, the minutes that are signed in  
33 your name, don't make any reference to any discussion about  
34 Todd Jefferis's complaint. Do you agree with that?  
35 A. Yes, I presume it's right, yes.  
36  
37 Q. And if it had been raised at either of those Board  
38 meetings, because of the significance of it, it should have  
39 been minuted?  
40 A. Unless the Chairman directed otherwise.  
41  
42 Q. Mr Murray, can you offer any explanation as to why the  
43 Chairman would express otherwise that a matter of that  
44 importance not be recorded in the minutes?  
45 A. Well, I presume he wanted a frank discussion without  
46 people putting things down.  
47

1 Q. Could a frank discussion take place if Dennis McKenna  
2 was present?  
3 A. No. Dennis McKenna often, when Board meetings were  
4 on, often used to leave the meetings.  
5  
6 Q. Well, he --  
7 A. He wasn't often - sometimes - I'm not saying those two  
8 occasions.  
9  
10 Q. Well, he didn't have a choice on 27 September, because  
11 the police made him leave the meeting. Yes; but, you see,  
12 here he's present at both these meetings. It's not  
13 recorded in the minutes. I'm going to suggest to you, Mr  
14 Murray, that it wasn't even raised?  
15 A. I think it was.  
16  
17 Q. So you're saying if it was raised at either of those  
18 two meetings, then - and the fact that it hasn't been  
19 minuted has meant that the Chairman has ordered --  
20 A. Yes.  
21  
22 Q. -- that it be not recorded --  
23 A. Yes.  
24  
25 Q. -- because he wanted a frank discussion?  
26 A. Well, I'm assuming that. I can't remember. I can't -  
27 I can't remember virtually any of those Board meetings.  
28  
29 Q. Well --  
30 A. I know there are minutes, I know that I was there, I  
31 know, but I just can't remember them.  
32  
33 Q. Well, if that was the case, it would be ludicrous, it  
34 would defeat the purpose of keeping minutes if the Chairman  
35 could just say, "Oh, I don't want that matter minuted.  
36 It's very important and significant, but it's not to be  
37 minuted."  
38 A. Well, yes --  
39  
40 Q. What's the point of having minutes?  
41 A. I have done that in other organisations too.  
42  
43 Q. Not on such a significant matter, Mr Murray, surely?  
44 A. I've done it on fairly significant matters. Not quite  
45 as significant as this, but on significant matters, so I  
46 have been at meetings when the Chairman has asked that they  
47 not be recorded.



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Q. Are you prepared to accept - in fairness to you, Mr Parks recalls that the matter involving Todd Jefferis was raised at both meetings, okay. And I'm going to suggest to you if that was the case it would have had to have been recorded?

A. Unless I was told not to.

Q. And if any attempt was said by the Chairman that you weren't to record it, then that should have been met with resounding opposition. Would you agree with that?

A. Not necessarily. If the Board agreed with that - if the Board agreed that it shouldn't be minuted, if the Board agreed with the - with the Chairman's ruling.

Q. I'm going to show you the Board Minutes for Thursday, 23 August 1990, and it's 0160. Do you accept that you would have prepared those minutes?

A. Yes.

Q. You were down as being present, as is Mr McKenna. It seems under "General Business" the amenities raffle was well supported. It was such a significant item it had to be mentioned. But item number 9. Can you read that out?

A. :

Pastoral Care is as resident... --

"in"

Q. Should read "in as Residential Environment".

A. :

-- residential... --

"development".

Q. "Environment".

A. :

To be discussed at next Board Meeting.

Q. So:

Pastoral Care in a Residential Environment  
- to be discussed at next Board Meeting.

1  
2 Has that got anything to do with the alleged lack of  
3 pastoral care in --  
4 A. I've no idea.  
5  
6 Q. -- this residential environment by Dennis McKenna?  
7 A. I've no idea. Could have been something from the  
8 Authority? I have no idea.  
9  
10 Q. As we look at the minutes of the next Board meeting,  
11 27 September 1990, 0157, you again are down as being  
12 present. You again are down as Secretary, as preparing  
13 these minutes. There's no reference in the "General  
14 Business" of any discussion regarding pastoral care, is  
15 there?  
16 A. No.  
17  
18 Q. Mr Murray, might it have been the case that if the  
19 Dennis McKenna matter was discussed at either of these two  
20 meetings, it was you who made the decision not to record  
21 that discussion in the minutes?  
22 A. No, I refute that.  
23  
24 MR URQUHART: All right. I tender both those minutes,  
25 sir.  
26  
27 EXHIBIT #66 BOARD MINUTES DATED, 23/8/1990, BARCODED 0160  
28  
29 EXHIBIT #67 BOARD MINUTES DATED 27/9/1990, BARCODED 0157  
30  
31 MR URQUHART: Q. The final matter I need to ask you  
32 about, Mr Murray - I apologise it's taken a bit longer than  
33 the estimated one hour, but it's a matter we need to  
34 discuss - and that is the probationary psychologist or  
35 guidance officer who was at the --  
36 A. Right.  
37  
38 Q. -- Katanning High School in 1988, Nikola MacLennan?  
39 A. Yes, I do remember that reasonably well.  
40  
41 Q. You recall that, yes. And you understand, in fairness  
42 to you, we have to get your account or recollection of what  
43 happened on this occasion?  
44 A. Right.  
45  
46 Q. Okay. Before I do that, have you read the affidavits  
47 of two of your people you've got to provide affidavits in

1 your support, in which they referred to the manner in which  
2 you dealt with a very poorly performed teacher whilst at  
3 Katanning?  
4 A. Yes.  
5  
6 Q. Is that in reference to --  
7 A. No.  
8  
9 Q. Yes. Okay. It's not in relation to Ms MacLennan?  
10 A. No, that's in reference to a permanent commercial  
11 teacher who --  
12  
13 Q. All right.  
14 A. -- who started dismissal proceedings in --  
15  
16 Q. Thank you.  
17 A. -- March, April --  
18  
19 Q. No, that's all I need to know.  
20 A. -- and they finished in December. One of the most  
21 stressful, horrible times --  
22  
23 Q. Okay.  
24 A. -- I've ever had in the school.  
25  
26 Q. So Nikola MacLennan was a probationary guidance  
27 officer in 1988 and the first half of 1989. Does that --  
28 A. Counselling assistant, yes.  
29  
30 Q. And what was the role of a - so you're calling her a  
31 counsellor assistant?  
32 A. Counselling assistant --  
33  
34 Q. All right. Well --  
35 A. -- was her official title.  
36  
37 Q. Okay. Well, can I refer to her as a guidance officer?  
38 A. You can refer to her as a guidance officer.  
39  
40 Q. Okay. I'll refer to her as a guidance officer. Can  
41 you just let us know what the role was to be played by a  
42 guidance officer at that time, 1988?  
43 A. At that the time fundamentally a guidance officer was  
44 to make sure that students' education was being followed  
45 according to their ability and capacity. They would help  
46 the selection of student courses, they would help guide the  
47 students into future locations, and a future away from the

1 school, and if there were any learning difficulties, they  
2 would work on the learning difficulties to see if they  
3 could improve --

4

5 Q. Certainly.

6 A. -- the learning difficulties for that child.

7

8 Q. Behavioural difficulties?

9 A. Behavioural difficulties they were a little bit  
10 involved in. They were just starting to get involved in  
11 that sort of thing in that particular period.

12

13 Q. Can you --

14 A. Now, either as they worked with the subject teachers,  
15 the heads of department working together as a team, to try  
16 and sort these problems out.

17

18 Q. Do you recall whether she was required by you to make  
19 a distinction between hostel students and day students, in  
20 respect to the services that she was to offer them?

21 A. The distinction I asked her to make was to make a  
22 distinction between those domestic behavioural experiences  
23 of the hostel, or the home, compared to the school. At the  
24 school we were to look at - we could not interfere with the  
25 way parents did their work at home with their children. If  
26 there were any difficulties with the home, with their  
27 children, we could not interfere with that, and the hostel  
28 was the student's home.

29

30 Q. Yes.

31 A. Now the incident that you want to refer to --

32

33 Q. No, I will come to that in a moment. As I understand  
34 your evidence, it is behavioural matters or concerns that a  
35 hostel student had --

36 A. Such as behavioural matters, such as homework, such as  
37 homesickness, such as disobeying hostel rules, such as  
38 things like that in the hostel - behavioural.

39

40 Q. So that wasn't her --

41 A. That was not her role.

42

43 Q. -- her role. So whose idea was this, that that wasn't  
44 to be part of her duties?

45 A. That has been the standard operating thing. She was  
46 appointed to the school, not to the hostel.

47

1 Q. Standard operating --  
2 A. It's exactly the same as all the other teachers. We  
3 are appointed to the school, not to the hostel.  
4  
5 Q. But the standard operating - what you started to say?  
6 A. Procedures.  
7  
8 Q. Where were they, and what are they?  
9 A. Standing operating procedures are those practices  
10 which have grown up over the years.  
11  
12 Q. Are these in writing as of 1988?  
13 A. No, they wouldn't be in writing per se. I was given  
14 instructions by the Hostel Authority, and they explained to  
15 me how they worked. I was given instructions by the  
16 District Office, the District Guidance Officer, the  
17 district - I'll try and think of his right title here --  
18  
19 Q. The --  
20 A. -- Mr Hamilton --  
21  
22 Q. Yes.  
23 A. -- as to what her role was in the school. Her role  
24 was, in the school, not to be involved in hostel matters.  
25  
26 Q. Okay. So were these verbal instructions or written?  
27 A. Verbal.  
28  
29 Q. Verbal instructions. Did Dennis McKenna have any view  
30 on that?  
31 A. He wanted the hostel students to be controlled by him  
32 for their behaviour in the hostel.  
33  
34 Q. Yes. Okay. So who were they to go to then if they  
35 had behavioural difficulties or problems within the  
36 hostel - that were emanating from the hostel? Who were  
37 they to see?  
38 A. I'm - I'm not too sure what you're meaning? Okay, if  
39 they were things such as homesickness, they had people in  
40 the hostel, and procedures in the hostel that they could go  
41 to. So if a boy was homesick there were two or three  
42 ladies in the hostel.  
43  
44 Q. Who?  
45 A. Well, there was Wendy McKenna was the senior lady, and  
46 there were a couple of other ladies, I --  
47

