

Adroddiad 01-21: Tystiolaeth Atodol

Chwefror 2022



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Adroddiad 01-21: Tystiolaeth Atodol

Chwefror 2022



DOCUMENTS RELIED UPON:

These documents are published separately in 01-21: Supplementary Evidence

1. Gantt chart
2. Complaint
3. Letter Neil McEvoy – Commissioner 19 November 2018
4. Email [REDACTED] 16 November 2016 and agenda
5. Email [REDACTED] – Neil McEvoy 17 November 2016
6. Minutes meeting 17 November 2016
7. Agenda meeting 14 December 2016
8. Minutes meeting 12 December 2016
9. Agenda meeting 12 January 2017
10. Minutes meeting 12 January 2017
11. Screenshot Neil McEvoy – [REDACTED] 17 & 18 December 2016
12. Screenshot [REDACTED] – Neil McEvoy 19 December 2016
13. Email [REDACTED] – [REDACTED] 5 March 2017
14. Email [REDACTED] – [REDACTED] 4 April 2017
15. Election Guidance
16. Letter Commissioner – Neil McEvoy 16 March 2017
17. Statement of [REDACTED]
18. Letter Commissioner – Neil McEvoy 20 February 2018
19. Emails [REDACTED] – [REDACTED] 28 October 2016
20. Screenshot Michael Deem – [REDACTED] – Neil McEvoy 6 January 2017
21. Screenshot [REDACTED] – Neil McEvoy 17 February 2017

22. Screenshot Neil McEvoy – Michael Deem 14 March 2017
23. Screenshot Neil McEvoy – Michael Deem 17 March 2017
24. Screenshot Michael Deem – Neil McEvoy 21 March 2017
25. Emails Neil McEvoy – Michael Deem 21 March 2017
26. Screenshot Neil McEvoy – [REDACTED] 21 May 2017
27. Email [REDACTED] – Neil McEvoy 2 August 2016
28. Screenshot Neil McEvoy – [REDACTED] – [REDACTED] 1 November 2016
29. Screenshot Neil McEvoy – Michael Deem 15 November 2016
30. Screenshot Neil McEvoy – [REDACTED] 2 January 2017
31. Screenshot [REDACTED] – [REDACTED] 7 April 2017
32. Screenshot [REDACTED] – [REDACTED] – Neil McEvoy 8 April 2017
33. Screenshot [REDACTED] – [REDACTED] – [REDACTED] 27 April 2017
34. Clarity invoice 30 April 2016
35. Clarity invoice 31 May 2016
36. Letter Neil McEvoy – Commissioner 5 July 2019
37. Emails Clarity Copiers – Commissioner 15 &16 April 2019
38. Clarity invoice 31 August 2016
39. Clarity invoice 30 September 2016
40. Clarity invoice 31 October 2016
41. Clarity invoice 30 November 2016
42. Clarity invoice 31 December 2016
43. OCA claim form 5 January 2017
44. Clarity invoice 31 January 2017
45. OCA claim form 13 February 2017
46. Rental agreement 16 November 2016
47. OCA claim form 5 January 2017 – rental

48. Clarity invoice 31 October 2016 – rental
49. Email and Table Summary Neil McEvoy – Commissioner 5 April 2017
50. Email MBS to Commissioner’s Office 11 March 2020
51. Note of campaign meeting 27 February 2017
52. Monthly Update May 2017
53. Note of campaign meeting 18 April 2017
54. Transcript Interview 11 February 2020 Neil McEvoy Part 1
55. Transcript Interview 11 February 2020 Neil McEvoy Part 2
56. Photograph of back room at regional office
57. Letter ██████████ – Commissioner 6 August 2018
58. Letter Commissioner – Neil McEvoy 9 August 2018
59. Screenshot Neil McEvoy – ██████████ 18 March 2017
60. Interrogatories – Michael Deem
61. Letter Commissioner – ██████████ 10 July 2018
62. Transcript hearing 19 November 2018
63. Transcript hearing 22 November 2018
64. Transcript hearing 23 November 2018
65. Transcript hearing 29 November 2018
66. Transcript hearing 6 December 2018
67. Transcript hearing 11 January 2019
68. Transcript hearing 14 January 2019
69. Transcript hearing 14 February 2019
70. Transcript hearing 18 March 2019
71. Transcript hearing 29 March 2019
72. Transcript hearing 17 June 2019
73. Transcript hearing 5 July 2019

74. Screenshot [REDACTED] – Neil McEvoy 27 March 2017
75. Statement – [REDACTED] 31 May 2018
76. Statement – [REDACTED] 1 June 2018
77. Email – McEvoy – Deem & others 12 May 2017
78. Statement - [REDACTED] 7 March 2018
79. Statement – [REDACTED]
80. Statement – [REDACTED]
81. Election leaflet Riverside ward
82. Screenshot – [REDACTED] 26 April 2017
83. Screenshot 27 April 2017 – printer fixed
84. Minutes meeting 31 January 2017
85. Screenshot – [REDACTED] 27 April 2017
86. Decision in disciplinary appeal by Michael Deem
87. Transcript – disciplinary hearing 22 February 2018
88. Note of campaign meeting 1 May 2017
89. Employment costs [REDACTED] and Michael Deem
90. Note of campaign meeting 22 May 2017
91. Letter Acting Commissioner – Michael Deem 5 June 2020
92. Letter Acting Commissioner – Neil McEvoy 5 June 2020
93. Letter MD to Acting Commissioner 18 June 2020
94. Letter Acting Commissioner to MD 19 June 2020
95. Email NM to DB 8 June 2020
96. Letter DB to NM 8 June 2020

May 16	June 16	July 16	Aug 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June 17
						3 rd Grangetown by-election						4 th Cardiff City Council Elections	8 th Parliamentary General Election

NM councillor (since 2008)

4 May 2017, NM re-elected as Fairwater Councillor

5 May 2016, NM elected as Regional Member for South Wales Central																		
6 th NM given AM Handbook 10 th NM attends briefing on rules				2 nd NM tells staff leaflets can be printed at 1p per sheet				1 st 3,000 election leaflets printed in RO (finding IV)	17 th Political meeting in RO (finding VI)	14 th Political meeting in RO (finding VII)	19 th Scheme to mislead Security about interviews	7 th Removal of party documents from RO	12 th Political meeting in RO (finding XII)	6 th Political meeting in Assembly (finding XVI)	5 th Political meeting in Assembly (finding XVIII)	21 st Election work carried out at RO (finding XVII)	7 th Election leaflets printed in RO (finding XIX)	22 nd Political meeting in RO (finding XXII)
Election boards stored at RO (finding I)																		
Use of electricity paid for by Assembly Commission (finding V)																		
AMSS carried out party political work (finding X)																		
storage of newsletters at regional office																		
F. Campaign Organiser based at regional office (finding XIII)																		
Weekly political meetings of AMSS (finding XIV)																		
Campaign printer located at regional office (finding IX)																		
Folding machine located at regional office (finding II)																		
Translator employed as AMSS (finding III)																		
19 June, Regional Office established at 321 Cathedral Road East																		
May 2016, MD employed by NM in regional office. MD suspended 27 July 2017, dismissed 27 Feb 2018																		

Election guidance in place

→

Michael Deem

9th October, 2017

Dear Sir,

R.E.- Breach of Assembly Members Code of Conduct by Neil McEvoy AM.

I wish to make a formal complaint regarding the conduct of my employer, Mr. Neil McEvoy AM. I was hired by Mr. McEvoy as his Office Manager and Senior Caseworker in June 2016. During my time working for him I have witnessed repeated breaches of the Assembly Members Code of Conduct, in relation to his use of Assembly resources for the purpose of campaigning.

These breaches are so numerous and severe in nature, I feel duty bound to protect the interests of the people of Wales by making this disclosure.

I have, and will provide evidence that will show Mr. McEvoy has authorised or had knowledge of the following breaches;

1. Printing large volumes of party political leaflets, designed for the promotion and election of Plaid Cymru candidates, via a photocopier provided by the Assembly commission.
2. The cost of this printing was claimed through his office cost allowance.
3. When a high value bill was challenged by MBS, Mr. McEvoy attempted to deceive Assembly staff by copying large volumes of confidential files on a third-party printer.
4. Claimed further items through his office cost allowance that were specifically used for the purpose of campaigning. These included high quality camera and sound recording equipment.
5. Held Cardiff City Council campaign meetings at his regional Assembly office.
6. Employed 3 temporary members of staff for the sole purpose of campaigning for the election of Plaid Cymru candidates to Cardiff Council. Their day to day responsibilities included designing, translating, printing and delivering party political leaflets.
7. Regularly delegated further tasks to his 3 permanent members of staff which were also highly political in nature.
8. Used the Assembly ICT systems to produce, edit and upload political campaign videos to social media.

9. Attempted to charge large bills from the Assembly restaurant to his office costs account. These bills were for dinner's where he hosted prominent business people, from which he obtained political donations.

I can provide physical evidence in the form of printer bills, email's, text messages and encrypted conversation transcripts.

I will also provide comprehensive oral evidence in support of the above-mentioned allegations. You may also wish to summon a number of current or previously employed Assembly staff to provide oral evidence. These include [REDACTED] and [REDACTED] all of whom have witnessed breaches.

Due to the scale, and complexity of this complaint, I would appreciate some guidance as to how I may now present this evidence. I also urge you consider how best to preserve evidence that is currently stored in the regional office and on the ICT systems of Mr. McEvoy and his associates.

Yours sincerely,



Michael Deern

SIR ROBERICK EVANS QC.
COMMISSIONER FOR STANDARDS
NATIONAL ASSEMBLY FOR WALES
CARDIFF BAY.
CF99 1NJ4.



Neil McEvoy
Aelod Cynulliad dros Canol De Cymru
Assembly Member for South Wales Central

Dyddiad | Date: 19 November 2018

Pwnc | Subject: Complaints

Dear Sir Roderick,

In my first year as an AM, it is clear that I made mistakes. The experience of being an AM is like a very fast train journey. The work load is enormous and our office operates like no other. I am constantly told that no other AM goes to the lengths or details I go to in dealing with casework.



In AMs' offices there is very much a lot of cross over. I have had over a thousand meetings since being elected and some political matters were discussed in some meetings. This happens with every AM. Also, in the interests of time management, some meetings took place in the office, which on reflection should have taken place elsewhere. The constituency office was not a hub, as suggested. Printing was done elsewhere, though for some weeks a printer was housed at the office, which on reflection should not have been there. Any printing done was minimal, as there were 60,000 newspapers to deliver at that time. Indeed, Mir Deem arranged for them to be deposited at the office. I then insisted they be moved.

Furthermore, [REDACTED] did spend time in the constituency office and was interviewed in my Assembly office. At the time I thought this was permissible, because she would be contributing to constituency work as part of her role. This is a grey area and the rules should more clearly reflect what happens in reality. [REDACTED] also spent time in Plaid Cymru's head office and also in the private office of Michael Deem at his home. The mitigation for [REDACTED] being in my office is that [REDACTED] worked on the local development campaign at that time. This was and is a legitimate constituency campaign. Leaflets and letters are sent out by me on this matter and the contents are perused by Member Business Support, before they go out.

After my error in using an Assembly room in March, I re-read rules and procedures and was much stricter. The one printer was moved and I made sure I enforced the rules. I could not rely on my office manager to do this and there was some tension developing on that front.

A final mitigation which would explain my over relaxed attitude to matters for a certain time, was that my former office manager was supposed to sort out a sublet to enable activity in the back room. This was the

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Blaen Caeirnydd, Caerdydd, CF99 1NA
Neil McEvoy@assembly.wales
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0300 200 7432

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Cardiff Bay, Cardiff, CF99 1NA
neil.mcevoy@assembly.wales
www.assembly.wales
0300 200 7432





arrangement [REDACTED] had. His office was in [REDACTED]. This was another matter that was not progressed and I regret not being pro-active in policing matters on it. I realised that we needed a campaign HQ, when the campaign started and this is what I arranged. The HQ was in Caerau, hence my submission through [REDACTED].

In terms of staffing, my working conditions are extremely flexible. This brings the best out of good staff.

Neil McEvoy

Neil McEvoy AM
South Wales Central

EXHIBIT 50
PAGE 2

Sent from my iPhone

██████████
@neilmcevoy

On 16 Nov 2016, at 23:58, ██████████ <██████████> wrote:

Gyfeillion,

Atodaf yr agenda i'r cyfarfod am 5:30 yfory (Tachwedd 17) yn swyddfa Neil
(321 Heol Ddwyreiniol y Bontfaen).

I attach the agenda for the meeting at 5:30 tomorrow (November 17) yn Neil's
office (321 Cowbridge Road East)

Cofion, ██████████
██████████

<Gŵp Ymgynrch Caerdydd 2017 - Agenda - 17.11.16.docx>

Grŵp Ymgyrch Caerdydd 2017

Tachwedd 17, 2016

Agenda

1. Cylch Gorchwyl y Grŵp
2. Maniffesto
3. Trefnydd Ymgyrch: disgrifiad swydd a rheolaeth llinell
4. Cynllun Ymgyrch
5. Rheolaeth yr Ymgyrch a Chyflawni Targedau

Cynnig De Caerdydd

- i. y dylid penodi trefnydd ar sail cychwynnol am fis yn unig, mor fuan a phosibl;*
- ii. y penodiad i'w gadarnhau am y cyfnod hyd at yr etholiad, unwaith fod y Pwyllgor Ardal (neu ei ddirprwyon) yn fodlon fod y peth yn ariannol hyfyw;*
- iii. awgrymwn fod na bwyllgor llywio bach (iawn) yn cael ei ddirprwyo gan y tîm ymgyrchu/pwyllgor ardal i lunio cytundeb i'r trefnydd a chytuno rhaglen waith - ein awgrym yw taw'r Trysorydd Ardal, y Trysorydd Cenedlaethol a'r cyn-Gyfarwyddwr Etholiadau sy'n gwneud hyn, hynny yw - [REDACTED] a [REDACTED]*
- iv. fod y trefnydd yn atebol am ei gwaith o ddydd i ddydd i Neil McEvoy fel arweinydd yr ymgyrch.*

Cardiff Campaign Group 2017

17 November 2016

Agenda

1. Remit of Group
2. Manifesto
3. Campaign Organiser: job description and line management
4. Campaign Plan
5. Campaign Management and Achieving Targets

Cardiff South Proposal:

- i. an organiser should be appointed, as soon as possible, on an initial basis of one month only;*
- ii. the appointment to be confirmed for the period up to the election, once the Regional Committee (or its delegates) is satisfied that the thing is financially viable;*
- iii. we suggest that a (very) small steering committee be delegated by the campaign group/regional committee to draft an agreement for the organiser and to agree a work programme - our suggestion is that Regional Treasurer, the National Treasurer and the former Director of Elections do this, that is [REDACTED]*

- iv. [REDACTED] and [REDACTED] that the organiser be accountable for her day-to-day work to Neil McEvoy, as the leader of the campaign.*



Michael Deem <[redacted]>

Grŵp Ymgyrch Caerdydd 2017

1 message

[redacted] <[redacted]>
 To: Neil McEvoy <[redacted]>
 Cc: [redacted] <[redacted]>, [redacted] <[redacted]>, [redacted] <[redacted]>
 17 November 2016 at 19:50

Neil,

[redacted] is writing up some notes from this evening's meeting. I shall circulate them, as soon as they are available. However, it was agreed that I should report back on two issues immediately.

Firstly, we agreed to accept the proposal from Cardiff South, with one amendment, which was that we should add a representative from Cardiff Central to the very small group that would manage the organiser. In short, there is agreement that we should go ahead to recruit someone.

Secondly, it was agreed that we should invite representatives of the Green and Lib Dem parties to meet, separately, with the Campaign Group to explore whether there are grounds for any sort of collaboration in the May elections.

[redacted] notes will add a little more detail to these two decisions.

Cofion.

[redacted]

Grŵp Ymgyrch Caerdydd 2017 - 17 Tachwedd 2016

Yn bresennol: [REDACTED], [REDACTED], [REDACTED], Mike Deem, [REDACTED], [REDACTED]
[REDACTED] (cadeirydd).

1. Cyfrifoldeb y Grŵp

- **cytunwyd** i gyfarfod o leiaf unwaith y mis i adolygu datblygiad yr ymgyrch.

2. Trefnydd yr Ymgyrch: disgrifiad swydd a rheolaeth

- **cytunwyd** cynnig De Caerdydd, gyda'r gwelliannau isod:
 - trefnydd i'w benodi, gynted ag y bo modd, ar sail dechreuol o un mis yn unig;*
 - y penodiad i'w gadarnhau am y cyfnod hyd at yr etholiad, unwaith y bydd y Pwyllgor Rhanbarthol (neu ei gynrychiolwyr) yn fodlon bod modd ariannu'r trefniant;*
 - pwyllgor llywio bychan, yn cynnwys [REDACTED], [REDACTED], [REDACTED] a chynrychiolydd o Ganol Caerdydd, i lunio cytundeb i'r trefnydd a chytuno ar raglen waith;*
 - y trefnydd i fod yn atebol yn ei waith o ddydd i ddydd, i Neil McEvoy, fel arweinydd yr ymgyrch.*
- **cytunwyd** y grŵp lywio i nodi, wrth gynhyrchu disgrifiad swydd/manylion personol, awgrymiadau Neil McEvoy a'r disgrifiad swydd blaenorol.
- **nodwyd** nad oedd y Gogledd yn siŵr a oes angen help trefnydd arnynt.

3. Maniffesto

- **cytunwyd** gwahodd [REDACTED] i weithio gyda Grŵp yr Ymgyrch i gydlynu cynhyrchu'r maniffesto.
- **nodwyd** nad oedd holl aelodau'r etholaethau wedi gallu cyfrannu at y drafft cychwynnol presennol.
- **cytunwyd** anfon at yr holl aelodau i ofyn am syniadau am y cynnwys.
- **cytunwyd** y dylai ail drafft fod ar gael cyn diwedd Rhagfyr.
- **cytunwyd** y dylai'r cyd-lynydd sicrhau bod drafft wedi'i ddiweddarau ar gael yn rheolaidd.
- **cytunwyd**, os bydd [REDACTED] yn cytuno, mai fe ddylai arwain y drafodaeth ar y maniffesto yng nghyfarfod nesaf yr ardal.

4. Cynllun yr Ymgyrch

- **cytunwyd** y bydd aelodau'r grŵp yn ebstio'r cadeirydd gan awgrymu gweithgareddau a ddylai fod yn rhan o gyfrifoldeb y grŵp.
- **nodwyd** bod Canol Caerdydd yn pryderu ynghylch trefniadau etholiadol gyda'r Dem. Rhyddfrydol.
- **cytunwyd** y dylid gofyn i Neil McEvoy drefnu cyfarfodydd ffurfiol ar wahân o'r Grŵp Ymgyrchu (cadeiryddion etholaethau, [REDACTED] a Neil) gyda'r Gwyrdiaid a'r Dem. Rhyddfrydol i drafod posibiliadau.

5. Rheoli'r Ymgyrch a Chyflawni'r Nod

- **cytunwyd** y bydd cyfarfod nesaf y Pwyllgor Ardal llawn nos Lun 28 Tachwedd yn Neuadd y Ddinas (os gall Neil drefnu ystafell).

Cardiff 2107 Campaign Group - 17 November 2016

Present: [REDACTED], [REDACTED], [REDACTED], Mike Deem, [REDACTED], [REDACTED]
[REDACTED] (chair).

1. Remit of Group

- **agreed** to meet at least monthly to review progress of campaign.

2. Campaign Organiser: job description and line management

- **agreed** proposal from Cardiff South, as amended below:
 - organiser to be appointed, as soon as possible, on initial basis of one month only;*
 - appointment to be confirmed for the period up to the election, once the Regional Committee (or its delegates) is satisfied that arrangement is financially viable;*
 - small steering committee, comprising [REDACTED], [REDACTED], [REDACTED] and representative from Cardiff Central, to draft agreement for the organiser and to agree a work programme;*
 - organiser be accountable, in day-to-day work, to Neil McEvoy, as campaign leader.*
- **agreed** steering group to take note, in producing job description/person specification, of Neil McEvoy's suggestions and previous job description.
- **noted** that North not sure whether it needs help of organiser.

3. Manifesto

- **agreed** to invite [REDACTED] to work with Campaign Group to co-ordinate production of manifesto.
- **noted** that not all constituency members had been able to contribute to current initial draft.
- **agreed** to circulate all members to request ideas for content.
- **agreed** that second draft should be available before end of December.
- **agreed** that co-ordinator should make updated draft available at regular intervals.
- **agreed** that, if [REDACTED] is agreeable, he should lead discussion on manifesto at next area meeting.

4. Campaign Plan

- **agreed** that group members would e-mail the chair with suggestions of activities that should fall within the remit of the group.
- **noted** that Central has concerns about electoral arrangements with Liberal Democrats.
- **agreed** that Neil McEvoy should be asked to arrange separate formal meetings of Campaign Group (chairs of constituencies, [REDACTED] and Neil) with Greens and Liberal Democrats to discuss possibilities.

5. Campaign Management and Achieving Targets

- **agreed** that next meeting of full Area Committee should be on Monday 28 November in City Hall (if Neil can arrange a room).

Grŵp Ymgyrch Caerdydd 2017

Rhagfyr 14, 2016

Agenda

1. Cofnodion Pwyllgor Rhanbarth Caerdydd (Tachwedd 28, 2016)
2. Maniffesto
3. Trefnydd Ymgyrch: datblygiadau
4. Cynllun Ymgyrch: pethau i'w cydlynu neu eu trefnu gan yr Grŵp Ymgyrch

Cardiff Campaign Group 2017

14 December 2016

Agenda

1. Minutes of Cardiff Regional Group (28 November 2016)
2. Manifesto
3. Campaign Organiser: developments
4. Campaign Plan: things to be co-ordinated or organised by the Campaign Group

Grŵp Ymgyrch Caerdydd 2017 – 12 Rhagfyr 2016

Yn bresennol: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED],
[REDACTED] (chair).

1. Cofnodion Pwyllgor Rhanbarth Caerdydd (Tachwedd 28)

- **cytunwyd** y dylai'r Grŵp Ymgyrch drefnu hyfforddiant i ymgeiswyr a gweithwyr yn gynnar yn y Flwyddyn Newydd.

2. Maniffesto

- **mynegiwyd** gwerthfawrogiad o waith [REDACTED] ar y maniffesto.
- **cytunwyd** na fyddai'r Grŵp Ymgyrch yn cyfodod un ymateb unigol i'w ddrafft o'r maniffesto.
- **cytunwyd** y byddai cynrychiolwyr yr etholaethau'n cyflwyno sylwadau'n uniongyrchol iddo, cyn gynted â bo modd ar ôl cyfarfod y Grŵp Ymgyrch.
- **cytunwyd** amserlen i gynhyrchu'r maniffesto, fel y canlyn:
 - [REDACTED] i ddiwygio'r drafft, ar sail sylwadau cynrychiolwyr, cyn gynted â bo modd;
 - etholaethau i alw cyfarfod, yn gynnar ym mis Ionawr, i ystyried y drafft cyfredol neu un diwygiedig ac i gyflwyno sylwadau iddo;
 - Grŵp Ymgyrch i gwrdd ym mis Ionawr, cyn cyfarfod llawn Pwyllgor Rhanbarth Caerdydd, er mwyn adolygu'r drafft diweddaraf ar y pryd;
 - Pwyllgor Rhanbarth Caerdydd ar Ionawr 16 i ffocysu'n bennaf ar ddrafft y maniffesto sydd ar gael y pryd hynny;
 - Grŵp Ymgyrch i gwrdd rhwng cyfarfodydd Ionawr a Chwefror Pwyllgor y Rhanbarth er mwyn ystyried drafft diweddaedig;
 - Pwyllgor Rhanbarth Caerdydd ar Chwefror 13 i gadarnhau'r maniffesto.
- **nodwyd** y byddai'r drafft presennol yn elwa'n gyffredinol, petai'n nodi themâu mawr eglur, yn cynnwys llai o eitemau 'rhestr siopa' ac yn defnyddio steil symlach a mwy uniongyrchol.

3. Trefnydd yr Ymgyrch

- **nodwyd** bod cyfweiliadau am swydd trefnydd yr ymgyrch wedi'u trefnu am Ddydd Sadwrn, Ionawr 17.

4. Cynllun yr Ymgyrch

- **nodwyd** nad oedd y cadeirydd, yn sgîl Pwyllgor Mis Tachwedd y Rhanbarth, wedi derbyn dim ymateb i'r cais am i ymgeiswyr nodi cefnogaeth ellir ei darparu yn fwyaf effeithiol ar y lefel ranbarthol.
- **cytunwyd** y dylai cynrychiolwyr atgoffa eu etholaethau am y pwysigrwydd o restru'r fath bethau a'u cyflwyno i'r cadeirydd.
- **nodwyd** yr angysondebau rhwng y targedau etholiadol a osodwyd i Gaerdydd ym Mai 2017 gan y Cyngor Cenedlaethol a'r rhai a osodwyd gan Neil McEvoy.
- **cytunwyd** y dylai'r cadeirydd gysylltu â'r canghennau i ofyn am restr o ymgeiswyr sydd eisoes wedi'u dewis i sefyll yn etholiadau mis Mai.
- **cytunwyd** y dylai Pwyllgor y Rhanbarth ofyn am fwy o fanylion am ddarpar ymgeiswyr, cyn eu cadarnhau.
- **cytunwyd** galw cyfarfod o'r holl ymgeiswyr er mwyn sicrhau eu bod yn ymwybodol o bolisiau cenedlaethol ar faterion fel y 'treth' ar dreuliau aelodau etholedig.

5. Date of Next Meeting

- Ionawr 5 or 12 (yn ôl argaeledd [REDACTED] a Neil)

Cardiff 2107 Campaign Group – 12 December 2016

Present: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]
[REDACTED] (chair).

1. Minutes of Cardiff Regional Committee (Tachwedd 28)

- **agreed** that the group should organise a training event for candidates and workers early in the New Year.

2. Manifesto

- **expressed** appreciation of [REDACTED]' work on the manifesto.
- **agreed** that the group would not collate one single response to his draft manifesto.
- **agreed** that each constituency representative would submit comments directly to him, as soon as possible after the Campaign Group meeting.
- **agreed** a timetable for producing the manifesto, as follows:
 - [REDACTED] to amend the draft, on the basis of representatives' comments, as soon as possible;
 - Constituencies to convene meeting, early in January, to consider current or amended draft and to submit comments to him;
 - Campaign Group to meet in January, prior to the full Cardiff Regional meeting, to review latest draft at that time;
 - Cardiff Regional meeting on January 16 to focus primarily on the draft of the manifesto available at that time;
 - Campaign Group to meet between the January and February Regional Committee meetings to consider an updated draft.
 - Cardiff Regional meeting on February 13 should ratify the manifesto.
- **noted** that the current draft would benefit, in general, if it were to identify clear major themes, include fewer 'shopping list' items and adopt a simpler, more direct style.

3. Campaign Organiser

- **noted** that interviews for the campaign organiser position were scheduled for Saturday 17 January.

4. Campaign Plan

- **noted** that the chair had received no responses, following the November Regional Committee meeting, to the request that candidates should identify activities that could be most effectively supported at the regional level.
- **agreed** that representatives should remind constituencies of the importance of identifying such issues and communicating them to the chair.
- **noted** that there were inconsistencies between electoral targets set for Cardiff for May 2017 by National Council and those identified by Neil McEvoy.
- **agreed** that chair should contact branches to request an up-to-date list of all candidates currently identified for the May elections.
- **agreed** that the Rhanbarth committee should ask for more details about prospective candidates, before ratifying them.
- **agreed** to convene meeting of all candidates to ensure that they are aware of national policies on matters such as the levy on elected members' expenses.

5. Date of Next Meeting

- January 5 or 12 (depending on availability of [REDACTED] and Neil).

Grŵp Ymgyrch Caerdydd 2017

Ionawr 12, 2017

Agenda

1. Cadeiryddiaeth
2. Cofnodion y Grŵp Ymgyrch (Rhagfyr 12, 2016)
3. Maniffesto
4. Trefnydd Ymgyrch: diweddariad
5. Cynllun Ymgyrch: pethau i'w cydlynu neu eu trefnu gan yr Grŵp Ymgyrch
 - Hyfforddiant i ymgeiswyr a gweithwyr

Cardiff Campaign Group 2017

12 January 2017

Agenda

1. The Chair
2. Minutes of Campaign Group (12 December 2016)
3. Maniffesto
4. Campaign Organiser: update
5. Campaign Plan: things to be co-ordinated or organised by the Campaign Group
 - Training for candidates and workers

Cardiff Campaign group meeting/Cyfarfod Ymgyrch Caerdydd. 12/1/17

1 – Chair

Due to officer changes in Cardiff Central [REDACTED] decided to stand down as the Campaign group chair and to represent Cardiff Central on the group. [REDACTED] was nominated as new chair.

2 – Manifesto

A detailed discussion took place of the manifesto.

[REDACTED] agreed to work with [REDACTED] on the education section.

[REDACTED] agreed to revisit the culture, tourism and Welsh Language sections; with [REDACTED] providing input.

Neil McEvoy (with [REDACTED]) agreed to draft a vision statement and 3-5 key pledges for discussion at the next meeting.

The final manifesto will be presented to the Area Committee on 13th of February.

3 – Local Pledges

It was agreed that every Candidate to have 3 pledge that they are campaigning on in their area.

[REDACTED] will correspond with selected candidates and ask for lists of pledges.

4 – Training

[REDACTED] agreed to organise candidate training. It was proposed that [REDACTED] be asked to undertake agent training.

5 – Candidates

Every ward was considered and the current position outlined.

The following agreed to send full names of candidates selected to [REDACTED] by 23/1/17:

Cardiff West: Neil McEvoy

Cardiff South: [REDACTED]

Cardiff Central: [REDACTED]

Cardiff North: [REDACTED]

Branding – templates needed for leaflets and posters. Also any other materials we use for core printing. This will be discussed at the meeting on the 31st.

6 – Date of Next Meeting

NEXT MEETING TUESDAY 31st JANUARY 2017 – 18.00 at the office.

17 DECEMBER 2016

Neil McEvoy

Interviews 4 organiser on Monday. Will need 1 of you to herd the applicants at the Assembly. Cancelled interviews today, going to [REDACTED]'s funeral. On antibiotics. Amazing how much better I feel today, after just 2 tablets. Annoying 12 week cough was an infection. Was too busy to realise how crap I had been feeling. There's a lesson there I think !

10:21

18 DECEMBER 2016

[REDACTED]
Just passed 6 person labour canvassing team on plasturton avenue

15:34

Neil McEvoy

Really need to get our arses in gear. Should organise all canvass sessions on Fridays. Telephone canvass also.



19 DECEMBER 2016

Hi all would it be a problem if I went to Bay today? Want to chase up a few things before assembly closes over Christmas. Would rather keep out of way with interviews.

Matthew, I'll continue with Canton article. Let me know guys if anything else I can do

No problem. Can you collect the candidates from the foyer? You'll have to let security know. Just tell them its for a meeting with Neil, if challenged (i doubt you will be) they're interviewing for the 2 Assembly temp posts.

Didn't realise it was down the Bay!! No worries will do. What time are they expected to arrive?

Not sure sorry. Neil will go through the detail when you're down there.

Neil McEvoy
Not till 12.30 on

👍 when I get in now I'll explain that we've got candidates arriving around lunchtime. See you all in a bit/at some point.

Neil McEvoy
Just sent you timetable to your personal email. Names and times.

Got it. Will pass on this information

Sounds a good structure!!

Neil McEvoy
wants his file. He is calling in today for it. We need to copy it urgently.

All sorted front of house for interviews

Neil McEvoy
Complaints have to go tomorrow. Forgot them today.

Ok, we'll get them listed in the team meeting and thrash them out before leafleting.

Neil McEvoy

"angharadllwyd [redacted] [redacted]
[redacted]; Michael Deem [redacted]
Sent: Sunday, 5 March 2017, 13:16
Subject: Re: Meeting

We need a line b4 PC Assembly Group. Monday 5 at Assembly ?

Sent from my iPhone
[redacted]
@ neilmcevoy

On 5 Mar 2017, at 13:14, [redacted] <[redacted]> wrote:

Personally can't make Monday night. Already got two meetings one at 6 and Plaid Constituency at 7.30. But am free on Tuesday evening.

[redacted]
[redacted]
[redacted]
[redacted]

From: Neil McEvoy [redacted]
To: [redacted]
Cc: [redacted]
[redacted]
[redacted]
[redacted]; Michael Deem
[redacted]
<[redacted]>

Sent: Sunday, 5 March 2017, 12:45
Subject: Re: Meeting

Monday good for me. ??

Sent from my iPhone
[redacted]
@ neilmcevoy

> On 5 Mar 2017, at 12:25, [redacted] wrote:
>
> Either Monday or Tuesday OK for me.
>
> [redacted]
>> On 5 Maw 2017, at 12:23, [redacted]

< [REDACTED] wrote:

>>

>> Neil and all.

>> I think an early meeting would be wise - but I also think we should aim for a good attendance!

>> I'm not available tonight I'm sorry but could make either Monday or Tuesday at 1700

>> [REDACTED]

>>

>> Wedi danfon o'r iPhone

>>

>>> On 5 Maw 2017, at 07:52, Neil McEvoy

< [REDACTED] wrote:

>>>

>>> Hi All,

>>>

>>> Given what is happening, I think we need to meet today at 5pm. I knew the Tribunal would find against me for the issue of the 23/07/15. I didn't know that some senior Plaid players would use it to get even with me, without a care for what could be historic results of May 4th.

>>>

>>> Labour has done a lot of work on [REDACTED] in the Bay and she doesn't realise that their aim is simply to retain control of Cardiff Council. The present offensive has been well planned and I was told months ago that they were planning to drag my name through the dirt.

