(iii) CHILD "Y"

Child Y was interviewed on five occasions, the Crown relying on the first videotape interview of 4 May 1992. Y's evidence was the basis for count 8 in the Indictment; the jury returned a verdict of not guilty in respect of that count.

Accordingly the focus is on any risks of contamination before 4 May 1992.

Y was aged 3 ½ to 5 years for the period covered by count 9 in the Indictment. Y was aged 6 ½ years at the time of the evidential interview.

Y's mother gave evidence at depositions and trial.

Contact with other parents

Prior to attending the parents support group meeting in July 1992 Y's mother had had no contact at all with any other parents (Trial p. 137 line 23).

Y's mother acknowledged that she did speak to other parents in a general sense about her son's allegations. It follows that any information sharing occurred **after** all relevant evidential interviews were concluded.

At Trial p136 line 28 Y's mother was asked whether she ever discussed what her son was saying with other parents prior to the meeting at her house in August 1992. In response Y's mother replied:

> "In the sense of, yes I would have to say yes I had ... It would be after the support meetings started and it was in very general terms I talked, it was nothing specific as to what my son was or in depth talking about. Maybe one word and someone would say gosh my child said that too".

Y's mother first heard about the crèche inquiry in November 1991 as a result of information received from a friend (Trial p.132 line 19). She did not attend the parents' meeting held in December 1991. She did attend the meeting at Knox Hall on 31 March 1992. At that meeting (Trial p.132 line25):

> "I discussed [Y's] behaviour with John Ell and Sue Sidey. [Y's] first interview was in May, the 4th of May. At that time I had had no contact with other parents who had children at the crèche. As to what contact [Y] had had with other children who attended the crèche on 4th May, none. That was since his leaving the crèche. At the time of his first interview, the knowledge I had about allegations of Ellis urinating on children or in their mouths or anything of that nature, absolutely none".

There was considerable cross-examination at Depositions (p 419-422) as to the contact Y's mother had with other families and children. Y's mother was part of a support group with the parents of complainants X and Z.

attended a meeting at Y's family residence on 4 August 1992. This meeting took place after the evidential interviews of Y had been completed. had prepared notes that were circulated at the meeting.

The notes prepared by and distributed to Y's mother and other parents were never discussed with Y. Y's mother kept that information strictly to herself (Depositions 421, line 12).

Attendance at Official Meetings

As noted above, Y's mother did not attend the December 1991 meeting, but did attend the Knox Hall meeting on 31 March 1992 and was present when particular parents met at Y's family home in August 1992.

Parent/Child Contamination

Y's mother was clear in her evidence at Depositions (p.392, line 17) that she was very careful about what she said to Y regarding the Civic Crèche and Peter Ellis. When Y indicated he did not want to talk about what had happened when he had been to the toilet, his parents left it, not pushing him. Y responded by saying that his mother could tell the Police.

Notwithstanding disclosure of abuse after the first interview Y's mother was still aware of the care to be exercised in discussing the allegations with her son (Depositions 402/19)

Initially, Y's mother took notes in the form of drawings and then words spoken by Y commencing on 7 July 1992.

At Trial p.133 line 4, Y's mother said:

> "Prior to the first interview in November 1991 (sic May 1992) we had questioned our son. As to the type of questions I asked him, we asked him if he remembered going to Civic, we asked him if he remembered any of the teachers. That's it. Prior to his first interview of 4 May as far as I can remember we only spoke to him to advise him he was having an interview. After the 4 May interview I have questioned my son about crèche".

At trial p.137, line 5, Y's mother was asked:

> "Are you quite sure apart from the initial discussion with your son in November you had no other discussion with him prior to his first interview concerning the crèche?
>
> We were advised not to talk to our children, I took that advice. Other than talking about him going to talk to somebody that he felt safe enough to talk to for the interview."

At Depositions p.401 Y's mother confirmed that other than the initial conversation she had with Y in November 1991 and in accordance with the advice not to talk to the children as given at the Knox Church meeting, she did not speak to Y again about Peter Ellis. Whilst she did acknowledge that there may have been discussion as recorded in

specialist services interview notes (Depositions p.401 line 22, 404 line 11) those discussions did not touch on any allegation either specific or general. See Depositions p416 line 21

> " if there was any talking done it would have come from my son and it would have been open ended questions from me"

There can be no suggestion that there was any real risk of contamination resulting from either contact with other parents or from the manner in which Y and his mother conversed.

Child/Child Contamination

There was no suggestion, and nor was Y's mother cross-examined, to the effect that Y had had that might give rise to a risk of contamination of evidence.

At Trial p132 line 26 Y's mother said:

> "[Y's] first interview was in May, the 4th of May, at that time I had had no contact with other parents who had children at the crèche. As to what contact [Y] had had with other children who attended the crèche on 4 May, none."

It follows there was no risk of child/child contamination of evidence.