1 HIS HONOUR: The gallery will have to remain quiet,  
2 please, yes.  
3  
4 MR URQUHART: Yes. Thank you.  
5  
6 THE WITNESS: There were a couple of other ladies that  
7 they could go to, but they had a whole series - and I was  
8 informed very strongly of this by the Hostel Authority -  
9 that that hostel had superb systems in place to manage  
10 things like home sickness. If a child was having  
11 problems - wouldn't do their homework, things like that,  
12 that's the sort of things they weren't to be involved in.  
13  
14 MR URQUHART: Q. Can you recall who told you that from  
15 the authority?  
16 A. It was a person I spoke to about yesterday when I  
17 first went there, the Hostel Authority, back in August,  
18 September, October 1987.  
19  
20 Q. The person you described as the --  
21 A. I thought it was the Chief.  
22  
23 Q. Yes. Okay. So, all right. So you mentioned  
24 homesickness and home work, but did that person at the  
25 authority actually tell you who this was that could provide  
26 that expert guidance and help to the students?  
27 A. That person told me that they had systems in place in  
28 the hostel to accept that, to do that.  
29  
30 Q. Yes. I think you mentioned --  
31 A. Now if -- now if --  
32  
33 Q. I think you mentioned the girls would go to see Wendy.  
34 Who would the boys go and see?  
35 A. Neil or Dennis, or there was another young bloke  
36 there. I can't - a couple of young blokes there, over the  
37 time.  
38  
39 Q. So Neil or Dennis McKenna?  
40 A. Yes.  
41  
42 Q. Can you recall describing Dennis McKenna back in 1988  
43 or thereabouts as, words to the effect, as he was the best  
44 amateur psychologist you've ever met?  
45 A. I don't say I ever met, I said he was a great amateur  
46 psychologist.  
47

1 Q. A great amateur psychologist?  
2 A. A good amateur psychologist, or some words like that.  
3  
4 Q. And where --  
5 A. Those words were given to me by the Hostel Authority,  
6 by the way.  
7  
8 Q. Again, by the person you described as --  
9 A. Yes, they gave him such glowing terms, and I repeated  
10 that to Nikola MacLennan within the first two or three  
11 weeks of the year.  
12  
13 Q. And was that --  
14 A. I hadn't seen him operating by then.  
15  
16 Q. And what about subsequently? Up until 1990, did you  
17 think that that description of him was correct from your  
18 own personal observations?  
19 A. Well, he handled the hostel extremely well, yes. He  
20 hoodwinked me, yes. He conned me, yes. He conned the  
21 Hostel Authority, yes. He conned all of us, but he  
22 appeared to be a great amateur psychologist. Well, he was,  
23 because he handled the situation brilliantly. I mean, he  
24 conned us all into thinking things were going great, and  
25 there was this evil underneath. He did a brilliant job.  
26  
27 Q. What if a hostel student was being bullied? Who  
28 should the hostel student go to in those circumstances?  
29 A. Okay. We had - not with Nikola MacLennan, but with  
30 the subsequent person we had a few occasions when people  
31 came across and they spoke to Pierre Brescianini, and that  
32 matter was resolved with him. He would go to the hostel  
33 people, and they got it sorted out.  
34  
35 Q. Well, what about when Nikola MacLennan was there and  
36 if a hostel student was being bullied. From what you're  
37 saying to me, that's a behavioural problem, isn't it -  
38 bullying?  
39 A. Yes.  
40  
41 Q. So therefore that behavioural problem would be dealt  
42 with by that great amateur psychologist at the hostel,  
43 Dennis McKenna?  
44 A. And I told Nikola MacLennan.  
45  
46 Q. Is that right --  
47 A. If any.

1  
2 Q. -- is that right? Am I right there?  
3 A. Yes, but if any child came to her with a real problem  
4 like that, she should refer him on to me.  
5  
6 Q. Are you sure you said that? Well, hold on, she's the  
7 expert to deal with bullying, isn't she?  
8 A. Right. Now, she - she is supposedly the expert to  
9 deal with bullying, but from --  
10  
11 Q. Well, who do you think would be better to deal with a  
12 question of bullying - her or yourself?  
13 A. Myself, because I could get hold of the District  
14 Officer in Albany, as I had already organised with him - if  
15 there were any problems that we had to resolve, he would  
16 come up.  
17  
18 Q. What about a hostel student who's being intimidated?  
19 Who would that hostel student go to in 1988 --  
20 A. Well --  
21  
22 Q. -- if it - because again that's another behavioural  
23 problem? They couldn't go to Mrs MacLennan - who would  
24 they go to?  
25 A. They could go - for a very, very - one that some  
26 students did go to was the school nurse, and you mentioned  
27 her name yesterday, sir.  
28  
29 HIS HONOUR: Shirley Marshall.  
30  
31 THE WITNESS: Shirley Marshall. Some students went to  
32 Shirley Marshall with their little problems of things they  
33 had, and she took up their cudgels, and she was extremely  
34 good at getting things sorted out.  
35  
36 MR URQUHART: Q. Sounds like there's not much point in  
37 having a guidance officer there, at least for the hostel  
38 students?  
39 A. She provided a lot of service for them in the major  
40 part of her task, which was the educational side, and that  
41 was by far the major part of her task, in making sure that  
42 students were in the right classes doing the right  
43 subjects, going for the right courses.  
44  
45 Q. Psychological abuse - who should a hostel student go  
46 to in 1988 if they'd been subjected to psychological abuse?  
47 A. I told her that she had to go - if a child came to



1 her, she had to refer and work with the hostel.  
2  
3 Q. Yes. Ie Dennis McKenna?  
4 A. Yes.  
5  
6 Q. Sexual abuse. If a hostel student came to her with a  
7 complaint that they were being sexually abused at the  
8 hostel, that's a behavioural problem, isn't it?  
9 A. That's a hypothetical question.  
10  
11 Q. Yes, I know, that's why I'm asking it though. That's  
12 a behavioural problem, isn't it?  
13 A. Yes.  
14  
15 Q. You're not seriously suggesting that that hostel  
16 student should be sent marching back to the hostel to raise  
17 that matter with hostel staff?  
18 A. No, I didn't say that. I said that Nikki MacLennan  
19 should let me know what was going on, and she could go back  
20 to the hostel. She could go, but she wasn't just to take  
21 preemptory action, as she had with the boy who was  
22 homesick.  
23  
24 Q. I'm sorry, Mr Murray. If Mrs MacLennan - if you found  
25 out that Mrs MacLennan was counselling a child who had come  
26 to see her, to state that they were being sexually abused  
27 at the hostel, you're not seriously saying that she would  
28 have to take the student back to the hostel for the hostel  
29 to work that out?  
30 A. I said take the matter back to the hostel.  
31  
32 Q. Yes, and what would you expect the hostel to do?  
33 A. Again, you're talking hypothetically.  
34  
35 Q. I know. Hypothetically then, what do you expect the  
36 hostel to do? Do you think the hostel staff would be able  
37 to look at that in an objective manner?  
38 A. Well, again, you're talking hypothetically, so --  
39  
40 Q. Yes. So, hypothetically, what's the answer to that  
41 question?  
42 A. Well, I don't know. I can't answer it.  
43  
44 Q. Well, the answer's no, isn't it? It couldn't be dealt  
45 with objectively by the hostel staff, could it? Could it?  
46 A. I don't know.  
47

1 Q. Well, the answer's no, it couldn't be. Mr Murray,  
2 could I remind you that for most of your time at the  
3 Katanning High School, there were five McKennas at the  
4 hostel?  
5 A. Five?  
6  
7 Q. Yes.  
8 A. I was not aware there were five.  
9  
10 Q. We're getting sidetracked. There was five, four,  
11 whatever.  
12 A. I know there were too many.  
13  
14 Q. Yes. Do you seriously suggest that if hostel student  
15 came it see Nikola MacLennan about sexual abuse or, indeed,  
16 any of those matters - bullying, intimidation or  
17 psychological abuse, that it would be appropriate for her  
18 to take the student back to the hostel?  
19 A. No, I said she should bring the matter to me --  
20  
21 Q. Okay. So she was to bring the matter to you?  
22 A. -- and then - I did say that earlier.  
23  
24 Q. And --  
25 A. She should bring the matter to me and I could get  
26 expert help from Albany.  
27  
28 Q. She's the expert?  
29 A. And I had agreed - well, that's your opinion, that she  
30 was the expert help, but she hadn't proved that to us, and  
31 she hadn't proved it to the - the --  
32  
33 Q. Did you have an arrangement with Mr McKenna that you  
34 would advise him of any behavioural problems that his  
35 students had?  
36 A. I had no arrangement, but I probably would have  
37 advised him.  
38  
39 Q. Just on the subject matter of the McKenna family  
40 employment at the Katanning Hostel. There were, at times,  
41 up to five McKennas at the hostel - Dennis and four of his  
42 relatives.  
43 A. I knew that Dennis and his brother and his brother's  
44 wife.  
45  
46 Q. One point there were two senior supervisors, Neil  
47 McKenna and Gunda McKenna, two part-time supervisors, Wendy

1 McKenna and Christine McKenna - all there at the same time  
2 with Dennis. Now, even without the benefit of hindsight,  
3 did you not think that was inappropriate?  
4 A. I thought it was inappropriate at the time, and said  
5 so.  
6  
7 Q. Who did you say that to?  
8 A. I said it to the hostel authority.  
9  
10 Q. Can you remember who it was that you --  
11 A. No.  
12  
13 Q. -- that you made it to the Hostels Authority?  
14 A. No.  
15  
16 Q. Was it in verbal or in writing?  
17 A. In verbal.  
18  
19 Q. And about when?  
20 A. Fairly early when I was there.  
21  
22 Q. Did you raise it with the Board?  
23 A. The Board or the hostel? I probably questioned it  
24 with the Board.  
25  
26 Q. That would be recorded in the minutes?  
27 A. No, it wouldn't be recorded in the minutes.  
28  
29 Q. Why not?  
30 A. Well, it was just a general query, just chatting to  
31 people. It wouldn't be at a Board meeting.  
32  
33 Q. Why wouldn't you raise it at a Board meeting?  
34 A. Well, they had appointed these - they had been - the  
35 people had been appointed. Whether they'd been appointed  
36 by the Board or the Hostel Authority, they'd been  
37 appointed, and I was just commenting that I thought there  
38 were a few too many McKennas there. It was a comment, not  
39 a complaint.  
40  
41 Q. You couldn't raise it at a Board meeting, could you,  
42 because Dennis was there; wasn't that right?  
43 A. Well, I didn't - I didn't raise it at a Board meeting.  
44  
45 Q. Well, you couldn't, because Dennis McKenna was there?  
46 A. Well, my motive was to comment on the fact that there  
47 were a lot of McKenna's there.

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Q. So I'll ask you something, going back to what a hostel student should do if they require some guidance from a guidance officer. I'll cite you a passage of evidence that you gave at page 34 in your interview with investigators on 28 March. You said this:

If you have a hostel, if a child is upset at the school and the schoolteacher finds out about it, their job was to go to the hostel and say, "Look, we've got this child that's upset, can we - can you look after it? Can we sort it out?" They don't take action on their own accord before they see what the hostel's doing about the matter.

Do you remember saying that?

A. Well, I don't actually remember those words; but, yes, I was saying things like that.

Q. And when you say "schoolteacher", do you include Nikola McLennan in that?

A. Everybody in the staff, and teachers regularly - well, not regularly, but teachers, when they had a child who had a problem, they felt they had a problem, they would go over and sort it out.