>>>

>>> The public response has been extraordinary on social media. The vast majority have seen right through this travesty of democracy.

>>>

>>> [REDACTED] it seems, is heavily some people who don't want Plaid running the Council. There are some pretty serious things at stake here.

>>>

>>> I hope I have included the whole of the Campaign Group. This is short notice, but I can see 5 years work and a historical opportunity just going down the pan.

>>>

>>> Yours sincerely,

>>> Neil

>>>

>>> Sent from my iPhone

>>> [REDACTED]

>>> @neiljmcevoy

>>>

>>>

>>

>

From: [redacted]
To: [redacted] Neil McEvoy [redacted]
Cc: [redacted]
Subject: Cyfarfod Ymgyrch Yfory
Date: Tue, Apr 4, 2017 4:30 pm

Gyfeillion

We'll meet tomorrow at 1215 at Neil's Office in the National Assembly. If you all come to the reception in Ty Hywel. [redacted]

We have several aspects of the campaign to discuss, but I would like to focus our attention on agreeing a plan for materials and how these are to be produced and authorised. I would like to see a clear, costed and timetabled plan for the meeting - not to the pennies of course, but broad costs.

Given the relatively tight spending limits for each ward we need to be clear and relatively detailed in our planning for the target wards,

We will conclude the meeting no later than 1345.

See you tomorrow

[redacted]

[redacted]

Guidance on the use of Assembly Resources during a local or UK general election

Background

The Code of Conduct for Assembly Members paragraphs 10 and 13 require Members to comply with “the Rules and Guidance for Members on the use of Assembly resources” and the current Determination on Individual and Group Allowances. Chapter 1 of Independent Remuneration Board's Determination for the Fifth Assembly sets out the basic principles which apply to Allowances. Section 1.3.1 states that,

‘Claims must only be made for expenditure necessarily incurred in order to enable performance of the Member’s duties as an Assembly Member’.

This guidance applies to Assembly Members’ use of Assembly resources during the run-up to local and UK general elections and takes effect immediately.

Whilst Assembly Members may wish to campaign for a particular outcome in the local or general election, this is not part of the duties of an Assembly Member and therefore any resources or funds provided by the Assembly cannot be used for this purpose.

Assembly resources include provisions made available to Members within the Determination, as well as centrally provided Assembly support. More detail is provided below.

Support Staff

Support staff employed by an Assembly Member must not be actively engaged in campaigning as part of their contracted hours of work. There is no Assembly restriction on staff undertaking such activity outside their contracted working hours, while on annual leave or while on unpaid special leave. Any periods of unpaid special leave must be notified to Members’ Business Support in advance in order that the appropriate financial adjustment may be made.

Constituency & Regional Offices

Constituency and regional offices may not be used in connection with campaigning. This includes prohibition on the display of materials or posters related to a local or



general election, use of office space for activities in any way connected to campaigning and any facilities or equipment at the office funded by the Assembly.

Office Costs Allowance

The cost of any materials that may be of a campaigning nature may not be funded from a Member's Office Costs Allowance. This includes the printing and postage of such items. Assembly stationery may not be used nor can the material be photocopied using Assembly equipment, nor sent for franking through the Assembly postal system.

Similarly, items already purchased or leased which have been paid for through the Office Costs Allowance may not be utilised for campaigning purposes.

IT Equipment, Websites & Telephony

Assembly IT equipment and the Assembly's telephone system must not be used for campaigning purposes. This includes the use of Assembly-financed websites and broadband, as well as mobile phones, laptops and tablet devices.

Travel

Members may not claim any funding towards their travel expenditure or overnight expenses incurred in campaigning.

Booking of rooms

Meeting rooms within the Assembly estate (which includes the Senedd, Tŷ Hywel, the Pierhead Building and Colwyn Bay premises) must only be used for the purposes of Assembly Business and not for campaigning for votes for any political party, campaigning for a particular outcome in a local or general election, or promoting or encouraging support for any political party.

Use of the Senedd estate for filming

For party political content, media operations are allowed in public areas in the Senedd and Members' offices. No media operations are allowed in restricted areas, and in particular, not in the Siambr or committee rooms.

Copy Unit in Tŷ Hywel

Services supplied by the Copy Unit at Tŷ Hywel including all centrally provided postage costs must not be used for reasons linked to campaigning.



Other services provided by the Assembly Commission

All other services provided by the Assembly Commission such as the Assembly's Research Service, the Library, the Translation and Reporting service and Committee and Legal support are similarly unavailable for purposes linked to campaigning. This includes Members' offices and equipment at Tŷ Hywel.

Other Information

Any queries on this guidance, or if doubts exist about the appropriateness of the use of resources, should be addressed to **Members' Business Support** on 0300 200 [REDACTED].



Neil McEvoy AM,
Tŷ Hywel,
National Assembly for Wales,
Cardiff,
CF99 1NA,

16 March 2017

STRICTLY CONFIDENTIAL

Dear Mr McEvoy,

I write in respect of two matters: firstly, the complaint made against you by [REDACTED] and, secondly, a matter which has been referred to me by Claire Clancy, the Chief Executive and Clerk of the Assembly.

The Complaint

[REDACTED]

The Referred Matter

Under S9 of the National Assembly for Wales Commissioner for Standards Measure 2009 Claire Clancy has referred to me the issue of your use of a room on the Assembly estate on Tuesday 14 March to launch your campaign in the local government elections. She has forwarded to me the email exchange between you and her. This, too, is a matter I should like to discuss with you, again as part of my preliminary enquiry into the matter.

Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA
—
Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@cynulliad.cymru
—
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
—
Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales
—
We welcome correspondence in both English and Welsh

My office will contact your office in order to arrange a convenient time for a meeting which I hope can be held in the next few days.

Yours sincerely,

A handwritten signature in black ink that reads "Roderick Evans". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Sir Roderick Evans

Y Comisiynydd Safonau

Standards Commissioner

Statement by [REDACTED] - 07/07/2018

Re: Neil McEvoy's role in leading Plaid Cymru's campaign in Cardiff for the May 2017 local elections.

This is to confirm that I have been a long standing member of the Cardiff Area Committee of Plaid Cymru (having served as [REDACTED] at various times in previous years). This representative body includes delegates from all Plaid Cymru branches in Cardiff and is the decision making body tasked with supporting and scrutinising our elected councillors in the city as well as co-ordinating all aspects of our ongoing local campaigns and preparations for forthcoming elections.

The Committee's preparations for the May 2017 local elections started in earnest in September 2016. From the outset it was agreed and made clear to all that Neil McEvoy would lead Plaid Cymru's overall campaign in our capital city for those elections. This in the context of Neil being the leader of the Plaid Group on Cardiff Council and also that Neil assumed this role from the start and strongly influenced the decisions made by the committee. Many key decisions were also made without reference to the committee to the annoyance of many representatives from branches throughout the city. Neil's leadership role was confirmed with the dispatch of leaflets at regular intervals from his Cowbridge Road East Office to all target Wards in the city especially during the Grangetown by-election in November 2016 and in the last few months leading up to the local elections .

Neil and his staff also facilitated the opening of a separate campaign office in Caerau 6 weeks prior to the date of the local elections. This then became the campaign HQ and I attended the office to assist with campaigning on a number of occasions during morning sessions. Neil and his full time staff members [REDACTED] and [REDACTED] were present during my visits and each occupied a desk on the premises and instructed and delegated tasks such as preparing bundles of leaflets for distribution and placing targeted letters in envelopes which I assisted with. A photocopying machine was in regular use in the background. The Caerau office was also used as the meeting point for activists before proceeding in different groups to distribute leaflets and canvass residents in various target Wards throughout the city.

I did not see Michael Deem in the Caerau office during my visits and understood that he was based in the Cowbridge Road East Assembly office during this 6 week period as at other times. I had also become concerned about his welfare as I understood that, as the candidate for the Radyr and Morganstown Ward, he was out canvassing in the early mornings, evenings and weekends for many weeks.

I can only refer to what I observed as stated above and my understanding as a member of the Area Committee of Neil's leading role and how they related to each other.

Ends

STRICTLY CONFIDENTIAL

Neil McEvoy AM
National Assembly for Wales
Cardiff Bay
CF99 1NA

20 February 2018

Dear Mr McEvoy,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In addition, Mr Deem has made a further complaint against you, details of which I set out below.

Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA

Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@cynulliad.cymru

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA

Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales

We welcome correspondence in both English and Welsh

As you are aware, paragraph 10 of the Code of Conduct for Assembly Members requires Members to comply with the “Rules and Guidance on the Use of Assembly Resources” and any guidance on the use of Assembly resources specifically relating to an election campaign. For ease of reference, this requirement is set out on page 13 of the booklet “Code of Conduct for Assembly Members and Associated Documents” and the Rules and Guidance referred to in paragraph 10 are set out at pages 78-89 of the booklet.

Paragraph 12 of the Rules and Guidance (page 81 of the booklet) requires Members to ensure that they use Assembly resources for the purpose of their activities as Assembly Members only and not for any of the prohibited purposes set out in that paragraph. Those prohibited purposes include party political activity of any kind and campaigning for the election or re-election of particular candidates for any public office (including the Member in question).

Mr Deem alleges that you have breached paragraph 10 of the Code as contrary to the requirements of paragraph 12 of the Rules and Guidance you have used Assembly resources for party political and election campaigning purposes. His specific complaints are as follows:

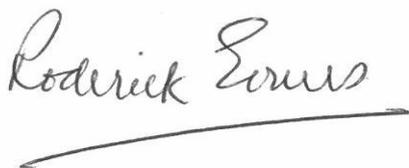
1. You used the Assembly funded office at 321 Cowbridge Road East for political and election campaigning purposes. The office was used as a headquarters for the Cardiff local election campaign; party political material was stored there, it was used as a distribution hub for this material, volunteers would go there to fold leaflets, stuff envelopes and input canvassing returns into the computer; party political meetings were held there.
2. You printed party political leaflets, designed for the promotion of Plaid Cymru candidates, on a photocopier (a Sharp MX2614 model) provided by the Assembly Commission.
3. You charged the costs of printing party political material on the Assembly funded photocopier to your Office Cost Allowance and when challenged by MBS staff about the high cost of photocopying you misled them by saying that the high photocopying bills were due to the large volume of casework being processed. On one occasion in order to support your contention that casework caused the high photocopying bills you had a

large volume of casework papers taken from the regional office to the office in Caerau to be photocopied on another machine.

4. You used an audio/visual recorder called a 'Beast Grip', which was paid for from your office costs, to shoot political videos promoting your own re-election to Cardiff Council and the re-election of other candidates.
5. You employed, using Assembly Commission money, three members of staff, [REDACTED], [REDACTED] and [REDACTED], for the purposes of political campaigning; you also required three full time members of your staff, [REDACTED], [REDACTED] and Michael Deem to carry out tasks which were political in nature. These tasks included designing, translating, printing and delivering leaflets, organising canvassing sessions, briefing candidates, fundraising, completing electoral returns, uploading political campaign videos to social media and in-putting canvassing return data.
6. Some of the political tasks referred to above were carried out using the Assembly Commission's ICT systems and equipment.

At present, I am at the stage of making preliminary enquiries into Mr Deem's complaints and I should be grateful if you would give me your written response to his allegations at your earliest convenience.

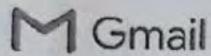
Yours sincerely,

A handwritten signature in cursive script that reads "Roderick Evans". The signature is written in dark ink and is underlined with a single horizontal stroke.

Sir Roderick Evans
Y Comisiynydd Safonau/Standards Commissioner

11/1/2017

Gmail - Re: Leaflet



Michael Deem [REDACTED]

Re: Leaflet

2 messages

28 October 2016 at 10:05

To: [REDACTED] Michael Deem [REDACTED],
[REDACTED]

Hi [REDACTED]

Got the meeting hall booked now. Date is the 14th of November. 6-7:30pm
The Salvation Army hall
Aberthaw Road. Ely. Cf5 4HB.
As agreed with Neil Mcevoy.

Can we get these printed asap.

Thanks
[REDACTED]

On 17 Oct 2016 15:16, [REDACTED]

Hi [REDACTED]

Not urgently chasing. Any idea when leaflets will be ready. That way I can organise myself to get them out and posted.

Thanks
[REDACTED]

On 14 Oct 2016 12:22, [REDACTED] wrote:

I'll pick them up. Hoping to leave Cathays just before 4pm and I'll drive straight to office then to get them well in time for 5

Thanks
[REDACTED]

On 14 Oct 2016 12:15, [REDACTED] wrote:

There will be someone until 5

On 14 October 2016 at 12:10, [REDACTED] wrote:

Thanks [REDACTED]

I can come and collect today. What time will someone be in the office today?

Kind Regards
[REDACTED]

On 14 Oct 2016 11:55, [REDACTED] wrote:

11/1/2017

Gmail - Re: Leaflet

Going to print now but there are still 3 rounds left of the previous leaflet that need to be delivered. Are you able to come get them?

[Redacted]

On 14 October 2016 at 10:14, [Redacted] wrote:

Hi [Redacted]

Hope all is well. Is there any update on the leaflet for Caerau?

Kind regards

[Redacted]

28 October 2016 at 10:34

To: [Redacted]

Cc: [Redacted], Michael Deem <[Redacted]>

Thanks [Redacted]! Nice work.

It's just the other [Redacted] and I in until Monday for now. I'm unsure on whether Neil's personal laptop is around until then. I'm heading back to the office now. When [Redacted] gets back from canvassing I'll ask him what's best.

Would you want these delivered to all houses? Just so I can take into account numbers needed.

Diolch

Sent from my iPhone

[Quoted text hidden]



Swyddfa Plaid Office

Neil, PC, PC, PC, You



to signs.

16:31

Serious concerns with [redacted] bringing a senior manager from MBS to the office on Monday. Currently have 30,000 highly political newspapers here plus thousands of DM's. Need candidates over the weekend to make it disappear!

18:21 ✓✓

[redacted]

[redacted] I didn't think of it like that. [redacted] explained the meeting plan over the phone and it sounded a good plan to me security wise. I should have thought. 😞😞😞😞

18:24

Would you like me to rearrange?

18:25

Neil McEvoy

No. Shift papers tomorrow.

18:29

[redacted]



18:29



Type a message





Swyddfa Plaid Office



Fri, 17 Feb 2017

[Redacted]

P Hi! Have we got any A4 paper hidden anywhere in the office?
🔒 17 Feb, 12:49

Yes in the back office, under the empty bankers boxes

17 Feb, 12:50 ✓✓ 🔒

[Redacted]

P Thank you!!
🔒 17 Feb, 12:54

Neil McEvoy

N Are Llandaf leaflets bagged ?
🔒 17 Feb, 16:27

[Redacted]

P No, going to be done tomorrow
🔒 17 Feb, 16:28

Neil McEvoy



Signal message



SAMSUNG

W W W W W W W W W W

82% 12:48

← Neil McEvoy



Tue, 14 Mar 2017

N

Number 1 priory is to sort sublet to Plaid

14 Mar, 12:35

Ok chasing now

14 Mar, 12:36 ✓✓

N

Have u send email about Radyr?

14 Mar, 14:05

N

I would like it for wording

14 Mar, 14:05

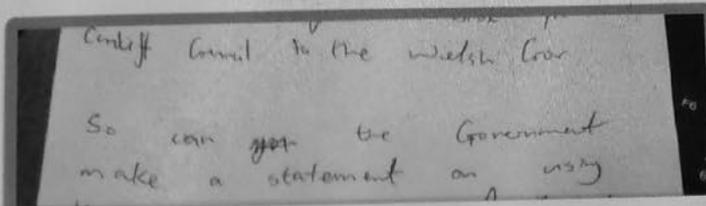
Do u mean the question 4 tomorrow?

14 Mar, 14:12 ✓✓

N

It's for the Government business statement today.

14 Mar, 14:13



Signal message



← Neil McEvoy



Asap

17 Mar, 05:10

Ring me?

17 Mar, 06:47 ✓✓



Head to office. Chat there?
Coffee.

17 Mar, 06:47

Meeting [redacted] there at 7.30 to
go to solicitors

17 Mar, 06:48 ✓✓



K. I will be there in 15

17 Mar, 06:49

Did u speak with [redacted]? Printer and
folding machine need to go. On my
way back to Cardiff, happy to sort out
this afternoon

17 Mar, 11:38 ✓✓

Sun, 19 Mar 2017



Signal message



9/3/2017

Gmail - [redacted] & today

EXHIBIT SF



Michael Deem <[redacted]>

[redacted] & today
2 messages

Neil McEvoy <[redacted]>
To: Michael Deem <[redacted]> 21 March 2017 at 16:01
Cc: [redacted], [redacted], [redacted]

Hi Mike,

I have emailed [redacted] We cannot allow any political activity in the office. You have full authority from me to deal with such a future situation in the strongest possible terms.

I will call [redacted] later. Today as explained by you to me was simply not on.

Ok?

Best wishes,
Neil

Sent from my iPhone
[redacted]
@ neiljmcevoy

Michael Deem <[redacted]>
To: Neil McEvoy <[redacted]> 21 March 2017 at 18:01
Cc: [redacted], [redacted], [redacted]

Of course! And while I'm stuck in Radyr printing, if [redacted] and [redacted] can also help enforce this I'd be very grateful. Going forward, I think we need a paid member of staff in the office at all times. Happy to rota this.

It's not just our jobs on the line here, implications go a lot further than that.

Thanks,
Mike

[Quoted text hidden]



Swyddfa Plaid Office



20 May, 13:10

Neil McEvoy

DM list. Is there a mail merge for all contacts 2017 (excluding Labour & Cons) & the usual target list? Cover this on Monday. 9.30 staff meeting. Canton. Thanks

N

🔒 20 May, 14:04

Sun, 21 May 2017

Neil McEvoy

A Canton supporter has tweeted us concerned about nothing being delivered there.

N

🔒 21 May, 08:22



Dm being delivered yesterday and today. Thank you leaflet during the week and next weekend.

P

🔒 21 May, 08:46



Neil McEvoy



Signal message





Michael Deem [redacted]

printing

2 messages

[redacted] [redacted]
To: Michael Deem [redacted], Neil McEvoy [redacted]

2 August 2016 at 14:00

Hi both,

Cardiff South have been in touch. They're putting together a leaflet to announce their new candidates and they're wondering about printing in the office i.e. are they able to? How much does it cost?

Could you get back to me.

Thanks,

[redacted]

Neil McEvoy [redacted]

To: [redacted] <[redacted]>

Cc: Michael Deem <[redacted]>

2 August 2016 at 14:37

Yes. Penny a sheet I think ? B&W

Sent from my iPhone

[redacted]
@ neiljmcevoy

[Quoted text hidden]

Neil you have an appointment in your office after Plaid Group - 12pm

At some point today would be good to have a 5 minute chat about business days next week when Matthew isn't here. Questions are prepared but I think it would be good for all of us to know what page we are on. Next week is just me and you Neil so I'd quite like to have a quick chat before you go away Thursday and Friday

Wn: today? Bay?
Yeah just getting into Corral now

I'll be in bay by 11.00. Going via the regional office first though
Also Neil, you asked about leaflets. There are still some to do around chapel area, although some are still with [redacted] and haven't been collected!

What areas need doing?
We did around Channel view last night
I'll need to check the map [redacted] left me in that case
If there's any inputting that needs doing then bring over to Bay.

We need to change date & venue on Ely one. I'd sooner just print on ours. Didn't we agree to fit another 3k (ish) in for Crangan? We have spare people. Can u bring DB with you & any cards? Can get Bethan on it.

I'll be free this afternoon. A few things to sort out for mba first this AM
I did change it to salvation army hall on the 14th of November I believe

Lorraine tomorrow. Will be in DC in morning as assembly security coming to do standard checks of office. Thru's 11-12 and I can be out in afternoon
A reminder that there's a 12 o'clock appointment with [redacted] from the Royal British Legion. Ill bring them up to the office on arrival. If you can try and be up here for 12 that'd be great please Neil.
After that there's a petitions handover prior to plenary (if you'd want to go)

Will need to do both

Have arranged for [redacted] to come up as visitor later in this afternoon. Do you know a rough time? That way I can go down and meet him
[redacted] has arrived. Ill offer a cup of tea etc. But if you could pop back to office ASAP that'd be great



Great. Finishing off now.



So gwyn will put you down for jake huff's business statement. Will be at 14.45ish. You just say a few sentences and she then responds.

Urgent question not accepted. Angela burns, Paul Davies, Simon Thomas and Lee Waters accepted



That there is the hand of a by-election.
If we are doing my head in, I can't live in Gwngolwyn I'm sure. They were out to support Glenn in their numbers. So I've sent a bit more of a get up and get out there post now. Not holding my breath but hopefully we will get a few out
Thanks for posting Neil. Hopefully we'll have more luck through that

Will be in Cardiff for 8.30 tomorrow. Bit of a pain- Over dads and left my office keys in my mums. Will get a spoon breakfast - will anyone be at office for 9?
Happy to help deliver in morning. I've got to be in office for 11.30 for assembly security visit.

Ill also check Planning committee agenda which is supposedly coming out tomorrow
Will be there at 9

Great see you later

< Neil McEvoy



N Without printer we are screwed. Can you call and sort service and new riso ? Will b st Assembly in 30 11:29

N In bay. Reading papers for PAC 11:30

12:21 At your office now.

Tuesday, 15 November 2016

08:02 Printers up and running.

N Thank fuck for that. We have 1k. Can u send me photos of rounds 1-4? Will save [redacted] calling to office 08:15

08:19 Ely or Caerau?

N Good point. Caerau plz 08:20

N Mike, on my computer there is Butetown 3. Just started writing it. Could u email to my assembly email? Must get it done 12:22

N [redacted] chasing me? Know what that is? 12:23

N Can u do a meeting 5.30 on Thur? How was

Enter message





Swyddfa Plaid Office

Neil, PC, PC, PC, You



2 JANUARY 2017

Neil McEvoy

Fairwater Rounds: 4,5,8,11,18 taken care of rest need printing and folding.

15:11



Hi guys. Just want to check what time you're in tomorrow. My fob has stopped working so need someone there to let me in

19:15

I'll be in at 9, have rest of Fairwater done tomorrow.

19:38 ✓✓



I'll be in at 9 too 👍

19:45

3 JANUARY 2017



Getting milk in Tesco be 2 mins

09:05

Neil McEvoy

Hi guys. Went delivering tea soon



Type a message



SAMSUNG

🗨️ 🕒 📧 + 📧 🐦 📧 W W 🔇 📶 ✈️ 74% 🔋 18:35

← Swyddfa Plaid Office 👤 ⋮

[Redacted]

P Caerau printer not working! Just in case she comes here!
🔒 7 Apr, 09:26

Anyone in Caerau? URGENT!
7 Apr, 10:18 ✓🔒

[Redacted]

P Got 20 confirmed candidates for tomorrow morning. I hope to have more. I've left a message on Made in Cardiff's news team phone.
🔒 7 Apr, 10:52

[Redacted]

P Printer working now. I'm printing 1000 Fairwater calling cards now!
🔒 7 Apr, 10:55

[Redacted]

P Great. I'm doing riverside here

😊 | Signal message 📷 🎤 📎



Swyddfa Plaid Office



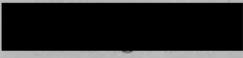
Don't worry Bethan. Spend time with [redacted]. No drama.

8 Apr, 14:51



Neil has the file. He's in Barry

8 Apr, 15:02



I can be there at 7

8 Apr, 17:12

Neil McEvoy



We really must get up to date with the printing tomorrow. We must use both printers. Must get volunteers to people the offices.

8 Apr, 17:32



#forCardiff today. Vote for your Cardiff Champions on May 4th. Let's #GetItDone pic.twitter.com/coipBW6xjW

❤️ [redacted] [redacted]

[redacted] and [redacted] liked your tweet

Today we launch a manifesto #forCardiff, to



Signal message





Swyddfa Plaid Office



[Redacted]

Done! Matthew I'll have to shoot off soon! Are you coming over to finish printing Butetown? And the rest? I'll be in to sort rounds in the morning!

P

27 Apr, 11:47

[Redacted]

I'm going to stay in Canton. Printing the riverside one. Will take all day

P

27 Apr, 12:07

[Redacted]

Ok that's fine! Could you send the Butetown one to Bethan?

P

27 Apr, 12:08

[Redacted]

Yep riverside is still printing at the moment. 500 are folding so far but neil has asked me to do some telephoning this afternoon



Signal message



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Invoice

Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No		
		MX2614NFK 25082838	30/04/2016	SW6217	60101		
Meter Copy Charge as per service contract							
		Prev Meter	Curr Meter	Used	@	Charge	
		Black Copies/Prints	122755	174666	51911	0.5000	£259.56
		Colour Copies/Prints	19629	19629	0	5.0000	£0.00
		service charge				200.00	200.00
Toner excess charged as per our service agreement.							
		Black Toner Excess Charges		39705	0.00367		145.72
ACCEPTANCE OF OPTION CHARGES TO SERVICE							
Delivery To							

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VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£605.28	£121.06	£726.34

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Invoice

Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No
		MX2614NFK 25082838	31/05/2016	SW6217	60222
Meter Copy Charge as per service contract					
	Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints	174666	224666	50000	0.5000	£250.00
Colour Copies/Prints	19629	19629	0	5.0000	£0.00
service charge				200.00	200.00
Delivery To					

Plaid Cymru
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VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£450.00	£90.00	£540.00

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From: McEvoy, Neil (Aelod Cynulliad | Assembly Member)
Sent: 05 July 2019 10:03
To: Standards Commissioner
Subject: the 'Trial'

Dear Sir Roderick,

I am writing to inform you that I will not be attending any future meetings of your 'trial', which you initiated after receiving accusations around two years ago from my disgruntled former office manager.

The reasons I will not attend any further meetings are as follows:

1. The number of days this 'trial' has taken.

We have already had 12 days of sessions during the 'trial'. Please note also that you are not empowered to hold any 'trial'. Twelve working days already is an obscene number for what is meant to be a straightforward investigation, before you make a report. This equates to two and half working weeks that I have been sat in that room with you and Mr Deem, as has my employee. When you factor in the minimum one day of work I have to dedicate to preparing for each hearing then it should be clear that I have already spent more than a month of my time just on your investigation, before we have even got to the Standards Committee. Such an abuse of my time as an elected representative of the people, simply for you to write a report is unforgivable.

It's clear that more complicated actual trials take less time than this. There is nothing complicated about your investigation into Mr Deem's accusations. Either he has the facts that you are mandated to look for e.g. actual printing bills paid for by the Assembly, or he doesn't. After 12 days in session, it's clear that he has nothing more than speculation.

2. The number of days still to come

Despite two and a half weeks of hearings there is still no end in sight to this trial. I simply cannot have any more of my time wasted.

3. Your obvious bias

It's clear to me that you are biased against me. I am not prepared to be 'tried' by someone with such a clear bias, which I look forward to hearing you defend during the Standards Committee sessions.

5. We must draw a line

I have done my best to engage with this process. At times I have become incredibly frustrated, given how much of my time has been spent on speculative accusations, by someone who was rightly fired by me after a litany of offences. But we must draw a line now that no clear facts have been presented.

I have been an Assembly Member for only three years but you have spent much of that time 'investigating' me. It's become an aspect of my working life that cannot continue. There are only 60 of us in the institution and there is a clear and growing frustration from many AMs with your office's negative influence on the work of those who are elected. I cannot continue to be a part of the Kafkaesque trials that you insist on holding.

Lastly, I have given you a small bundle of screenshots from staff members from other AMs and party groups. It took around 30 minutes of (non-Assembly) time to find them. You can quite clearly see how brazen these staff are in posting to social media their use of Assembly resources for party political purposes. You can see evidence of staff campaigning, of Councillor Association meetings taking place in Assembly offices and of party political material being produced on Assembly machines.

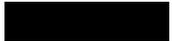
Please do not accept this bundle as a complaint. I submit them to demonstrate the endemic culture in the Assembly of resources being used for party political purposes. Other AMs staff are so open that they readily publicise their use of Assembly resources for party political purposes. Meanwhile, I have gone out of my way to issue guidance to my staff not to use Assembly resources in that way, including falling out with Mr Deem by insisting he remove a political video shot in my office.

I also went out of my way to provide an actual political headquarters for Plaid Cymru in Cardiff during the Council elections in 2017. Please find me an example of any other AM or party doing that. You won't be able to because, unlike me, they will have been campaigning from their Assembly offices.

I look forward to seeing you in the Standards Committee hearings, where we can start to really open this Pandora's Box and explore how other AMs go about using Assembly resources.

Neil McEvoy AM

Neil McEvoy AC / AM



De Cymru Canol / South Wales Central

neil.mcevoy@assembly.wales

neil.mcevoy@cynulliad.cymru

Cynulliad Cenedlaethol Cymru

National Assembly for Wales

From: [REDACTED]@claritycopiers.net>
Sent: 16 April 2019 07:56
To: Standards Commissioner
Subject: RE: Photocopying query - Strictly Private and Confidential

Sensitivity: Confidential

Morning [REDACTED]

Yes it was me that telephoned you.

I contacted my head office, unfortunately they were unable to determine who paid it either only dates they were paid the same as my system.

Sorry not much help.

Regards
[REDACTED]

From: Standards Commissioner <Standards.Commissioner@assembly.wales>

Sent: 15 April 2019 11:16

To: [REDACTED]@claritycopiers.net>

Subject: RE: Photocopying query - Strictly Private and Confidential

Sensitivity: Confidential

Hi [REDACTED],

Just wondered if you'd heard anything regarding this from head office? I think I missed a call last week from Clarity last Wednesday – my colleague took a message and she thinks the person said they were calling from Clarity. They said they would ring back but I haven't heard anything.

Thanks a lot,
[REDACTED]

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Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No	
		MX2614NFK 25082838	31/08/2016	SW6217	60702	
Meter Copy Charge as per service contract						
		Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints		224666	234666	10000	0.5000	£50.00
Colour Copies/Prints		19629	19629	0	5.0000	£0.00
Toner excess charged as per our service agreement.						
Black Toner Excess Charges				228000	0.00367	836.76
Colour Toner Excess Charges				371	0.00992	3.68
ACCEPTANCE OF OPTION CHARGES TO SERVICE						
Delivery To						

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VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£890.44	£178.09	£1068.53

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Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No
		MX2614NFK 25082838	30/09/2016	SW6217	60872

Meter Copy Charge as per service contract

	Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints	234666	244666	10000	0.5000	£50.00
Colour Copies/Prints	19629	24329	4700	5.0000	£235.00

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Inv Goods	Invoice Vat	Inv Total
£285.00	£57.00	£342.00

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Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No
		MX2614NFK 25082838	31/10/2016	SW6217	60981
Meter Copy Charge as per service contract					
	Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints	244666	281256	36590	0.5000	£182.95
Colour Copies/Prints	24329	25509	1180	5.0000	£59.00
Delivery To					

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VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£241.95	£48.39	£290.34

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Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No		
		MX2614NFK 25082838	30/11/2016	SW6217	61166		
Meter Copy Charge as per service contract							
		Prev Meter	Curr Meter	Used	@	Charge	
		Black Copies/Prints	281256	293854	12598	0.5000	£62.99
		Colour Copies/Prints	25509	26648	1139	5.0000	£56.95
Toner excess charged as per our service agreement.							
		Black Toner Excess Charges		23793	0.00367	87.32	
		Colour Toner Excess Charges		2981	0.00992	29.57	
ACCEPTANCE OF OPTION CHARGES TO SERVICE							
Delivery To							

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Inv Goods	Invoice Vat	Inv Total
£236.83	£47.37	£284.20

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Invoice

Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No	
		MX2614NFK 25082838	31/12/2016	SW6217	61245	
Meter Copy Charge as per service contract						
		Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints		293854	303608	9754	0.5000	£48.77
Colour Copies/Prints		26648	32250	5602	5.0000	£280.10
Toner excess charged as per our service agreement.						
Black Toner Excess Charges				644	0.00367	2.36
Colour Toner Excess Charges				8000	0.00992	79.36
ACCEPTANCE OF OPTION CHARGES TO SERVICE						
Delivery To						

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VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£410.59	£82.12	£492.71

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124656

OFFICE COSTS ALLOWANCE - CLAIM FORM

This form is for claiming expenses for the cost of maintaining an office in the Assembly Member's constituency or region. Please state if we are to pay:

- Reimbursement to AM/AMSS
- Direct payment to supplier
- Party Leader's budget

Payee: CLARITY CORPERS LTD
(Please state company/person to be paid)

Expenditure type:	£	Expenditure type:	£	Expenditure type:	£
Broadband		Office Legal Expenses		Office Parking Permits	
Conference Fees (not Party Political)		Office Maintenance		Photocopying	492 71
Books		Office Purchase		Photography	
Eye Test / AMSS charged to staffing		Office Removal Costs		Postage	
Mobile Telephone		Office Rent		Subscriptions (not newspapers)	
Newspapers/Periodicals		Office Stationery		Advertising	
Office Business Rates		Office Telephone		Surgery Room Rental	
Office Cleaning		Office TV Licence		Translation	
Office Contents Insurance		Office Utilities		Website	
Office Equipment Lease		Policy, Research & Comms Fund		TOTAL COST	492 71

Additional Information:

PRINT COST.

This is a claim for the reimbursement of reasonable allowances and/or expenses, necessarily incurred, in the connection with my role as an Assembly Member. I confirm that the monies claimed apply to work or services which have already been completed or fully provided (If you are unable to make this declaration you MUST indicate such to a member of the MBS staff). I attach an invoice and/or receipt in support of all items claimed. I confirm that these items have not been previously claimed and that the information given is, to the best of my knowledge, true and accurate.