Q. And she disagreed with that policy, didn't she?

A. Who's she?

Q. Nikola MacLennan?

A. I don't know.

Q. Well, she did, didn't she? She disagreed with that when you told her that was the policy, and I'm referring now to that --

A. Yes, yes, at the start of the year.

Q. Yes.

A. Yes.

Q. She disagreed with it?

A. Yes.

Q. And --

A. But she disagreed with that. The instance that she disagreed with that was the child who came over upset and

1 wanted to ring his mother, and so she took on, without  
2 bothering to find out what their policy was with  
3 homesickness, I - I - at the start of the year.  
4  
5 Q. Can I stop you there?  
6 A. Yes.  
7  
8 Q. Who actually told you it was homesickness?  
9 A. Who actually told me it was homesickness?  
10  
11 Q. Yes. I suggest to you it was Dennis McKenna, wasn't  
12 it?  
13 A. No, I don't know whether Dennis McKenna or - I think  
14 it was her because she wanted to ring mum.  
15  
16 Q. Are you sure about that?  
17 A. No, I'm not sure about that.  
18  
19 Q. So you were surprised when she disagreed with this  
20 policy?  
21 A. I was surprised when - at the start of the year, I had  
22 started by saying the year that - as I had had from my  
23 predecessors, I had from the Hostel Authority, we should  
24 work with the hostel, and they had a lot of policies in  
25 operation, and if there was any problems we should contact  
26 the hostel and see what the thing was and then work on it.  
27 Then we could sometimes do our own thing and sometimes they  
28 could do their thing.  
29  
30 Q. When you say "contact the hostel", you are referring  
31 to Dennis McKenna, aren't you?  
32 A. In the first instance but sometimes not. Sometimes it  
33 was Wendy McKenna, sometimes it was Neil McKenna.  
34  
35 Q. It was always a McKenna, wasn't it. You see,  
36 Mr Murray, what I'm getting at --  
37 A. I understand what you are getting at.  
38  
39 Q. What I am getting at, if a child has come to Nikola  
40 MacLennan and they are upset because of something that  
41 Dennis McKenna or another McKenna is doing to them, it just  
42 cannot work. It would be inappropriate for that guidance  
43 officer to then go back and ask to the hostel what they are  
44 doing about it. Because wouldn't the response by the  
45 hostel be "Everything's okay, Nikola. Don't worry about a  
46 thing. It's just a bit of home sickness. We'll handle  
47 it". Can you see the problem there?

1 A. I can see the problem there.  
2  
3 Q. Leaving aside the serious subject matter of child  
4 sexual abuse, but if there is intimidation or bullying  
5 going on at the hostel by hostel staff, then that's not the  
6 right way of dealing with that, is it?  
7 A. If you knew that the hostel bullying and intimidation  
8 was going on, yes, that is not the right way to do it.  
9  
10 Q. But you are not going to find out from the student,  
11 are you, because before the guidance officer can even speak  
12 to the student about it the policy was that you'd have to  
13 go and see what the hostel was doing about it?  
14 A. No, you could take - speak to the student about it, as  
15 the staff often did, but they didn't take action until they  
16 had discussed it with the hostel.  
17  
18 Q. Look, I'll read out the answer you gave:  
19  
20 If a child is upset at the school --  
21  
22 You are talking about a hostel student:  
23  
24 -- and the school teacher finds out about  
25 it, their job was to go to the hostel and  
26 say "Look, we've got this child that's  
27 upset. Can we - can you look after it.  
28 Can we sort it out". They don't take  
29 action on their own accord before they see  
30 what the hostel is doing about the matter.  
31  
32 A. That's what I said. They listen to what's been going.  
33 Then they go and sort it out.  
34  
35 Q. Can you see the numerous problems in that policy?  
36 A. When you have a hostel that's not functioning  
37 properly, that there are these hidden secrets which are  
38 there. When you know that's there, yes, I see the  
39 problems. In a normal place where normal things are going,  
40 there would not be a problem.  
41  
42 Q. But Mr Murray, it's hardly surprising then, is it,  
43 that one of the reasons for the fact that these problems  
44 weren't identified could have well been the policy that was  
45 in place --  
46 A. For 15 years, yes.  
47

1 Q. -- with respect to any problems that arose?  
2 A. Yes, for 15 years, yes.  
3  
4 Q. When you say "for 15 years", are you saying that --  
5 A. For the whole of Dennis's time.  
6  
7 Q. So you agree with that?  
8 A. I said - I said if the policy is going for 15 years  
9 and he's hoodwinking us all and we are using a policy where  
10 we are using him to help in the process, yes, it's a real  
11 problem, but you had to know that he was doing it. I  
12 thought - I thought, as did all my predecessors, that he  
13 was a first class warden. The Authority thought that he  
14 was a first class warden. The town thought he was a first  
15 class warden and I can't see any reason --  
16  
17 Q. Mr Murray --  
18 A. -- why we wouldn't use a first class warden in the  
19 process.  
20  
21 Q. I can't see any reason why you were able to accept  
22 this policy, particularly when Nikola MacLennan began  
23 questioning it?  
24 A. Nikki MacLennan never questioned the policy with me.  
25 What she did was she took action in instance, with a boy,  
26 and I questioned her because I had given advice to the  
27 staff that they had to always make sure they worked with  
28 the hostel to sort out problems.  
29  
30 Q. And she never agreed with that, did she?  
31 A. Well, I don't know whether she agreed with it or not  
32 because she just acted differently from it.  
33  
34 Q. You could see that she wasn't pleased about following  
35 that policy, couldn't you?  
36 A. Well Nikola knew the answers.  
37  
38 Q. You could see that --  
39 A. She displayed to us that she knew the answer.  
40  
41 Q. You could see that she wasn't pleased with that  
42 policy?  
43 A. No, I don't know whether she was pleased or not, she  
44 just didn't do it because she had a tremendous problem with  
45 communicating with me and other members of staff.  
46  
47 Q. Well, it sounds like, with respect to hostel students,

1 she wasn't even allowed to communicate with them unless she  
2 had the permission of Dennis McKenna or another McKenna.  
3 Isn't that right?  
4 A. You are not reading it quite correctly, sir. If - if  
5 a child came - I won't use her, I will use Pierre  
6 Brescianini.  
7  
8 Q. No, I want to stay with Nikola MacLennan, please?  
9 A. I want to use Pierre Brescianini, if I can.  
10 Hypothetically can I use Pierre Brescianini? If a person  
11 came to Pierre Brescianini with a comment, complaint, he  
12 would listen to it. Then, once he heard what they were  
13 saying, he would go to the hostel to find out what their  
14 policy was and he would often work through the thing with  
15 them and I expected Nikola to do the same thing.  
16  
17 Q. But do you see there, where there was the potential  
18 for matters to not progress with that policy because  
19 Mr McKenna, with all his powers of persuasion, would  
20 convince the guidance officer that everything was okay. Do  
21 you see that?  
22 A. In hindsight, knowing the way he hoodwinked us, yes.  
23  
24 Q. Well he was a very persuasive person?  
25 A. But at the time, he was totally believable.  
26  
27 Q. And therein lies the problem. However, if he was  
28 taken out of the equation and the policy simply was that  
29 the matter would be dealt with with the child, leaving him  
30 out of the equation at least in the early stages, there was  
31 a much higher prospect of any inappropriate behaviour going  
32 on at the hostel being discovered?  
33 A. I can't comment on that.  
34  
35 Q. Would you agree with that?  
36 A. No, I can't comment on that.  
37  
38 Q. But wouldn't you agree with it?  
39 A. If you had a highly competent school psych, yes.  
40  
41 Q. We are talking hypothetically now?  
42 A. Okay, you didn't say that when you just asked me that  
43 question.  
44  
45 Q. Are you saying Mrs MacLennan wouldn't have been able  
46 to handle that situation?  
47 A. Mrs MacLennan was very good with the younger children.



1 She was not as good with older children. She didn't  
2 communicate well with adults, she didn't communicate well  
3 with me, and you will see that's in her reports.  
4  
5 Q. Are you saying that she wouldn't be able to  
6 communicate with a child who has said to her  
7 "Mrs MacLennan, I'm having a miserable time at the hostel.  
8 Dennis McKenna is doing inappropriate things to me"?  
9 A. I don't know whether she handled that or not.  
10  
11 Q. With this policy, on hearing that, she would have to  
12 go up to the hostel and work it through with them?  
13 A. If you are talking about that, she would probably come  
14 to me first.  
15  
16 Q. And would you say "Head off to the hostel"?  
17 A. If it was serious like that, I would probably go with  
18 her.  
19  
20 MR URQUHART: I am mindful of the time, sir.  
21  
22 Q. I will just simply ask you some general questions  
23 regarding those appraisals that you made for Mrs MacLennan?  
24 A. Yes.  
25  
26 Q. You were provided copies with that yesterday --  
27 A. Yes.  
28  
29 Q. -- after the hearing?  
30 A. Yes.  
31  
32 Q. I'm going to suggest to you that those gradings that  
33 you gave her were marked deliberately low because you  
34 wanted, and indeed Dennis McKenna wanted, her out of the  
35 Katanning Senior High School and that was one way of  
36 achieving it, to mark her as performing poorly?  
37 A. Okay, may I answer the question?  
38  
39 Q. Yes.  
40 A. Okay.  
41  
42 Q. Do you accept that proposition or not, and if you  
43 don't accept it you can explain it, okay?  
44 A. I don't accept that proposition. I don't accept that  
45 proposition. We had at the school 10 to 15 teachers who  
46 needed to be appraised every - each of the years I was  
47 there. What we did is I gave - I assigned - if there were

1 10 teachers, I assigned one to one deputy to be the head of  
2 the team and five to the other deputy to be the head of the  
3 team. In the case of a teacher, the little panel they had  
4 set up would be the teacher plus the head of department.  
5 In the case of Nikki MacLennan, it was the deputy plus the  
6 district office personnel from Albany. They were the ones  
7 who did the assessment. They were the ones who came back  
8 to me with the assessment and it was Larry Hamilton and Pat  
9 Pringle who did most of the assessment, gave the grades,  
10 wrote the - gave me the things to write and we put down  
11 there. Now, on those assessments there were several things  
12 that we suggested could be done to improve the performance  
13 at the bottom of each those assessments, such as working  
14 with the district psych, such as working with other  
15 psychologists, such as talking to principals and getting  
16 things sorted out. Nikki MacLennan did none of those. She  
17 didn't cooperate. Now, I did not actually do the grading  
18 of her, it was Larry Hamilton predominantly and my deputy,  
19 who was looking after her. So I did not do those - I  
20 didn't do it for any of the teachers and I think we had 10  
21 to 15 teachers in the school that had that to have done.

22

23 Q. You, nevertheless, signed the --

24 A. Yes, I signed off, as did Murray Gatti, as did Larry  
25 Hamilton.

26

27 Q. Would you at least agree with me that Dennis McKenna  
28 did not get on very well with Nikola MacLennan?

29 A. I don't know how they got on.

30

31 Q. He never complained to you about her?

32 A. He complained at week 3, week 4 about the boy who was  
33 homesick. He complained that she hadn't - she had just  
34 gone and got the boy to ring home and put the home sickness  
35 phase back quite a bit.

36

37 Q. And did you ever get any feedback from him as to how  
38 he thought Nikola MacLennan was performing?

39 A. No, I don't remember ever getting any feedback.

40

41 Q. Did he ever provide his own opinions as to that?

42 A. I don't remember him doing so. He wasn't very  
43 impressed that particular time.

44

45 Q. Yes. You see, isn't it the case that once you get  
46 into Dennis McKenna's bad books it's pretty hard to get out  
47 of his bad books. Would you agree with that?

1 A. I never had occasion to get into his bad books so I  
2 never had occasion to get out of his bad books.  
3  
4 Q. Would you at least agree with this proposition: that  
5 he wasn't a very good enemy to have?  
6 A. I don't know about that.  
7  
8 MR URQUHART: Thank you, sir.  
9  
10 HIS HONOUR: I think we should take a break.  
11  
12 MR URQUHART: Yes, and just before you do that, I better  
13 tender the DVD of the interview between Mr Murray and  
14 Mr Sturmer in September 2011.  
15  
16 HIS HONOUR: Very well. That will be exhibit 68.  
17  
18 MR URQUHART: If I haven't, then maybe the transcript as  
19 well could be --  
20  
21 HIS HONOUR: The DVD and the transcript.  
22  
23 MR URQUHART: Yes, make it just one exhibit.  
24  
25 HIS HONOUR: Yes, that's 68. It will be a 10 minute  
26 break, no more.  
27  
28 EXHIBIT #68 DVD AND TRANSCRIPT OF DVD  
29  
30 SHORT ADJOURNMENT  
31  
32 HIS HONOUR: Take a seat, thank you. Yes, Mr Hammond.  
33  
34 MR HAMMOND: Yes, may it please your Honour.  
35  
36 <CROSS-EXAMINATION BY MR HAMMOND:  
37  
38 Q. Mr Murray, I act for a number of the victims of  
39 Mr Dennis McKenna and my name is Hammond. Mr Murray, by  
40 now you would know that in 1991 Mr McKenna was convicted of  
41 offending against I think five boys who used to be at the  
42 St Andrew's Hostel?  
43 A. Correct.  
44  
45 Q. And you also know that in 2011 he was convicted of  
46 sexually offending against a further six students at the  
47 hostel?

1 A. I understand that's right.  
2  
3 Q. And you would have also kept up-to-date, wouldn't you,  
4 with the evidence that's appeared in the transcript on a  
5 daily basis?  
6 A. I've tried to.  
7  
8 Q. And in that evidence you would have read accounts of  
9 McKenna grooming boys for sexual favours?  
10 A. I've read that.  
11  
12 Q. And you would have read accounts of McKenna bullying  
13 an intimidating hostel students?  
14 A. I've read the accounts.  
15  
16 Q. And even worse, you would have read of McKenna  
17 sexually interfering with a number of hostel students?  
18 A. Yes, I've read the accounts.  
19  
20 Q. And after he was convicted in 1991, you accepted that  
21 conviction?  
22 A. Yes.  
23  
24 Q. That he had done that?  
25 A. Yes.  
26  
27 Q. And in 2011 you also accepted that he had been  
28 convicted of those offences?  
29 A. Yes.  
30  
31 Q. Do you agree, given the convictions he now has against  
32 his name, that he is an evil sexual pervert?  
33 A. Absolutely.  
34  
35 Q. When you went to Katanning, did you make an  
36 application for the position of Principal?  
37 A. Yes.  
38  
39 Q. You wanted to go there?  
40 A. Yes.  
41  
42 Q. And why did you want to go there?  
43 A. I applied for some 20 schools, 30 schools. It was one  
44 on the list.  
45  
46 Q. And was your preference for a country position?  
47 A. I applied for metropolitan schools as well but the way

1 that promotion worked in those days, you went to a country  
2 school first, then you could transfer back to a city  
3 school.  
4

5 Q. And did your wife move with you to Katanning?

6 A. At the start, yes.  
7

8 Q. And how long was your wife with you in Katanning?

9 A. She was with us for six months and then she went back  
10 to her job because we had decided to go to England in 2001  
11 on long service leave and we needed to have the extra  
12 money, so she went back to work in England and I commuted  
13 on a weekly basis.  
14

15 Q. When did she go back to work, sorry?

16 A. Middle of the year.  
17

18 Q. When your wife went back to work, where did she live?

19 A. In Perth.  
20

21 Q. And you commuted on the weekends to see each other?

22 A. Yes, I mainly did the trip but she did some too.  
23

24 Q. And when your term finished, your term at Katanning  
25 Senior High School as the principal, did that finish in  
26 1990?

27 A. Yes, middle of the December 1990 I left Katanning.  
28

29 Q. So you never returned after Dennis McKenna was  
30 charged?

31 A. I never returned to Katanning Senior High School.  
32 I've been to Katanning to resume as at Rotary functions.  
33

34 Q. Yes, but you never returned as the principal --

35 A. No.  
36

37 Q. -- of Katanning Senior High School?

38 A. No.  
39

40 Q. And you did that because of the charging of Dennis  
41 McKenna, who was a friend of yours?

42 A. No, no, he wasn't a friend of mine, for a start, but I  
43 applied about March/April for transfer back to the  
44 metropolitan area. The term of office at Katanning was  
45 three years. I applied about March/April for schools in  
46 the metropolitan area and I got Mount Lawley, which was my  
47 No.1 choice.

1  
2 Q. Because you would have been deeply shocked after  
3 Dennis McKenna was charged in 1990?  
4 A. Absolutely.  
5  
6 Q. And obviously that charge had to affect Katanning  
7 Senior High School, didn't it, because the warden was  
8 running a number of boys and looking after boys for the  
9 school's benefit. Do you believe it affected Katanning  
10 Senior High School's reputation that Dennis McKenna was  
11 charged?  
12 A. I don't know whether it affected he was charged. It  
13 must have affected him once he was - he was convicted, but  
14 I understand that principals have still - people have still  
15 applied for and gone to that school as a principal after  
16 that time, regardless of what the hostel situation was.  
17  
18 Q. So why did you make the decision to leave Katanning  
19 Senior High School?  
20 A. In March of 1990.  
21  
22 Q. But why did you make that decision?  
23 A. Because I wanted to go back to the metropolitan area.  
24 I had so many interests in the metropolitan area I wanted  
25 to resume.  
26  
27 Q. Wasn't it because of the embarrassment of the McKenna  
28 episode?  
29 A. No. Well, how could I be embarrassed in March of  
30 something that happened in September/October? That was six  
31 months earlier. I applied for the job in March 1990, as  
32 all - in those days, we had the principal's job advertised  
33 about towards the ends of March and I was appointed to  
34 Mount Lawley by about the middle of June, well before the  
35 incident hit the (indistinct).  
36  
37 Q. Mr Murray, you went to the St Andrew's Hostel almost  
38 every day, didn't you?  
39 A. I went a couple of times a week, yes.  
40  
41 Q. You told the District Court, in 1991 - unless I'm  
42 asked to I won't take you to it but you went there almost  
43 every day?  
44 A. I don't remember saying that but I went there  
45 reasonably often. I did help students. I taught history  
46 at the school. A principal did not have to teach but I  
47 taught history for year 11 students, just a small amount,

1 and I actually went over there and taught history. I also  
2 helped students with study skills at the school and I used  
3 to go there of an afternoon, work with the students  
4 generally in the - and I'm sorry, I'm getting very tired -  
5 generally in the dining room.  
6

7 Q. Your wife would never accompany you on the trips to  
8 the hostel, would she?

9 A. She was there a few times early but not very often,  
10 no. Often there were other teachers there.  
11

12 Q. And you said in your District Court evidence, even  
13 though it is a little bit unclear to be fair to you:  
14

15 I visited the hostel a minimum of one day a  
16 week, an absolute minimum of one day a week  
17 but normally two or three days a week every  
18 week.  
19

20 But you would go there and have afternoon tea with the  
21 boys?

22 A. With the students.  
23

24 Q. Would you have supper there with the boys?

25 A. No, not supper.  
26

27 Q. Well, in the District Court you said that you would  
28 have supper with the students. Are you now forgetting that  
29 you had supper with the students?

30 A. Supper was very, very occasionally.  
31

32 Q. And what time would supper take place?

33 A. 7 o'clock.  
34

35 Q. And when would it finish?

36 A. Quarter past 7.  
37

38 Q. And then you would go on and speak to some of the  
39 students about their day-to-day life?

40 A. Not very often there, no. I remember going home most  
41 times, and that didn't happen very often at all.  
42

43 Q. You went home most times. Were there nights when you  
44 didn't go home from St Andrew's Hostel?

45 A. Sorry?  
46

47 Q. You said you went home most times?

1 A. At a quarter an hour later.  
2  
3 Q. Yes, and given that you went there at least two or  
4 three days a week, you would have known exactly where  
5 Dennis McKenna had his apartment within the hostel?  
6 A. Look, I can't remember. I would have known but I  
7 don't remember where it is now.  
8  
9 Q. But you agree that he had an apartment that ran off  
10 the dormitory?  
11 A. I thought it ran off a passageway fairly close to the  
12 main office.  
13  
14 Q. Do you agree that McKenna's apartment was within the  
15 same building as the dormitory and the office?  
16 A. It was in the same building as the office and I guess  
17 towards the end. I think the dormitories were down the  
18 end.  
19  
20 Q. Did you know that there was specific housing for the  
21 warden of St Andrew's on the property?  
22 A. I didn't know that until I read it in the - one of the  
23 transcripts.  
24  
25 Q. And that's even though you went there two or three  
26 days - or on one account you went there once every day in a  
27 week?  
28 A. That - someone else was living in that house. I never  
29 realised it was the warden's house.  
30  
31 Q. You say that when you went to the hostel - this is  
32 back in 1991 when you were giving character evidence - that  
33 you would stay for some three to four hours each night to  
34 assist students?  
35 A. No, I don't remember saying that, but I did stay  
36 assisting students after school, two - one or two, because  
37 I helped them with history and I helped them with their --  
38  
39 Q. I will just read to you what you said, Mr Murray:  
40  
41 In the process of visiting and being  
42 involved, did you have anything to do with  
43 the students who were at the hostel.  
44  
45 And your answer is:  
46  
47 Yes, I certainly did. Every Tuesday night



1 I had an evening meal at the Reidy House  
2 annex of the hostel and at that particular  
3 time I stayed at that hostel for some three  
4 to four hours each night --

5

6 A. Yes.

7

8 Q. :

9

10 -- to assist students who had any problems  
11 with academic work or any personal  
12 problems. I also visited the St Andrew's  
13 wing of the hostel, which is the main wing,  
14 and I regularly spoke with students. I had  
15 meals with students, either lunch or the  
16 evening meal, or afternoon tea or supper  
17 with the students, chat with them  
18 constantly about their problems, and I got  
19 to know the students at the hostel probably  
20 better than most of the students at the  
21 high school.