SIGNED [Signature] A.M. PRINTED NAME NEIL McEVY

Date 5/1/17

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Invoice

Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No
		MX2614NFK 25082838	31/01/2017	SW6217	61378

Meter Copy Charge as per service contract

	Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints	303608	308893	5285	0.5000	£26.43
Colour Copies/Prints	32250	39216	6966	5.0000	£348.30

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Cardiff

CF5 1JD

VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£374.73	£74.95	£449.68

VAT Rate 20.00%

Bank Payments to:

Sort Code 20:68:10 Account No 90237531

SHARP

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RICOH

The items described above will remain the property of Clarity Copiers Ltd until paid for in full.
No dispute will be recognised after 14 days from invoice date

Payment due in month following invoice date.

ARGYLL BARNSTAPLE BIRMINGHAM BODMIN BOURNEMOUTH BRISTOL CAERPHILLY COVENTRY DERBY
GLOUCESTER HARROGATE HIGH-WYCOMBE LEEDS LEICESTER LIVERPOOL LONDON-TEDDINGTON LONDON-WEMBLEY
MANCHESTER

NEW MILTON NEWTON ABBOT NORTHAMPTON NORWICH ORFINGTON PLYMOUTH RHONDDA SHEFFIELD SOUTHAMPTON

126087

OFFICE COSTS ALLOWANCE - CLAIM FORM

This form is for claiming expenses for the cost of maintaining an office in the Assembly Member's constituency or region. Please state if we are to pay Members' Business Support

- Reimbursement to AM/AMSS
- Direct payment to supplier
- Party Leader's budget

23 FEB 2017

Payee: CLARIFI COPIERS Cymorth Busnes / Aelodau
(Please state company/person to be paid)

Expenditure type:	£	Expenditure type:	£	Expenditure type:	£
Broadband		Office Legal Expenses		Office Parking Permits	
Conference Fees (not Party Political)		Office Maintenance		Photocopying	449 65.
Books		Office Purchase		Photography	
Eye Test / AMSS charged to staffing		Office Removal Costs		Postage	
Mobile Telephone		Office Rent		Subscriptions (not newspapers)	
Newspapers/ Periodicals		Office Stationery		Advertising	
Office Business Rates		Office Telephone		Surgery Room Rental	
Office Cleaning		Office TV Licence		Translation	
Office Contents Insurance		Office Utilities		Website	
Office Equipment Lease	240.	Policy, Research & Comms Fund		TOTAL COST	689 65.

Additional Information:

COPY COST JANUARY AND Q3 RENTAL.

This is a claim for the reimbursement of reasonable allowances and/or expenses, necessarily incurred, in the connection with my role as an Assembly Member. I confirm that the monies claimed apply to work or services which have already been completed or fully provided (If you are unable to make this declaration you MUST indicate such to a member of the MBS staff). I attach an invoice and/or receipt in support of all items claimed. I confirm that these items have not been previously claimed and that the information given is, to the best of my knowledge, true and accurate.

SIGNED *Neil McEvoy* A.M. PRINTED NAME NEIL MCEVOY

Date 13/02/17

16th November 2016

Michael Deem
Plaid Cymru
321 Cowbridge Road East
Cardiff
CF5 1JD

Dear Michael

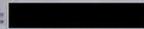
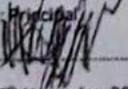
Rental agreement between Plaid Cymru and Clarity Copiers South Wales & Co

Term: 12-month Rental agreement
Commencing: 1st June 2016
Ending: 31st May 2017
Value: £196.00 & vat per quarter

Signed on behalf of Plaid Cymru

Name: MIKE DEEM
Position: OFFICE MANAGER
Signed: 
Dated: 16/11/16

Signed on behalf of Clarity Copiers South Wales & Co

Name: 
Position: Principal
Signed: 
Dated 16th November 2016

Yours sincerely


Principal

184657

OFFICE COSTS ALLOWANCE - CLAIM FORM

This form is for claiming expenses for the cost of maintaining an office in the Assembly Member's constituency or region. Please state if we are to pay:

- Reimbursement to AM/AMSS
- Direct payment to supplier
- Party Leader's budget

Payee: CLARITY COPIERS LTD
(Please state company/person to be paid)

Expenditure type:	£	Expenditure type:	£	Expenditure type:	£
Broadband		Office Legal Expenses		Office Parking Permits	
Conference Fees (not Party Political)		Office Maintenance		Photocopying	
Books		Office Purchase		Photography	
Eye Test / AMSS charged to staffing		Office Removal Costs		Postage	
Mobile Telephone		Office Rent		Subscriptions (not newspapers)	
Newspapers/ Periodicals		Office Stationery		Advertising	
Office Business Rates		Office Telephone		Surgery Room Rental	
Office Cleaning		Office TV Licence		Translation	
Office Contents Insurance		Office Utilities		Website	
Office Equipment Lease	480	Policy, Research & Comms Fund		TOTAL COST	480

Additional Information:

RENTAL FOR 2 QUARTERS. (PHOTOCOPIER)

This is a claim for the reimbursement of reasonable allowances and/or expenses, necessarily incurred, in the connection with my role as an Assembly Member. I confirm that the monies claimed apply to work or services which have already been completed or fully provided (if you are unable to make this declaration you MUST indicate such to a member of the MBS staff). I attach an invoice and/or receipt in support of all items claimed. I confirm that these items have not been previously claimed and that the information given is, to the best of my knowledge, true and accurate.

SIGNED Neil McEvoy A.M. PRINTED NAME NEIL McEVoy

Date 5/1/17

CLARITY®

Clarity Copiers Ltd
 Priory House
 Beignon Close
 Ocean Way
 Cardiff
 CF24 5PB

Telephone 029 20449636
 Fax 029 20449625
<http://www.clarity-copiers.co.uk>
southwales@clarity-copiers.co.uk

Invoice To
 Plaid Cymru
 321 Cowbridge Road East
 Cardiff

CF5 1JD

Invoice

Rep/Job No	Order No	Machine/Serial No	Inv. Date	Account No	Invoice No
		MX2614NFK 25082838	31/10/2016	SW6217	61028
Quantity	Description		Unit Price	Nett Value	
	LEASE RENTAL			£0.00	
1	MAY, JUNE, JULY		£200.0000	£200.00	
1	AUGUST, SEPTEMBER, NOVEMBER		£200.0000	£200.00	

Delivery To

All products (except those marked with *) are supplied from companies holding third party certification and are subject to further inspection under our own quality system.

Plaid Cymru
 321 Cowbridge Road East
 Cardiff

VAT Registration No. 291 4849 27

Inv Goods	Invoice Vat	Inv Total
£400.00	£80.00	£480.00

VAT Rate 20.00%

Bank Payments to:

Sort Code 20:68:10 Account No 90237531

CF5 1JD

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 No dispute will be recognised after 14 days from invoice date
 Payment due in month following invoice date

ANDYLL BARKSTAPLE BIRMINGHAM BODMIN BOURNEMOUTH BRISTOL CAERPHILLY COVENTRY GERRY
 GLOUCESTER HARRGATE HIGH WYCOMBE LEEDS LEICESTER LIVERPOOL LONDON REDDING LONDON WINDYBURY
 MANCHESTER
 NEWBURY NEWTON ABBOT NORTHAMPTON NORWICH OXFORD PLYMOUTH RHONDDA SHEFFIELD SOUTHAMPTON

From: McEvoy, Neil (Aelod Cynulliad | Assembly Member)
Sent: 06 April 2018 13:56
To: Standards Commissioner
Subject: My reply
Attachments: Table of Allegations and Responses (1).docx; MD Mitigating Circumstances (1).docx; Deem File 1-139.pdf

Dear Sir Roderick,

Please find attached my answers.

I thank you for being patient in waiting for my reply. The mitigating circumstances document should have been in the original bundle. It will need to be read in conjunction with the rest.

Yours sincerely,

Neil McEvoy AC / AM

De Cymru Canol / South Wales Central

neil.mcevoy@assembly.wales

neil.mcevoy@cynulliad.cymru



Cynulliad Cenedlaethol Cymru
National Assembly for Wales

**RESPONSE OF NEIL McEVOY AM
TABLE SUMMARY
And Narrative**

No.	Allegation	Admit or Deny	Particulars
1	You used the Assembly funded office at 321 Cowbridge Road East for political and election campaigning purposes	<i>Denial</i>	1. The office at 321 Cowbridge Road East was not used in breach of the rules. 2.Plaid Cymru centrally accordingly rented another office, 36 Caerau Lane, Caerau, Cardiff. CF5 5HQ. 3.The May 2017 Council elections campaign and also the June 2017 Westminster Election ie all relevant political and campaigning work was done from 36 Caerau Lane, Caerau, Cardiff, CF5 5HQ.
(a)	The office was used as a headquarters for the Cardiff local election campaign; party political material was stored there,	<i>Denied</i>	Political material was prepared and stored at 36 Caerau Lane, Caerau, Cardiff, CF5 5HQ
(b)	it was used as a distribution hub for this material, volunteers would go there to fold leaflets, stuff envelopes and input canvassing returns into the computer;	<i>Denied</i>	Distribution is denied. Political material arriving at 321 was redirected to 36 Caerau Lane, which was fully used for activities not permitted at 321.
(c)	party political meetings were held there.	<i>Denied</i>	The primary body conducting formal political meetings at the relevant time was the Cardiff West Constituency

			<p>Committee. This Committee met at Jolyons Hotel, Cathedral Road and not at 321.</p> <p>Campaign Team meetings also took place, at 36 Caerau Lane.</p> <p>Other informal and ad hoc conversations at 321 were frequent. Their nature was to respond to events and to organise activities, in accordance with the rules. As the person responsible, such conversations ended with me issuing instructions. When I gave such instructions I was careful to apply Regulations 10 and 12.</p>
2	<p>You printed party political leaflets, designed for the promotion of Plaid Cymru candidates, on a photocopier (a Sharp MX2614 model) provided by the Assembly Commission.</p>	<p><i>Denied</i></p>	<p>I had the use of this printer, which was at 321. There was high usage because it was used for casework ie to take copies of the personal documents that constituents brought in to me. I did much more of this kind of work than many AMs.</p> <p>The printing done was in accordance with the rules. Under my authority, Mr.Deem was in charge of how this printer was used. I instructed him to</p>

			<p>avoid use in breach of Regulations 10 and 12.</p> <p>Mr.Deem seems to have struggled with this discipline. We held a Team Meeting on 14.06.17 - see p028. When I questioned Mr.Deem over the volume of printing, he was very defensive and called me paranoid.</p>
3	You charged the costs of printing party political material on the Assembly funded photocopier to your Office Cost Allowance	<i>Denied</i>	<p>As no party political material was printed the invoices relied on were correct, accepted by the Assembly (MBS). The invoices submitted did not include any charge for items not properly payable.</p>
(a)	and when challenged by MBS staff about the high cost of photocopying you misled them by saying that the high photocopying bills were due to the large volume of casework being processed.	<i>Misleading denied</i>	<p>See 2 and 3 above. I gave this explanation. It was correct and not misleading. Further, it emerged and was accepted by MBS that the apparently high bill was in fact the bill for 2 months not 1 and was not in fact high.</p>
(b)	On one occasion in order to support your contention that casework caused the high photocopying bills you had a large volume of casework papers taken from the regional office to the office in Caerau to be photocopied on another machine.	<i>Manipulation denied</i>	<p>Casework papers were collated and kept at 321, and copied there when needed, a proper use of 321. The costs of this were properly included in invoices submitted to MBS. Taking casework</p>

			<p>papers from 321 to 36 Caerau Lane was unnecessary and did not happen, save for one occasion when the office at 321 ran out of toner for the printer. Mr.Deem had failed to order sufficient toner.</p> <p>The invoices for proper printing at 321 were not inflated (or reduced) by the alleged or any other deception.</p>
4	<p>You used an audio/visual recorder called a 'Beast Grip', which was paid for from your office costs, to shoot political videos promoting your own re-election to Cardiff Council and the re-election of other candidates</p>	<p><i>Payment admitted. Misuse denied.</i></p>	<p>The "Beast" was a mount for holding a phone/camera and was ungainly. It was paid for as a proper expense from office costs. It was impractical for use outdoors and was not used outdoors. I only used it for press conferences in the Media Briefing Room at the Senedd, which were frequent at one stage. This was a proper use of the tripod and within the rules.</p>
5	<p>You employed (3 people), using Assembly Commission money...., for the purposes of political campaigning;</p>	<p><i>Denied, see below</i></p>	<p>Please see p053 of the attached Bundle, in which Mr Deem states that the staff members he names were employed in order to conduct casework. I tasked him to apply the rules as they applied to permitted work and work that was not permitted. I held</p>

			him accountable for this.
(a)	(Employed) three members of staff, [REDACTED] [REDACTED] and [REDACTED], for the purposes of political campaigning;	[REDACTED] [REDACTED] [REDACTED]	<p>[REDACTED]</p> <p>He was employed to do constituency work. He did not do political work</p> <p>[REDACTED]</p> <p>I employed [REDACTED] for constituency work, including during the period when Mr.Deem was the Parliamentary Candidate, when I allowed Mr.Deem a lot of freedom of action.</p> <p>[REDACTED] has deposed that Mr.Deem employed him as part of Mr.Deem's June 2017 Westminster Election campaign ie for the purposes of political campaigning, based at 36 Caerau Lane. Mr.Deem conducted this campaign in his own time and outside my jurisdiction. See Witness Statement of [REDACTED] at p105.</p> <p>I did employ [REDACTED] [REDACTED]. Her duties were administrative and not party political in character. Her duties were to keep my office open on Saturdays and to</p>

			<p>ensure that we had Welsh language skills within the office. It was later decided that keeping the office open six days a week was not viable and so [REDACTED] [REDACTED]'s contract did not continue.</p>
<p>b)</p>	<p>you also required three full time members of your staff, [REDACTED], [REDACTED] and Michael Deem to carry out tasks which were political in nature. These tasks included designing, translating, printing and delivering leaflets, organising canvassing sessions, briefing candidates, fundraising, completing electoral returns, uploading political campaign videos to social media and in-putting canvassing return data.</p>	<p><i>Denied</i></p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>At the material time, [REDACTED] was employed as my personal political adviser, within the rules. He was not required or employed to perform political tasks in addition to his advisory role. However, as with most staff employed by politicians, [REDACTED] had a strong interest in politics and has been an active member of the same party as me, Plaid Cymru, for many years. At elections times, he chose as a volunteer to do campaign work in addition to his normal work, He did so in accordance with the rules.</p> <p>[REDACTED] was and is junior to [REDACTED] and was only employed to work four days a week. She like him has political interests</p>

		<i>Michael Deem</i>	<p>was a volunteer at the material time.</p> <p>Michael Deem was an employee and volunteered in a way similar to [REDACTED] and [REDACTED], though more extensively.:</p> <p>May 2017 Council campaign – volunteer.</p> <p>June 2017 Westminster Campaign – the Plaid Cymru Candidate, given leave of absence/flexi-time, and was a committed and full-time candidate during the campaign, but not as part of his employment.</p>
6	Some of the political tasks referred to above were carried out using the Assembly Commission’s ICT systems and equipment.	<i>Denied</i>	<p>Particulars required of the political tasks so carried out.</p> <p>Generally, I maintained as strict adherence as I could to Regulations 10 and 12 – see Bundle generally.</p>

NARRATIVE

1. I have tried to understand and to respond fully to the allegations contained in letter of the Standards Commissioner dated 20th February 2018.
2. I have *not* [REDACTED] referred to in that letter and so can respond only to the letter of 20th February.

3. My response is as set out in the Table above. Also, I attach hereto a Bundle running to 139 pages which covers all the records which I have been able to assemble in connection with the time period covered by the complaint. A number of aspects emerge clearly.
4. I was aware at all times of the requirements of Regulations 10 and 12 and sought to enforce the requirements in the work of my office and all my political work.
5. Originally Mr.Deem was employed simply as a community case worker. However, I quickly formed the view that he was performing at a higher level than this. For this reason I applied to MBS for his terms of employment to be improved, such that he was promoted and paid more. At that time I believed I was justified in delegating to Mr.Deem some considerable responsibility as to how the office was run. In retrospect, I have wondered if I was correct to do this.
6. In the early part of 2017 I began to supervise the work of Mr.Deem a little more closely.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. However, where Mr.Deem's testimony differs from mine I shall (sadly) be obliged to challenge his credibility as a witness.

Signed _____

Neil McEvoy AM, 6th April 2018

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff)
Sent: 11 March 2020 08:33
To: Standards Commissioner
Cc: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff)
Subject: Assembly Restricted - guidance on elections
Attachments: 2017 local election guidance on the use of assembly resources.pdf; 2017 local election guidance on the use of assembly resource (cym).pdf

Dear [REDACTED]

You asked for information relating to the guidance issued to Members in the run up to the local government elections in 2017.

ICT have confirmed that the attached guidance was posted to the Members' intranet in March 2017 (see below).

Unfortunately I have been unable to find any email trail of this being issued to Members. It is likely have been sent by the then Head of Service, [REDACTED]. I no longer have access to her emails to check, but this would be our usual practice. We would also signpost Members and their offices to this guidance via the monthly update. Unfortunately we no longer hold the relevant update centrally, but I will ask the team whether they still have access to these via a different route.

I hope this is useful; please let me know if you require any further information.

Diolch

[REDACTED]



[REDACTED]

From: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff) [REDACTED] >
Sent: 10 March 2020 12:12
To: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff) [REDACTED]
Subject: RE: Assembly Restricted: Members' intranet - archive

Hi [REDACTED]

I found a News post from March 2017 (no exact date I'm afraid) which led directly to the attached document. The post was entitled:

"Guidance on the use of Assembly resources during the 2017 Local Elections"

I was unable to find an equivalent post in the Welsh site archives but there was a Welsh version of the guidance uploaded (also attached).

Let me know if you need anything else.

Many thanks,



[Redacted signature and contact information]

Canllaw ar ddefnyddio adnoddau'r Cynulliad yn ystod Etholiadau Lleol 2017

Cefndir

Mae paragraffau 10 ac 13 o'r Cod Ymddygiad ar gyfer Aelodau'r Cynulliad yn gofyn i'r Aelodau gydymffurfio â'r "Rheolau a Chanllawiau i Aelodau ar ddefnyddio adnoddau'r Cynulliad" a'r Penderfyniad presennol ar Lwfansau Unigol a Lwfansau Grŵp. Mae pennod gyntaf Penderfyniad y Bwrdd Taliadau Annibynnol ar gyfer y Pumed Cynulliad yn nodi'r egwyddorion sylfaenol sy'n berthnasol i Lwfansau. Mae adran 1.3.1 yn nodi mai,

'Dim ond am wariant y bu'n rhaid ei ysgwyddo er mwyn i ddyletswyddau'r Aelod fel Aelod Cynulliad gael eu cyflawni y caniateir i gais gael ei wneud'.

Mae'r canllawiau hyn yn ymwneud â defnydd Aelodau'r Cynulliad o adnoddau'r Cynulliad yn ystod y cyfnod sy'n arwain at yr etholiadau lleol a gynhelir yng Nghymru ar 04 Mai 2017 ac maent yn dod i rym ar unwaith.

Er y gall Aelodau'r Cynulliad ymgyrchu dros ganlyniad penodol yn y refferendwm, nid yw hyn yn rhan o ddyletswyddau Aelod Cynulliad ac felly ni ellir defnyddio unrhyw adnoddau na chyllid a ddarperir gan y Cynulliad at y diben hwn.

Mae adnoddau'r Cynulliad yn cynnwys darpariaethau sydd ar gael i Aelodau o fewn y Penderfyniad yn ogystal â chymorth a ddarperir yn ganolog gan y Cynulliad. Darperir mwy o fanylion isod.

Staff Cymorth

Ni ddylai staff cymorth a gyflogir gan un o Aelodau'r Cynulliad gymryd rhan mewn gwaith ymgyrchu etholiadol fel rhan o'u horiau gwaith ar gontract. Nid yw'r Cynulliad yn atal staff rhag ymgymryd â gweithgareddau o'r fath y tu allan i'w horiau gwaith ar gontract, tra byddant ar wyliau blynyddol neu tra byddant ar absenoldeb arbennig heb dâl. Rhaid rhoi gwybod i'r tîm Cymorth Busnes i Aelodau o flaen llaw am unrhyw gyfnodau o wyliau arbennig di-dâl fel bod modd addasu'r cyflog yn briodol.



Swyddfeydd Etholaeth a Swyddfeydd Rhanbarthol

Ni chaniateir defnyddio swyddfeydd etholaeth a swyddfeydd rhanbarthol mewn cysylltiad ag ymgyrchu. Mae hyn yn cynnwys gwaharddiad ar arddangos deunyddiau neu bosteri sy'n ymwneud â'r etholiadau lleol, y defnydd o ofod swyddfa ar gyfer gweithgareddau sy'n gysylltiedig ag ymgyrchu mewn unrhyw fodd ac unrhyw gyfleusterau neu offer yn y swyddfa a ariennir gan y Cynulliad.

Lwfans Costau Swyddfa

Ni ellir defnyddio Lwfans Costau Swyddfa Aelod i dalu am gost unrhyw ddeunyddiau a allai fod ar gyfer ymgyrchu. Mae hyn yn cynnwys argraffu a phostio eitemau o'r fath. Ni chaniateir defnyddio deunydd papur y Cynulliad, na llungopïo'r deunyddiau gan ddefnyddio adnoddau'r Cynulliad, na'u hanfon i gael eu ffrancio drwy system bost y Cynulliad.

Yn yr un modd, ni chaniateir defnyddio eitemau a brynwyd neu sydd ar brydles eisoes, y talwyd amdanynt gan ddefnyddio'r Lwfans Costau Swyddfa, at ddibenion ymgyrchu.

Offer TG, Gwefannau a Ffonau

Ni chaniateir defnyddio offer TG y Cynulliad na system ffonau'r Cynulliad at ddibenion ymgyrchu. Mae hyn yn cynnwys defnyddio gwefannau a band eang a arenir gan y Cynulliad, yn ogystal â ffonau symudol, gliniaduron a dyfeisiau tabled.

Teithio

Ni chaiff Aelodau hawlio unrhyw arian tuag at wariant teithio neu dreuliau dros nos a ysgwyddwyd wrth ymgyrchu.

Archebu ystafelloedd

Dim ond at ddibenion busnes y Cynulliad y dylid defnyddio ystafelloedd cyfarfod ar ystâd y Cynulliad (sy'n cynnwys y Senedd, Tŷ Hywel, y Pierhead a safle Bae Colwyn) ac nid ar gyfer ymgyrchu am bleidleisiau ar gyfer unrhyw blaid wleidyddol, ymgyrchu dros ganlyniad penodol yn yr etholiadau lleol, na hybu neu annog cefnogaeth ar gyfer unrhyw blaid wleidyddol.

Defnyddio ystâd y Cynulliad ar gyfer ffilmio

Ni chaniateir defnyddio unrhyw ran o ystâd y Cynulliad ar gyfer recordio, ffilmio neu ffotograffiaeth at ddibenion ymgyrchu. Mae hyn yn cynnwys pob ardal gyhoeddus yn



ogystal â rhannau o'r ystâd y mae angen defnyddio pas diogelwch i gael mynediad iddynt. Mae'r cyfyngiad hwn yn berthnasol i'r Senedd, Tŷ Hywel, y Pierhead a safle Bae Colwyn.

Uned Gopïo Tŷ Hywel

Ni ddylid defnyddio gwasanaethau'r Uned Gopïo yn Nhŷ Hywel, gan gynnwys yr holl gostau postio a ddarperir yn ganolog, am resymau sy'n gysylltiedig ag ymgyrchu.

Gwasanaethau eraill a ddarperir gan Gomisiwn y Cynulliad

Yn yr un modd, ni fydd unrhyw wasanaethau eraill a ddarperir gan Gomisiwn y Cynulliad, fel Gwasanaeth Ymchwil y Cynulliad, y Llyfrgell, y Gwasanaeth Cyfieithu a Chofnodi, cymorth y Gwasanaeth Pwyllgorau a'r Gwasanaeth Cyfreithiol, ar gael at ddibenion sy'n gysylltiedig ag ymgyrchu. Mae hyn yn cynnwys swyddfeydd ac offer yr Aelodau yn Nhŷ Hywel.

Gwybodaeth arall

Dylid cyfeirio unrhyw ymholiadau ynghylch y canllawiau hyn neu unrhyw amheuan am briodoldeb defnyddio adnoddau at y tîm **Cymorth Busnes i Aelodau** ar [REDACTED]



Guidance on the use of Assembly Resources during the 2017 Local Elections

Background

The Code of Conduct for Assembly Members paragraphs 10 and 13 require Members to comply with “the Rules and Guidance for Members on the use of Assembly resources” and the current Determination on Individual and Group Allowances. Chapter 1 of Independent Remuneration Board's Determination for the Fifth Assembly sets out the basic principles which apply to Allowances. Section 1.3.1 states that,

‘Claims must only be made for expenditure necessarily incurred in order to enable performance of the Member’s duties as an Assembly Member’.

This guidance applies to Assembly Members’ use of Assembly resources during the run-up to the local elections being held in Wales on 04 May 2017 and takes effect immediately.

Whilst Assembly Members may wish to campaign for a particular outcome in the local elections, this is not part of the duties of an Assembly Member and therefore any resources or funds provided by the Assembly cannot be used for this purpose.

Assembly resources include provisions made available to Members within the Determination, as well as centrally provided Assembly support. More detail is provided below.

Support Staff

Support staff employed by an Assembly Member must not be actively engaged in campaigning as part of their contracted hours of work. There is no Assembly restriction on staff undertaking such activity outside their contracted working hours, while on annual leave or while on unpaid special leave. Any periods of unpaid special leave must be notified to Members’ Business Support in advance in order that the appropriate financial adjustment may be made.

Constituency & Regional Offices

Constituency and regional offices may not be used in connection with campaigning. This includes prohibition on the display of materials or posters related to the local



elections, use of office space for activities in any way connected to campaigning and any facilities or equipment at the office funded by the Assembly.

Office Costs Allowance

The cost of any materials that may be of a campaigning nature may not be funded from a Member's Office Costs Allowance. This includes the printing and postage of such items. Assembly stationery may not be used nor can the material be photocopied using Assembly equipment, nor sent for franking through the Assembly postal system.

Similarly, items already purchased or leased which have been paid for through the Office Costs Allowance may not be utilised for campaigning purposes.

IT Equipment, Websites & Telephony

Assembly IT equipment and the Assembly's telephone system must not be used for campaigning purposes. This includes the use of Assembly-financed websites and broadband, as well as mobile phones, laptops and tablet devices.

Travel

Members may not claim any funding towards their travel expenditure or overnight expenses incurred in campaigning.

Booking of rooms

Meeting rooms within the Assembly estate (which includes the Senedd, Tŷ Hywel, the Pierhead Building and Colwyn Bay premises) must only be used for the purposes of Assembly Business and not for campaigning for votes for any political party, campaigning for a particular outcome in the local elections, or promoting or encouraging support for any political party.

Use of the Senedd estate for filming

No part of the Assembly estate may be used for recording, filming or photography for the purposes of campaigning. This includes all public areas as well as parts of the estate requiring security-pass access. This restriction applies to the Senedd, Tŷ Hywel, the Pierhead Building and Colwyn Bay premises.

Copy Unit in Tŷ Hywel

Services supplied by the Copy Unit at Tŷ Hywel including all centrally provided postage costs must not be used for reasons linked to campaigning.



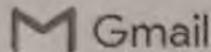
Other services provided by the Assembly Commission

All other services provided by the Assembly Commission such as the Assembly's Research Service, the Library, the Translation and Reporting service and Committee and Legal support are similarly unavailable for purposes linked to campaigning. This includes Members' offices and equipment at Tŷ Hywel.

Other Information

Any queries on this guidance, or if doubts exist about the appropriateness of the use of resources, should be addressed to **Members' Business Support** on [REDACTED]





Michael Deem [REDACTED]

Campaign Plan as discussed on 27th February 17

1 message

27 February 2017 at 15:48

To: [REDACTED] Michael Deem [REDACTED] Neil [REDACTED]

Focus on what we are doing. **Let's Get It Done!**

[REDACTED] and Social Media – actions:

- Nodding Neil's – [REDACTED] – will need to find money – 1,000 = £2,000 with a hopeful return of £10,000
- Balloons – [REDACTED]
- Twitter handles – amalgamating names
- Use Cardiff Plaid as your brand – we don't need micro twitter handles
- Beast Grip for Neil's phone – fluffy – [REDACTED] May be able to do this through the Assembly (Mike to check)
- Target voters and create a lookalike list – people who are very similar to Plaid members who aren't members –
- Vote Pledge Ad
- Ads on our main policy areas – target people who've watched our videos – check with Neil on merging pages

Video Ideas:

- Another big video that would appeal to a group of people: Clean Up Cardiff/Save Aunty Ida
- Bedroom Tax – [REDACTED] Communities First – find someone
- Houses and litter crisis
- Cwrt Yr Ala Road – Landfill Sites – goes past a Primary School
- Traffic – Cathedral Road – video
- Plasdwr
- Waungron Road
- **Every time we post a video, it would be a good habit to post straight to the Nation Builder webpage – ask candidates to contribute: why are you standing? – [REDACTED] – 600 words max**

Campaigns

- Ask candidates to take photos
- Calling cards – Fairwater and Ely – [REDACTED]
- Data input for Caerau – ask [REDACTED]
- [REDACTED] – any free mornings, put Neil down for canvassing in Fairwater
- Arrange meeting businesses in Fairwater, too
- Start arranging street stalls next week
- Get candidates to pitch ideas to Neil
- Bethan cancel the Policy Keynote meeting
- Vice Chair [REDACTED]
- [REDACTED] – private message to members I know that will get out there on the ground – how do we make them want to do it
- Cinema tickets – [REDACTED] – Vue

- Recipe for the day – by the end of the day. Young campaigner of the month – the Hit Squad – how much we've achieved. Afterwards go for a beer – [REDACTED] – 4 names plus myself
- Set up a Whats App Group – this is the canvassing we are doing today: time and place etc.

Money

- Campaign ideas – we need some funds – set up the meeting: 9th March
- Nation Builder regular fundraising emails
- Radyr – donate £1 - Mike: 2 paragraphs

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff)
Sent: 08 April 2020 15:11
To: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff)
Subject: FW: Y Wybodaeth Ddiweddaraf gan y Prif Weithredwr – Mai 2017 / Chief Executive's Update – May 2017

Follow Up Flag: Flag for follow up
Flag Status: Completed

Haia
Hwn aeth allan ar 16 Mai 2017!

From: [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff) <[REDACTED]> **On**
Behalf Of [REDACTED] (Staff Comisiwn y Cynulliad | Assembly Commission Staff)
Sent: 16 May 2017 17:53
Subject: Y Wybodaeth Ddiweddaraf gan y Prif Weithredwr – Mai 2017 / Chief Executive's Update – May 2017

National Assembly for Wales Chief Executive's Monthly Update

This update highlights issues that may be of interest to Members. If there is anything that you would like to see covered in future months, or if you would like any further information about anything in this month's update, please do let me know.

In this month's bulletin – May 2017:

- [Assembly electoral reform](#)
- [Remuneration Board update](#)
- [Guidance on the use of Assembly resources during an election period](#)

- Annual Pension Benefit Reports
- MySenedd Projects
- 2017 Assembly Member and Assembly Member Support Staff Survey results
- Engagement with the work of Assembly Committees
- Professional Development
- Summer events programme
- Education and Youth Engagement update
- Exchanging Ideas Seminar series
- Updates from the Research and Library service, the Diversity and Inclusion team, MBS and ICT.

Manson Antoniazzi

Assembly electoral reform

An Expert Panel on Assembly Electoral Reform has been established. Details of the Panel's work, including minutes of its meetings and the evidence submissions it has received to date, are available on its [webpage](#). You can also follow the Panel on Twitter at [@EPAERWales](#).

The Political Reference Group, comprising representatives from each party represented in the Assembly, has met three times. Its role is to advise the Panel and to help ensure that its work culminates in workable recommendations for reform that can be taken forward by the Assembly Commission. The Reference Group will ensure that the views of parties represented in the Assembly inform the Panel's work, so please contact your representative if there are any particular issues that you wish to draw to the Panel's attention.

If you have any questions, please contact [REDACTED], clerk to the Expert Panel, at constitutional.change@assembly.wales or on 0300 200 [REDACTED].

Remuneration Board

Review of the effectiveness and underlying principles of the Determination

This work will inform the Board's decisions during the Fifth Assembly and its work to develop a Determination fit for the Sixth Assembly. To ensure that Members' views are taken into account, the Board request that Members complete the effectiveness of the Remuneration Board's Determination survey before Wednesday 14 June. The Board is also asking Members' support staff for their views on the Determination, and would be grateful if you could encourage your staff to complete the support staff survey by Wednesday 14 June. The Board will also be seeking opportunities to meet with Members face-to-face. If you would like to meet with a Board member to discuss your views on the Determination, please contact remuneration@assembly.wales.

Drop in session on 24 May

[REDACTED], the Chair of the Remuneration Board, is holding a drop in session between 16:00 and 17:00 in the Senedd on Wednesday 24 May. Please feel free to drop in to discuss any aspect of the support available to you or your staff.

Next meeting

The Board's next meeting will be on Wednesday 24 May, when it will discuss its engagement strategy, its forward work programme, and the results of the Commission's Member survey. On Thursday 25 May the Board will meet with counterparts from remuneration bodies from across UK and Ireland to discuss and share good practice.

If you would like any more information about the Remuneration Board or its work, please contact remuneration@assembly.wales.

Guidance on the use of Assembly resources during an election period

Members and support staff will be aware of the upcoming UK General Election on 8 June 2017, which is preceded by a formal campaign period. Guidance has been prepared on the use of Assembly Resources during the election periods.

The Members' intranet will be used as a means to communicate election-related information to Members and support staff, including a Frequently Asked Questions section.

If you have any questions or would like to discuss anything further, please contact Members' Business Support on [REDACTED].