22

23 A. Yes, this is - academic problems is what I talked to  
24 them about.

25

26 Q. You didn't say that in 1991?

27 A. Well problems. I was a school teacher. I was there  
28 helping them with their studies.

29

30 Q. Given that you were chatting with the students  
31 constantly --

32

33 A. Yes.

34

35 Q. -- and regularly visiting St Andrew's Hostel --

36

37 A. Yes.

38

39 Q. -- you would have regularly come into contact with  
40 Dennis McKenna?  
41 A. Not that often. Not that often with Dennis McKenna.  
42 He was often away from the place, away from - away from the  
43 area that the - where I spoke to students, which was the  
44 dining room.

45

46 Q. And whilst you were at the hostel, you made it clear  
47 to Dennis McKenna, didn't you, that he should leave a door  
open or have other students with him to fend off any  
suggestion of sexual advances?

1 A. Well I've - I told - I tell it to everybody.  
2  
3 Q. But you said that to Dennis McKenna, didn't you?  
4 A. I don't know whether I said it to Dennis but I say it  
5 to everybody, "Make sure you have someone else with you so  
6 that you can - doors open. Don't shut doors, doors open".  
7 So just, I say that to teachers, I say it to everybody.  
8  
9 Q. And you say that to everyone and more than likely you  
10 said it to Dennis McKenna, if that's --  
11 A. Possibly.  
12  
13 Q. And the reason you say that to everyone, is back then,  
14 as now and during your career, you were always concerned  
15 about a student or someone making an allegation of sexual  
16 impropriety?  
17 A. Not necessarily sexual. Making an allegation against  
18 a person. Because I had had a situation in the 1960s where  
19 a deputy principal was accused of striking a person and it  
20 was quite unpleasant, but that was the thing that we always  
21 went about - that was - we were told that regularly to make  
22 sure we never interviewed - particularly a girl, and it was  
23 a girl that was the problem with that one, you never  
24 interview a student by themselves.  
25  
26 Q. So you were very conscious in the 60s, the 70s and the  
27 80s --  
28 A. Yes.  
29  
30 Q. -- about standards of sexual propriety between  
31 students and teachers?  
32 A. Propriety, sexual plus physical. More concerned about  
33 physical. I really wasn't - really wasn't conscious of  
34 sexual impropriety in those days.  
35  
36 Q. The reason you would have told Dennis McKenna to leave  
37 his door open is because an accusation could have been made  
38 about sexual misconduct?  
39 A. Well in a place like a hostel, there could be  
40 accusations made. I also would have given the same  
41 information to all the other people too, if they were with  
42 kids, to make sure.  
43  
44 Q. And you understood full well, back in the 70s and the  
45 80s and at a hostel, yes, accusations about sexual  
46 impropriety could be made?  
47 A. Yes.

1  
2 Q. And you also understood that some of those sexual  
3 accusations could be well-founded?  
4 A. Well they may be, they may be. I don't know. I don't  
5 know. We are talking theoretically.  
6  
7 Q. You would go there for dinners at the hostel?  
8 A. Mainly - mainly afternoon teas with dinners every so  
9 often, yes.  
10  
11 Q. You would go there for lunches?  
12 A. Occasional lunches. Not very often.  
13  
14 Q. Did you like the food at the hostel?  
15 A. I guess so. I can't remember.  
16  
17 Q. No complaints?  
18 A. My opinion it was okay.  
19  
20 Q. Did you speak to the boys that Dennis had that were in  
21 his football team that he set up while you were there?  
22 A. I would have spoken to the boys. I had a kick with  
23 them.  
24  
25 Q. So you were playing footy with the boys as well?  
26 A. I had a kick with the boys on the oval after school.  
27  
28 Q. How often would you do that?  
29 A. Three or four times a year. Not very often but --  
30  
31 Q. You'd also attend --  
32 A. I had it also with the school football team.  
33  
34 Q. Dennis McKenna would be there as the coach, wouldn't  
35 he?  
36 A. I don't know whether he coached the football team. I  
37 thought it was a student or one of the wardens who coached  
38 the football team.  
39  
40 Q. Are you telling me that when you went to St Andrew's  
41 Hostel that you went into Dennis McKenna's room where he  
42 stayed --  
43 A. Occasionally I been in his room.  
44  
45 Q. How many times would you have gone into his room in  
46 any given week?  
47 A. I've no idea.

1  
2 Q. Would it have been three days a week. You tutored  
3 students in his room?  
4 A. No.  
5  
6 Q. What did you do or why did you go into Dennis  
7 McKenna's room?  
8 A. Often to see - to actually speak to him about a  
9 matter.  
10  
11 Q. That would happen after dinner or supper?  
12 A. Usually after school.  
13  
14 Q. And what type of matters would you speak to Dennis  
15 McKenna about?  
16 A. Student - usually student matters.  
17  
18 Q. So you can - it's clear, isn't it, Mr Murray, that you  
19 had a very, very close working relationship with Dennis  
20 McKenna?  
21 A. I had a very close working relationship. He was a  
22 very good professional colleague of mine.  
23  
24 Q. And that's the view you hold today?  
25 A. Sorry?  
26  
27 Q. That's the view you hold today?  
28 A. Yes - well, it was then. I was a conned person, but  
29 we had a very good - during that time, we had a very good  
30 professional work relationship, but I know that I was  
31 conned, and I feel absolutely stupid and ridiculous about  
32 that.  
33  
34 Q. Did you attend film nights run by Dennis McKenna?  
35 A. I think I went to one or two.  
36  
37 Q. And did you watch some of the videos that he'd show  
38 the boys in his apartment?  
39 A. I didn't know he showed the boys videos in his  
40 apartment. I've heard in the evidence that he did, but I  
41 didn't know that he did that.  
42  
43 Q. But you often saw boys in Dennis's apartment, didn't  
44 you?  
45 A. No, not - I can't say I did.  
46  
47 Q. You can't say you did, or you never did?

1 A. No, I can't say that. I can't say that I ever did  
2 or --  
3  
4 Q. Mr Murray, I'm putting to you that you did see boys,  
5 and I'm not saying there was any sexual misconduct at all.  
6 A. No, I don't remember seeing boys, really, at all.  
7  
8 Q. You saw boys in Dennis's office, next to the  
9 dormitory?  
10 A. I saw boys in Dennis's office, yes.  
11  
12 Q. Did you see him always being surrounded by a group of  
13 boys?  
14 A. He often had boys around him.  
15  
16 Q. And in very close proximity?  
17 A. Just had boys around him. I never even noticed.  
18  
19 Q. No, I'm saying in very close proximity to his body?  
20 A. I never really noticed that.  
21  
22 Q. You never noticed that? As a principal of Katanning  
23 Senior High School, you didn't notice if the boys that were  
24 around Dennis were in very close proximity to his body?  
25 A. No, I wasn't looking for it.  
26  
27 Q. Did you know that Dennis McKenna didn't have a wife?  
28 A. Yes.  
29  
30 Q. Did you believe, like others, that Dennis McKenna was  
31 "camp"?  
32 A. No, I thought he may have been at one stage, but I  
33 also had had a story that he was engaged to a lass who died  
34 just before the wedding. I believed that story.  
35  
36 Q. Yes, well, I'm not interested in Mr McKenna's stories.  
37 A. No, I am not now, but that was the story was given to  
38 me, and I believed it.  
39  
40 Q. In relation to the one time when you thought he was  
41 camp, why did you think that?  
42 A. It was right at the start of the time he was there and  
43 - camp's not quite the right word. No, I retract that word  
44 "camp". I thought he was very flamboyant, very artistic,  
45 not my sort of guy to be a buddy of mine, but he was a very  
46 good colleague, but he really - he really was a different  
47 sort of fellow.

1  
2 Q. He was different because he was gay --  
3 A. Well --  
4  
5 Q. That's how you saw it, wasn't it?  
6 A. No, I didn't think - think that. I thought he was  
7 very different.  
8  
9 Q. Given the fact that you thought he was very different,  
10 and he was flamboyant, you must have had concerns about the  
11 fact that he was in charge of a hostel of many young boys?  
12 A. I've given that evidence before. I was given  
13 assurances from the Hostel Authority --  
14  
15 Q. I'm not asking you about the Hostel Authority --  
16 A. I was given assurances from the Hostel Authority - you  
17 asked me what I thought. I was given assurances from the  
18 Hostel Authority. I was given assurances from all the  
19 principals I spoke to beforehand. I was given assurances  
20 from staff. I was given assurances from members of the  
21 Katanning Shire Council. I was given assurances from the  
22 town people that he was running a brilliant hostel.  
23  
24 Q. But you had concerns about his personality?  
25 A. No, I didn't have concerns about him.  
26  
27 Q. Well, you told me he was flamboyant?  
28 A. He was flamboyant.  
29  
30 Q. And initially you said - initially you said you may  
31 have thought he was a bit camp?  
32 A. Not really camp. He was different. He was not my  
33 sort of guy. I had - I saw him and I thought, "This bloke  
34 is different to me. He's not me".  
35  
36 Q. Do you remember where the showers were in the hostel?  
37 A. I guess at the end of the dormitory, I don't know.  
38  
39 Q. Never saw them?  
40 A. Yes, I think I did see them, on a tour.  
41  
42 Q. And that was a tour given by Dennis McKenna?  
43 A. Dennis McKenna, or one of the wardens. Right at the  
44 start of our time he took the whole of the - all the new  
45 teachers went as a group through the hostel during the  
46 first week or so at school.  
47

1 Q. Do you remember that the showers did not have any  
2 screens to them, or any pull-across curtains?  
3 A. I don't remember seeing them.  
4  
5 Q. Were you happy with the state of the showers for young  
6 men boarding at a hostel?  
7 A. Well, yes.  
8  
9 Q. And you formed that view on what?  
10 A. Just a quick look through.  
11  
12 Q. A quick look through. Well, just --  
13 A. I believe parents had the same sort of tour as I did  
14 before the boys actually started, and the girls.  
15  
16 Q. But you had more than a tour, Mr Murray, you were  
17 going there almost every day, if not every day.  
18 A. Well, I wasn't going for showers every day.  
19  
20 Q. How many times did you go into the showers?  
21 A. I think I went once.  
22  
23 Q. You think or you know?  
24 A. I know I went once. I have no reason to go to the  
25 shower. Why would I go to the showers?  
26  
27 Q. I don't know, Mr Murray, I'm asking you the question.  
28 Did you go more than --  
29 A. No.  
30  
31 Q. -- once to the showers?  
32 A. No, I went once.  
33  
34 Q. And you now have an absolute unequivocal memory of  
35 only going once --  
36  
37 MR URQUHART: Sir, I have some - I'm going to object. I  
38 have some difficulties seeing where this falls within our  
39 terms of reference.  
40  
41 HIS HONOUR: I assume it's relevant, but I don't know  
42 where you're going to.  
43  
44 MR HAMMOND: It's relevant, your Honour, to the closeness  
45 of this witness with Mr McKenna --  
46  
47 THE WITNESS: Oh.

1  
2 MR HAMMOND: -- and the amount of time that he spends at  
3 the hostel, but maybe this point needs to be argued without  
4 the witness here, otherwise my cross-examination may become  
5 futile.  
6  
7 HIS HONOUR: All right. Well, if you assure me this is a  
8 matter of substance relevant to my terms of reference, I'll  
9 allow you to continue.  
10  
11 MR HAMMOND: It goes to the heart of how close Mr Murray  
12 was with Mr McKenna, if I can put it that way. Now, sir,  
13 so that I'm not --  
14  
15 HIS HONOUR: Well, the fact you've asked to argue it  
16 without the witness being present - I assume that this -  
17 there's more to come which is of substance, is it?  
18  
19 MR HAMMOND: There is some more, yes, sir, but I - a lot  
20 will depend on what answers this witness gives, and he's  
21 already given an answer, sir.  
22  
23 HIS HONOUR: Well, you know my terms of reference?  
24  
25 MR HAMMOND: Yes, I do.  
26  
27 HIS HONOUR: And I'd expect you to, though you're not an  
28 officer of the Tribunal, an officer of the court, and I'd  
29 expect you not to mislead me. So if you assure me your  
30 line of questions is relevant to my terms of reference, I  
31 will accept that.  
32  
33 MR HAMMOND: Yes. Well, I do give that assurance, sir.  
34  
35 HIS HONOUR: All right. Very good. Well, continue.  
36  
37 MR HAMMOND: If it please your Honour.  
38  
39 HIS HONOUR: Yes.  
40  
41 MR HAMMOND: Q. I was just asking you, Mr Murray, you  
42 have now said that you only were at the boys' showers on  
43 one occasion. Is that your evidence now?  
44 A. I believe that I was only there on one occasion. I  
45 may have gone through with another tour on a second  
46 occasion, because the District Director was taken through  
47 on a tour, and it could be possible I went through with



1 subsequent groups of students - groups of teachers, when  
2 they started there.  
3  
4 Q. And when you say you had meals with the students, and  
5 you assisted them with their academic work or any personal  
6 problems - this is what you said in June 1991 - when did  
7 you assist the students with their academic issues and  
8 personal issues? When did that happen at the hostel?  
9 A. After - afterschool.  
10  
11 Q. Well, it had to be afterschool, didn't it, because you  
12 were teaching at that time, or being the principal of the  
13 school between --  
14 A. Yes.  
15  
16 Q. -- nine and 3.30 or four? So how late would you stay  
17 at the hostel on any given days?  
18 A. Most days I went home to my own home for tea. I had  
19 meals at the hostel once or twice a week. I guess once a  
20 week I would say probably at the hostel, knowing my memory.  
21  
22 Q. When Mr McKenna was ultimately charged in 1990, as  
23 we've heard, you flew back from London to give character  
24 evidence on behalf of Mr McKenna?  
25 A. That is correct.  
26  
27 Q. And you were subpoenaed in the United Kingdom to give  
28 that evidence?  
29 A. Yes.  
30  
31 Q. And you told his lawyers where you could be - where  
32 you would be, so the subpoena could be served on you?  
33 A. No, I did not tell. I had no idea how they found me.  
34 I presume they contacted my daughter. I have no - I meant  
35 to ask her, but I presume they --  
36  
37 Q. And did the subpoena come by - how did it come to you?  
38 A. It was delivered in person.  
39  
40 Q. And you have no idea how they knew where you were?  
41 A. Well, I was staying at my son's house and it was  
42 delivered at my son's house.  
43  
44 Q. And when that subpoena was delivered, you were also  
45 presented with air tickets?  
46 A. Again, I can't remember how I got it. They paid my  
47 fare, and they paid for the transport to and from Perth to

1 Albany. I do not know how I got the tickets.  
2  
3 Q. And, Mr Murray, they would have only subpoenaed you if  
4 they knew that you were going to give excellent character  
5 evidence for Mr McKenna; isn't that right?  
6 A. I've no idea.  
7  
8 Q. Because you spoke to his lawyers about the type of  
9 evidence you'd give, didn't you?  
10 A. No, I did not.  
11  
12 Q. So what you're telling the Inquirer --  
13 A. I was in Europe for most of that time on tours.  
14  
15 Q. So what you're telling the Inquirer is that McKenna's  
16 law firm subpoenaed you to give character evidence, paid  
17 for your airfares, paid for a process-server - they had no  
18 idea as to the type of evidence you would give. Is that  
19 your evidence?  
20 A. That's my evidence.  
21  
22 Q. And they knew all along, didn't they, the lawyers,  
23 that you would interrupt your trip in England to fly back  
24 to give character evidence?  
25 A. Well, I don't know whether they knew or not, but I was  
26 advised I could - I think I went to either  
27 Western Australia House or Australia House to find out what  
28 the situation was, and they said I had to come back.  
29  
30 Q. Mr Murray, did the Education Department ever speak to  
31 you about your support for Dennis McKenna in 1990 and 1991?  
32 A. No.  
33  
34 Q. Because Mr Urquhart's put to you various articles that  
35 were published in a newspaper. No one ever came to see you  
36 about your --  
37 A. No.  
38  
39 Q. -- open support?  
40 A. No.  
41  
42 Q. Did anyone from the Education Department, as far as  
43 you were aware, come to the school after Todd Jefferis  
44 raised his complaint?  
45 A. Yes. The District Director - District Superintendent  
46 came to school several times.  
47

1 Q. And is that Mr Gatti?  
2 A. Yes.  
3  
4 Q. And did you tell Mr Gatti how you understood the  
5 situation to be in relation to Mr McKenna and the  
6 allegation that had been made?  
7 A. We would have discussed it.  
8  
9 Q. And you would have --  
10 A. I informed him virtually straight after Todd came to  
11 me originally, that I'd advised him to go to the police. I  
12 informed him verbally.  
13  
14 Q. And because at that time you believed Dennis was the  
15 best warden in the State, you would have told Mr Gatti,  
16 "This is all fabricated"?  
17 A. No, I would have told him exactly what he'd told me -  
18 that I thought it was a physical assault.  
19  
20 Q. Is that all you told Mr Gatti?  
21 A. I can't remember what I told Mr Gatti, I really can't.  
22 Mr Gatti will be able to tell you. He might remember what  
23 he - what he told you - what he told - what I told him.  
24  
25 Q. But you do remember him coming to meet with you?  
26 A. He met with me on a regular basis. He came up to the  
27 school once a month regularly. I met him in Albany at  
28 other occasions, too.  
29  
30 Q. From the time that you left Katanning Senior High  
31 School until the time you retired, did anyone from the  
32 Education Department come to you about your time as  
33 principal at Katanning Senior High School?  
34 A. Yes, they came to talk about certain things, but I  
35 worked there and did it, but they never came to me about  
36 this instant of sexual abuse, or Dennis McKenna or anything  
37 like that.  
38  
39 Q. So no one from the Education Department --  
40 A. No one came to me.  
41  
42 Q. -- has ever been to you about what --  
43 A. No one from the Education Department has ever  
44 approached me.  
45  
46 Q. Now, I want to take you back to Dennis McKenna who, as  
47 you say, you had hoodwinked, you were conned by the man.

1 When was the very first time in your life that you met  
2 Dennis McKenna?  
3 A. I met Dennis McKenna about November '87, when Graham  
4 Young, the incumbent principal, took me over to the hostel  
5 to introduce me.  
6  
7 Q. And what's your recollection of that very first  
8 meeting with Mr Dennis McKenna?  
9 A. I really couldn't remember it really much, and I  
10 didn't remember it very much at all, because we had  
11 10 minutes - five minutes with him.  
12  
13 Q. But you specifically remember Mr Young being the  
14 person that introduced you?  
15 A. Well, Mr Young was the principal of the school, and I  
16 know he took me over to the hostel to - as part of the  
17 introduction to the school.  
18  
19 Q. Mr Murray --  
20 A. We spent maybe five minutes there.  
21  
22 Q. -- now I want to jump ahead in time, because you told  
23 Mr Urquhart that the last time you saw Dennis McKenna was  
24 at his trial; is that right?  
25 A. Yes. No, sorry, I tell a lie there. The last time I  
26 actually talked to him was at his trial. I visited him in  
27 Casaurina Prison in '92, for a visit which lasted probably  
28 five, six minutes. I was so frustrated with that man I had  
29 to find out from him why he had done these dastardly thing.  
30 I spoke with him a very short while, I got very, very angry  
31 with the man and walked out.  
32  
33 Q. And you have a very clear recollection of that meeting  
34 in Casaurina Prison?  
35 A. Well, not that - not that good a recollection but --  
36  
37 Q. So you told McKenna you were extremely frustrated with  
38 him about what he'd done at St Andrew's Hostel?  
39 A. And how he'd let me down, how he'd let the town down.  
40 I was very, very angry with him.  
41  
42 Q. And in what year was that, did you say?  
43 A. '92.  
44  
45 Q. Did you go on other occasions to Casaurina Prison to  
46 visit McKenna?  
47 A. No.

1  
2 Q. So do you still regard yourself as mates?  
3 A. No, no.  
4  
5 Q. Did you take anything with you to the prison to give  
6 to McKenna?  
7 A. No, I don't think you're allowed to.  
8  
9 Q. Did you ring him at the prison?  
10 A. No.  
11  
12 Q. How did you organise the appointment, because  
13 prisoners, from my understanding, have to approve guests  
14 that come to the prison?  
15 A. I believe it was a lady friend of his from Albany who  
16 rang me and asked me if I would visit him.  
17  
18 Q. Mr Murray, that's contrary to what you've told me just  
19 a few minutes ago, because --  
20 A. Yes, I went down there --  
21  
22 Q. Yes, because you said you wanted to go down there to  
23 find out why he did these terrible things?  
24 A. I wanted to go down - I did want - I did. This lady  
25 friend asked me, and I didn't know how to visit prisons in  
26 those days, and she rang me and said, you know, he would  
27 like to see you. He would like to see you, explain what  
28 was the situation, and I wanted to go there and hear what  
29 he had to say because I was, shall we say, feeling rather  
30 aggrieved that I had been so ridiculously conned and  
31 hoodwinked.  
32  
33 Q. So you got to the prison --  
34 A. Yes.  
35  
36 Q. -- and did you - you told him that you felt conned and  
37 hoodwinked?  
38 A. First of all I asked him why he'd done it, and he  
39 wouldn't respond. Then I started to tell him that I was -  
40 then I started to get very cross, and I thought the best  
41 thing I could do was leave the place, and I left it very  
42 quickly, because I knew that I was getting too cross. We  
43 had a three, four, five, six minute conversation.  
44  
45 Q. And that will, of course, be borne out by the prison  
46 records, won't it?  
47 A. Yes, of course it will be.