Annual Pension Benefit Reports

Members will receive their Annual Pension Benefit Report before the summer recess and the Pension's Team will be arranging drop in sessions during plenary to answer any questions Members have about their pension.

For further information on pensions, please contact [REDACTED] Pensions Manager, on ext [REDACTED].

MySenedd Projects

RoP and Table Office

We are finalising the development of the new online system for tabling business and the Record of Proceedings. We will be testing it with users including Members, their staff and external users in June.

Open Data

We are developing a new open data strategy, which will set out how we will make more of the Assembly's data open, accessible and transparent to the public.

Archiving

We are putting in place a temporary deposit agreement with the National Library for Wales in order to start the process of transferring the Assembly's records to the National Library, which is a first step towards developing a digital archive for the Assembly's records.

For more information about mySenedd, please contact strategic.transformation@assembly.wales.

2017 Assembly Member and Assembly Member Support Staff Survey results

The 2017 Assembly Member and Support Staff Satisfaction Survey was launched in February, giving Members and support staff the opportunity to provide feedback on the services they receive from the Assembly Commission. The results have been analysed and a report will be shared with Members and support staff over the next month.

The Commission intends to build relevant actions into service plans in order to consider and deliver improved services where necessary. Where Members and support staff have raised particular concerns and provided their contact details, these may be followed up to ensure a full understanding of the feedback given, so that they can be addressed accordingly. Over the coming months, you may be contacted by Commission staff directly to discuss your feedback in more detail.

For further information on the survey, please contact [REDACTED], ext [REDACTED]

Engagement with the work of Assembly Committees

There is a considerable range of engagement work underway across Assembly committees. Members may wish to be aware of the following examples:

Perinatal Mental Health

The Children, Young People and Education Committee will hold an event

on the **18 May** as part of its inquiry into Perinatal Mental Health. The event will allow mothers, families, frontline staff and Members to talk about the issues they have experienced, and the services and support they received, to inform the Committee's scrutiny.

Abolition of the Right to Buy and Associated Rights (Wales) Bill

The Equality, Local Government and Communities Committee (ELGC) are currently looking at the proposed Abolition of the Right to Buy and Associated Rights (Wales) Bill as part of Stage 1 scrutiny.

As part of their evidence gathering, the outreach team will be visiting a number of groups across Wales, such as TPAS Cymru and Anglesey County Council, to hold focus group sessions in order to speak about the proposals in the Bill. Some Members who sit on the Committee will be accompanying the outreach team during these sessions.

Communities First

The ELGC will be holding a short inquiry on the implications of bringing the Communities First Project to an end across Wales. Following the success of the Committee's focus group with Newport Communities First clusters, as part of Senedd@Newport, the Committee will be holding further focus groups with staff across Wales to discuss the implications with them.

Funding for and access to Music Education

As part of their inquiry into funding for and access to Music Education, the Culture, Welsh Language and Communication Committee have established an advisory panel in order to collect their views on this subject.

The second stage of the advisory panel will open on **26 May** and will be an opportunity for the panel to deliberate on the key issues raised.

Apprenticeships in Wales 2017

As part of the Economy, Infrastructure and Skills Committee's inquiry into Apprenticeships in Wales, the outreach team have been speaking to young people from across Wales and filming videos capturing their views on:

- the barriers to apprenticeships;
- where do they find information about apprenticeships; and
- what are the advantages and disadvantages of apprenticeships.

Understanding and Engaging

The outreach team will be delivering sessions with community groups and organisations across Wales, including Citizens Advice Bureau Wales and the Evangelical Alliance Wales. The team will be visiting Cardiff Prison, the Trussel Trust Foodbank and a group of Street Pastors as part of their ongoing work with the Evangelical Alliance.

The team will also be present at The International Association of Language Commissioners Annual Conference, providing information about the Assembly and the work that it does.

Professional Development

For more information or to book a place on any of the courses mentioned below, please contact the [Professional Development team](#).

A **BSL training** course will commence on 18 May in Colwyn Bay. The 10-hour course will be divided into five sessions, which will cover both listening and speaking British Sign Language. Participants will receive a QCF Qualification – Entry Level 3 Award in British Sign Language.

The next **AMSS Induction** courses will be delivered on 25 May (AMSS Induction for Constituency staff) and 26 May (AMSS Induction for Tŷ Hywel staff). The **AMSS Induction** programme is also available via **Skype for Business** upon request.

Casework training is available to AMSS in various locations across Wales. There are two modules delivered by an experienced Citizen's Advice Bureau Caseworker:

Module 1: Developing and Maintaining an Effective Casework System
(dates organised subject to demand)

Module 2: Effective Interview Skills for Caseworkers. Module 2 is scheduled to take place on:-

Date: Thursday 8 June 2017 **Date:** Thursday 29 June 2017

Time: 10:00 – 16.00 **Time:** 10:00 – 16:00

Location: Neath **Location:** Cardiff – Conference Room D

The following training opportunities are currently under development. To register your interest please contact the [Professional Development team](#).

- Effective Writing
- Essential Employment Law
- Speech Writing
- Press Release Writing for Beginners
- Video Training
- Writing Effective Briefings
- Stress Management
- Scrutinising Accounts
- Budget Scrutiny

Summer events programme

The Assembly Commission will once again have a presence at Wales' national events this summer. The summer events programme will start on 29 May at the [Urdd Eisteddfod in Bridgend](#), where we will be encouraging young people to take part in the Assembly's Youth Parliament consultation. We will deliver a series of events and workshops and work with relevant partner organisations. We hope that the young people at the Urdd will have a real influence on the form that the Youth Parliament takes.

If members would like to discuss how they can get involved in the week's activities, they should contact [REDACTED]

The Assembly will also have a presence at the Llangollen Eisteddfod (3–9 July), the Royal Welsh Show (24–27 July), the National Eisteddfod in Bodedern (5–12 August) and Pride Cymru in Cardiff (25–27 August). More information on these events will be included in future Chief Executive's updates.

Education and Youth Engagement update

Your Assembly Ambassadors

This scheme aims to train, educate and motivate young people from across Wales to learn about the Assembly and then become peer educators to help other young people in their local community learn about the Assembly.

In the last weeks, [REDACTED] from [REDACTED] and [REDACTED] and [REDACTED] both from [REDACTED] in Saltney and members of [REDACTED], have received their certificates.

[REDACTED] from [REDACTED], [REDACTED] from [REDACTED] and [REDACTED] from [REDACTED], who are also members of [REDACTED], will be receiving their certificates in the next couple of weeks.

Youth Parliament Consultation: Workshops and events

The Assembly's Education and Youth Engagement team are organising workshops and events to discuss the Youth Parliament Consultation. Please call 0300 200 [REDACTED] if you wish to attend. Fifty one groups have already booked.

Date: Tuesday 30 May 2017

Location: Glan Llyn, Bala

Time: 13.00 – 15.00

Date: Wednesday 31 May 2017

Location: Halliwell Centre,
Carmarthen

Time: 10.00 – 12.00

Date: Wednesday 31 May 2017 Location: Swansea YMCA, Swansea Time: 14.00 – 16.00	Date: Saturday 10 June 2017 Location: Cwmbran Stadium, Cwmbran Time: 10.00 – 12.00
Date: Saturday 10 June 2017 Location: Pierhead Building, Cardiff Bay Time: 14.00 – 16.00	

The Urdd Peace and Goodwill message in the Senedd

On **17 May**, Bwrdd Syr IfanC, a national board of Urdd members, will be announcing the Peace and Goodwill message from the Young People of Wales between 12.30 and 13.30 in the Senedd.

The theme explored will be ‘Placing equality for young people at the heart of future decisions’. The Education and Youth Engagement team will be working closely with Bwrdd Syr IfanC over the coming months in light of the Youth Parliament consultation and their Peace and Goodwill message.

Welsh Baccalaureate Experience Days

This summer, a record eleven schools have booked into our Welsh Baccalaureate Experience Days, delivered in partnership with the National Library for Wales and Aberystwyth University. For more information, please contact [REDACTED], Mid and West Wales Education Officer.

Exchanging Ideas Seminar series

The second of the new **Exchanging Ideas Seminar series** jointly organised by the Research Service and the Learned Society of Wales was postponed due to the UK General Election and will now take place at **8.00 am, Tuesday 27 June 2017** in the Pierhead. The theme for the second seminar is ‘Growing and diversifying civil society in Wales; how

ambitious is it possible to be?'. The speakers will be [REDACTED]

If you are interested in attending please email:

exchangingideas@assembly.wales.

More seminar details can be found on the [intranet](#).

Research and Library Service

For more news about our services and new information resources please see our [Library update](#).

The [Diversity and Inclusion team](#)

A [monthly update](#) from the Diversity and Inclusion Team

Members' Business Support Team

The monthly [update from the Members' Business Support Team](#) may be viewed on the Members intranet.

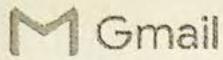
ICT

The [monthly update from ICT](#) may be viewed on the Members intranet.

9/3/2017

Gmail - Campaign Meeting 18th April

EXHIBIT 6L.
PAGE 1.



Michael Deem [REDACTED]

Campaign Meeting 18th April

1 message

18 April 2017 at 12:04

To:

Michael Deem

[REDACTED]
Neil [REDACTED]

Hi all,

attached are the minutes of the meeting that we've had regarding the campaign just now.

To keep everyone up to speed, I'm going to create these tasks on Active Collab. We agreed that it's important we all stick to using the site as it's useful for us keeping track of what needs to be done as well as meeting deadlines.

b

 meeting 18th ap.docx
13K

Agenda:

Canvassing (who we target) – everyone to canvass off the lists that Matthew will create and send out – Angharad to put them in the Caerau office. Keep trying to get people involved

Volunteers – emails

Phone Canvassing – only [REDACTED] active – advertise phone canvassing sessions – potentially Thursday evening – send email out regarding phone canvassing

Leaflets – at least a DM for one last target group with the vote Plaid for a change message – a leaflet on Corbyn and Brexit for Riverside and Grangetown – let's try and do both. A general leaflet

DMS

Communicating with candidates – Angharad sending an email every few days. Set up a daily message via bridge. Otherwise old fashioned email. Daily update would be preferred. Just a few updates and bullet points. Bilingual not essential talking with candidates. Nation builder – I will do this

Social Media – ads running in Garengetown Bute, Ely, Caerau, Fairwater. Want another Llandaff one to appeal to more people. LDP and Waungron narrative. A video for Mike will be put up

Garden Posters – stakes have been ordered – hopefully arriving this afternoon – excel spreadsheet – only target lists

Treeware and data – [REDACTED] to take over the data – takes priority

Election Day (GOTV and the count) – leaflets already made up now

Texting and magic numbers – text everyone that you put into it. Vote Cardiff Plaid for a change – immediately

Events – Plaid everywhere – this Saturday – street stalls – try again for this Saturday – balloons and badges arriving by Friday and foam hands next week. **Get this in an email for tomorrow**

Active Collab – due date and assignee

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

CYFWELIAD / INTERVIEW

a gynhaliwyd ar / held on

11 Chwefror / February 2020

yn / at

Ystafell Fwyta 3 / Dining Room 3, Tŷ Hywel, Caerdydd / Cardiff

rhwng / between

Y COMISIYNYDD SAFONAU DROS DRO / THE ACTING STANDARDS COMMISSIONER

ac / and

NEIL McEVOY AC / AM

Rhan Un / Part One

PRESENT / PRESENNOL:

- **Douglas Bain (DB),**
Y Comisiynydd Safonau Dros Dro / Acting Standards Commissioner
- **Neil McEvoy AC / AM (NM)**
- [REDACTED] ([REDACTED]),
[REDACTED]
- [REDACTED] ([REDACTED]),
Uwch-gynghorydd Neil McEvoy AC / Senior Advisor to Neil McEvoy AM

1 **DB:** I am Douglas Bain, the Acting Standards Commissioner and I am supported by
2 [REDACTED]. Perhaps for the benefit of the tape, you could just identify
3 yourself.

4 [REDACTED]: Yes, I'm [REDACTED].

5 **DB:** And Mr McEvoy, for the transcriber—

6 **NM:** Yes, Neil McEvoy here.

7 **DB:** And—

8 [REDACTED]: And [REDACTED], Neil McEvoy's senior advisor.

9 **DB:** Thank you very much, and can I ask you... do you wish to take the oath or make
10 an affirmation?

11 **NM:** I'll take the oath, that's fine.

12 *NM is sworn*

13 **DB:** Thank you, thank you very much. Now, there are a few formalities that I have to
14 go through. First of all, this is the first interview of Neil McEvoy AM taking place
15 in Tŷ Hywel, Dining Room 3, on 11th February 2020 and the time is now 11:04.
16 Can I ask you, Mr McEvoy, just to go through the formalities? Did you receive
17 the notice to attend here today?

1 **NM:** I did, yes. I appreciate they're a formality as well.

2 **DB:** Okay.

3 **NM:** Because in my experience, that's as far as... sort of a Dad's Army approach, to
4 be frank.

5 **DB:** And did you read the notice?

6 **NM:** Yes.

7 **DB:** And did you understand it?

8 **NM:** Yes.

9 **DB:** Now, the process we're going to follow is I'll ask you a series of questions—

10 **NM:** Mm-hmm.

11 **DB:** —and you'll have the opportunity to answer.

12 **NM:** Yes.

13 **DB:** At the end of the interview, I'll give you the opportunity to add anything you wish
14 to any of the answers you've given.

15 **NM:** Hmm.

16 **DB:** And also to add anything else you want to say about the complaint.

17 **NM:** Yes.

18 **DB:** This of course is your opportunity to give your response to the allegations made.

19 **NM:** Hmm.

20 **DB:** If necessary, we'll have further interviews. Do you have any questions about the
21 process?

1 **NM:** Erm, yes, whether or not, erm, you've listened to the transcripts... no, well,
2 actually I wanted transcripts. The former Commissioner refused me the option
3 of transcripts because I felt that the evidence would support me. I've spent 12
4 full days going through this matter already. At least one member of staff also
5 sat with me in 12 full days. The office, in preparing for 12 full days of hearings
6 on this matter, has probably spent in the region of, erm, I would say 50 people
7 days in preparation and I wondered whether or not you had listened to what had
8 been said previously on these matters.

9 **DB:** I've listened to some of it.

10 **NM:** Okay.

11 **DB:** And—

12 **NM:** I went into great detail previously.

13 **DB:** Yes, but we're talking about the process for the interview today.

14 **NM:** I understand the process, yes.

15 **DB:** But if at the end of the interview, once we've been through it, if there are
16 particular bits of the evidence given to Sir Roderick that you wish me to listen to
17 or look at, then if you identify them I can assure you I'll do that—

18 **NM:** Okay.

19 **DB:** —before reaching any decision.

20 **NM:** Yes.

21 **DB:** Any other questions on the process?

22 **NM:** Is this part of the process began by Sir Roderick, in that case?

1 **DB:** It's part of the process of investigating the complaint. He took an approach
2 using hearings. I don't intend to do that. I intend to use an inquisitorial process.

3 **NM:** Yes, I think that last time, just out of respect really because he was the
4 Standards Commissioner, we did go along with the hearing process even
5 though he wasn't empowered to do that. We found that when we looked at the
6 legislation in detail. So this is a continuation of the process that he started,
7 then?

8 **DB:** It's part of the investigation into the complaint and I'll have regard to everything
9 that took place previously.

10 **NM:** Okay. I'm sorry to be pedantic, but this began just over two years ago, so it is a
11 continuation of that process then or is it a completely different process?

12 **DB:** No, it's, as I've said, I'm investigating the complaint by Mr Deem. That
13 investigation was started by Sir Roderick.

14 **NM:** Okay, that's clear now, thank you..

15 **DB:** I intend to complete the investigation.

16 **NM:** Yes, okay.

17 **DB:** Now, before we get on to deal with the allegations, I think it may be helpful if we
18 can try and agree some of the key dates. So just can I put some to you and
19 then see if you agree?

20 **NM:** Yes.

21 **DB:** I think you were elected to the Assembly on 5th of May 2016, is that right?

22 **NM:** Yes, yes.

23 **DB:** And then on 10th of June 2016, the regional office at 321 Cowbridge Road East
24 was opened.

1 **NM:** Erm, it was a bit of a mess at the time, so we had the keys for it. It wasn't fully
2 operational until, having checked everything, until the September, because we
3 had a hell of a rush to get it ready for a formal opening. Erm, we had a party in
4 the night so I do remember the rush that... so three ceilings needed replacing,
5 erm, certainly two. A lot of attention, one ceiling had brought down bits of...
6 because we wanted to be open and transparent, we wanted to, erm, have a
7 window fitted in the, erm... we had a partition built, we wanted the window there,
8 so, erm, we had the keys then but it was... it just wasn't fit for purpose, it was a
9 right mess.

10 **DB:** But it was being used from June as your regional office and staff were working
11 there, weren't they?

12 **NM:** Not really, no. I don't recall that, erm—

13 **DB:** When do you say that staff first worked there?

14 **NM:** I... I couldn't recall. I think there's an email somewhere, erm, there may have
15 been a desk there at some point, but it was a building site for a good while so I
16 couldn't actually—

17 **DB:** All right.

18 **NM:** —I couldn't actually say the date that, erm, that we actually started working
19 there.

20 **DB:** Okay.

21 **NM:** It wasn't fully... it wasn't fully operational until, erm, September, because it
22 was... it was still a mess.

23 **DB:** All right.

24 **NM:** We weren't... we were... initially we carried on working from the other office we
25 had, which was the [political? 00:06:22] office.

1 **DB:** Yes, then I think on 28th December of 2016, a piece of equipment that has just
2 been referred to as 'campaign printer' arrived at 321, is that correct?

3 **NM:** Yes.

4 **DB:** And then on 18th March 2017, what's referred to as the 'campaign office' was
5 opened.

6 **NM:** Yes.

7 **DB:** And I should say you'll have to accept my apologies for my attempts to
8 pronounce some of the names. I'm still coming to terms with that, so [REDACTED]
9 may help me out where I'm appear to be stuck.

10 **NM:** Caerau, the word is.

11 **DB:** Caerau.

12 **NM:** Yes, the North Walians, I suppose, the traditional would say Caerau. My wife
13 says Caerau. I started to say Caerau, but, erm, I found out the Silurian
14 pronunciation, the original Welsh at the very beginning, a few thousand years
15 ago, they would say Caerau.

16 **DB:** Well, I'm afraid where I come from, Caerau stands for continuity IRA.

17 **NM:** Yes, exactly. *[Laughter]*

18 **DB:** Now, what was the purpose of the campaign printer?

19 **NM:** Erm, to enable us to print stuff for the campaign from, erm, March/April onwards.

20 **DB:** Yes.

21 **NM:** Because the... we needed a campaign printer that was fit for purpose to churn
22 out a lot of leaflets, as it did do. Churned out more leaflets than we could
23 account for, to be frank, and, erm, it was used so much it was blown up. Just,

1 erm, so there was a £6,000 piece of kit which was, erm, erm, ruined and
2 doesn't... didn't work after the campaign.

3 **DB:** And was it used from the time it was installed in December 2016?

4 **NM:** Erm, not to my knowledge, no. In those days, we... we had, erm, a leaflet to
5 deliver... not a leaflet, it was a newspaper, we had 40,000 newspapers to
6 deliver, so there wouldn't have been any mass production of leaflets at that
7 point.

8 **DB:** So why did you... presumably you leased this thing, did you?

9 **NM:** Erm, the arrangement we had with the printer was very flexible and we had the
10 printer [inaudible 00:08:42] and we housed it in the office.

11 **DB:** But it was—

12 **NM:** But there was nowhere else to put it.

13 **DB:** Yes—

14 **NM:** You know, I—

15 **DB:** —but it was very definitely for election purposes?

16 **NM:** Yes.

17 **DB:** Yes.

18 **NM:** I've said that at the beginning of the process. I... I wrote to Sir Roderick and,
19 erm, I stated that it shouldn't have been there, I broke the rules, clearly, erm, I
20 housed it for Plaid Cymru. Erm, I think given that the... it's not an unknown fact
21 that the former leader used to hate my guts for various reasons, mainly
22 connected through I'd say a friendship with my daughter's mother, who I left,
23 erm, erm, first of all 12... 13 years ago, then 11 years ago. A lot of this is deeply
24 personal, so the abuse that I get here, erm, and it... it would have been

1 absolutely impossible for me not to house a printer in the office for Plaid Cymru.
2 So just, erm, I mean, it... erm, it's I really don't want to make any complaint
3 about it. I do so "they" collectively, because Michael Deem has acted as a proxy
4 for the leadership at that time and, erm, it was already difficult enough for me to
5 be an AM here and without cooperating with the party, erm, my life would have
6 been impossible, frankly.

7 **DB:** I understand. Now, I move on—

8 **■**: It was moved to Mike's house as well.

9 **NM:** Oh, yes, it was moved to Mike's house as well, because what happened was,
10 his garage, erm, we had an episode with, erm, the suppose [inaudible 00:10:22]
11 only, and then I had a good read of the rules. I know I should have done at the
12 very beginning, and then after that point, I think Michael Deem concedes in
13 evidence himself that after that point, erm, I was extremely strict and the printer
14 would have to go, and it went.

15 **DB:** Yes, well, we'll come to that.

16 **NM:** Yes, so at some point it went to Michael Deem's, erm, garage. I think [inaudible
17 00:10:47].

18 **DB:** Okay, now the first area I want to discuss with you—

19 **NM:** Yes.

20 **DB:** —is the use of rooms in this building.

21 **NM:** Yes.

22 **DB:** For party political and/or election purposes.

23 **NM:** Yes.

24 **DB:** Okay?

1 **NM:** Okay.

2 **DB:** So do you accept that on at least three occasions between 19th December 2016
3 and 5th April 2017, you used or facilitated the use of rooms at the Assembly for
4 party political and/or electoral purposes?

5 **NM:** For the... the answer to that is partly yes, which I conceded at the beginning of
6 the process, again, with Sir Roderick. Erm, the... one of the meetings wasn't
7 convened by me. The meeting was convened by the former chief executive.
8 This is in—

9 **DB:** Well, we're going to go through each of these.

10 **NM:** Yes.

11 **DB:** So you'll get a chance to explain.

12 **NM:** So not totally, but then I would add that, erm, I'm more guilty than that, actually,
13 because every single Tuesday I attended a Plaid Cymru group meeting where
14 we discussed political strategy and elections; every single Tuesday. The Labour
15 Party does the same, the Conservatives do the same. Erm, the only difference
16 is they've not... they didn't have a member of staff who would forward emails
17 and agendas and minutes to the Standards Commissioner. Every single
18 politician in this building holds political meetings, just like I did.

19 **DB:** Right, now, the first meeting in this building that was for party political or election
20 purposes was the use of a room to interview candidates for the campaign
21 organiser post on 17th December 2016.

22 **NM:** That's incorrect.

23 **DB:** What's incorrect about that?

24 **NM:** I first attended a political meeting, erm, in the... immediately after being elected
25 in the form of the Plaid Cymru Group.

1 **DB:** All right.

2 **NM:** And then, as I said, it was every Tuesday after that. Erm, but if you look at the...
3 all you have to do now... it still continues. Give you an example; [REDACTED]
4 [REDACTED], who is the political strategist for Plaid Cymru, attends every group
5 meeting here. Every Tuesday, he's based in the Assembly, erm, his role is that
6 of political strategist, not a group strategist, he's not employed by the Assembly,
7 he's employed by Plaid Cymru. So, erm, basically part of the culture in this
8 building is that we will have political meetings, erm, and that's the way that it
9 was. I'm pretty strict now about what I do. Not now, for a good while. Erm, my
10 new party, the Welsh National Party, has its own office and we conduct
11 meetings there.

12 **DB:** Well, I'll rephrase that question. The first alleged improper use of a room that
13 I'm concerned with today is your use or facilitation of the use of a room to
14 interview candidates for the post of campaign organiser on 17th December 2016.

15 **NM:** Mm-hmm, yes, I used the office in the open plan office of Plaid Cymru, yes. I
16 admitted that.

17 **DB:** Yes, and why was a meeting to appoint a campaign organiser held on Assembly
18 premises?

19 **NM:** Convenience really, I think, erm, as with all meetings with every group here,
20 erm, we could decamp to [inaudible 00:14:27], which isn't really confidential,
21 erm, or we can meet on site and everybody meets on site.

22 **DB:** And I think, just to be clear, you've accepted that that was a breach of the code?

23 **NM:** Yes.

24 **DB:** And at the time you booked the room for that meeting, you knew it was a breach
25 of the code, didn't you?

1 **NM:** Erm, I don't... I didn't actually book the meeting room because it's available for
2 everybody, so it would have been as informal as, erm, just as in we're having...
3 we're having the interviews. We... is that room, is that... is that space free for
4 the next couple of hours? You see, I would have been... at the time, possibly
5 not. When I read the rules more clearly in... after the incident with the press
6 room, erm, then I was aware, because I... I was just... I just bought into a
7 culture which was already in existence for the past 17 years at that point, so,
8 erm, although we wanted to keep private what we were doing, but in terms of it
9 being a major... major, erm, issue, everyone did it.

10 **DB:** Well, I just want you to think about that answer.

11 **NM:** Yes.

12 **DB:** Because on the 10th—

13 **NM:** I know what you're going to say, because—

14 **DB:** No, well—

15 **NM:** —I know what you're going to say.

16 **DB:** Just let me say it.

17 **NM:** Yes.

18 **DB:** And then you'll get an opportunity to answer.

19 **NM:** It's security.

20 **DB:** On 10th May 2016, as part of your induction, you met with [REDACTED] and
21 others—

22 **NM:** Yes.

1 **DB:** —when you were told about the rules on the use of Assembly resources. Isn't
2 that correct?

3 **NM:** Erm, yes, yes, of course, yes, yes.

4 **DB:** Yes, and the same day you met the then Commissioner Gerald Elias when
5 again he drew your attention to the rules on the use of Assembly resources, is
6 that correct?

7 **NM:** I'm not sure, to be honest, I don't recall that. Erm, what I do recall really is
8 asking Mr Elias about how the code of conduct didn't extend to the First
9 Minister, because I had an issue with the First Minister's conduct in calling me a
10 liar and in fact him lying in the plenary and what is, erm, the anomaly is that the
11 First Minister here can lie and do what he wants and there's no accountability
12 according to the code of conduct because he's doing it as First Minister, not as
13 an AM, erm—

14 **DB:** Well—

15 **NM:** —so my recollection of the meeting with Mr Elias is that really, but I wouldn't die
16 in a ditch over it. Erm, I probably was aware to a certain extent, but as I said, I
17 just bought into a culture which already existed.

18 **DB:** And of course you were given, during your induction, weren't you, a copy of the
19 Members' Handbook?

20 **NM:** Yes, yes, yes.

21 **DB:** And perhaps you could just look at page 11, which I'm sure must have looked
22 at, at the time.

23 **NM:** Erm, I wouldn't say so, to be honest. Erm, as I said to you, erm, I know what... I
24 know what it says now.

25 **DB:** Yes.

1 **NM:** So I've clearly made myself more aware. But, erm, in, I think, in March when we
2 had the launch, well, not a launch, we... I improperly used the press room,
3 which I've admitted, whatever date that was. Erm, after that point, I made sure
4 that I knew everything in greater detail. Ignorance is no... not complete
5 ignorance but a level of ignorance is no defence. So I'm not offering it as a
6 defence, I'm just offering it as a way of explanation really. I'm guilty.

7 **DB:** But if you didn't know at the time—

8 **NM:** Security guard.

9 **DB:** Well, if you didn't know at the time it was a breach of the rules—

10 **NM:** I'm not saying... I'm not saying... I'm not saying... there's a parallel here
11 because we're aware of rules and so on and so forth, but then none of those
12 rules apply. They don't apply now.

13 **DB:** So... I don't want to put words in your mouth, are you saying you were aware of
14 the rules but you broke it because other people were breaking it?

15 **NM:** Erm, it's just that everyone breaks it here.

16 **█:** It's a convention.

17 **NM:** It's a convention. But a rule's not a convention. There's a convention here
18 because nobody pays any attention at all to that rule and all you've got to do is
19 look at the visitors' books, who comes here. Look at the passes, erm, I don't
20 know whether this is your remit but if you look at the passes issued, █
21 █, Plaid Cymru █ is here all the time. He's talking █
22 █ Plaid Cymru. As I said, █, if you look at the Labour Party,
23 █, █, comes here every single Tuesday. So all I
24 was doing was breaking the rules, clearly, I've admitted that, whilst obeying the
25 convention.

1 **DB:** And of course you were party, weren't you, to an attempt to mislead the security
2 guards to let people in that shouldn't have been in the building?

3 **NM:** Erm, they're allowed in the building but they shouldn't have been here for an
4 interview. But then, if I'm appointing an organiser for a campaign, I don't want
5 other people knowing about it.

6 **DB:** No, but you were... do you agree that you were party to a scheme to mislead
7 the security guards?

8 **NM:** It wasn't a scheme, it was just me basically being political in that if we're
9 appointing an organiser the last thing I want is Cardiff West Labour Party and
10 Cardiff Labour Party knowing that we're appointing an organiser. What we want
11 to do is just get on with stuff and for them not to know about it. So yes, of
12 course I did, yes.

13 **DB:** And so you agree that people should tell lies to the security guards?

14 **NM:** Erm—

15 **DB:** Isn't that right?

16 **NM:** Erm... it's a very blunt way of putting it, but, erm, I would prefer to say to keep
17 the purpose of the meeting confidential.

18 **DB:** All right.

19 **NM:** I think... I think you're blunter than me, Commissioner.

20 **DB:** Well, that's because of my Scottish background. *[Laughter]*

21 **NM:** I'm guilty as charged, I'm not disputing it, on that, you know.

22 **DB:** Can I move along to another meeting?

23 **NM:** Yes.

1 **DB:** And do you accept that a meeting of the campaign group—

2 **NM:** Campaign group, yes, yes.

3 **DB:** —was held in your office, I think—

4 **NM:** No, no, no, no, no.

5 **DB:** —on 5th of April 2017?

6 **NM:** Absolutely not, no.

7 **DB:** Not in your office, so it was in another room in the building.

8 **NM:** We can... if you look at my office, I said this to Sir Roderick, because the
9 number of people who attended, you physically wouldn't get them in my office, it
10 was like a sardine can.

11 **DB:** Okay.

12 **NM:** So we met in the Plaid Cymru room.

13 **DB:** Okay.

14 **NM:** Yes, of course, yes. I didn't call that meeting. I think it was one I didn't call.
15 Erm, it was called by [REDACTED].

16 **DB:** But you were at it, weren't you?

17 **NM:** Of course, yes.

18 **DB:** And the chair couldn't arrange for the use of a meeting room, could he?

19 **NM:** I didn't arrange that with [inaudible 00:21:02], I didn't arrange for the use of the
20 room.

21 **DB:** But you knew it was in breach of the rules.

1 **NM:** It was arranged by [REDACTED] ... the leader's staff. So I was there with the leader's
2 staff. Again, erm, it would have been untenable for me not to attend that.

3 **DB:** But you knew it was in breach of the rules?

4 **NM:** And in abeyance [sic? 00:21:20] with the convention, yes.

5 **DB:** And again on the... yes, I should have said of course on the 16th of March of
6 2017, that was what, three weeks before this meeting on the 5th of April, you'd
7 been made aware of the complaint against you about the improper use of
8 Assembly resources in the press briefing room.

9 **NM:** Mm-hmm, yes.

10 **DB:** So despite being putting on notice, you went ahead and broke the rules?

11 **NM:** No, because I didn't book the room.

12 **DB:** But you were there and you used the room, didn't you?

13 **NM:** Yes, but the room was booked by the leader's staff member.

14 **DB:** But the code provides you mustn't use Assembly resources and you were using
15 them for that meeting, weren't you?

16 **NM:** Not me personally. I was using... I was there, but I was using the room with
17 everybody else.

18 **DB:** Well, we'll have to disagree about that matter.

19 **NM:** No, but if... I... there is no evidence whatsoever of me booking that room. You
20 said I booked it but—

21 **DB:** I didn't say there was.

22 **NM:** [REDACTED] booked that room, but again it was very informal, it's just so
23 everyone's coming in today, blah blah blah, it's free, job done really. You get

1 AMs broadcasting videos of political issues on the Assembly estate and
2 nothing's done about it. It was [REDACTED] complains... complains about me
3 immediately for whatever it is and, you know, there's a... there's a lack of equity
4 in the way people are treated in this place. But what you say in terms of guilt,
5 I'm not disputing at all, I didn't dispute it at the beginning of the process when
6 we started the hearings.

7 **DB:** And I should have put to you, there was another meeting.

8 **NM:** In the office, Cowbridge Road East.

9 **DB:** Well, in the office or in this building, wasn't there?

10 **NM:** Yes.

11 **DB:** On the 6th of March.

12 **NM:** Who attended that one? I think that would have been in Cowbridge Road East,
13 from memory.

14 **DB:** Just... perhaps you could look at document 13. You will see half-way down the
15 page there—

16 **NM:** Oh, this, this is the one... that... that—

17 **DB:** Full meeting of campaign group on Monday.

18 **NM:** That one was here.

19 **DB:** Yes.

20 **NM:** Yes, That was—

21 **DB:** so that's—

22 **NM:** That was [REDACTED], yes?

1 **DB:** Yes.

2 **NM:** Sorry, the former chief exec.

3 **DB:** That's called for your office. You say it didn't take place in your office.

4 No, too many people. "Thank you for all your response. Given the
5 circumstances, following Neil's request, I'd like to call a meeting of the campaign
6 group on Monday evening at 5pm at the National Assembly." Doesn't say... we
7 need a meeting because of what was going on. I'd been suspended by [REDACTED]
8 [REDACTED]. Erm, so clearly that was a matter for, well, the group
9 actually at [REDACTED] behest. So it wasn't in my office, it wasn't called by me even
10 though I said, "Look, we do need a meeting," so this person, [REDACTED]
11 [REDACTED], he called the meeting in the National Assembly and it took place in the
12 Plaid Cymru meeting room.