1  
2 Q. Because you have to sign in and sign out?  
3 A. Yes.  
4  
5 Q. So you're saying it's 3-4 minutes?  
6 A. Well, it was a very short while.  
7  
8 Q. Are you saying today it's 3-4 minutes or a lot longer?  
9 A. Well, I'm saying it was a short while. It was  
10 20 years ago. It was a short while. I got very cross at  
11 him. I had to wait quite a while at the door to get out of  
12 the place because - I'm trying to remember how it was.  
13  
14 Q. Did you have much to do - you were on Rotary, weren't  
15 you, down in Katanning?  
16 A. Yes.  
17  
18 Q. And you invited McKenna to some of those meetings?  
19 A. I don't remember that.  
20  
21 Q. I'm telling you that you did invite McKenna to some of  
22 those meetings?  
23 A. Quite likely. It could have been, but I don't  
24 remember it. I don't remember that at all. He --  
25  
26 Q. And what was your position at Rotary, sorry, Mr  
27 Murray?  
28 A. I was a club member.  
29  
30 Q. Did you have an official position in the Katanning  
31 Rotary --  
32 A. I don't think so.  
33  
34 Q. And --  
35 A. He would have been invited as a distinguished member  
36 of the town, as he was regarded by everybody. The Rotary  
37 club would regard him as a distinguished member of the  
38 town. They would have been happy to see him there.  
39  
40 Q. Mr Murray, even - I'm told October 2011 you gave an  
41 interview with the ABC. It was played to you in your  
42 evidence-in-chief. Do you recall that being up on the  
43 screen?  
44 A. Yes.  
45  
46 Q. And your opening lines to the reporter, Jake Sturmer  
47 were as follows:

1  
2  
3  
4  
5  
6  
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38  
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40  
41  
42  
43  
44  
45  
46  
47

Dennis McKenna was quite an extraordinary man. He - he wasn't the normal sort of fellow, he was flamboyant. He was a very intense fellow who really threw his heart and soul into his job as warden of St Andrews College in Katanning. He did a great job. Very energetic, very caring of students, very caring of the community, very caring of other people.

Now, when you told that to Jake Sturmer, you knew that that wasn't true, didn't you?

A. That - Jake Sturmer had asked me beforehand to start off by saying what I thought of him, and that was what I thought of him right at the start. That was the impression I had of him for two and three-quarter years. That's exactly the impression that I had.

Q. Do you agree - and you've been shown this interview by Mr Urquhart - that nowhere in this interview in 2011 do you ever say you were hoodwinked or conned by McKenna?

A. I don't remember whether I said that or not.

Q. The first time you've ever used that expression, I would suggest to you, is before the Inquiry. That's the first time.

A. No, I would have used that to my other friends. I've used it around to my friends. I haven't really thought about Dennis McKenna from 1991 to 2011. Jake Sturmer came to me cold. He rang up and asked for an interview. I hadn't thought about that fellow at all. As far as I was concerned he was out of my life.

Q. In your interview with Jake Sturmer you talk about Dennis McKenna taking some students --

A. Yes.

Q. -- to America?

A. Yes.

Q. They were male students, weren't they?

A. No, male and female.

Q. So as a warden of a hostel, he was permitted to travel to America with male and female students?

A. With other people, other people in the thing; it

1 wasn't just him.  
2  
3 Q. Do you remember that specific trip to America?  
4 A. I don't know, I - I remember they went on a trip to  
5 America. I wasn't on it. I have no idea where they went.  
6 I know they went to America and had a great time.  
7  
8 Q. Yes, because in October 2011 you told Jake Sturmer,  
9 "Do you know those kids came back absolutely singing his  
10 praises"?

11 A. Yes. They had a wonderful time.  
12  
13 Q. Would you agree that the overall thrust of the  
14 interview that you gave with Jake Sturmer is very much in  
15 praise of Dennis McKenna?  
16 A. It was in praise - that was the part he was wanting to  
17 talk about.  
18  
19 Q. So are you saying Jake Sturmer prevented you from --  
20 A. No, he didn't prevent anything. The emphasise on his  
21 interview was that first part, the part that - where he was  
22 conning everybody.  
23  
24 Q. Further on in the interview with Jake Sturmer he does  
25 actually ask you about the 1991 charges and convictions,  
26 and you were asked:  
27  
28 In 1991 did you believe he was really  
29 guilty?  
30  
31 And your response to that was:  
32  
33 Hearing some of the evidence at the trial  
34 (last) some of the things that were done  
35 were physically impossible.  
36  
37 What did you mean by that?  
38 A. Well, the judge actually tossed out some of the  
39 charges of that trial. The judge threw out some of the  
40 charges.  
41  
42 Q. I'm not talking about what the judge did, but what  
43 were the things that you understood to be physically  
44 impossible - that you understood to be physically  
45 impossible?  
46 A. Well, that was what the judge was tossing out.  
47



1 Q. Is that a reference to sexual things that McKenna  
2 couldn't have done because it was physically impossible?  
3 A. I think so, yes.  
4  
5 Q. And what were those sexual things?  
6 A. I can't remember what the actual details were, but the  
7 judge actually ruled out some of the charges because the  
8 judge - that was the words of the judge, they were  
9 physically impossible, or they were impossible or  
10 something - some words like that.  
11  
12 Q. :  
13  
14 So I had - I must admit I had a doubt or  
15 two about some of the evidence.  
16  
17 So even after the conviction you doubted --  
18 A. I had a doubt about some of the evidence when those  
19 things were put forward - in fact, the judge said couldn't  
20 be done.  
21  
22 Q. And what were those things, Mr Murray?  
23 A. Physical acts they physically couldn't do. The judge  
24 said, "It's impossible, toss it out".  
25  
26 Q. And further on in the interview with Jake Sturmer you  
27 say:  
28  
29 I had a gut feeling that I didn't think he  
30 would do this thing.  
31  
32 And I'm paraphrasing to you:  
33  
34 But, really whether a person is guilty or  
35 not, I was not there. I cannot pass  
36 judgment on whether he did or didn't do  
37 these things.  
38  
39 A. Well, I have exactly the same thing on everything that  
40 I have in life. I cannot pass judgment on what anybody  
41 does, any time. The only things I can pass judgment on are  
42 what I do myself. I can't pass judgment on what anybody  
43 else does, so someone tells me a certain action has taken  
44 place, I can accept it on face value, but I can't pass  
45 judgment on it.  
46  
47 Q. So what I want to suggest to you, Mr Murray, is that

1 even in 1991, over the initial round of convictions, you  
2 did not believe Dennis McKenna was guilty?  
3 A. I believed Dennis McKenna was guilty of a lot of the  
4 things that they said that he was guilty of. I heard a  
5 judge - I can't remember whether it was a jury. A judge  
6 accepted the charges, found him guilty, he is guilty.  
7  
8 Q. There was no need then for you to go and see him in  
9 prison, was there, because the court had made a finding?  
10 A. I had to find out why - I don't know whether you, Mr  
11 Hammond, have ever been conned so comprehensively. I was  
12 conned totally by this man. I don't - I don't know whether  
13 you know how that feels to be sucked in so well. I sang  
14 his praises for two and a half years. I was a supporter  
15 for two and a half years, and he was living a lie. Now, I  
16 regret very much that I was sucked in so well. I regret  
17 extremely that I was sucked in so as well. I regret his  
18 victims were victims of this horrendous man, and I had to  
19 sort of - it's exactly the same. I told you earlier about  
20 my wife dying. I had to go back to England the next year  
21 and go to her favourite places. I had to go to the place  
22 where the funeral - the hospital where she died in. I had  
23 to speak to the staff at the hospital where she was at. I  
24 had to go to Cambridge to see the great things that she'd  
25 done. That helped me to get over the grief. I had to see  
26 Dennis McKenna, because it was eating at me that I'd been  
27 sucked in by this - I nearly said an incorrect word, but he  
28 sucked in. I had to go and see him.  
29  
30 Q. And are you sure you only went once?  
31 A. Yes. Prison records will show that.  
32  
33 Q. And your memory about that is --  
34 A. Very short time.  
35  
36 Q. Your memory about that though is pristine, isn't it?  
37 A. No, not really pristine, but I have a memory about  
38 going once.  
39  
40 Q. Is pristine?  
41 A. I - as far as I can guarantee, yes, it's only once.  
42 I've only been to Casaurina Prison twice in my life - once  
43 to see Dennis McKenna, and the second time was with a group  
44 on a tour of the prison.  
45  
46 Q. Sir, I'll just go over one little point to be fair to  
47 the witness, because I put to the witness that Dennis

1 McKenna did come to the Rotary Club meetings, and I'll just  
2 get that answer in again, because I want to take you to a  
3 passage in the ABC interview. And I'll put it to you now,  
4 Mr Murray, that in the ABC interview you said:

5  
6 He did not come to my Rotary club in  
7 Katanning.

8  
9 A. I don't remember him coming. I say that again. I  
10 said that to you earlier, I think, didn't I? I don't  
11 remember him coming to my Rotary club meetings.

12  
13 Q. And you said something in that transcript about  
14 whether he came to your home in Katanning?

15 A. That's right. He never came to my home.

16  
17 Q. Was your home close to the --

18 A. No.

19  
20 Q. -- hostel?

21 A. Quite on the opposite side of town. He never used to  
22 leave the hostel. He was there virtually all the time,  
23 apart from during the day when he went out doing business.

24  
25 Q. So your evidence now is that he never left the hostel?

26 A. No, I said he - he very seldom left the hostel, as far  
27 as I'm aware, because I didn't see him at night, but I  
28 understood that he was always there. He didn't go visiting  
29 friends, he always used to say that he hadn't friends. He  
30 said his family was the hostel, and he stayed there with  
31 his family.

32  
33 Q. Do you agree now that in hindsight that Katanning  
34 Senior High School could have done much more to protect the  
35 students that had been the subject of Dennis McKenna's  
36 sexual abuse?

37 A. I don't know what they could have done. They had to  
38 know that he was a sexual predator before they could  
39 protect them.

40  
41 Q. But you've read the transcripts of the evidence,  
42 haven't you?

43 A. Yes. What do you --

44  
45 Q. Do you believe the school has done everything it could  
46 have done to help the students or to protect the students  
47 from Dennis McKenna?