13 **DB:** But it was called at your request.

14 **NM:** But I didn't... erm, I told [REDACTED] we needed a meeting.

15 **DB:** Yes.

16 **NM:** And there's a difference. I said to [REDACTED], "Look, we need to have a meeting
17 because I'm suspended. This is chaotic, your basically..." this is the beginning
18 of the election campaign, we're just going to get going and I'm out so everything
19 ground to a halt.

20 **DB:** So you—

21 **NM:** So [REDACTED] called the meeting.

22 **DB:** Yes, but do you agree [REDACTED] did so at your request?

23 **NM:** Of course [REDACTED] did, yes.

24 **DB:** Yes.

1 **NM:** But then ■ could have said, right, we'll meet wherever, we'll meet—

2 **DB:** Yes.

3 **NM:** We could have met in Tŷ Gwynfor.

4 **DB:** And you could have said, "We can't use the assembly for this purpose, this is an
5 election matter," which you knew was contrary to the rules.

6 **NM:** Erm—

7 **DB:** Albeit you say it was in accordance with convention.

8 **NM:** It would have been pretty silly of me to say that when I sit in meetings going
9 through canvassing data presented by the chief executive. Again, in adherence
10 to the convention of the way things work here.

11 **DB:** Okay.

12 **NM:** I suppose what I did, as a new Member, which is buy into the culture and just
13 behave like everybody else. Erm, but I don't buy into the culture now. I don't
14 want to buy into this culture and, erm, I'm very much my own boss with, erm,
15 you know, our team.

16 **DB:** Now, are there other occasions on which you want to tell me about where party
17 political or election meetings were held on these premises?

18 **NM:** Every week.

19 **DB:** No, by you.

20 **NM:** I've attended—

21 **DB:** Or which you've attended.

22 **NM:** But I didn't... I didn't call the meeting, which is that called, so I attended, so I'm
23 guilty there. But I attended political meetings every Tuesday in this building with

1 the Plaid Cymru Group. And the Labour Party, every single AM, every single
2 Labour AM attends political meetings with their chief executive. If it's not
3 political, why is their chief executive here? If it's not political, why are directors
4 of policy here?

5 **DB:** Okay, can we now move on to 321?

6 **NM:** Yes.

7 **DB:** I refer to it but that's shorthand is easier.

8 **NM:** Meetings there or...?

9 **DB:** Yes.

10 **NM:** Yes.

11 **DB:** Well, going to start off, I think I know the answer to this but just for the record, do
12 you accept that between 17th November 2016 and 31st January 2017, four
13 meetings of the Cardiff campaign group were held at 321?

14 **NM:** I'm not sure if they all took place there. Erm, some did. They would gather
15 there, certainly, and if... I don't know if you've listened to the... heard the
16 hearing where the [REDACTED] then, [REDACTED], he said that,
17 erm, we would adjourn to a coffee place next door quite often.

18 **DB:** Yes, but that... he was talking about, then, wasn't he, about meetings he had
19 with you, not with the campaign group, and he said... I remember particularly
20 one long one where you were pushed for time and you went next door for lunch.
21 That was nothing to do with the campaign group meetings, which were in the
22 evening weren't they?

23 **NM:** Whenever [REDACTED] was involved in a meeting, it was extremely long and so, yes, of
24 course I did, yes. I don't know... for the purposes of accuracy, I'm saying that
25 I'm not sure if it was four, to be honest, but, erm, I'm not—

1 **DB:** Well, let's just—

2 **NM:** —I'm not disputing it, I'm not disputing, I didn't dispute it at the beginning with
3 Sir Roderick.

4 **DB:** No, well, do you accept it then?

5 **NM:** A number, yes, yes.

6 **DB:** Well, four.

7 **NM:** Maybe, I... from—

8 **DB:** Well, let's just—

9 **NM:** I've just sworn on the Bible, right. If you want an honest answer, I don't know,
10 but what I, to save time, I'm not disputing it.

11 **DB:** Well, but I just want to be clear about this for what comes next. On the hearing
12 on 14th January—

13 **NM:** Yes.

14 **DB:** —and if you'd look at documents 1 and 1A, please.¹

15 **NM:** Yes.

16 **DB:** You see 1 is Sir Roderick saying, "So 17th November meeting was held in 321."

17 **NM:** Yes.

18 **DB:** "Yes, that's right, there were four meetings."

¹ Documents 1 and 1A were transcripts of parts of the Hearing on 14 January 2019. The full extract is Document 68. The passage that was Document 1 is at page 3 lines 1 – 10 of the full transcript whilst the text that was Document 1A is at page 1 line 1 – page 29 line 3 of that transcript.

1 **NM:** Fine, okay, that's fine, yes. If I've admitted it then, fine, it's just now this is
2 13/14... 13 months later. My memory's less... less perfect than it was then.

3 **DB:** Oh, naturally, but having seen that to refresh your memory, do you accept there
4 were four?

5 **NM:** Yes, yes. Yes, yes, sure, I do now, I'm just trying to give you accurate and
6 honest answers.

7 **DB:** No, I appreciate that, that's the way it should be. And do you accept there were
8 other party political or election meetings held at 321, in addition to these four?

9 **NM:** Erm, I'm not sure, erm, if you show me the material which says there were, then
10 I wouldn't dispute it.

11 **DB:** Right, well, we'll do that.

12 **NM:** I'm not disputing that some of these meetings took place.

13 **DB:** So do you accept there were others?

14 **NM:** I don't know.

15 **DB:** Not necessarily the campaign group but discussions with your AM staff and
16 perhaps volunteers to discuss campaign matters?

17 **NM:** I couldn't... I couldn't tell you because we... we would meet in other places as
18 well, so we would meet in, erm... where would we meet for the Plaid Cymru
19 meetings?

20 **█:** Which meetings?

21 **NM:** The [inaudible 00:30:39] did we used to meet upstairs or... where did we meet,
22 now, I can't remember? Because to me now... we used to meet at the venues,
23 so—

1 **DB:** Okay.

2 **NM:** So, erm, we also had at the time about four different offices, so I think, erm, but
3 I'm not... again, I... Did [inaudible 00:30:55] in the same place? Yes, they did.

4 **DB:** But if other people have said that they have clear recollection of meetings at
5 321, other than the four we've discussed—

6 **NM:** Yes.

7 **DB:** —which were party political or election matters were discussed, you're not in a
8 position to deny that.

9 **NM:** Erm, I suppose you discuss elections every day, don't you, really? Erm—

10 **DB:** I don't know. You were there, not me.

11 **NM:** No, we do now, for example, you know, we... our whole livelihood depends
12 upon winning elections so we do discuss things party politically. Erm, you know,
13 by-election, a by-election takes place, people have conversations. In terms of
14 the organised meetings, I'm not sure, but if you're referring to what [REDACTED]
15 [REDACTED] or indeed Michael Deem or [REDACTED] or [REDACTED]
16 have said, then, erm, there's a lot of what they say that I dispute. I'm not here to
17 say we didn't have political meetings; yes, we did.

18 **DB:** All right. Perhaps you would look at document 26.

19 **NM:** Hmm.

20 **DB:** You see at the top of that there's a screen shot and for you, "Cover this on
21 Monday, 9:30 staff meeting, Canton," and Canton is 321, isn't it? Is that right,
22 Canton is 321?

23 **NM:** Yes.

1 **DB:** Yes, so you were going to discuss mail merging and target lists and that's
2 plainly party political or election.

3 **NM:** Erm, yes.

4 **DB:** Isn't it?

5 **NM:** Yes.

6 **DB:** And you were going to discuss that at a staff meeting in 321 at 9:30 on a
7 Monday morning.

8 **NM:** Hmm, let's have a look at that. *[Pause]* Yes. That's a good point, actually, that
9 ██████ makes, erm, because... what my staff find is that a lot of things I will
10 tweet, DM or text, we don't actually do, erm, and what my staff have to do is
11 usually check the messages I've... usually send before the start of the day and,
12 erm, I suppose filter them. Just had a new member of staff now and she's
13 finding the same, so, erm, it's just the way I operate really, erm, I wake up quite
14 early—

15 **DB:** Yes.

16 **NM:** —erm, I do make sure I... I do make sure they tell me their phones are on silent,
17 erm, so there'll be a list of things and, erm, some of the things we'll do, some...
18 some of it.. some of the things we don't do, erm, but in terms of mail merging,
19 there's a lot of stuff which we... we do mail merge, which is not exclusively party
20 political.

21 **DB:** Yes, but you accepted just a few moments ago that this was plainly election.

22 **NM:** Well, it looks like it, but—

23 **DB:** Yes.

24 **NM:** —erm, when is this though? What date is this?

1 ■: On the Sunday. There's no evidence it happened and so probably didn't even
2 turn up to the meetings, [inaudible 00:34:37] almost never attends the 9:30
3 Monday meeting.

4 **DB:** Yes, I'll just remind you that your supporter is not entitled to answer questions
5 on your behalf.

6 **NM:** Yes, yes, I think, yes, I think ■ does raise a valid point there though,
7 because, erm, lots of meetings that I... I won't attend on Monday, erm, so did
8 that happen? Erm, I don't know.

9 **DB:** Well, it's very clear the intention... your intention was that it should happen.

10 **NM:** I've lots of intentions which are, you know, which, erm, which, when ■
11 has a conversation with me and other have a conversation with me... because
12 in contrary to what staff here, erm, the other Commission staff seem to feel
13 about me, erm, the office is... my office is very open, we always discuss things,
14 we work on consensus and very often a lot of things that I intend to do, we don't
15 actually do, because they advise me not to do them. And it's just pressures of
16 time as well. We don't end up getting around to stuff so I don't know the
17 answer. Especially in those days, because when we first started off, I was
18 probably like, I suppose, a rocket without a stick would be the best way to
19 describe how I did the job and, erm, it was so... you know, you never lose how
20 you are naturally, so I'm still sort of spontaneous and there is a list... there are a
21 list... there are lists of things we don't end up doing for various reasons. Erm,
22 but, erm, that's it really.

23 **DB:** Yes. And the meeting, at the hearing on 11th January of 2019, ■ gave
24 evidence and she was asked about whether there were campaign meetings for
25 the Council elections at Canton, and she said, "Candidates, yes."

26 **NM:** Yes.

27 **DB:** "■ is the chair for the branch."

1 **NM:** Yes.

2 **DB:** She's said, "Not regularly, we would meet in our houses more often than not."

3 **NM:** Right, yes, yes.

4 **DB:** But she was clear that there had been meetings at Canton.

5 **NM:** Can I see that again? Because—

6 **DB:** No, you don't—

7 **NM:** Sorry.

8 **DB:** Sorry, this is—

9 **NM:** Oh, the one.. the one you just gave me earlier? It is relevant. Because there
10 are various places we... various, because I haven't thought about this for a
11 while, there were various places we'd meet in Canton, erm, there would have
12 been ██████'s house, erm, sometimes staff would have been present. We
13 also meet in ██████'s as well, to make it more convivial.

14 **DB:** Mr McEvoy—

15 **NM:** Yes.

16 **DB:** —you accepted without hesitation a few moments ago that Canton referred to
17 321. I would just remind you, you're on oath.

18 **NM:** Yes, absolutely, listen, hear me out. It depends on what context you're talking
19 about because I've not thought about it. ██████ told me to prepare but I'm not
20 sure how well I could... could prepare, so I'm giving you what is an open book
21 here. I would hope you would respect that. When we... when we... when...
22 Canton is a wide area. We would meet... so Canton is, if we're talking about the
23 office, if we're talking about 321 only, it's usually pertaining to that, that is
24 Canton. But we, in terms of other meetings, we would meet in ██████'s house

1 sometimes. We'd certainly meet in Mae Maria's because it would be more
2 convivial. When we met in Mae Maria's in Canton, which is just down the road
3 from the office, it's not far, metres, erm, there's a separate room there but where
4 nobody is so it's very confidential. So if I can possibly backtrack in that case,
5 erm, I'm probably going to be called now, what's the word, inconsistent. Erm,
6 but there were various places we would meet. But I'm not dying... I'm not dying
7 in a ditch over it because I've admitted political activity took place.

8 **DB:** But you see, the difficulty with that is this, isn't it? That everyone referred to 321
9 as Canton and to the campaign office as Caerau.

10 **NM:** Hmm.

11 **DB:** Isn't that right? Now, if Canton in that document we've looked at was referring
12 to someone's house, how would anyone else know that? How would they get to
13 the right place? Canton is the only—

14 **NM:** Because—

15 **DB:** —would mean the office to anyone, wouldn't it?

16 **NM:** Yes, as I've said, I take your point. What we would probably do sometimes is
17 we'd gather at the office and then make our... make our way out, erm, but, erm,
18 if—

19 **DB:** Yes.

20 **NM:** —I'm not disputing political activity took place there. That's the point.

21 **DB:** Now, political activity in addition to the four meetings that you've accepted?

22 **NM:** Erm—

23 **DB:** Like this one, for example.

24 **NM:** The honest answer is I don't know.

1 **DB:** So you don't deny you can't recollect?

2 **NM:** There's a lot I can't recollect, but, as I said, this is... this took place three years
3 ago and what I'm saying is there were various venues in Canton where we
4 would meet.

5 **DB:** All right.

6 **NM:** And also, what you're seeing there also is Mr Deem admitted in evidence you're
7 seeing a cut and paste of a series of messages. You're not seeing the full
8 message there; it's a cut and paste of messages. So there may well have been
9 a message before that, which refers to a particular venue. I don't know. I
10 couldn't tell you that, but what I do know on the record is that these messages
11 were edited to tell a particular story, and that has been admitted already.

12 **DB:** Right.

13 **NM:** So I take your point, well, not knowing where it is isn't a sensible thing to say, so
14 in my mind I'm thinking well, actually, is it that people... we'd actually meet in
15 Peacocks across the road, outside... we would meet across the road. So if I'm
16 in the office, I'd look out and I'd go... that would be Canton, so that's one
17 possibility. Another scenario, as I've said, is that this was edited to remove
18 where the... where a venue was. I don't know because I've not seen the full
19 messages.

20 **DB:** And was the reason you say you met elsewhere rather... moved from the office
21 to elsewhere, because you were absolutely clear it was totally against the rules
22 to do anything political, party political, or election-related in the office?

23 **NM:** I was aware that... we've already been through this. I said totally against the
24 rules, yes, but totally in-keeping with the convention, and given that my office is,
25 erm, open... it's a plate glass window and like other Assembly Members where
26 they have frosted glass, for security measures we're advised to have that, we
27 have a plate glass window, you can see through it. You can see through the

1 middle office, you can see right the way through. Anything I did there was
2 scrutinised, so to avoid, erm, complaints we would, erm, gather across the road.
3 So yes, I was aware it was against the rules, in-keeping with the convention,
4 erm, that everyone follows here, still, erm, and to give you an example, we had
5 a... what campaign... what... we put up a party political message in the window,
6 it was on a piece of A4, and within minutes I think the Commission was on the
7 phone because somebody had complained. So there's a level of scrutiny that,
8 erm, exists at my office that doesn't exist at other people's.

9 **DB:** Very well.

10 **NM:** But you know, as I said, I'm not... I'm not disputing that activity took place there,
11 so I, you know.

12 **DB:** So if [REDACTED] and [REDACTED] have both given evidence that there were
13 meetings in addition to these four that you accept, of an improper nature at 321,
14 do you say they're mistaken?

15 **NM:** I'd say they're liars, certainly, yes.

16 **DB:** You say they're lying?

17 **NM:** Absolute... no, no, I said it depends what they want... how you.. what you refer
18 to there. I, I used the plural noun, they are liars, yes they are.

19 **DB:** Yes, but—

20 **NM:** And that they—

21 **DB:** —but in relation to this particular evidence.

22 **NM:** Well, why... I'm not... you've seen me discuss this for a long time, what is the
23 relevance of there being say for example a fifth meeting, I don't know, other than
24 the four that—

1 **DB:** Well, that's a matter for me not for you, Mr McEvoy.

2 **NM:** Okay, yes.

3 **DB:** Your function is to answer the questions.

4 **NM:** Okay, erm—

5 **DB:** So I'll repeat the question and perhaps this time—

6 **NM:** Okay.

7 **DB:** —you'll listen to it and answer it.

8 **NM:** All right.

9 **DB:** When [REDACTED] and [REDACTED] say that in addition to the four meetings that
10 you've admitted to—

11 **NM:** Yes.

12 **DB:** —at 321, there were other meetings of a party political or election nature held at
13 321. Is that... do you accept that that is so?

14 **NM:** I can't... I can't...

15 [REDACTED]: [Inaudible 00:44:19] there is a...

16 **NM:** Well, does it not because... there is a con... do you want to write things down
17 [inaudible 00:44:23]?

18 **DB:** Mr McEvoy—

19 **NM:** Yes.

20 **DB:** —I think we need to be quite clear.

21 **NM:** Yes, yes.

1 **DB:** You can ask for advice before answering a question.

2 **NM:** Yes.

3 **DB:** But that is all.

4 **NM:** Of course, yes.

5 **DB:** And if that continues, your supporter will be excluded from the meeting.

6 **NM:** Okay, all right, okay. He got kicked out last time. *[Laughs]* Erm, I don't know, I
7 don't... it depends, if you show me... show me the meeting, I can comment.

8 **DB:** Well, you don't need to comment. You've—

9 **NM:** No, I don't, I—

10 **DB:** —I'm telling you what their evidence is. Do you accept that evidence or not?

11 **NM:** I don't accept their evidence, no.

12 **DB:** No, so are they mistaken about that or are they telling... making lies, telling lies
13 about it?

14 **NM:** Well, they clearly lie about a lot of things.

15 **DB:** Well, that's not the question. Are they mistaken about that or are they telling lies
16 about it?

17 **NM:** Well, my end... I don't... I don't know what meetings you refer to so it's difficult
18 for me to comment now, but what I... what I do say is of course they lied, yes, of
19 course they did. But then, you know, that's the game, isn't it? You know, they
20 wanted me out of Plaid Cymru, they got me out of Plaid Cymru, they succeeded.

21 **DB:** And did they conspire together to lie about you?

22 **NM:** Of course they did.

1 **DB:** All right.

2 **NM:** Yes.

3 **DB:** And were there other conspirators involved in this?

4 **NM:** Of course.

5 **DB:** All right.

6 **NM:** You know, listen, this is politics. Okay, we've just launched the Welsh National
7 Party. There's a reason for that, it's because a group of people never accepted
8 me for various reasons, which, you know, are not relevant to this hearing. Erm,
9 did they conspire? Of course they did, it's politics. So, you know, the... you
10 know, the name of the game was to... was to get me thrown out of Plaid Cymru,
11 which they... which they succeeded in. The name of the game then was to
12 make sure I wasn't re-admitted. They succeeded in that as well. [REDACTED]
13 [REDACTED]. The only reason
14 I'm not out of this Assembly is because I recorded it, and, you know, [REDACTED]
15 [REDACTED]. And, you know, also I would say that, you
16 know, [REDACTED], what was the first thing [REDACTED] did? [REDACTED] met with Sir Roderick,
17 they went through the whole case, he told... he admitted that. There are no
18 records of what they discussed, okay. So the evidence that [REDACTED] gave was very
19 well prepared. If you read... if you listen to the hearing, a lot of the questions
20 were leading questions, which they're allowed to get away with. When I would
21 interrupt, I was told to shut up, so I just let it go half the time, well, most of the
22 time. Erm, you know, the word "conspiracy" sounds almost as if it's an
23 unreliable term, but what you had here, rather than a conspiracy, what I prefer to
24 refer to it as, an organised campaign.

25 **DB:** All right.

26 **NM:** This is an organised campaign and it's not, you know, what we... what I've been
27 dealing with since being elected, in dealing with, erm, in objecting to the way,

1 **DB:** We're moving on.

2 **NM:** No, it's not scurrilous, it's a comment on the Welsh establishment, how they
3 operate and how they try to destroy people.

4 **DB:** Well—

5 **NM:** That's what I'm... that's the point I'm making.

6 **DB:** —it's your opinion.

7 **NM:** It is, yes.

8 **DB:** And you are, of course, perfectly entitled to that, however misguided it is.

9 **NM:** Well, you say misguided. You see, that—

10 **DB:** Well, we're moving on, Mr McEvoy.

11 **NM:** Okay, but you've made a quip about being misguided.

12 **DB:** Well, that's my... that's my opinion and I'm perfectly entitled to that just as you
13 are to yours.

14 **NM:** But is—

15 **DB:** Now, we're—

16 **NM:** —is your opinion—

17 **DB:** That's enough. We're—

18 **NM:** Is your opinion informed on the transcripts that Sir Roderick... of Sir Roderick
19 and what he was saying? Have you read those?

20 **DB:** I will give my opinion, if and when I report on this matter, and not to you now.

21 **NM:** No, but you've... I just want... you've made a statement there—

1 **DB:** Well.

2 **NM:** —because you've made a statement of what—

3 **DB:** Mr McEvoy, will you listen to the question and then you answer it and you know
4 the consequences of not answering it.

5 **NM:** No, I don't.

6 **DB:** 32... well, it was explained in the notice. If you fail without reasonable excuse to
7 answer a question, you commit a criminal offence.

8 **NM:** Right, okay.

9 **DB:** And I can assure you, I will not be slow in reporting offences to the appropriate
10 authorities.

11 **NM:** Well, nobody ever is here, are they?

12 **DB:** Now, three... the next matter I want to deal with was the use, alleged use, of
13 321 to produce, store and distribute party political and/or election items and
14 material. Now, can I deal first with the campaign printer? You've accepted
15 already that it was delivered to 321—

16 **NM:** Yes.

17 **DB:** —on 28th December 2016, and I think you've told me already it was moved to
18 Mr Deem's garage and I think we're probably in agreement that that was in mid-
19 March, about a week before the campaign office was acquired and it was
20 acquired I think on the 17th of March.

21 **NM:** Can I read that notice again, because I've clearly not read it clearly enough?

22 **■**: Which one was that, sorry?

23 **DB:** I have a copy here. Just to—

1 **NM:** Thanks.

2 **DB:** And you'll find it in one of the notes, sets out the various offences.

3 *[Pause whilst reading]*

4 **NM:** Mm-hmm, okay.

5 **DB:** Now, so we're agreed, I think, that the campaign printer was kept at 321 from
6 the end of December until about mid-March of 2017.

7 **NM:** Mm-hmm, it was the beginning of March, I think, from memory.

8 **DB:** Well, we'll come to that. I think you'll find it certainly, yes—

9 **NM:** Yes.

10 **DB:** —a week before the campaign office opened. And do you accept that storing
11 something that was designed for use for—

12 **NM:** Yes.

13 **DB:** —political purposes was—

14 **NM:** Yes.

15 **DB:** —a breach, perhaps a technical breach, of the rules?

16 **NM:** Yes.

17 **DB:** Okay, and similarly, there was a folding machine, and that was used, at least in
18 part, for party political or election purposes, wasn't it, folding leaflets for
19 distribution?

20 **NM:** It depends, erm, because that was... that went to Caerau. Erm, that would be
21 used for folding letters to constituents as well.

1 **DB:** Oh, as well, but it was partly used for party political and election purposes.

2 **NM:** It probably would have been, yes.

3 **DB:** Yes, and that's... it went to the campaign office.

4 **NM:** Yes.

5 **DB:** So it was primarily used for campaign work.

6 **NM:** Not really, no, because, erm, there were mail merges for lots of letters for the
7 Local Development Plan and, erm, the folder would have been used for that.

8 **DB:** So after the folder moved to the campaign office, did you acquire another folder
9 for 321?

10 **NM:** No, because, erm, all folding would have taken place in Caerau.

11 **DB:** Even matters that were related to your Assembly work were taken to the
12 campaign office, were they?

13 **NM:** Erm, there would have no... the... *[sighs]* there were no, from recollection, there
14 were no meetings that we had to organise for Assembly work at that time.
15 Everything the, most things, would have been for the election.

16 **DB:** Well, sorry, I'm finding this difficult to get my head around.

17 **NM:** Okay, can I give you an example?

18 **DB:** Well, do, well just let me see if I can tease this out. So the folder was in the
19 campaign office for... sorry, in 321—

20 **NM:** Yes.

21 **DB:** —from sometime after that office became operational, until the campaign office
22 opened.

1 **NM:** Mm-hmm.

2 **DB:** In March of 2017, and you say that it, while it was at 321, it was primarily used
3 for Assembly work but also for... is that your evidence?

4 **NM:** It would have, in terms of the printer... not the printer, the folder—

5 **DB:** The folder.

6 **NM:** —it would have been used for mass, erm, mass mailings, a few hundred or
7 however many it were. During that period, the only time it would have been
8 used, erm, would have been for large mail outs. Erm, from memory, we were
9 dealing with the Local Development Plan at that point. We were calling public
10 meetings.

11 **DB:** Right.

12 **NM:** So I think people were saying that this is a grey area. For me, it would have
13 been Assembly work because there was a meeting of the Plan, erm—

14 **DB:** [Inaudible 00:55:51] I mean, I don't dispute that that's a stateable argument and
15 I don't allege that—

16 **NM:** But then—

17 **DB:** —that that was improper.

18 **NM:** —if you want me to come here and swear hand on heart that the printer... not
19 the printer, the... the—

20 **DB:** The folder.

21 **NM:** —the folder was not used for party political activity, then I couldn't give that.

22 **DB:** Okay.

23 **NM:** I could not give that [inaudible 00:56:09]

1 **DB:** I think that's very fair.

2 **NM:** But... but most of it was used for the large mail outs, erm, for the LDP, that I
3 recall.

4 **DB:** Yes.

5 **NM:** What I would say though, as well, erm, is that I would spend very little time in
6 321.

7 **DB:** Sure. Then 321 was also used, wasn't it, to store election placards.

8 **NM:** Yes, yes. Erm, the... well, the folder, it's still in the office now, the folder.

9 **DB:** Which one?

10 **NM:** Oh, it doesn't matter.

11 **DB:** In 321?

12 **NM:** Yes, yes.

13 **DB:** Right, so it was moved back from the campaign... I suppose you didn't need the
14 campaign office after the election was over.

15 **NM:** Erm, no. We, well, we... we... it's broken anyway, so—

16 **DB:** Oh, right. *[Laughter]*

17 **NM:** It wasn't very reliable, to be honest.

18 **DB:** Okay, well, we were dealing with election placards.

19 **NM:** Yes, but yes, I said that they were there. But then, erm, my... my issue here
20 was, erm, with the placards, it's the same. You know, the... it would have been
21 the same notice as above the office, which is "Neil McEvoy, Plaid Cymru".

1 **DB:** Yes, but I think you accepted at one of the hearings that anything with Plaid
2 Cymru on it made it party political.

3 **NM:** I don't know really. This was... erm, but then, you tell me because I'm looking
4 for advice on this, because... so therefore, erm, my name outside the window,
5 which is "Neil McEvoy" and there used to be a Plaid... there used to be a Plaid
6 Cymru logo and it did say "Plaid Cymru", that's paid for by the Assembly, it's
7 allowable. So in terms of me storing Plaid Cymru boards there, yes, they were,
8 yes.

9 **DB:** But they were election boards, weren't they? They're described in the
10 transcripts, and you don't object to it, as election placards.

11 **NM:** Well, no, no, but then the... this is why I'm confused, because the... the
12 placards is exactly the same design, almost, as the, erm, front paid for by the
13 National Assembly for Wales.

14 **DB:** Well, that's as may be but these were equipment to use—

15 **NM:** For election purposes.

16 **DB:** —at an election.

17 **NM:** Yes, but they... they were... yes, of course they were still there, yes.

18 **DB:** Yes, and they shouldn't have been there, should they?

19 **NM:** Erm, I... on that, I... I don't know, to be honest, because I... I, erm, in terms of
20 my... my view of that, the way you put it there, election boards, are really
21 possibly... you're probably correct in that sense. But... but what I used to think,
22 erm, probably before, until... well, still now, as I've said to you, it's difficult for me
23 to think what is wrong with those boards because all they are is a carbon copy
24 of what the Assembly paid for. So I... at the time, I wasn't thinking oh, well, I'm
25 breaking the rules here. I just thought I was storing stuff which was, erm, had

1 the same message as outside the window. So... but if you put it, it was election
2 material then actually, looking back, it probably was. Yes, of course it was.

3 **DB:** Okay.

4 **NM:** Yes, yes. So like I... I'm not, you know, I'm not denying that. I didn't deny it last
5 time.

6 **DB:** Okay, and then do you accept that 321 was used for the production and
7 distribution of leaflets and direct mails and calling cards in connection with
8 elections?

9 **NM:** Erm, I don't... I don't recall. We would buy calling cards. Erm, clearly there is
10 evidence there that some stuff was dropped off at the office, erm, there was a
11 newspaper, which was a bit of nightmare, erm, 40,000 copies were dropped to
12 the office. There actually was 60,000, I think it was, from memory. Erm,
13 because they were taken from Trinity Mirror, erm, by my office manager, and
14 dropped into Cowbridge Road East.

15 **DB:** Okay.

16 **NM:** So, yes, they were, yes.

17 **DB:** Yes.

18 **NM:** And then what happened... what had to happen was we had to take them out of
19 the office in Cowbridge Road East.

20 **DB:** Yes, well we'll come to the circumstances of that.

21 **NM:** And I'll tell you what was really frustrating as well, because, erm, I didn't want
22 them dropped at Cowbridge Road East in the first place because I had to
23 transfer a good load of them to just round the corner from Trinity Mirror, so that
24 was quite annoying.

1 **DB:** I can appreciate that. Could you look at document number 18, please?

2 **NM:** Yes.

3 **DB:** Now, I think that's a conversation between [REDACTED] and Mike Deem and
4 perhaps you could direct your attention to the third block of text.

5 **NM:** Hmm.

6 **DB:** "There are five rounds bagged and waiting to go. That's all of Canton done
7 then."

8 **NM:** Hmm.

9 **DB:** "Haven't started bagging Caerau until rounds are rewritten."

10 **NM:** Hmm.

11 **DB:** That was election material, wasn't it?

12 **NM:** It was after the election, wasn't it? I think it was, from memory, I think it was a
13 thank you letter, erm, thank you letters.

14 **DB:** But it was in connection with the election.

15 **NM:** Erm—

16 **DB:** It was a thank you for the work done at the election or voting for you or
17 whatever, wasn't it?

18 **NM:** *[Pause]* Has it got a leaflet? Was it party... was it party political? Was—

19 **DB:** No, I don't have one here today, but the question is quite a simple one.

20 **[REDACTED]:** [Inaudible 01:01:57]

1 **NM:** But I... from memory, I thought that... I don't know. It was... I don't think it was
2 part of a campaign. Erm, leaflet letting... it was a leaflet letting people... saying
3 thank you really, I think.

4 **DB:** Thank you for work they'd done or what they... in connection with the election?

5 **NM:** I... if I had the... if I had the leaflet.

6 **DB:** Can I just help you now? Scribbling notes and passing them to Mr McEvoy is
7 just the same as—

8 **NM:** Oh, I asked—

9 **DB:** —answering a question on his behalf.

10 **█:** I'm sorry, yes, yes, yes.

11 **DB:** Now, that is one last warning. The next time I see you doing anything improper,
12 you will be excluded. Do you understand?

13 **█:** I do.

14 **DB:** Thank you. Now, please continue, Mr McEvoy.

15 **NM:** Okay. Erm, from memory, it's difficult to say.

16 **DB:** Okay. And then would you look at document 19, please.

17 **NM:** Thanks.

18 **DB:** And that's again about—

19 **NM:** Yes.

20 **DB:** —leaflets, isn't it?

21 **NM:** Yes, I think the—

1 **DB:** And that... I'm sorry?

2 **NM:** Again, it's a... yes, go on, sorry.

3 **DB:** And that's leaflets for the Grangetown by-election, which was on 3rd of
4 November, wasn't it?

5 **NM:** No, don't think so.

6 **DB:** Right, well what was it about, then?

7 **NM:** I think we wanted to... from that one, I recall that we wanted a meeting in the
8 Salvation Army Hall in Aberthaw Road in Ely. Erm, got the meeting hall booked
9 now, date is the 14th of November," erm, "as agreed with Neil McEvoy, can you
10 get these printed asap?" Erm, I think that was a community meeting about... it
11 might have been about bikes, I don't recall if it was. Erm, he then urgently
12 chased... where is it? 28th... can I go from the beginning? Because that
13 meeting didn't take place.

14 **DB:** Well, just look over the page, if you would.

15 **NM:** I was trying to get... trying to get the—

16 **DB:** Yes, I mean, there are actually two emails—

17 **NM:** Well, what was the—

18 **DB:** —on the same sheet, but if you look over the page, it starts off—

19 **NM:** So what was... what was the first one?

20 **DB:** "[REDACTED]," 14th October 2016 at 10:14.

21 **NM:** Yes, yes.

22 **DB:** "Hope all is well, is there any update on a leaflet for Caerau.

1 **NM:** Yes.

2 **DB:** And that was a leaflet, wasn't it, in connection with the Grangetown by-election?

3 **NM:** No.

4 **DB:** No?

5 **NM:** No, Caerau's a different part of the city.

6 **DB:** All right.

7 **NM:** Erm, the Grangetown by-election was, erm, in Cardiff South. That was
8 separate. What we were trying to do in Caerau, looking at this, from memory,
9 was to hold a community meeting in Caerau about matters pertaining to Caerau,
10 which is a completely different area.

11 **DB:** Okay, okay.

12 **NM:** Erm, so from... this, I know this one, he's chasing the leaflets. The meeting
13 didn't take place in the end.

14 **DB:** Okay, but you say these leaflets were to do with the Assembly business?

15 **NM:** They would have been because it was a—

16 **DB:** Okay.

17 **NM:** —they weren't produced.

18 **DB:** Okay.

19 **NM:** Because we didn't, in the end, and it was just pressures, again, this... what I
20 mean about what is messaged and what actually happened, there is a
21 difference because, erm, this was booked.

22 **DB:** Okay, can we move on then to document 20?

1 ■: I'm sorry.

2 **NM:** [To be fair? 01:06:35], god, yes, yes.

3 **DB:** Now, I think although this doesn't have a date on it—

4 **NM:** Yes, yes.

5 **DB:** I can tell you that the—

6 **NM:** Yes.

7 **DB:** —the visit by the Assembly staff took place on 9th of January.

8 **NM:** Right, okay.

9 **DB:** Which means this was—

10 **NM:** Yes.

11 **DB:** —on the 6th of January.

12 **NM:** Yes. Yes, right, yes, of course, yes.

13 **DB:** So why was there the need to get all these things moved from the office?

14 **NM:** Because of... they shouldn't have been there.

15 **DB:** Well, but if this was in accordance with the convention, a convention which
16 presumably was known to the Assembly staff, why would it have mattered that
17 they saw this? It was conventional.

18 **NM:** Erm, you seem to think there's no convention here amongst, erm, political
19 groups.

20 **DB:** No, I'm not expressing a view on that but why would it have caused concern if
21 there was such a convention?

1 **NM:** But there is a convention. They're Assembly staff, they're not political staff, are
2 they?

3 **DB:** Yes, but if they knew everyone did it, why would this come as any surprise to
4 find this material there?

5 **NM:** It shouldn't have been there, so I wanted it moved.

6 **DB:** Okay.

7 **NM:** But then, you know, with what... with your line of questioning, you seem to be
8 not accepting what I'm saying what everybody does here.

9 **DB:** Well, at this stage of my investigation, I neither accept not reject—

10 **NM:** Okay, yes, all right, okay.

11 **DB:** —what anyone said. It's my job to listen to it but I've got to probe and test—

12 **NM:** Okay, yes.

13 **DB:** —the evidence of you—

14 **NM:** Yes.

15 **DB:** —and any other witnesses I see. Now, you've already told me about the 30,000
16 newspapers.

17 **NM:** I think it was 60,000 or so.

18 **DB:** Yes, it was 60,000. Somewhere else, it says 40,000, but it doesn't really matter.

19 **NM:** It was 40,000 for Cardiff West, it was 60,000 for city, I think, from memory.

20 **DB:** But what about the thousands of DMs?

21 **NM:** It depends on what a DM is really.

1 **DB:** Well, they're direct mails, aren't they?

2 **NM:** Yes, it depends on what the context was—

3 **DB:** Well, you wanted them moved so—

4 **NM:** —what the contents were.

5 **DB:** —why did you want the DMs moved?

6 **NM:** Erm, it would depend what was in there really.

7 **DB:** Well, if they'd been about Assembly business, there would have been no reason
8 to move them, would there?

9 **NM:** Where do I say that for DMs?

10 **DB:** Well, we're looking at document 20.

11 **NM:** Ah, towards the end. Erm, it would appear so, yes.

12 **DB:** Okay.

13 **NM:** Erm, from, again, from memory, I don't recall.

14 **DB:** And isn't it absolutely obvious that they were election? Because the next line is
15 "Need candidates over the weekend to make it disappear."

16 **NM:** Erm—

17 **DB:** If it was about Assembly business, the candidates wouldn't be involved in
18 moving them, would they?

19 **NM:** It depends what it is. The... the candidates are a people resource so we
20 would... on the face of it there, it would seem that they... they're... it would
21 seem that they're political material, yes.

1 **DB:** Okay

2 **NM:** Erm, but, again, I don't... we're talking three years ago so it's difficult for me to
3 give an accurate answer there, but in terms of candidates, they're a people
4 resource.

5 **DB:** Okay.

6 **NM:** So would they help with... would they help with, erm, erm, would they help with
7 Assembly activity? Yes, they would.

8 **DB:** Okay, but can you think of a reason why, if the DMs were related to Assembly
9 business—

10 **NM:** Yes.

11 **DB:** —you'd have wanted them moved at all?

12 **NM:** Erm, it would depend if they were going to be given to distributors.

13 **DB:** No, sorry—

14 **NM:** I'm trying to... I'm trying to backtrack three years and think, well, what was I
15 thinking with that message. It's difficult to say. Erm, could they be... could they
16 have been party political material? Possibly. It would seem on the face of it,
17 looking at it now. Could they have been... a lot of the DMs were not political.
18 Erm, possibly if they, given what I said there, they might have been. Erm, but I
19 think... if we want them moved then maybe we would... they would be moved
20 to... to get people to deliver them.

21 **MG:** I need to go to the bathroom.

22 **NM:** Yes, okay.

1 **DB:** But it's very plain, isn't it, that these were being moved because there was a
2 member of the Assembly staff going to visit on Monday and such was your
3 urgency that you say, "No, shift papers tomorrow,"?

4 **NM:** I wanted them moved.

5 **DB:** You wanted them out—

6 **NM:** Yes, yes.

7 **DB:** —because you were scared that they'd be spotted there.

8 **NM:** Erm, so what was it... I, I've already admitted at the beginning of the process
9 that there would have been some material there.

10 **DB:** Okay, can we move on then to document 21, and I think this is the 17th of
11 February of 2017? "Have we got any A4 paper hidden anywhere in the office?"
12 Why was the A4 paper being hidden?

13 **NM:** Erm, I just... I think it was because of the state of the office, to be honest. Erm, I
14 know what it looks like in a message there but hidden because at that time, the
15 office was fairly disorganised. So I think "hidden" there would imply that it was
16 just a bit of a mess really. I think... I... I don't know, I think... I would take that
17 as slightly humorous, to be honest. Erm, under the banker's boxes, erm, I
18 wouldn't have the idea.

19 **DB:** Okay, fair enough.

20 **NM:** Again, from... from... the office is much more tidy now, erm, but it would be a
21 mess sometimes and I, I... reading that, I would just think that the back room
22 was not good and, yes, in the back office and under the banker's boxes.

23 **DB:** Of course, the back office was where much of the improper use of the office took
24 place, wasn't it?

1 **NM:** No, I wouldn't say so, no. Just, erm, erm, it was just another regular room really.

2 **DB:** And that's why, isn't it, that at one stage you wanted to sub-let the back office to
3 Plaid?

4 **NM:** That was one thing I wanted to do, yes. Erm, so we could... instead of having to
5 find another office, we could, erm, we could just do the stuff there.

6 **DB:** Yes.

7 **NM:** In the campaign.

8 **DB:** But you were doing stuff there anyway, weren't you?

9 **NM:** Erm, once we... there's a difference between pre-campaign and campaign.
10 When you're campaigning, it's intensive, there's a lot of work to do, erm, a lot of
11 political work to do. We needed space.

12 **DB:** Yes.

13 **NM:** So, erm, it would have been untenable to... to use that as a campaign HQ, erm,
14 during the campaign, because of all the comings and goings, and what I wanted
15 to do was what Llanelli Plaid did. What [REDACTED] does now. Have a
16 Plaid office next door to an Assembly office, but in the same building.

17 **DB:** I quite understand that and why you wanted to get a campaign office, and
18 indeed got one in March of 2017, about a month after this, what we're looking at.
19 But prior to that, there was quite a lot of campaign work and political work done
20 in the back office at 321, wasn't there?

21 **NM:** Erm, there was... there was a lot of campaign work done everywhere really.

22 **DB:** Well, sorry, that's not the question. The question was, do you accept that there
23 was quite a lot of campaign work done in the back office at 321 before you
24 acquired the campaign office?

1 **NM:** No, not really, because, as I said, there was no real difference of what
2 happened there. First of all, it's not... the third room is not the most pleasant
3 room to be. There's a toilet there. Erm, we keep... there's a... there's a sink
4 there. Erm, we keep the coffee and stuff there, erm, so in terms of... in terms of
5 the space, it's a confined space. It's not... there's not a great deal, erm, to...
6 it's... it... if you... have you visited the office?

7 **DB:** If you just answer the question.

8 **NM:** No, but if you visited the office then you could see that... you seem to think
9 there was... you seem to be implying there was some kind of production line.

10 **DB:** No.

11 **NM:** Erm, no, the... it was the same as any other room. In terms of folding and that
12 kind of stuff, that would be done in the second room.

13 **DB:** Right, and why was the CCTV camera covered with a bag?

14 **NM:** *[Laughs]* Because... we've been through it so many times, erm, the... the
15 ceiling leaks quite a bit, or did at one point. Erm, it's marked again now. I think
16 it's an Airbnb above so I don't think people take as much care there, so
17 sometimes there are leaks, from the bath, from the sink. Erm, and we had to get
18 it painted so there was, erm, there would have been a bag over it then.

19 **DB:** All right.

20 **NM:** So as not to, erm, get paint on the... the camera.

21 **DB:** And did your staff just forget to remove the bag after it had been repainted, did
22 they? Is that right?

23 **NM:** Erm, I don't... I... how long was it there for? I don't know.

24 **DB:** Well, you know, you were there.

1 **NM:** Well, not really, because... was it there... how long for? I don't know, erm, but
2 this... the supposition, erm, and we've had... been through this many times.

3 **DB:** All right.

4 **NM:** The... your supposition there is that we, because of all the dreadful activity
5 taking place in room three, we had to cover the camera. All you've got to do is
6 turn it off. So if the premise is that we... we didn't want, erm, to be observed,
7 you pull the plug. Just pull it out. It's not.. we wouldn't have to cover the
8 camera. I think... did you... have you seen the email from the... from the, erm,
9 people who provided the camera?

10 **DB:** What I've seen is a matter for me, Mr McEvoy. Now—

11 **NM:** Okay, but I've provided evidence that if... that if... you seem to be saying I
12 wanted to cover the camera up because of the activity. If that was the case, if I
13 wanted not to record or just have black, whatever it is, all I'd have to do, all we
14 would have had to have done would have been to turn it off.

15 **DB:** Very well.

16 **NM:** So it doesn't really make sense. The... we could... in terms of, erm, privacy of
17 staff, erm, a lot... a lot of things have occurred to me during these hearings and
18 after, so in the third room now, we had the cameras off and I think in terms of
19 assisting your understanding of this whole matter, I'd invite you to visit the office
20 and just take a look.

21 **DB:** Yes, thank you, and do you see just a little further down document 21, there's
22 reference to leaflets being bagged.

23 **NM:** It would depend what for really.

24 **DB:** Yes, well that's what... actually, what I was going to ask you. What were these
25 for?

1 **NM:** Erm, it would depend. They could have been for the LDP, erm, because we, at
2 that point, we were calling public meetings, erm, it would depend on what the
3 leaflets were.

4 **DB:** Right.

5 **NM:** If you want me to sit here and say that there was nothing party political
6 undertaken at the office, I couldn't do that. If you want me to say that, erm, the
7 campaign printer was never used, I couldn't say that. Erm, they probably were,
8 right, to be honest, and, erm, but a lot of what was said and a lot of what was
9 alleged is incorrect because it wasn't the campaign HQ, as... as... as alleged.

10 **DB:** And I think if you look at document 22, we talked about this earlier and I think
11 there's a typo in the first text there. I assume that's meant to be number one
12 priority is to sort out sub-let to Plaid.

13 **NM:** Hmm.

14 **DB:** And you've told us about that.

15 **NM:** Hmm.

16 **DB:** But that didn't actually happen.

17 **NM:** No, I... that was an oversight on my part because I'd asked them to sort that out
18 ages before, erm, because we were coming up to the election time now, so—

19 **DB:** Yes.

20 **NM:** —I wanted that sorting out.

21 **DB:** And then—

22 **NM:** And I think, from memory, we were told we weren't allowed to do it, which I
23 didn't really understand because, as I said, other people have that sort of
24 arrangement, or did have. I think the Llanelli campaign office I think was

1 separated by a door from the Plaid office, the Plaid Assembly office. Erm, so I
2 couldn't understand why we couldn't sub-let a part of the space and, as I said,
3 [REDACTED]'s office is the same now. There is, erm, is it a doorway which
4 separates the political and the non-political? You know, it's, erm, from, again
5 from memory, when that couldn't be sorted I think that's when we got the other
6 office then.

7 **DB:** Okay.

8 **NM:** Because we were running the campaign properly then.

9 **DB:** Yes, well, can we just move on then to document 23, and you'll see this is 17th
10 of March, which is the day before you acquired the campaign office.

11 **NM:** Yes.

12 **DB:** And you see at the bottom there, "Did you speak to [REDACTED]? Printer and folding
13 machine need to go. On my way back to Cardiff..." et cetera. And the plan... of
14 course, they couldn't go to the campaign office at that stage because you hadn't
15 got it until the next day.

16 **NM:** Hmm, yes.

17 **DB:** And that's when they went to Mr Deem's garage.

18 **NM:** Yes.

19 **DB:** Is that right?

20 **NM:** Yes.

21 **DB:** And as you've just said, the campaign was in full swing by then.

22 **NM:** Hmm, I don't think it was, no, we... we—

23 **DB:** Well—

1 **NM:** —we... it was about to, I think, erm, so that's when we... we... we would have,
2 erm, really been campaigning, so I didn't want it on the premises.

3 **DB:** Well, I didn't take a note but it will be interesting to see what the transcript says,
4 if I have a transcript done, but my recollection is that you said the campaign was
5 not in full swing but certainly well underway by that time.

6 **NM:** It's a process, it's a process, isn't it?

7 **DB:** Yes.

8 **NM:** Because, erm—

9 **DB:** What was?

10 **NM:** —at this time, you're hitting a campaign.

11 **DB:** Yes.

12 **NM:** I was suspended. That was problematic, erm, that was the reason for the
13 meeting. Erm, I think that took just over a week to resolve, so what date is that
14 there?

15 **DB:** 17th of March.

16 **NM:** Erm, so at that point, there's no further time to waste really.

17 **DB:** Yes, and, I mean, plainly the campaign printer and the folder had been used in
18 connection with the campaign prior to their being moved to Mr Deem's garage,
19 hadn't they?

20 **NM:** Erm, my recollection is that, as I said, a lot of the fold... the folding would have
21 been for Local Development Plan meetings, it would have been for community
22 meetings because a lot of the stuff we were doing, is it political campaigning?
23 There was some disagreement before whether it is political campaigning to... to

1 call those meetings. Erm, would they have been used for some party political...
2 some party political activity? Erm, what was that there? The graph.

3 **DB:** What documents I have is entirely a matter for me.

4 **NM:** Oh, it's okay, oh, right, yes.

5 **DB:** You're not seriously telling me, Mr McEvoy, are you, that less than two months
6 before an election you weren't printing and folding election material?

7 **NM:** Some... some stuff could have been done but what I do recall from the time,
8 and if you look at the documents, we were struggling to get rid of the
9 newspaper, so stuff that needed to be delivered, that, that was... the bulk of the
10 delivering was the newspaper.

11 **DB:** Yes, now, I'll ask you the question again.

12 **NM:** Yes.

13 **DB:** You're not seriously telling me, are you, Mr McEvoy, that less than two months
14 before the elections, which I think were 5th of May of 2017—

15 **NM:** Yes.

16 **DB:** —you weren't printing and folding election material?

17 **NM:** Well, I... I wasn't, personally. Erm—

18 **DB:** Your staff.

19 **NM:** Erm—

20 **DB:** You're not telling me that, are you? Or perhaps you are.

21 **NM:** Well, what I'm saying is that the main job of the office, well, not the main job of
22 the office, the main job of the campaign at that point was to get rid of the
23 newspaper.

1 **DB:** Yes.

2 **NM:** And was some stuff printed? It may well have been, but in terms of the whole...
3 the whole, erm, allegation that it was a campaign HQ and everything was done
4 there, no.

5 **DB:** And of course that printing which you say may have been done, was in 321?

6 **NM:** Yes.

7 **DB:** Because at that stage—

8 **NM:** If... if printing would have been done then, then it would have been done using
9 the campaign printer.

10 **DB:** Yes, but you accept, as I understand it, that any such printing was a breach of
11 the rules?

12 **NM:** Yes.

13 **DB:** And of course this document 23 is significant, isn't it, because of its date, the
14 17th of March, because it was on the 16th of March that you received a letter by
15 email from Sir Roderick telling you of the complaint about improper use of the
16 press briefing room?

17 **NM:** It might have been, yes.

18 **DB:** Well—

19 **NM:** I, I assume that it was, given that you've said that.

20 **DB:** Yes, okay. I think just so as you can set your mind at rest, if we can find it,
21 which I probably can't. Yes, if you look at document 16, please. I think there
22 was an email to you, a covering email of 16th March of 2017.

23 **NM:** Right, there we go, yes.

1 **DB:** And a letter from Sir Roderick on the 16th.

2 **NM:** Mm-hmm.

3 **DB:** And it was because, wasn't it, of—

4 **NM:** So what date was the... what date did I use the press briefing room?

5 **DB:** Well, you'll know that better than me. You, it was you that was there, but plainly
6 it was—

7 **NM:** Oh, right, okay.

8 **DB:** —plainly it was well before that.

9 **NM:** Yes, okay, yes.

10 **DB:** And it was because of getting that email from Sir Roderick, wasn't it, that you
11 decided that you'd better get the printer and the folding machine moved from
12 321 as a matter of urgency?

13 **NM:** Probably, yes.

14 **DB:** Yes.

15 **NM:** Yes.

16 **DB:** Because you knew it was wrong.

17 **NM:** Yes.

18 **DB:** Now, would you look at document 24, please? And you see that screen shot on
19 21st of March 2017 about someone coming to the office to collect Grangetown
20 DMs.

21 **NM:** Hmm, yes. Yes.

1 **DB:** And concern that, to quote, “that ██████ got them out and started stuffing
2 them right under the fucking CCTV.”

3 **NM:** Hmm.

4 **DB:** Well, why was that a matter of concern if they weren’t improper?

5 **NM:** *[Long pause]* Well, looking at this again, it would seem that they were, wouldn’t
6 it?

7 **DB:** I mean, can you give me any other possible explanation of why you’d be
8 concerned about it?

9 **NM:** It’s just... who sent... this is from—

10 **MG:** [Inaudible 01:29:01]

11 **NM:** Right, okay. It would seem, yes, yes. Yes, but I’ve said we can’t do that.

12 **DB:** Yes.

13 **NM:** Yes, it would seem so.

14 **DB:** And would you accept also that these DMs, which I think are direct mails, will
15 have been printed, albeit perhaps on probably the campaign printer at 321?

16 **NM:** It depends, because there were... there were several places where we got
17 printing done, so, erm, I couldn’t tell you.

18 **DB:** Well, the probability is, isn’t it, that they were printed in 321?

19 **NM:** What... what date was that?

20 **DB:** 21st of March.

21 **NM:** The printer wasn’t there then, I don’t think.

1 **DB:** Well, the campaign printer wasn't there.

2 **NM:** Yes.

3 **DB:** But the Assembly printer was.

4 **NM:** Yes. So probably, what... what may have happened there would... any
5 campaign, any mass campaign printing was done on... on the campaign printer.
6 The... we've had this discussion before, the printer leased from the Assembly is
7 an extremely slow printer, so it's not suitable to churn out massive amounts of
8 material over a short period. It just... it's unable to do so because it's five copies
9 a minute, I think. Erm, what may have happened there would have been, if that
10 printing was done, it would have been done in the garage and probably brought
11 to the office by Mike in his car, I would say.

12 **DB:** All right.

13 **NM:** Because, you know, was no material kept in the office? There probably was.
14 Erm, was material kept in cars outside the office? Absolutely.

15 **DB:** Okay.

16 **NM:** Because, you know, it's, erm, very often cars are used as offices, aren't they?

17 **DB:** Now, let me just seek one last document and then we'll have a short break. I
18 could certainly do with it, I'm sure you could as well. Could you look at
19 document 25, please?

20 **NM:** Yes.

21 **DB:** And I think this is you reacting to what happened.

22 **NM:** Hmm.

23 **DB:** And it's an email to Mike Deem, "We cannot allow any political activity in the
24 office," and giving him authority to deal with it in the strongest terms.

1 **NM:** Hmm.

2 **DB:** And that was because you were aware that political activity was taking place in
3 the office.

4 **NM:** Erm, there, yes, yes. Erm, yes, and... did we have the office at that point? The
5 Assembly office.

6 **DB:** You—

7 **NM:** The campaign, Caerau.

8 **DB:** You had it... you'd had it, whether you were actually using it, you'd got... you
9 acquired it on the 18th of March.

10 **NM:** Yes.

11 **DB:** So you'd had it for three days. Whether you'd moved into it isn't clear.

12 **NM:** Oh, we moved in immediately.

13 **DB:** But you wouldn't be banning political activity at the campaign office, would you?

14 **NM:** No.

15 **DB:** But it was for... but this had to relate to—

16 **NM:** No, it, yes—

17 **DB:** —Canton.

18 **NM:** Because I... because [REDACTED] was, I suppose, well, [REDACTED]'s [REDACTED], but, erm, yes, of
19 course, yes.

20 **DB:** Okay, if it's agreeable to you, can we break for ten minutes and then resume?
21 And I think the good news is we're probably well over half way through.

1 **NM:** Yes, yes, but... but I think, as I've said throughout, erm, yes, we'll deal with it
2 later, fine, yes. *[Clattering sound]* Excuse me.

3 **DB:** We'll resume again then just about—

4 **NM:** Are we going to finish before half-one, because I've got a—

5 **DB:** Oh, yes, I know you... and if we haven't finished by then, we'll find another time
6 to resume. Just for the record, the time is now 12:37.

7 **NM:** Yes, okay.

8 **DB:** So if we start again at about... in ten minutes time?

9 **NM:** Yes.

10 **DB:** Okay, thanks very much.

11 **NM:** Okay, thanks, cheers.

12 **■:** If I could stop these and then we can start a fresh record, yes?

13 **DB:** Yes.

14 **■:** That's that done.

15 [Diwedd y recordiad / End of recording]

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

CYFWELIAD / INTERVIEW

a gynhaliwyd ar / held on

11 Chwefror / February 2020

yn / at

Ystafell Fwyta 3 / Dining Room 3, Tŷ Hywel, Caerdydd / Cardiff

rhwng / between

Y COMISIYNYDD SAFONAU DROS DRO / THE ACTING STANDARDS COMMISSIONER

ac / and

NEIL McEVOY AC / AM

Rhan Dau / Part Two

PRESENT / PRESENNOL:

- **Douglas Bain (DB),**
Y Comisiynydd Safonau Dros Dro / Acting Standards Commissioner
 - **Neil McEvoy AC / AM (NM)**
 - [REDACTED] ([REDACTED]),
[REDACTED]
 - [REDACTED] (MF),
Uwch-gynghorydd Neil McEvoy AC / Senior Advisor to Neil McEvoy AM
-

- 1 **DB:** Okay, the time is now 12.54 and this is the resumed interview with Neil McEvoy
2 AM. Mr McEvoy, can I remind you you're still on oath?
- 3 **NM:** Yes.
- 4 **DB:** Before we broke we were looking at document 25, when you issued a warning—
- 5 **NM:** Yes.
- 6 **DB:** —against using, or banning political activity in the office at 321.
- 7 **NM:** Yes.
- 8 **DB:** Can I refer you, please, to document 26?
- 9 **NM:** Sorry.
- 10 **DB:** And you'll see that's dated 21st May 2017.
- 11 **NM:** Mm-hmm. Yes.
- 12 **DB:** And this is the one we've looked at earlier about a meeting in Canton, at which it
13 would appear election matters were to be discussed, and stuff.
- 14 **NM:** Oh this is 20... this is 2017, yes. Yes.
- 15 **DB:** How do you reconcile that with the warning you'd issued in document 25?

1 **NM:** *[Pause]* Okay, so I'm asking, I'm asking... I see, this is 2017, yes, May. Erm,
2 yes, we could have discussed it in a staff meeting, at the end probably. It wasn't
3 a campaign meeting, if it was a staff meeting then we were going over the week
4 really. I suppose in terms of practicalities, erm, these are... can I just, just say,
5 these are text messages are of probably tens of thousands I've sent in the last,
6 erm, four years, which pertain to events, erm, 43, 43/44 months ago, so it's... I
7 feel I'm in a very difficult position. From memory here, it would seem, if I was at
8 the staff meeting actually, that, erm, we'd probably... we'd go through all the
9 stuff as usual about our work and we may have touched on it at the end of the
10 meeting, I suppose, looking at it here.

11 **DB:** Okay.

12 **NM:** I can't say because I, I've not got the agenda, I've not got the minutes, I don't
13 know. But, erm, I think you were talking earlier about a campaign meeting, and
14 trying to pin me down. Looking at the dates, the 21st, that's after the Council
15 election, erm, it's... Michael wasn't working for me then, he was on time off as a
16 candidate, erm, and we probably discussed it towards the end of the, end of the,
17 end of the staff meeting, looking at it.

18 **DB:** Yes. Okay. Then, just generally, can I ask you this?

19 **NM:** Yes.

20 **DB:** Both ██████████—

21 **NM:** Yes.

22 **DB:** —and ██████████ gave evidence, which you heard—

23 **NM:** Yes.

24 **DB:** —about photocopying, storing and distributing party political election material
25 from 321.

1 **NM:** Yes.

2 **DB:** I want to be fair to you; is your position that there may have been some of that
3 but it wasn't at campaign headquarters—

4 **NM:** No, because I wasn't there.

5 **DB:** —and it wasn't a major part of the use of the premises?

6 **NM:** No. Erm, in terms of the material, again I think there's a dispute about whether
7 the material was party political when I was having this discussion with
8 Sir Roderick. So for example, I'm accused of using the, the folder, I'm accused
9 of using the printer to fold letters and invite hundreds of people to a public
10 meeting in Butetown. The meeting was about drugs and syringes laying around
11 football pitches, on the football pitch and the community. Erm, I don't see that
12 as party political, I see it as part of my role. So they would have been in the
13 office stuffing those then, of course. Erm, can I say that, you know, nothing was
14 taken to the office? Well, erm, no. Erm, can I say that, erm, I asked staff not to
15 do that? Yes. In terms of that then, any campaign meeting took place in
16 Caerau because that was, that was after May and after March every... we, we
17 met there. I didn't attend many meetings because I was too busy, and that was
18 a bone of contention because I wasn't really involved in that campaign much.

19 **DB:** Okay. Can we move on then to deal with the allegation that you used the
20 Assembly printer—

21 **NM:** Yes.

22 **DB:** —for party political—

23 **NM:** Yes.

24 **DB:** —or election matters? Do you accept that it was used for these purposes—

25 **NM:** No.

1 **DB:** —on occasion?

2 **NM:** No, no.

3 **DB:** So not at all?

4 **NM:** We, we had no reason to use that.

5 **DB:** Well, it was the only printer, working printer, you had for a time, wasn't it?

6 **NM:** Not that, not that I recall, no. Is it... can you show me where that—

7 **DB:** Well, you didn't get the campaign printer until 28th of December.

8 **NM:** Oh right, okay, I see.

9 **DB:** So before that there was a Ricoh printer but I think it's common ground that it
10 was useless.

11 **NM:** No, but I've already provided—

12 **DB:** A RISO printer, sorry.

13 **NM:** Yes, I've already provided... I thought you meant in the campaign, which is not
14 that time period. I've already presented invoice upon invoice pointing to...
15 proving that those leaflets were printed by [REDACTED], they were printed by...
16 in Tŷ Gwynfor, the mail merges. So I've already... I've already produced, I've
17 already produced a load of, erm, documentation on that.

18 **DB:** Yes, but just to be clear, is it your position today then that absolutely no election
19 material or party political material was ever printed on the Assembly printer,
20 none at all?

21 **NM:** Well, I can never... I can never say that because most of the time I wasn't there,
22 and I'll be honest with you, part of the reason I sacked Michael Deem was I
23 couldn't trust him. And did I suspect that he was using the Assembly printer,

1 without my knowledge? Erm, I probably did. Could I prove it? No. Erm, there
2 was a complete breakdown of trust which is why I... that's the reason I sacked
3 him.

4 **DB:** So I just want to be clear of what you've just said.

5 **NM:** Yes.

6 **DB:** You suspected your office manager was using the printer improperly?

7 **NM:** Well, I couldn't... I couldn't tell you, really.

8 **DB:** Well, that's just what you've said.

9 **NM:** Erm, there are a lot of things I suspected. For example, the campaign printer.
10 We printed, I think it was 80... from memory, it was either 80 to 100,000 leaflets
11 which we couldn't account for. Erm, and I still don't know where those leaflets
12 were, or if... why were they produced? They weren't delivered, we didn't
13 produce them so what was going on with that printer then to the point of it being
14 burnt out? In terms of, I suppose, my suspicion, I think that will be illustrated by
15 my reaction, my quite, erm, strenuous reaction to the Member Services pulling
16 me over the size of the bill. I didn't trust him, erm, justifiably so, and so did I
17 suspect? Erm, possibly. I didn't know, but that... on that particular... for a
18 particular timeframe, of course I thought he was doing that, erm, but then I
19 realised... we were told that the printer was two... the bill was for two months
20 and not one month.

21 **DB:** Can we look then, please, at document 28? You'll see this is social media on 1st
22 November 2016.

23 **NM:** Mm-hmm.

24 **DB:** So that's before you had the campaign printer—

25 **NM:** Yes.

1 **DB:** —or the campaign office. Can I direct you to the second page of that, and about
2 halfway down it's you, "We need a change of date and venue on Ely one. I'd
3 sooner just print on ours. Didn't we agree to fit another 3,000-ish in for
4 Grange?" What printer are we referring to when you say, "just on ours"?

5 **NM:** It depends what it was for really, because it says here, "We need to change date
6 and venue on Ely one." Can I have a look at the date of the one from earlier,
7 from Caerau.

8 **█:** What number's that?

9 **DB:** I'm not sure what one you're referring to.

10 **NM:** The one where I've said the meeting didn't go ahead. It refers to... it was from
11 **█** to **█**. He was chasing on... as I said, the difficulty with this is
12 the, erm, trying to think back three to four years on.

13 **█:** Do you know which one it was?

14 **NM:** It was the... the Salvation Army message.

15 **DB:** Right, I can find that for you, I hope. I think document 28 is the one with—

16 **█:** That's 28.

17 **DB:** It'll be on the other side of the same.

18 **NM:** Oh, right. Ah, right, okay. No, it's a different one. Erm, can I have a look? I
19 could tell you which one it is then. Again, it depends on the context, erm—

20 **█:** That one.

21 **█:** [Inaudible 00:11:20].

22 **NM:** No, they were e-mails were they? Ah right, okay. Erm, do we know the... do we
23 know date of this?

1 **DB:** Yes.

2 **█:** It's on the other side.

3 **DB:** It's on it, I think.

4 **NM:** Erm,—

5 **█:** 1st of November.

6 **NM:** 1st of November. So this could have been... this could have been pertaining to
7 this meeting, looking at it, because when you change date and venue on Ely
8 one, so this is... this was, erm, 1st of November, that was the 28th of October, so
9 as I'm saying, this meeting didn't go ahead in Ely. So I'm saying here we need
10 to check date and venue on Ely one because, erm, I think I just wasn't able to
11 do it, which is in keeping with what I've said from day one really, that, erm, in
12 these days, I'm so much better now, but there were lots of things I'd want to do
13 and say, "We'll do this, we'll do that," and it just wouldn't happen. "I'd sooner
14 just print on ours," erm, that would seem to me to be pertaining to the... to that...
15 for Ely, it would, erm, "Did we agree to fit another 3K-ish for Grange?" It
16 depends what it is really, because that may have been referring to FM
17 delivering.

18 **DB:** And what do the cards refer to? Is that what are known as calling cards?

19 **NM:** Erm, I don't know, it depends—

20 **DB:** Well, what other cards could it refer to?

21 **NM:** It would depend, erm—

22 **DB:** Well, give the various other things it could apply to, other than calling cards.

23 **NM:** Well, you've got... well, you've got business cards, erm—

24 **DB:** Now, did you print business cards?

1 **NM:** Well, we seem... I, I, di... we have printed business cards at some point but
2 the... my answer on this is I don't know, it was... [REDACTED] did a lot of delivering in
3 Grange, they may have been cards for Grange, they may not have been. We
4 have spare people, erm, because I was tasked with, erm, doing certain clumps
5 of Grangetown.

6 **DB:** That's nonsense, isn't it, Mr McEvoy?

7 **NM:** No, it isn't. No.

8 **DB:** Basically the cards are—

9 **NM:** Tell me what, tell me what you're saying.

10 **DB:** Just listen to the question—

11 **NM:** Yes.

12 **DB:** —and then you'll get your opportunity to answer. I put it to you that it's
13 absolutely plain, and you know very well, that the cards is a reference to calling
14 cards which are documents you put through doors to say, when you're
15 canvassing, that you've called and there was no-one in.

16 **NM:** It depends, because I think in this... the... the honest answer is I don't know,
17 because what I prefer to use... erm, we also use leaflets instead of cards for
18 calling, we have calling leaflets.

19 **DB:** Yes.

20 **NM:** Because I prefer those quite often because they're less robust but you can get
21 more onto them.

22 **DB:** Give me one other credible explanation of cards, other than the one I've given
23 you.

1 **NM:** You know, it depend... it depends on... again it... you're... you seem very fixed
2 on this, it depends what the context is. What you've got here is a message,
3 possibly edited, I don't know, I, I, I've not seen the full stream, and it's been
4 admitted that these messages are edited, so some things are missed out, some
5 are not. That's on the record from Mr Deem. Erm, I might have just phoned
6 [REDACTED] then, prior to this, I don't know. Erm, we could have had a conversation,
7 I—

8 **DB:** Give me one other credible explanation about cards. I know you say it depends
9 on circumstances, so in any circumstance you want, give me one other credible
10 explanation other than they were calling cards connected with electoral matters.

11 **NM:** Well, they... no but they may have been, they may not have been.