1 A. I don't know what the school could have done.  
2  
3 Q. You never asked for any of the students to be  
4 counselled, particularly Todd Jefferis, did you?  
5 A. No, in those days, in the 1980s, the position of  
6 school counselling was very, very minimal. If a child had  
7 even - I remember children losing parents, ill parents,  
8 grandfathers, that sort of thing, there was very little  
9 formal counselling done for any students?  
10 A. That really came into being in the 1990s, when we  
11 first had to do incident reports. They were called - I  
12 think "major incident" or something like that, and we used  
13 to have to send them to the District Office, and then we  
14 had to work out a counselling procedure to handle that.  
15 That really got going in the '90s.  
16  
17 Q. In light of what you now know about Todd Jefferis, are  
18 you prepared to apologise to Todd Jefferis?  
19 A. Of course I'm prepared to apologise to Todd Jefferis.  
20  
21 Q. And you proffer that apology now?  
22 A. Yes, I'm prepared to proffer it now. I do apologise  
23 to Todd Jefferis.  
24  
25 Q. And you --  
26 A. I wish - I wished that I had really heard what he was  
27 trying to tell me. I wish that I had understood that.  
28  
29 Q. And to Dennis McKenna sitting in prison today, you say  
30 publicly that he is a sexual pervert with sexual --  
31 A. Absolutely. Absolutely.  
32  
33 MR HAMMOND: No further questions, sir.  
34  
35 HIS HONOUR: Now, do you wish to call any evidence, Mr  
36 Manera?  
37  
38 MR MANERA: I just have a few questions of Mr Murray, your  
39 Honour.  
40  
41 HIS HONOUR: Yes.  
42  
43 <CROSS-EXAMINATION BY MR MANERA:  
44  
45 MR MANERA: Q. Mr Murray, much has been said about your  
46 relationship with Dennis McKenna. I've just got a few  
47 questions about that. As I understand your evidence, you

1 said that you had a close working relationship with him?  
2 A. Extremely closely.  
3  
4 Q. Right. Did you ever socialise with him? I'll be more  
5 specific. Did you ever go out with him socially --  
6 A. No, I did not.  
7  
8 Q. -- say out to a non-school or hostel functions?  
9 A. No, I did not.  
10  
11 Q. Right. Did he ever - I think you've already answered  
12 Mr Hammond's question in this regard. Did he ever come to  
13 your house?  
14 A. No, he did not.  
15  
16 Q. Did - as I understand it, your wife lived at a  
17 residence in Perth for much of the time?  
18 A. Yes, for the last two and a half years.  
19  
20 Q. Okay. And did he ever come to that house?  
21 A. No, not that I'm - no. I did say no. I was going to  
22 say not that I'm aware of because - I am sure he didn't,  
23 but --  
24  
25 Q. Did you ever go on any outings just with Mr McKenna?  
26 A. No.  
27  
28 Q. So not in relation to school or hostel matters?  
29 A. No, I don't - don't remember ever going out singly  
30 with him. Sorry, sorry, I went to Gnowangerup District  
31 High School, Jerramungup District High School, two or  
32 three - we went in a car together during the day to - to do  
33 a counselling visit --  
34  
35 Q. Right.  
36 A. -- for students coming to the school and to the  
37 hostel.  
38  
39 Q. Okay.  
40 A. That happened two years I think.  
41  
42 Q. All right. There were some minutes, as I understand,  
43 your Honour, they were tendered. Some minutes of a meeting  
44 of the Board of the Katanning Hostel in February 1991. Can  
45 I ask you this: were you on the Board of the Katanning  
46 Hostel, St Andrew's Hostel, in February 1991?  
47 A. In February 1991 I think I was in Russia.

1  
2 Q. In fairness to you --  
3 A. I was not on the Board.  
4  
5 Q. -- could the witness please be shown a copy of  
6 those minutes.  
7  
8 MR URQUHART: I don't think he was shown minutes from  
9 1991, Mr Manera.  
10  
11 MR MANERA: I thought this was a February 1991.  
12  
13 MR URQUHART: I would be surprised if that was the case.  
14  
15 MR MANERA: In any event, perhaps I will just clarify this  
16 in this way.  
17  
18 Q. As I understand it, you left the Katanning Senior High  
19 School in or about December 1990?  
20 A. Mid-December.  
21  
22 Q. Right. And you - did you attend any Board meetings of  
23 the hostel after you left the Katanning Senior High School  
24 in December 1990?  
25 A. No.  
26  
27 MR MANERA: Okay. Sorry, I may be mistaken on that point,  
28 your Honour.  
29  
30 MR HAMMOND: I might have mislead you. That might be  
31 partly be my fault when I was trying to assist.  
32  
33 MR MANERA: That's fine.  
34  
35 MR URQUHART: Don't ask Mr Hammond for assistance, Mr  
36 Manera.  
37  
38 MR MANERA: Yes. Poor judgment.  
39  
40 MR URQUHART: Not on a Friday afternoon.  
41  
42 MR MANERA: Q. The other matter, and perhaps it's the  
43 final matter I want to ask you, Mr Murray, relates to the  
44 evidence - your evidence about the evidence you gave at the  
45 trial of Dennis McKenna in 1991. Now, as I understand your  
46 evidence, you - when Mr Urquhart was asking you questions  
47 about this, you acknowledged that you had said at that

1 trial that Todd Jefferis came to you and made allegations  
2 of a sexual nature?

3 A. Yes.

4

5 Q. Right. Do you remember that being put to you?

6 A. I remember that question - Mr Urquhart saying that,  
7 yes.

8

9 Q. And as I recall your evidence in that regard, you said  
10 words to the effect of, "It must have been said"?

11 A. Yes.

12

13 Q. Right. In terms of your recollection now in April of  
14 2012, that's not your recollection, is that what you're  
15 suggesting?

16 A. Well, my recollection now of that event is that I  
17 always felt that Todd was telling me that he had been  
18 physically abused.

19

20 Q. All right. That's your recollection now?

21 A. Yes.

22

23 Q. All right. Okay. And you accept in the context of  
24 your apology today, that Todd must have been trying, when  
25 he met with you, to explain that to you?

26 A. Yes, I accept that (indistinct).

27

28 Q. All right. You were asked about why you didn't  
29 investigate certain allegations of a criminal nature, and I  
30 think your answer was to the effect, "It wasn't my role to  
31 investigate criminal matters", and you spoke about previous  
32 incidents, previous incidents where there'd been - I  
33 understand that you were suggesting previous incidents  
34 where there'd been allegations of criminal behaviour. Is  
35 that what you were --

36 A. Yes, whenever's a - whenever a - whenever there's an  
37 action - an allegation of criminality, doesn't matter what  
38 it is, I always feel if it's criminality involved, that I  
39 have not got the right nor the training nor the authority  
40 to investigate it.

41

42 Q. All right. My question is this: had there been - had  
43 you ever experienced situations where students have made  
44 allegations of criminal activity prior to 1988?

45 A. There were a couple of occasions.

46

47 Q. So in 19 - sorry, 1990?

1 A. A couple of occasions. Not events in the school,  
2 events out of the school, and they're the ones that I  
3 always say, "Go to the police" --  
4  
5 Q. Right.  
6 A. -- "I have got no authority." If it happens within  
7 the school --  
8  
9 Q. Sure.  
10 A. -- I always get it there.  
11  
12 Q. So there'd been a couple of incidents?  
13 A. Yes, prior.  
14  
15 MR MANERA: All right. Thank you. I've got nothing  
16 further, thank you, your Honour.  
17  
18 HIS HONOUR: All right. Is there anything arising?  
19  
20 MR URQUHART: Yes, just one question on that last matter.  
21  
22 <RE-EXAMINATION BY MR URQUHART:  
23  
24 MR URQUHART: Q. Mr Murray, where would you class this  
25 particular incident involving Todd Jefferis? Is that  
26 within the school or outside of the school?  
27 A. I count it as outside of the school.  
28  
29 Q. Because it happened in the hostel?  
30 A. It happened in the hostel.  
31  
32 MR URQUHART: All right. Yes, thank you. That's the only  
33 matter, sir.  
34  
35 HIS HONOUR: Well, that completes your evidence now, thank  
36 you Mr Murray, and you can leave the witness box. You're  
37 free to go.  
38  
39 THE WITNESS: Thank you, very much, sir.  
40  
41 HIS HONOUR: Very well.  
42  
43 MR MANERA: Your Honour, can I just raise one matter?  
44  
45 HIS HONOUR: Yes.  
46  
47 MR MANERA: Could your Honour, at the rising of the



1 hearing today, direct any persons who may feel compelled,  
2 as they did yesterday, to approach Mr Murray and express  
3 their view towards him - your Honour's already made comment  
4 about an incident that occurred, as I understand, outside  
5 of the --

6

7 HIS HONOUR: Yes.

8

9 MR MANERA: -- building yesterday evening, but I'd also  
10 ask your Honour please to invite persons who may feel  
11 compelled to do that, not to do it.

12

13 HIS HONOUR: Now, I will make this clear. Now, the  
14 subject of this Inquiry is very emotive, and particularly  
15 for people who have been affected by the despicable conduct  
16 of Mr McKenna. We have subpoenaed witnesses to come to  
17 this building. They have to come to this building via  
18 particular entrances and the like, and they are an easy  
19 target for harassment as they come and go to the hearing,  
20 but it would be very wrong for anyone to harass any witness  
21 to this Inquiry.

22

23 When that happens, it makes people reluctant to come;  
24 and, furthermore, if there's any risk of it happening, I  
25 have to consider conducting evidence by way of video links  
26 rather than having people attend personally. It's far  
27 better to have people present - come give their evidence in  
28 person, rather than have to go to the extent of having them  
29 at some distant place.

30

31 So I'm directing anyone in the gallery, anyone who's  
32 upset by the substance of the matters that Mr Murray has  
33 been dealing with, that they should not in any way harass  
34 this man. Very well, you're free to go.

35

36 THE WITNESS: Thank you, sir.

37

38 <THE WITNESS WITHDREW

39

40 HIS HONOUR: Now, Mr Urquhart.

41

42 MR URQUHART: Yes, sir. We're now going to be adjourning  
43 the matter. We won't be sitting on Monday or Tuesday of  
44 next week. Wednesday is a public holiday, and to my  
45 recollection we are next here - I may get Madam Associate  
46 to either nod or shake her head when I say this - we'll be  
47 adjourning to Friday, 27 April at 10am. Thankfully, sir,

1 she's nodding her head. So I'm right there. So 27 April.  
2  
3 HIS HONOUR: All right. So at 10 o'clock.  
4  
5 MR URQUHART: Yes. So it's one week today at 10am.  
6  
7 HIS HONOUR: Very well. I'm adjourning until Friday, 27  
8 April at 10am.  
9  
10 MR URQUHART: Thank you sir.  
11  
12 AT 5.01PM THE HEARING ADJOURNED TO  
13 FRIDAY, 27 APRIL 2012 AT 10AM  
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