12 **DB:** Well, can you think of... can you give me one other possible explanation?

13 **NM:** Well, it depends what cards they are really. You know, it depends, it depends
14 what cards.

15 **DB:** I think your answer to that is no then, is it?

16 **NM:** No, I, I don't know.

17 **DB:** Well, here's your opportunity—

18 **NM:** I'm trying to—

19 **DB:** —to put on the record your other explanation.

20 **NM:** I'm trying to, to... because I'm not sure what you're getting at really, because to
21 me this is just innocuous. "We need to change date and venue on Ely one, I'd
22 sooner just print on ours," yes, okay. This could be a context of me just having
23 had a conversation with [REDACTED] and thinking, "Oh Christ, I didn't say this, that
24 and the other," I don't know. Erm, "Didn't we agree to fit in another £3k-ish in for
25 Grange?" Erm, "We have spare people," yes. "Can you bring OB with you?"

1 So it depends where she is, OB... it seems that OB is a polling district, so is
2 ██████ in Tŷ Gwynfor picking these up? I don't know. And "any cards"? Could
3 be calling cards, erm—

4 **DB:** Well, what else could they be?

5 **█:** I know what they are.

6 **DB:** Right, out.

7 **NM:** Okay, ██████ knows what they are.

8 **DB:** Leave the room now.

9 **NM:** Okay, all right.

10 **DB:** ██████ you've been warned at least three times for improperly interfering with
11 this interview.

12 **█:** It's Christmas cards.

13 **NM:** Oh yes, of course, right, yes. Yes, they were Christmas cards, sorry. It was
14 November, wasn't it? Again, I think—

15 **█:** Do you want to keep that?

16 **NM:** Yes.

17 **DB:** And you're saying it's Christmas cards after being prompted improperly by
18 ██████

19 **NM:** Well, you... well, you say prompted improperly, look, this is November so any
20 cards... right, so one thing we do is send Christmas cards sometimes. Not as
21 often as we should, right, erm, and, you know, you want detailed questions from
22 something I've texted three and a half years ago, erm, probably after a

1 conversation, on a list of edited messages. So [REDACTED] says it was Christmas
2 cards, it could have been Christmas cards, the answer is I don't know.

3 **DB:** But the rest of it is about election matters, isn't it?

4 **NM:** It... well—

5 **DB:** I mean, you've already said OB is a ward.

6 **NM:** Yes, it's, no, it's a part of a ward, it's a—

7 **DB:** Yes, part of a ward.

8 **NM:** —it's a polling district. Erm—

9 **DB:** And Ely is.

10 **NM:** Oh, there we go, I did change the Salvation Army on the 14th of November, so
11 that, in terms of doing the... doing... the printing for that was the 14th of
12 November. Erm, we did... it didn't end up going ahead, erm, and I think, from
13 memory, that was about motorbikes, that one.

14 **DB:** Yes, all right.

15 **NM:** Erm, so, you know, I'm not... I'm struggling to see the relevance of you... if it's
16 OB, clearly there are things to be delivered, yes, and my staff were delivering, of
17 course they were, yes, like everybody else's staff, and we have a very flexible
18 approach. We'll come... that's another matter, I suppose.

19 **DB:** Yes, now let's move on then to document 29.

20 **NM:** Yes.

21 **DB:** Which is on 15th of November 2016, and can I direct you to about a third of the
22 way down, and it says, "Printers up and running," but I would suggest to you that

1 that's actually a typo and it should read, "Printer is up and running," because
2 there was only one printer at that stage.

3 **NM:** No, not really, no. I, erm... there were... just have a look for the printer on your
4 screen, can you [inaudible 00:18:33]? *[Pause]* No... we, we... it depends what
5 it was for. Erm, there, there are printers all over the place, so for you to say
6 there's one printer, of course not, there's loads of printers.

7 **DB:** Well, why does it say at the top then, if that's the case, if you had lots of printers
8 you could use, "Without printer we are screwed." If you had lots of alternative
9 printers you wouldn't be "screwed" if one of them was down, would you?

10 **NM:** It, it depends. That... it could be, maybe the typo was... again, it's very difficult
11 without a... with any context to make an informed judgment on this. The typo
12 could be "without printers" because sometimes we have been without printers,
13 we are screwed then. Erm—

14 **DB:** And then do you see further down it says, "Can you send me photos of rounds
15 one and four?"

16 **NM:** Mm-hmm.

17 **DB:** That's delivery rounds presumably, is it?

18 **NM:** Well, it would... it would probably... what we do is we split the whole
19 constituency up into rounds, so every area has a round. So, erm, Ely or
20 Caerau, so Caerau, that may have been for the motorbike meeting, I don't know.
21 Butetown. It could have been for the needle meeting, so Butetown 3, possibly
22 that would have been the rounds in that area. I just... I, I don't know.

23 **DB:** And it could equally have been for election matters.

24 **NM:** No, this is, this is, this is—

25 **DB:** All right.

1 **NM:** This is the issue, erm, because a lot... what we were doing, as far as I'm
2 concerned, was legitimate campaigning. So it you're... if the position of this
3 Assembly is that I'm not allowed to print direct mails, leaflets pertaining to
4 matters of public interest on the Local Development Plan, of course there's a
5 political benefit for it, for us on that because people want those issues
6 addressed. But from memory, looking at this, they seem to... this one seems to
7 be talking about, erm, Caerau, motorbikes possibly, erm, Butetown, needles.
8 Michael's position was that it was... this was party political; I would disagree.

9 **DB:** Tell me, could you have availed of centralised printing if it was Assembly
10 matters?

11 **NM:** It would depend, because you can get things... at the time, I wasn't aware of
12 central printing.

13 **DB:** Right.

14 **NM:** It was only, erm, when... what I realised was if you have a specific... well, if you
15 have a specific time and date then central supplies will do it free for you if
16 there's a public meeting. So I was aware... I was unaware of that then. Erm,
17 we're aware of it now. That... it needs to be programmed in and scheduled, so,
18 erm, in those days we would, we would print everything off our printer.

19 **DB:** Then can we move on, please, to document 30, 2nd of January 2017?

20 **NM:** Mm-hmm.

21 **DB:** "Fairwater rounds 4, 5, 8, 11 and 18 taken care of."

22 **NM:** Yes.

23 **DB:** "Rest need printing and folding." Well, the printing and folding took place, didn't
24 it, at 321, because that's where the folding machine was at the time?

1 **NM:** It would depend... it would depend really, it would depend what it was. Erm,
2 and again, Fairwater rounds, what rounds were they? I don't know what they
3 were here. Erm, printing and folding, erm, I wouldn't have thought there'd be
4 many, to be honest, because we had, as I said, we had the... we had the, erm,
5 newspapers to deliver then. Erm, was that an L... was that an LDP meeting? I
6 don't know. Were they street surgery notices? I don't know. What... erm, so
7 what's... what's the issue there? I'm not sure what the issue is.

8 **DB:** Well, the issue is this was plainly election matters, wasn't it?

9 **NM:** Oh God. Erm, where... show me, show me the leaflet and I could comment
10 then.

11 **DB:** Well, you have the leaflets, they were your leaflets so why... if you're saying
12 they weren't, why haven't you produced one to show what it was?

13 **NM:** Because we... we produce lots of things. Erm—

14 **DB:** And presumably you keep a copy of them?

15 **NM:** Not every... not always, no. There's a general leaflet which says, erm, "We'll
16 see you on Saturday, put this up in your window," for example.

17 **DB:** Yes, but this plainly wasn't that, was it?

18 **NM:** I couldn't tell you. No, no, now with respect, sometimes we'll drop, "See you on
19 Saturday." What we've been doing recently is, erm, "Assembly Member
20 surgery, if you want to see me put this up in your window," okay, street surgery.
21 So it could be rounds 4, 5, 8, 11, 18, the answer is three years down the line I
22 don't know.

23 **DB:** Okay.

24 **NM:** Erm, but it's not unusual for us to drop 2,000 and then for us to do the street
25 surgery, because with the street surgeries you tend not to get, erm, a very

1 heavy hit rate. We're busy anyway. People have our contact details, for
2 example, the leaflet which went out which you seem to think was some, some
3 way insidious or against the rules, in July it was after the election. If it was a
4 constituency it was a thank you, it was a thank you, erm, leaflet, erm, was it
5 party political? From my memory, it wasn't. We were giving people the
6 opportunity to contact me and tell them that I'd been elected.

7 **DB:** Why do you thank people for supporting you at an election?

8 **NM:** Obviously just politeness, isn't it? And I'm the Assembly Member, thanks for
9 voting for me.

10 **DB:** Yes, and in the hope that they'll continue to support you at the next election?

11 **NM:** Well, every single thing I put out, every single time, is in the hope that they'll
12 vote for me in the next election. Every single thing. Every letter I send, every
13 phone call I make, it's done in... because we have a... I have a transaction with
14 voters. I don't want money off them, I want their votes.

15 **DB:** No, that's really helpful, thank you.

16 **NM:** Every, every, everything that I want, every, every... everything I do is geared to
17 first of all doing the right thing, because that's the, erm, the whole inspiration for
18 politics is we can make the world a better place, and secondly, erm, clearly, we
19 must provide the best customer service. Erm, is there a political angle? Of
20 course there's... you know, there's a political angle in everything we do.

21 **DB:** Okay.

22 **NM:** But, but, but it's... a lot of that is tied up with the Assembly Member role.

23 **DB:** Okay. Can we look at document 31, please?

24 **NM:** But, you know, I'm struggling to see what the significance of that is.

1 **DB:** Yes.

2 **NM:** Hmm.

3 **DB:** Now, this starts off “Caerau printer not working,” and then “Printer working now.”
4 Presumably, I think you’d agree, that’s the printer at the campaign office wasn’t
5 working and then it starts working, and “██████████ is printing Fairwater calling
6 cards,” which is perfectly proper in the campaign office on the campaign printer.
7 But it’s ██████████ comment below that.

8 **NM:** Hmm.

9 **DB:** “Great, I’m doing Riverside here.” That’s at Canton, at 321, isn’t it?

10 **NM:** Well, how do you know that?

11 **DB:** Well, where else could it be?

12 **NM:** It could be several places?

13 **DB:** Where?

14 **NM:** Erm, we’d... ██████████ would do a lot of printing in, in Tŷ Gwynfor, at the
15 campaign HQ. If... I don’t actually recall printing... I don’t recall printing cards
16 on... I don’t know, I wasn’t involved in the printing. It’s difficult... it is difficult for
17 me to comment because I’m not in this conversation, erm, but there were
18 several, I’ve already explained this, there were several places where printing
19 took place.

20 **DB:** Yes, document 32 please. You were involved in this one—

21 **NM:** Mm-hmm.

22 **DB:** —which is on the 8th of April 2017, about halfway down, “We really must get up
23 to date with the printing tomorrow. We must use both printers.”

1 **NM:** Mm-hmm.

2 **DB:** "Must get volunteers to people the offices."

3 **NM:** Mm-hmm.

4 **DB:** Both printers are the campaign printer and the Assembly printer, aren't they?

5 **NM:** It would depend what for really. Again, as I've just said, there were several
6 printers in several locations, so it could have been, erm, [REDACTED]'s printer, it
7 could have been the printers in Tŷ Gwynfor. If this was, if this was Assembly
8 stuff, if we were behind with Assembly stuff, then we'd need to use both printers
9 in the office, which... there's the small one which you said is not... they're not
10 really fit for purpose for churning out lots of things. It depends on the context.
11 And again, erm, I, I, I... this is not something... I recall see it, it's not something I
12 recall sending, erm, it depends, I don't know.

13 **DB:** The correct explanation of this is plain, isn't it, Mr McEvoy? You were printing
14 something on the printer at the campaign office and you were also on the printer
15 at the Assembly office.

16 **NM:** Well, what am I printing?

17 **DB:** Well, do you agree you were printing at these two offices?

18 **NM:** I, I can't agree to that because I don't know.

19 **DB:** Right.

20 **NM:** As I said to you, there are several locations for printing. It depends what we
21 were printing because it... I don't know. There's... if you tell me... if you show
22 me what I've printed then I can give you an answer. I don't know. But as I, as I
23 repeated ad nauseam, there were several, several places we would print. There
24 were several offices, erm, it... so it could... it could be any of these, really.

1 **DB:** Yes, of course, this is on the 8th of April 2017.

2 **NM:** Yes.

3 **DB:** Which is less than a month before the Council elections.

4 **NM:** Yes.

5 **DB:** It's highly unlikely you were doing mass printing that required both printers—

6 **NM:** It depends, it depends—

7 **DB:** —two printers for Assembly business, isn't it?

8 **NM:** It would depend what it is. Again, is this... was this in the term time, was it not in
9 the term time? If I'd have had these before, I could have given you a
10 reasonable explanation. I'm coming here cold and I'm telling you off the top of
11 my head, erm, it depends what was printed.

12 **DB:** Well, with respect, Mr McEvoy, you aren't coming here cold; you've had these
13 documents for over a year now.

14 **NM:** Yes, but it's—

15 **DB:** They were in the bundle.

16 **NM:** But then there's so many in the bundle, which ones are you going to look at. So
17 I've looked at them all before, I don't know.

18 **DB:** Right.

19 **NM:** It depends what was being printed and it depends where.

20 **DB:** Well, perhaps you could—

21 **NM:** Also, also did... did the printing happen? I don't know. It depends on the
22 context of it, it depends where it was. It depends what was being printed. Did—

1 **DB:** You agree, though, this was less than a month before the Council elections?

2 **NM:** Well, of course it was, that's, that's a matter of fact, isn't it?

3 **DB:** Yes.

4 **NM:** Where does it say there that that was 321 printing political material?

5 **DB:** Now can we—

6 **NM:** Was that, was that in term time?

7 **DB:** Can we move to document 33, please? This is on the 27th of April, just a few
8 days before the Council elections, where you'd be concentrating, wouldn't you,
9 exclusively on the election campaigns; isn't that right?

10 **NM:** It would depend. Erm, is that in term time?

11 **DB:** It doesn't depend on that at all, does it? This was just before the elections to the
12 Councils. You'd be concentrating almost exclusively on the elections at that
13 time, isn't that so?

14 **NM:** Was, was it in term time? Well, if... if it... if there... if I was in the Assembly,
15 then I've obviously got a job to do in the Assembly as well.

16 **DB:** Well, you wouldn't be putting out documents to Riverside about Assembly
17 matters a few days before the Council elections, would you?

18 **NM:** Well, you need to look at the... I'd need to look at the context, I don't know.

19 **DB:** And also, apparently to Butetown at the same time. It was plain this is about
20 election matters, isn't it?

21 **NM:** It depends... okay, so is [REDACTED] sent this? Who's sent what here? It's not
22 clear to me.

1 **DB:** Well, I think it's pretty clear it's [REDACTED] and [REDACTED].

2 **[REDACTED]:** That's [REDACTED]

3 **DB:** And [REDACTED] is going to stay in Canton, printing the Riverside one. And
4 that was printing an election leaflet.

5 **NM:** Well, [REDACTED] didn't... what I find strange for that is [REDACTED] [REDACTED] didn't
6 print leaflets. So I'm going to... if he's in Canton, it depends... the Riverside one
7 could well have been printing anywhere really.

8 **DB:** But that's not what it says, is it? Unless of course this is one of the other offices
9 in Canton or the café.

10 **NM:** Well, it depends on the context really. What you've got there is "I'm going to
11 stay in Canton," [REDACTED] doesn't print leaflets.

12 **DB:** Well, give me a credible explanation of these three lines.

13 **NM:** It, it depends on the context, doesn't it?

14 **DB:** Give me any credible explanation, other than the one I've given you.

15 **NM:** Was I involved in this exchange of, of—

16 **DB:** That doesn't matter, just give me a credible explanation.

17 **NM:** I'm looking so yes, I would have been involved in it. Erm... *[pause]* so what date
18 is this?

19 **DB:** It's the 27th of April, less than ten days before the Council elections.

20 **NM:** Oh there it is, there's the reference. Okay. *[Pause]*

21 **DB:** Now, you've had some time to consider that—

22 **NM:** Yes.

1 **DB:** —do you offer any other credible explanation?

2 **NM:** Well, it depends where the printing was, because what I don't understand with
3 this is [REDACTED] didn't print.

4 **DB:** Well—

5 **NM:** It's a bone of contention. It was a bone of contention at that time because he
6 didn't do any printing, erm, to my knowledge, erm—

7 **DB:** So is the answer to my question that you can't offer me any other credible
8 explanation?

9 **NM:** Well, it depends where the printing was done. "Printing the Riverside one," well,
10 where? "Will take all day." Well—

11 **DB:** Well, it's very clear from that, on any normal reading of the chain, that the
12 printing of the Riverside one, and the 500 are folding was in Canton.

13 **NM:** But at this point the folder was up in Caerau. Because what could have
14 happened, [REDACTED] could have sent the Riverside one across from somewhere,
15 I don't know. Again, it's difficult to take this completely out of context. Because
16 the... as I said, these are edited. [REDACTED] didn't print, to my knowledge, erm,
17 and the folder, as you say, it was in Caerau.

18 **DB:** I'll ask you one more time and then I'll move on.

19 **NM:** Yes.

20 **DB:** Can you provide me with any other credible explanation for, "I'm going to stay in
21 Canton printing the Riverside one. Will take all day."

22 **NM:** There's... no, but there's—

23 **DB:** Now here's your chance; any other credible explanation—

1 **NM:** Yes, there is.

2 **DB:** —not bluff and bluster, just give me a credible explanation.

3 **NM:** It's not bluff and... it's not bluff and bluster, okay. I think you're missing the key
4 point there, there's a full stop. It's not, "I'm going to stay in Canton," comma,
5 "printing the Riverside one." "Printing the Riverside one," is just a statement, it
6 could... it doesn't say where, where it was being printed. "I'm going to stay in
7 Canton." I... it—

8 **DB:** Very well. So do you now accept, having looked at all these documents, that a
9 significant quantity of printing of party political and/or election material was done
10 using the Assembly printer?

11 **NM:** No, I don't, no.

12 **DB:** Okay. Then we can deal with some issues, I think, quite briefly. There's an
13 allegation that you used a device, which I understand is called a Beastgrip, that
14 was paid for out of your office cost allowance for engineering.

15 **NM:** Yes.

16 **DB:** I've only one question. Do you deny that?

17 **NM:** Of course, yes. Can I follow up on that?

18 **DB:** If you wish to, of course.

19 **NM:** Is it afterwards?

20 **DB:** Well, you'll get an opportunity at the end, if you want to .

21 **NM:** Yes, yes.

22 **DB:** Now, can I move to another issue?

1 **NM:** Yes.

2 **DB:** The employment of [REDACTED].

3 **NM:** Yes.

4 **DB:** [REDACTED] was employed part time as a member of your AMSS.

5 **NM:** Yes.

6 **DB:** Is that right?

7 **NM:** Yes.

8 **DB:** And [REDACTED] primary task was to translate election and party political material, wasn't
9 it?

10 **NM:** No, [REDACTED] primary task was to be an admin person, as per the contract that [REDACTED]
11 signed.

12 **DB:** Yes, and—

13 **NM:** Can I just—

14 **DB:** —and can I just ask you the next question, then?

15 **NM:** Yes.

16 **DB:** You were asked at a hearing a way back in January of last year—

17 **NM:** Hmm.

18 **DB:** —and indeed, the meeting was adjourned for you to do so, to find a single
19 example of a piece of translation that [REDACTED] 'd carried out about Assembly
20 business.

21 **NM:** Hmm.

1 **DB:** You remember that?

2 **NM:** Yes.

3 **DB:** And at that time you weren't able to do so.

4 **NM:** Wasn't I? I, I don't... I don't recall.

5 **DB:** Well, you produced several documents that were—

6 **NM:** You've made a... you've—

7 **DB:** I'll tell you what—

8 **NM:** Yes.

9 **DB:** —what happened.

10 **NM:** Yes.

11 **DB:** You came back downstairs and produced several documents.

12 **NM:** Hmm.

13 **DB:** All but one of which were not during the period [REDACTED] was actually employed by
14 you.

15 **NM:** Mm-hmm.

16 **DB:** They were when [REDACTED] was doing voluntary work. Now, you produced one
17 document the date of which was a little uncertain but could just have been in the
18 period that [REDACTED] was employed by you and related to the needles in wherever it
19 was.

20 **NM:** Yes.

1 **DB:** And I accept for this purpose that that could be argued legitimately to be
2 Assembly, but [REDACTED] said [REDACTED] didn't translate it and you accepted that.

3 **NM:** I don't recall.

4 **DB:** Well, I can tell you from the transcript—

5 **NM:** Okay, fine.

6 **DB:** —that is the case.

7 **NM:** But the—

8 **DB:** So you still haven't produced a single piece of material that [REDACTED] translated for
9 you that related to Assembly business during the time [REDACTED] was employed by
10 you.

11 **NM:** Have you seen the contract? I'm sorry, in the last question. [REDACTED] contract was
12 as an admin person.

13 **DB:** Yes, and of course isn't it the case that when you were employing anyone as
14 AMSS, you have to allocate them a pay grade? That's the case, isn't it?

15 **NM:** Erm, yes.

16 **DB:** Yes, and the pay grades have titles, don't they?

17 **NM:** I don't know.

18 **DB:** Well, take it from me they do.

19 **NM:** Yes. They must do, yes.

20 **DB:** And one of these grades, the grades that [REDACTED] was on—

21 **NM:** Mm-hmm.

1 **DB:** —is titled Administrative Assistant.

2 **NM:** Mm-hmm.

3 **DB:** So whatever [REDACTED] job was, to put [REDACTED] on that pay grade you have to describe [REDACTED]
4 on [REDACTED] contract—

5 **NM:** Okay.

6 **DB:** —as Administrative Assistant.

7 **NM:** Yes.

8 **DB:** Doesn't have anything to do with the job [REDACTED] was actually doing, necessarily.

9 **NM:** But [REDACTED]—

10 **DB:** I know you argue [REDACTED] was—

11 **NM:** Well, no, erm—

12 **DB:** —and that's open to you.

13 **NM:** No, but then I've... I did argue [REDACTED] was, yes, I agree with that. Erm, [REDACTED], what I
14 did produce was a whole load of documentation, I don't know if you... have you
15 seen that, erm, relating to [REDACTED]'s work, voluntary work?

16 **DB:** I'm not concerned with that. I'm concerned with the question of why have you
17 been unable to produce a single bit of translation done by [REDACTED]

18 **NM:** Because—

19 **DB:** —about [REDACTED] Assembly work.

20 **NM:** Because [REDACTED] in the Assembly would translate for us.

21 **DB:** Well, do you say... do you say she didn't translate Assembly work for you?

1 **NM:** I... I... I wasn't in the office most of the time, okay.

2 **DB:** But that wasn't your position during the hearings.

3 **NM:** Erm—

4 **DB:** Your position was that the translation ■■■ did was about Assembly work, not
5 about campaigning or party political. That was your line you took throughout the
6 hearings. Are you now changing your position?

7 **NM:** I, I, I, I... if I'd have... if I'd been allowed to see the transcripts of the... of what
8 I'd said then, then I would... I'd probably have a better idea of what I said then.
9 Erm, as far as—

10 **DB:** But what are you saying now?

11 **NM:** Well, ■■■ was employed as an admin person and, erm, I think to say that I
12 employed ■■■ as a translator is just... it's not the case, because I'd... I'd
13 employed ■■■, erm, ■■■... ■■■ had done translation work for us for years.

14 **DB:** Yes.

15 **NM:** But that was... that was outside of work. Erm, I produced copious amounts of
16 material that ■■■... that ■■■ translated before.

17 **DB:** So why can't you produce anything that ■■■ did while ■■■ was employed by
18 you?

19 **NM:** Because ■■■ translated... ■■■ would translate the... the leaflets for us, back
20 then in those days.

21 **DB:** Yes, but—

22 **NM:** 2013/2014.

23 **DB:** —but I'm talking about the period ■■■ was employed you.

1 **NM:** Yes.

2 **DB:** [REDACTED] continued to produce—

3 **NM:** Yes.

4 **DB:** —to translate the leaflets for you during that period, didn't [REDACTED]?

5 **NM:** Because possibly what may have happened... I don't know. Because the... my
6 office manager was Mike. Mike would be dealing with matters, erm, what I find
7 really frustrating here is I [*sighs*] the worst political and work decision of my life
8 was to appoint that person and he was completely responsible for the office so
9 all the interactions that took place were between Michael and [REDACTED]. I wouldn't
10 have seen that so, erm, [REDACTED] was employed as an admin assistant. Did [REDACTED] do
11 translation? Okay, well you say I can see that [REDACTED] did, fine, erm, but all... all
12 those, anything [REDACTED] did would have been between [REDACTED] and Mike. So I'm not
13 surprised that I couldn't produce anything because I wouldn't have been
14 involved in what was being done.

15 **DB:** So do you now accept that [REDACTED] may well have, during the period [REDACTED] was
16 employed by you, have translated party political or election material?

17 **NM:** No, I don't, because [REDACTED] was employed two hours a week.

18 **DB:** Well, I think it was four hours a week.

19 **NM:** Four hours a week. Well, erm, this just [REDACTED] translated on a voluntary basis for
20 years. All the stuff [REDACTED] did in the office would have been between [REDACTED] and
21 Michael Deem. Michael was the office manager, he dealt with all the admin. I
22 didn't deal with the admin.

23 **DB:** Yes, well, I'm accepting that for the purposes of this discussion. If that's the
24 case, then you must surely accept that it's possible that [REDACTED] was doing that
25 unknown to you?

1 **NM:** Erm, I don't know, do I? Because I wasn't there, in that case.

2 **DB:** Well, if you weren't there, you must concede, surely, that it was possible? If you
3 don't know and you weren't there, it must be possible.

4 **NM:** Well, anything's possible then. You know, they, you know, it could have been
5 bloody making love in the back toilet, I wouldn't know about it.

6 **DB:** And so you can't deny the truth of it? You can just say you don't know.

7 **NM:** Erm, well, the way you put it there, well, no, of course not because I wasn't
8 there.

9 **DB:** But you did deny it at the hearings.

10 **NM:** Because I didn't believe to be true, that's why. Because ■■■... ■■■'s... ■■■'s—

11 **DB:** I see.

12 **NM:** —■■■'s done... ■■■ has done, erm, voluntary work for us, erm, on and off, not
13 right the way through, for years. So why would I pay ■■■ to do stuff ■■■'s doing
14 for free?

15 **DB:** Just a few very quick points before we finish. I suspect these are non-
16 controversial. When the campaign printer... to the extent that the campaign
17 printer and the folder were used at 321, they run on electricity, I assume.

18 **NM:** Hmm, yes.

19 **DB:** And that electricity is paid for by the Assembly.

20 **NM:** Mm-hmm.

21 **DB:** So if they were used on any occasion for improper purposes, that was also an
22 improper use of electricity.

1 **NM:** Mm-hmm, in that case, yes. Internet as well.

2 **DB:** Yes, now, there's an allegation, as you know, that your AMSS did party political
3 election work during their Assembly paid hours.

4 **NM:** Yes.

5 **DB:** Am I correct in thinking that your answer to that is that they did do such work on
6 occasion—

7 **NM:** Yes.

8 **DB:** —between nine and five, but they made up their Assembly time by working out
9 of hours?

10 **NM:** Hmm, yes.

11 **DB:** And is that still your position?

12 **NM:** It is, yes. Also, you know, there's the aspect of holidays. Michael took holidays
13 to be a candidate, erm, that was after the event of the Council elections. Erm,
14 and I get more than 35 hours a week from staff and, erm, there's... there's... I'll
15 die in a ditch on this because there... the... I know for a fact that I get more than
16 35 hours per week from my staff and they work extremely hard, erm, and, erm,
17 did I allow them to do political work? Of course I did. Erm, everyone does.
18 Erm, is there a level of flexibility? Yes, there is. The way... the way that I run
19 my office, the... the worst employers... it's been pretty bad for me in a sense.
20 The worst employers that... because of Michael and [REDACTED] [REDACTED] the worst
21 employers that I've had, just depends on your personality type, have been
22 employers who've been on top of me, have been, erm, monitoring me, have
23 more the time sheet saying blah, blah, blah... blah, blah, blah, erm, the best
24 person I worked for was a man called [REDACTED]. He's the... past away last
25 year, far too soon, he was my first, erm, head of department and all [REDACTED] used
26 say to me was, "Just get the job done." So he used to say to me, erm, when he

1 was being pressured by the headteacher to have inspected teacher's mark
2 books, erm, he'd say, "Well, look, you know, is your mark book up to date?
3 Because, you know, [REDACTED] wants to see them," he wants me to say that he'd
4 done the mark books. So I'd go up, show him the mark book. He gave me
5 complete autonomy, and there's a complete professional trust there and every
6 single time I would produce excellent result with GCSE, erm, the first set of A
7 Level result was... I had, wasn't brilliant because of a lack of experience. They
8 were excellent after that, erm, I didn't miss deadlines and that was because the
9 individual, [REDACTED]... [REDACTED], invested complete professional trust in me. What... the...
10 the attitude that I have to my staff is... it's really caught me out here, but I
11 invest... probably less... I, I'd, I'm a better manager now than I was, because
12 I've learnt... I've learned I was far too, erm, free really, despite public reputations
13 that may be in... as people pretend, or as people may see me, put it that way,
14 and Michael was given far too much autonomy by me and that was an error. I
15 rectified by... by, erm, sacking him. The other staff, [REDACTED] who's a marvellous
16 girl, unfortunately doesn't work for me anymore. Erm, she would give me a lot
17 more than 35 hours. [REDACTED] would give me a lot more than 35 hours. If
18 [REDACTED] would come in at 11am... or... she wouldn't come in at 11, if she was in
19 and she used to do TV work, so Sky would film her or BT, and it would be, "Neil,
20 can I have the afternoon off, because they want me down the studio?" "Yes, no
21 problem," and she'd take the afternoon off. It could be disruptive sometimes,
22 erm, and it would mean other people doing other things, but we... we have
23 absolute flexibility. I think there's an email there from me to [REDACTED] in, erm,
24 2016 which said it's not a nine to five job, it isn't,

25 **DB:** Yes.

26 **NM:** Erm, so were my staff acting improperly? No, they weren't because, you know, I
27 guarantee I have more than 35 hours a week off them.

28 **DB:** Okay.

1 **NM:** And, you know, I'd, you know, the hours that I do are ridiculous and, erm, so I'm
2 a lot better now but my staff still wake up and there's a list of actions from me,
3 then we get in the office... the new girl started last week, erm, sort of a bit of a
4 joke really because I'm better than what I was, as I've said, and what she said
5 was she never used to bother checking her phone first thing in the morning; she
6 does now. Erm, and she's like, well, "Do you want me to do any...?" "Oh, look,
7 on reflection, no, no, no, we won't do that," and so there's a whole list of things.
8 I... I suppose really it's, erm, sort of, erm, it could be a creativity, it could be,
9 erm, lack of organisation, it could be a lack of focus, erm, I just go blah, there it
10 is. Erm, not so much as a rocket without a stick. What happens then is lots of
11 things are filtered and [REDACTED] will say, "Well, Neil, should we really do this?"
12 "OK, no, you're right there, we won't do that." "Right, okay," well, everyone
13 smiles and then, "Right, okay, right, well, we are doing this," And there's a
14 filtering process so what you see here is... is raw data.

15 **DB:** Yes, okay.

16 **NM:** Out of context and I do... do stress, edited. Erm, my staff have not behaved
17 improperly, they're really good.

18 **DB:** Can I just... I think only five more questions. Just on Mr Deem and you say you
19 were wrong to place so much trust in him.

20 **NM:** Hmm.

21 **DB:** But I think I'm right in saying you didn't actually give him delegated authority, did
22 you?

23 **NM:** Erm—

24 **DB:** You didn't complete a form.

25 **NM:** No, I didn't know the form existed, to be honest. Erm, the first... the first thing
26 [REDACTED] did was... was, erm, again this is an error on my part. The first thing

1 [REDACTED] did, when I suspended Michael, was say, "Oh, look, sign there and
2 I'll..." "What's that for?" "Well, it's to delegate." "Right, didn't know that." Erm,
3 there were so many things going on, quite clearly I... I didn't... I should have
4 picked up on that and I didn't. Erm, the way the... the way the office worked,
5 Mike had complete authority. That was a huge error, erm, he was very difficult
6 to manage, erm, even though... by 2017, I realised that, erm, I'd made a
7 mistake in the way I was dealing with him and could I trust him? No, I couldn't.
8 He slept in the office one night, which was just really weird behaviour. Erm, very
9 paranoid. He was, erm, turned out treating [REDACTED] very badly, very poorly, was
10 harassing her, erm, both in work and outside of work, erm, lots of messages to
11 the point that she took it up... she... she spoke to her boyfriend about and she
12 was uncomfortable with her manager texting her so often and messaging her so
13 often. Erm, some of the things I wasn't aware of until we had an appraisal in
14 July, erm, and that made my mind up that... that was... might have been during
15 June, I can't remember when it was, but after speaking to [REDACTED] with the
16 appraisal, I realised that, erm, something was seriously wrong. Erm, and then a
17 member of the public... when we did... we did an [audit for cases? 00:52:05]
18 and I think, from memory, there were about 51 cases where they weren't done
19 properly and paperwork was missing. One of them was really serious; I mean,
20 the man was without income for a year. Erm, and what we had to do was
21 contact all these people. I phoned up one person, because, you know, the staff
22 did it but I did it as well, so I knew this person, [worked with him? 00:52:26] for a
23 good few years, an awful case but just trying to help him out. Erm, and he said,
24 "Oh, oh, phoned me up now, have you?" And I... "Well, what do you mean?"
25 And he said, "I've been trying to get hold of you for months." I'm like, "What do
26 you mean?" He said, "I've been leaving messages with Mike, I've been phoning
27 Mike," he said, "I didn't want to... I didn't want to go to you," he said, "because I
28 know you're busy," he said, "but I've been telling Mike I need to speak to you,"
29 and he said, "you haven't called me, Neil," and he seemed quite upset and I'm
30 like, well, "Oh, right, well..." and then I explained the situation, he'd been
31 suspended and what I found on a number of these things was that Michael was

1 undermining me and he'd been undermining... it's turned out that he was
2 undermining me for a long while, actually, and I think I pointed to somebody that
3 wanted to, erm, politically damage me, it may be slot in to being the regional
4 Assembly Member rather than... rather than, erm, act as an office manager. I
5 used to get on well with [REDACTED], because she did loads of translation for us
6 over the years, erm, in a voluntary capacity. That's why... I don't see why I'd
7 employ her to do stuff that she was doing as a volunteer from 2010. Erm, and
8 they're really close now, Michael and [REDACTED]. I don't speak to [REDACTED]. [REDACTED] came to
9 our wedding. Erm, I wouldn't... I don't speak to her now, I don't want to speak
10 to her, erm, but I think what I'm guilty of is, erm, being... being a poor manager
11 really and, erm, not really... because of the busyness of what we do, erm, some
12 of the days are crazy... I do 16 hours days quite often, erm, there's so many
13 things going on. A lot of it is down to the success we have in social media. So
14 with the case recently where Children's Services, I got over 3,000 messages. I
15 mean, it's just unmanageable. I mean, it's just crazy. So, erm, I think as a result
16 of pressures like that, I probably missed a lot of things that were going on and
17 probably some... some streams of messages are genuinely not seen because
18 it's just... what do you do? I mean, you know, like questions, erm, on the phone
19 to [REDACTED] late at night, "What are we going to do here? What happens if they
20 say this? What about if they do that?" Erm, and I'm up early then because I
21 don't sleep too much, erm, don't feel I need to sleep much, erm, erm, so, yeah,
22 like, I don't know, I'm probably rambling now.

23 **DB:** Okay, no, I understand that. Now, do you wish to add anything or revise any of
24 the answers you've given?

25 **NM:** Erm, just that I've given every answer in good faith, erm, in, again, to the context
26 of, as I said, first of all these messages were sent... what you're viewing is out of
27 context messages, some of them edited, which Michael's admitted, erm, some
28 of them I've probably not read, erm, until I saw them on paper. Erm, I might
29 have done, I might not have done, I can't say that because the reality is I don't

1 know. Erm, and nothing really jumped out at me previously up until that point.
2 Erm, it's pretty difficult to sit here now and discuss a text message which was
3 sent 44 months ago with any sort of kind of accuracy. I do want to stress, as I
4 said, the... some leaflets, erm, was... that would have been 80,000 copies for
5 the constituency and my recollection is it was a thank you. You say it was party
6 political because, erm, I'm saying "Thanks for voting for me." That may be an
7 argument, you may be right, I don't know. Erm, you know, you're the... I
8 suppose you're the... do you decide whether that's right or wrong?

9 **DB:** Well, I give a decision.

10 **NM:** Right.

11 **DB:** My assessment's to the Committee but at the end of the day it's for the
12 Committee—

13 **NM:** Yes, okay.

14 **DB:** —and ultimately if they say you've been in breach, ultimately the Assembly.

15 **NM:** Listen, listen... you know, the Committee, as the... as [REDACTED] said,
16 erm, "He has no support on the Committee," so, erm, he's... basically, I'm going
17 to get a rough ride there whatever happens. Erm, that is factual. What I'll do, if
18 you permit me to, I'll send you the transcripts. You know, you may take
19 exception to me having made transcripts, but I'm in a situation where I've got
20 people stitching me up, in terms of the recording I did, erm, people are making
21 all kinds of things up about me. How do I defend myself?

22 **DB:** Well, as you know, that's a matter being looked at by the police at the moment,
23 so—

24 **NM:** Yes, can I say—

25 **DB:** So it would be improper for me to look at it at all.

1 **NM:** Yes. One thing I want to say though, I'm not being investigated. Staff are, and
2 the Commissioner. It's not going to go anywhere because—

3 **DB:** Well, that's not my understanding.

4 **NM:** That's my understanding.

5 **DB:** But, you know, we shouldn't discuss that.

6 **NM:** Yes, okay erm—

7 **DB:** Oh, is there anything else you want to add?

8 **NM:** Yes, there's quite a bit.

9 **DB:** This is the Beastgrip?

10 **NM:** Beastgrip, okay. This, it says there, is a... where is it... it's extreme, if you see
11 that, it's extreme wide angle lens.

12 **DB:** Right, and what do you actually use this for, what do you do with it?

13 **NM:** We used to... we used to... we used to film... we used to film press conferences
14 with it. Erm, what we had on top of the Beastgrip as well was a microphone.

15 **DB:** Right.

16 **NM:** Erm, we were recommended to buy this. It's not turned out to be a very good
17 piece of kit really. Erm, the microphone, erm, is not... it's not good outside, the
18 one we bought initially. Erm, I'm confused why it's still being in as part of the
19 investigation because it was conceded in the hearings that not a single video
20 was... was... was, erm, produced with this. When [REDACTED] was questioned, she
21 couldn't say a single video that she'd seen that was filmed with this. Because if
22 you see any video with this, it's extremely wide screen.

1 **DB:** Well, I think without saying anything too detailed, you'll notice I... you denied the
2 matter and I didn't pursue it.

3 **NM:** Okay, but also when [REDACTED] was questioned, she couldn't say what the Beastgrip
4 looked like and you're not going to forget that. Erm, what really concerns me is
5 the... is the process, erm, as I've said to you... when I heard the... the, erm,
6 former Commissioner calling me a sociopath, basically, in front of the
7 complainants, in front of staff, I was extremely concerned. I listened further and
8 then there were other pretty negative things said about me, erm, which really
9 caused me a lot of concern, so then I decided just to leave the phone in the
10 room, erm, and—

11 **DB:** Well, I think, Mr McEvoy, it's not—

12 **NM:** But it—

13 **DB:** —it's not in your best interests to say anything about this to me because I could
14 be interviewed by the police.

15 **NM:** Yes, okay, fine, yes, okay.

16 **DB:** What I can say to you is that I have—

17 **NM:** Okay.

18 **DB:** —I have no knowledge—

19 **NM:** Okay, well—

20 **DB:** —of that and deliberately haven't asked anyone about what happened.

21 **NM:** —well, so you... sure, no worries, but you... you... this is part of the first process
22 and I'm have... I'm having said about me that I'm an unpleasant fellow, I'm really
23 unpleasant. Erm, I know the gig is up, apparently, so all the reports are piling
24 up. I'm wholly unpleasant. Erm, in terms of the one you dismissed, which was

1 just like I feel sorry for the builder on that one, erm, this is just... this is
2 relations... this is, as I say, the prejudice that I've been treated with since this
3 process started. The last Commissioner said that this just has the smell of
4 McEvoy about it; this is how he operates. Now—

5 **DB:** Well, you know, again, I—

6 **NM:** No, this is important to me.

7 **DB:** Yes, but—

8 **NM:** No, because I've sat through a process, I've given, I've said to you, it's probably
9 30... probably 48 days of my own working time, probably the same equivalent of
10 staff, and I have somebody who, erm, before... writing a report, says that it's the
11 smell of McEvoy, that's how he operates.

12 **DB:** But, Mr McEvoy, we really can't go into that because, as you know, it's... well,
13 you say you're not under investigation but what my understand is the police are
14 looking at your complaint against Sir Roderick and two individual members of
15 staff.

16 **NM:** Yes.

17 **DB:** But also at [REDACTED]'s complaint against you. Oh, sorry, the
18 Presiding Officer's complaint against you, and I understand that's in London at
19 the moment.

20 **NM:** Right, okay.

21 **DB:** But depending on what happens in that—

22 **NM:** Yes, okay.

23 **DB:** —it may come to me, so we really mustn't—

24 **NM:** Erm, but—

1 **DB:** —discuss that at all.

2 **NM:** —but the point is that I've had... I've... I've listened to... I've had people say,
3 well, but when I listened, this case as well, oh, there's not... this doesn't stack
4 up, that doesn't stack up, we haven't proved this, we haven't proved that. Erm,
5 I've listened to them talk about, erm.... I understand, but let me just try and be
6 specific. Erm, because what I'm saying is this has been an unfair process from
7 the very first time it started, which was a meeting between, in terms of the
8 former Commissioner's involvement, which was the meeting between him and
9 ██████████ at the very beginning. Erm, and I've tried to say that yes, at the
10 beginning of the last process to... not the last bit, at the beginning of the last
11 bunch of hearings to say that yes, this took place, that took place, I shouldn't
12 have done that and I shouldn't have done this. The mitigation is quite often, as
13 you see, I was trying to ensure it wasn't happening, so clearly on occasion it did.
14 Erm, in terms of... because one which isn't here is the... the video which was
15 done on the premises, erm, in the office, erm, that was the end of the
16 relationship really with Michael, because I told him time and time again not to
17 use the office and he broadcast a video from 321 Cowbridge Road East. It went
18 out, erm, I asked him to take it down. There was an argument and it... so that
19 was... it was another breach, which isn't even... isn't even before you. That
20 was, from memory, it was the 17th of May. I may be wrong on the date, and I
21 tried to speak to Michael about that, I said, "Look, you know, Michael, you just
22 can't do this, you can't... you can't... it's an Assembly office, we can't go doing
23 Plaid Cymru stuff from there," and what really concerned me at that time, he
24 said to me, "I'll spin... I'll spin my way out of it," and I was, "Well, no, there's no
25 spin. You've broadcast it, it's political, you've really got... you've really
26 compromised me." So I gave him a warning and it dragged on and on because
27 he wouldn't accept, erm, he tried to bring ██████████ tried to bring ██████████ erm,
28 and then we had a staff meeting. He said that... he then admitted that he'd...
29 he'd misled me, that it was nothing to do with ██████████ it was nothing to do with
30 ██████████ it was him. I don't recall him apologising, erm, excuse my language, I

1 do recall telling him... telling me to fuck off, because he'd also bought, erm, a
2 dashcam on [inaudible 01:03:28].

3 **DB:** Yes, yes.

4 **NM:** That was like £221. I had to pay for that. I've never used it. Erm, and that was
5 only... if you... I was going to present it as evidence, actually, but there's no
6 point probably now. But the only time it was used, so this is another [inaudible
7 01:03:40] but I paid for it so it's okay, but the only time it was used was where
8 he was living in Cardiff Bay to go to Caerau, so he just used it to drive... I don't
9 know why because he knows where the office is or he knew where the office
10 was, erm, so he used Assembly equipment at that point, before I paid for it, to
11 drive to a party political office. And, erm, have I breached the rules? Yes, I
12 have. Erm, was this indust... was this an industrial scale of printing? No, it
13 wasn't, because as I... I've produced lots and lots of bills for printing and from
14 my perspective, how many leaflets are we physically able to deliver, with limited
15 resources? Because the newspaper wasn't delivered until, I might be wrong on
16 this, but I'm sure it was the end of March. Because there's an email in there
17 somewhere saying, "Oh, these are not delivered." Erm, and in terms of him
18 dropping the leaflet... newspapers off, I thought he was an idiot because he's
19 just dumped all these leaf... erm, newspapers in the office. I mean, the office is
20 open and transparent and there's CCTV there anyway. Erm, but like... you
21 know, the issue... you said how long was the bag on there, why would I put a
22 bag on there when all I've got to do is pull the plug out. That's all you've got to
23 do. There's an email from the manufacturer. I had to sit in another hearing for
24 about, I don't know, half hour, however long it was, talk about this bloody bag
25 over... you said how long was... I don't know how long it was there because
26 there was a bag over the... over there. How long was it? I don't know. Erm,
27 was it there, did it stay there after the print... the, erm... the, erm, printing was
28 done? Yes, it did. I don't know how long for. It could have been a day, could
29 have been a week, could have been two weeks. I don't know. Oh Christ, the

1 bag's still there, take that down, take that down. I might have even taken it
2 down, so I don't recall, but the... the whole thrust of it was that I'm some...
3 somehow covering up all the activity in room three. All I had to do was just pull
4 the plug and come to room three, take a look at it. It's not fit for purpose for
5 using, erm, it's not fit... it, it's, it's a confined space, it's, erm, it's not really... you
6 can't get many people in there, erm, and, erm, electricity, folding, but then, you
7 know, a lot of it again, for me, and I've said this in other hearings, the dispute as
8 far as I'm concerned, a lot... it was legitimate because if I'm... if I'm... we've
9 sent thousands of letters out for the LDP and we've sent thousands of DMs on a
10 number of community issues. Is there a political angle? Of course there is
11 because I want people to know that I've attended to matters. So then by me
12 letting people know I've attended to matters, am I behaving party politically? I
13 wouldn't have thought so because all I'm doing is what every other MP does and
14 every other AM; you just communicate with the electorate. Erm, I don't do
15 things in an orthodox way. I don't want to do things in an orthodox way. It
16 makes things... I make my life difficult sometimes. Erm, have I learnt a lot since
17 2016 and being elected? Absolutely. Yes, I think I'm a different politician to
18 what I was then, erm, because I just bought into this culture "everyone does it,"
19 everyone still does it now. Erm, we don't, erm, we haven't got time. I mean, this
20 is... you know, I was being mocked by, erm, the staff. Oh, his case work is... all
21 the case work, ha, ha, ha. At the moment, we've got in the region of 13,000,
22 sorry, 1,300 cases on case work. Erm, it's... it's incessant, erm, and, you know,
23 it takes a lot of stamina to deal with those cases. A lot of the cases are very
24 involved, because we deal with Children's Services cases, erm, and they just, I
25 mean, they just... we used to copy the files, you know, we...we...we go, erm,
26 well [REDACTED] did when he took over with us. We went completely paper free.
27 We do print the surgery notices, as I've said. Erm, when we... when we get...
28 because of all the disruptions, like, for example, the Ombudsman and me
29 recently, erm, I'm checking to see if we can print a street surgery notice through
30 Central Services, which just says "this Saturday". That may not be specific
31 enough.

1 **DB:** Hmm.

2 **NM:** So I don't—

3 **DB:** Yes.

4 **NM:** — I don't know. Erm, it is a date, it is this Saturday. That can be done free.
5 That would make our life a lot easier because we can just stock pile 20/30,000
6 and deliver them as and when. So I do street surgeries, you know, always have
7 done. It's a way of staying in contact with people. We take politics to the people
8 instead of expecting them to come to us. They do know where we are because,
9 as I said, for me the leaflets thanking people was legitimately... at the time I
10 thought it was. You say it was party political because I'm thanking for people
11 voting for me. Erm, yes, there's an argument there, I see that now. Erm, that
12 would... that would account for 80,000, the copies that were made then, erm,
13 they weren't done in... erm, to my recollection, they weren't done in, erm,
14 Cowbridge Road East. Erm, they would have been done with the Assembly
15 printer. They would have taken an absolutely eternity. Some of the witnesses
16 who staff thought were never going to turn up, actually I wanted them to turn up
17 because, erm, they can vouch for the fact that they stood for hours on... on,
18 erm, Cowbridge Road East in the other office and how long it took to print.
19 Ridiculous. There's no way that... that's why, when we moved into the full swing
20 of a campaign, we needed a printer that could... to print quickly. Erm, and, erm,
21 you know, we got that to the point of being burnt out and I... I... actually, you
22 said earlier, we suspected the office manager was using the Assembly printer
23 improperly. I think that's justified by I suppose my strong reaction in
24 reprimanding him, erm, and wanting an... demand an explanation and calling
25 him, even though he was campaign... doing this campaign stuff, erm, using up
26 his holidays and so on and so forth, I totally get... get his... excuse my
27 language, get his arse down Canton to explain, basically, to me. Get him, you
28 know, come down and, erm, there was an explanation because it was two
29 months, so okay, well, I know what I suspect but actually there's no proof so

1 what can I do? Erm, I suspect he was using the campaign printer improperly,
2 because we... we printed, as I said, from memory, I think it was 80 to 100,000
3 like, well, bloody... how... how did we... we didn't deliver those. I mean, we
4 delivered a hell of a lot but we had the printing bill and I just can't work out what
5 we did. So I was... I'm actually thinking now was he printing stuff for a business,
6 for a friend? Because it would seem the printer, this is the campaign printer,
7 when it was not in Cowbridge Road East, it was being... it must have been
8 being used 14 hours a day. So I... I've... I mean, to the point of being burnt out.
9 Erm, it was, I think, repaired twice and I think, you may or may not know this,
10 erm, Michael left me with a £5,000 bill. Do you... do you know that?

11 **DB:** I'm not aware—

12 **NM:** Separate.

13 **DB:** —but if you think it's relevant, please tell me about it.

14 **NM:** Well, I think it's just the trust really, because, erm, the printer was really good to
15 us, the... the... the, erm, person that gave us printers, and, erm, he didn't
16 require payment. So you're struggling to run a campaign, this fellow doesn't
17 want paying. Look, here's... here's a printer, this is back in 2015, there's a
18 printer, this was before I was elected, there's a printer, erm, if you get elected
19 then, you know, you can... you can pay some bills, you know. Erm, and so we
20 did... there was a whole load of printing over a period, erm, ran up on it and we
21 didn't pay for it. Erm, and that was the anomaly that wasn't understood before,
22 because Plaid Cymru paid the bills. But a lot of that was over a period. It was in
23 the election period, the... we had to provide receipts because they were taken...
24 they were accounted for properly and they were paid, as is... as is legal. Erm,
25 and 80,000 of those would have been, as I said, which was something which I
26 thought was proper. Erm, with the other printer, erm, it was being burnt out so
27 parts were just... parts needed, erm, replacing. They were very good to us, so
28 engineers were calling out, they were, erm, fixing the printer. It was being

1 misused, so they called it customer abuse, so they weren't, erm, liable for that in
2 terms of any kind of guarantee, and I... Mike told me a bill had been run up and
3 he told me it was in the region of £200, which is manageable. So I was having
4 messages off a person I know who's been really good to us, erm, saying about
5 the bill. I'm thinking that's two hundred quid, you know, needs paying. I had a
6 meeting with him and we were discussing everything really, erm, and I asked
7 him "Well, okay, you know, how much are we talking?" So he wasn't happy at
8 all and he said I think it was £6,000, and I said, "Well, what do you mean?" And
9 he said, "Well, all the printing you've done, so therefore I'm looking at..." "Well,
10 give us the numbers," and I'm thinking well, Jesus Christ, why... where's that
11 extra 80 to 100,000 come from? Erm, and all the parts and which I'm told would
12 sort it out, yes, it was all done, and it ended up that Plaid Cymru had to pay I
13 think it was two or three thousand, I think it was, and they refused to pay any
14 more because there was no... there was no written contract, it was done on
15 good will, and I had a print... I had a person who was being very good to me,
16 giving me a printer that I didn't have to pay up front for, erm, let me use it for X
17 amount of time, and he's been knocked for three grand. What do you do?

18 **DB:** Okay.

19 **NM:** I'll tell you what I did. I, I paid £3,000 from my own... own pocket.

20 **DB:** Okay, well—

21 **NM:** You know, and so... and then [*sighs*] maybe that may explain a little bit more
22 the, erm, the breakdown in trust because, erm, and do I suspect he was...?
23 Yes, I do. But then, erm, were a lot... were... did [REDACTED] do, erm, legitimate
24 Assembly work? Of course she did, because if, erm, 2,000 letters are sent out
25 or the LDP you're going to, you know, they're going to be stuffed and often that's
26 what [REDACTED] was doing as well. Erm, I assume, because I'm not there when they're
27 done, and then they've been distributed, so, erm, as I... as I've always argued...
28 so I've always argued I feel that that was legitimate. There was an argument

1 about it not being legitimate. If it's not legitimate, then I think we need to be
2 clear on the rules then, because everyone does it. Erm, and in terms of the
3 culture, I mean, you... you were, erm, sort of dismissive earlier about the
4 convention. I'm a new AM, I'm not flavour of the month, I wasn't supposed to
5 get elected because I was, you know, I was the only... I was the only Plaid
6 Cymru candidate... target candidate to use a thousand pounds a month.
7 Every... we got a thousand a month off the Party. That started in October, we
8 were doing really well, erm, January I lose my thousand pound. How does that
9 work? Because we were doing really well. We were busier than anyone, this is
10 2016, before the election. Erm, I also... Plaid Cymru gave me two staff. They
11 took staff off me then, that was March, because our figures were getting closer
12 and closer to the First... now First Minister. Erm, so then I arrive, my leader, no
13 matter how hard I work, no matter how much effort I make, I'm not accepted.
14 I'm said to be this basically feral individual, erm, from a council estate, erm, and
15 I feel that the way that I'm treated in this, erm, building is not only, I'd say,
16 classist in terms of class prejudice... I speak four languages fluently, I have a
17 post-graduate qualification in language acquisition, but I'm somehow labelled
18 this, erm, the smell of McEvoy about it, that kind of attitude towards me. Erm, I
19 think the way I'm treated is also very standard racist, it's the way I've been
20 treated my entire life, because when I'm assertive people say I'm aggressive.
21 Erm, when I think I'm being, erm, passionate, they say I'm angry. When I'm just
22 trying to do the best I can, they say I'm being awkward and not being a team
23 player. Gets thrown at me all my... all... all my.... all the time. It's been thrown
24 at me all my life, other than with some great people I've worked with. I'm talking
25 in terms of the politics there. Erm, when I went to Bradford University recently...
26 I know I'm going on now, but I'm just trying to... I want to say this. When I went
27 to Bradford University recently, I did a lecture on, erm, equalities and life
28 experience and the Rosa Parks... it was the Rosa Parks Memorial Lecture, and
29 I just spoke about my life experiences, especially in work, especially the way I'm
30 treated in this institution, and which is like dirt really, to be honest, I'm treated
31 like dirt in the Chamber. People call me a misogynist, they call me a racist,

1 they... they, erm, make other comments about me, and nothing's ever done.
2 Nothing's ever done. The record's never reviewed, nothing. I make a
3 complaint; it's not dealt with. Erm, as soon as I do something wrong, I'm jumped
4 on. Erm, because you've got these stereotypical racist tropes which are
5 adopted by I would say very prejudicial people who pertain to be on the left.
6 They claim to be on the left and there's this whole 'woke' culture now I think
7 which, erm, it's very authoritarian, which I'm a victim of. And to go back to the
8 main point, did I make mistakes in the first year? Yes, of course I did. Should I
9 have been a lot more, erm, strict? Of course I should have done. Erm, did I
10 have a... did I have an office manager who just basically abused my trust? Yes.
11 Did I deal with that? Yes, I did. Did I try to, erm, police the, erm office as best I
12 could? Yes, I did. Erm, in terms of me... the housing the printer, totally guilty,
13 right, but then given the context of a leader hating you, not being accepted,
14 being treated like dirt continuously, despite being the... the party's biggest, erm,
15 no one's... no one's, erm, increased votes for Plaid Cymru like me, nobody,
16 since 1999. Erm, nobody raised more funds than me from, erm, 2016,
17 2015/2016, erm, and so really I suppose what I was... what I was seeking here
18 was a... was an acceptance, really, just by getting my head down, working hard,
19 trying to do the best I can. So if I'm going to turn round and say, "Look, erm,
20 there's nowhere to put this printer," it's just not tenable and what I find annoying
21 is, erm, the fact that I'm carrying the can for meetings I've not organised. And,
22 you know, I wasn't being flippant, I'm not being, erm, erm, it's not bluster, it's a
23 fact that every Tuesday there are political meetings. So every... during term
24 time, during election campaigns, I guarantee every group will discuss
25 canvassing concerns and what the percentages are. I've been downstairs
26 where, erm, in the other building, where... well, we were canvassing 2016, 2017
27 especially, we were top of the league constantly because we'd knock on those
28 doors. Erm, all that... all that was discussed as routine and, erm, you know, I'm
29 in a position now where it's not, you know, it's being denied, erm, and it's just
30 nonsense really because every... everyone's done it. I'm not saying that's right,
31 but it is a convention. So you've got the staff here, how the political staff

1 operate, because they're all political staff, erm, who are appointed by the
2 Assembly Members. It's just the norm, and yes, I'm guilty, yes, yes. But then,
3 I'm guilty of coming into an institution and just, erm, obeying conventions and
4 doing as I'm told really. That's no excuse; it's a reason. Erm, where we're at
5 now, for a long, long time I've run my own ship. It's completely different, erm,
6 I'm not, erm, beholding to Plaid Cymru. I don't have to do what they want me to
7 do, erm, and it's completely different. We've got a political office, it's a new
8 party now, everything's done there, erm, and, erm, our office is basically it's a
9 force for good in the community. Because if you're being evicted, if you're
10 being, erm, having the children taken off you, which is something, really, which
11 is just unreal. What is going on? It's like an industry. Erm, you know there's
12 somewhere to go and you know there's somebody to help you and, erm,
13 that's... that's the reason why I'm in politics. Have I made mistakes? Yes.
14 Have I been too rash at times? Yes. It's not a rash office, as it was called.
15 Erm, have I needed to improve? Yes, I have. Have I improved? Yes, I have.
16 Have I, erm, had more attention to detail that I didn't have previously? Yes.
17 Erm, I've already spent, I've explained, a huge amount of time on this. Erm, in a
18 sense, it's a relief for it to be over. It may not be over because you may say
19 there are things coming out of this, I don't know, that's a matter for you. Erm,
20 but all I want to do for the next 15 months is continue to do the job that I can for
21 people who trust me, and what I do want to say, on this because you're
22 recording it, but I... I... I've had people here judge me, I've had people here,
23 erm, say how hated I am, I've had people here telling me how I fall out with
24 everybody all the time. Erm, I've got the same friends now that I had when I
25 was four years of age. I've got friends who I've played football with for 40 years.
26 When we left school, we formed a football team because we wanted to stay
27 together. Erm, and, erm, I've been away, lived in Spain, lived in France, I've still
28 got those friends. Erm, I have amazing loyalty and amazing support from a
29 whole load of people and, erm, the abuse that I have taken in this place disgusts
30 me, frankly. I'm not a victim but it still disgusts me and I think on occasion, with
31 the [REDACTED] ? 01:22:15] issue, erm, did I... did I, erm, react in the wrong

1 way? I absolutely did, which I admitted. So when I tend to do things wrong, I
2 admit it. I said I was aggressive, I said... it's gone now, it's with, erm, you know,
3 the... the appeal judge. Erm, I said I was aggressive, I said I was, erm, in the
4 wrong, I said, erm, I behaved as I didn't want to behave, as I shouldn't have
5 behaved really. But what... I think what that was at the time was just, erm, a
6 release and was it in error? Yes, absolutely in error because they've got, finally,
7 I would say finally, they've got the reaction they were seeking, and they can
8 justifiably say that I was a thug, justifiably say that I'm feral, justifiably say that
9 I'm hateful, justifiably say that I was aggressive, because for a few minutes that
10 day I lost my temper.

11 **DB:** Okay, no, I understand that and thank you for being so frank. Just to pick up on
12 one thing you said about the concerns about the complaint, the process being
13 biased.

14 **NM:** Yes.

15 **DB:** Can I assure you that I will approach this in a totally unbiased way based solely
16 on documents, transcripts of hearings at which you were present.

17 **NM:** Oh, right, so can—

18 **DB:** And documents.

19 **NM:** Can I have access to those transcripts, thanks? I've not seen them

20 **DB:** Well, we only have some and I'm not—

21 **NM:** Because I asked... I asked for them because I... well, what I—

22 **DB:** Well, it does... let me finish. You can certainly have transcripts of those
23 hearings that we've transcribed.

24 **NM:** Yes.

1 **DB:** Because as you, I think you said, there's something like 39 hours or something
2 of... I haven't transcribed everything.

3 **NM:** Yes.

4 **DB:** And, you know, I don't intend to transcribe everything. I've transcribed the bits
5 that I think are going to be helpful to the investigation.

6 **NM:** You know, yes, but then you—

7 **DB:** But certainly, there's no problem providing you with transcripts of what we have.

8 **NM:** But, you know, the reason that I want them to be transcribed was because I
9 wanted to refer to things after... after the hearings. Erm, and I'd like... I think it
10 all should be transcribed really. It depends on what happens after this, erm,
11 because I feel when the evidence was presented, it was supportive to me, and
12 maybe I'm wrong, erm, but that was my feeling coming out of the hearings
13 because, erm, you know, we've... we've run a legitimate Assembly office.

14 **DB:** Right, what I can certainly undertake to do is where we haven't transcribed, if
15 you haven't already got it, we'll provide you with a copy of the recording and if
16 you think it's worth transcribing, by all means you can get it transcribed.

17 **NM:** I think... I think I've got them but I think the problem is listening to all of them, as
18 you said, erm, and if I... if I could see the transcripts that are done, that would
19 be useful.

20 **DB:** Yes, but that's only... well, two in full and one in part.

21 **NM:** Yes, okay, but you seem to just... if I could just finish, sorry for interrupting, erm,
22 these are out of context, they have been edited. Some of the text messages
23 may have either been preceded by a telephone call or proceeded by a
24 telephone call, because sometimes, you know, "Oh, I've [inaudible 01:25:23]
25 that right, okay, right, forget that." You know, I—

1 **DB:** Yes, no, I understand that fully and will take account of that.

2 **NM:** But also if you... I don't know what you've listened to but the allegation's
3 changed. I mean, it was just... it was this industrial, erm, industrial use of, erm,
4 Assembly printer, paid for by the Assembly, from, erm, July... no, from May
5 onwards. No, that didn't happen. Erm, and it turned out, you know, Plaid were
6 even... the Assembly weren't even paying the bills. You know, that means... it's
7 just... but then that's in-keeping because what happened... this is relevant
8 because what Michael did was he didn't know that we could go to Central
9 Supplies, so everything was... they would print... sometimes we would use all
10 the printers on stuff because that, you know, things were too slow. So getting
11 street surgery out, street surgery notices, they're all... they're all running,
12 possibly. Erm, I don't know because I'm not always there but I think because
13 they produced them, that's what probably was done. Erm, and he did... you
14 know, he didn't know about Central Supplies, he, erm, didn't know what the
15 budgets were, he didn't put in paperwork to get bills paid, to get, erm, the... for
16 example, the communication grant, the first year, I lost it. And I'd agreed with
17 [REDACTED], the lawyer, that he would give us an opinion on, very cheaply, on the
18 Local Development Plan, okay. So I'd delegated that to Michael, didn't sign, as
19 you said, yes, erm, error, I didn't know I had to. So I delegated for him to do
20 that, so time's going on, time's going on. I'm thinking [REDACTED]'s getting on with it
21 because I'm just busy anyway. Erm, it came to a point then, well, what's
22 happening with this LDP, where's the legal opinion? [REDACTED] has to got to be... "Oh,
23 well, I didn't get a paper." "Oh, right. Mike, what's going on? What happened
24 to the LDP stuff? Where is it?" "Oh, oh, oh, I didn't put it in." "What do you
25 mean, you didn't put it in?" So I [inaudible 01:27:32], there may even be an
26 email from me to [REDACTED] saying, "Look, you know, can we do it
27 retrospectively?" "No, you've lost the money," and I'm like, "Jesus Christ." The
28 office was such a state, erm, ironically it was a carpet shop before we moved in,
29 the carpet was terrible; I mean, just embarrassing. We had the work done really
30 cheaply. I mean, it was... it was a good job... well, rough but for the money we

1 paid, nobody else could do it that cheaply. Erm, so the carpet was awful and no
2 matter how much you tried to clean it... and at the end of that financial year, I
3 did the... what should have been done was the carpet should have been
4 ordered and it wasn't. So then come April whatever it is, I'm like, well, has a
5 carpet been ordered? No, it hadn't been ordered. Same thing, well, look... the
6 money we'd gone over on the budget was £3,000. Yes, well, can we use that
7 now to pay... no, it's gone, you've lost it, which is really frustrating because we
8 couldn't use that budget until the following year. So what I was trying to explain
9 to Sir Roderick before was Michael not dealing with bills properly it turned out
10 was serial. So what was easier for him, rather than, erm, check the copy
11 numbers, how many had been done in what month, check the, erm, forms he
12 had to fill in, check when he had to do it... all he was doing was just giving the
13 bill to [REDACTED], [REDACTED]. So [REDACTED] unknowingly, just paid the bill. I didn't know
14 any different because no one's complaining to me. So those bills were paid, so
15 I, I don't know, and then it wasn't until the bill is not being paid, the other bill for
16 the political printer, that I got the... I got the printer on my case and I'm thinking,
17 well, it's two hundred quid, you know, what are you talking about? [Inaudible
18 01:29:12] it's six grand.

19 **DB:** Okay.

20 **NM:** If you want... if you want to see my bank statements, I'll give you them.

21 **DB:** No, no, I accept that.

22 **NM:** Because the £3,000 was the money I was going to give to Plaid Cymru,
23 because when I got elected to the Council again... to be honest, I wish I wasn't
24 a councillor, so if I am kicked off in four months, great, [inaudible 01:29:30]
25 meetings. Erm, but, erm, that allowance I use for other things, for community
26 issues, erm, good causes, people in a tight spot, I can help them out, erm, and
27 the other half of it is for the politics. So Plaid Cymru didn't get the three grand,
28 erm, the printer did.

1 **DB:** Okay. Now, I'll just ask you this to give you the opportunity.

2 **NM:** Yes.

3 **DB:** Do you have any complaint about the way the interview this morning has been
4 conducted?

5 **NM:** Erm, you were very tough. Erm, I notice you said what I said about
6 Sir Roderick, but actually, erm, I've got an individual who I respected initially as
7 a Standards Commissioner and then as the process going forward, I feel that
8 I've been treated in a really prejudicial way. I hear I'm being treated in a really
9 prejudicial way, erm, I know that he met with [REDACTED], who is an acquaintance
10 of his for decades, erm, and he was a member of Plaid Cymru and so maybe I'm
11 being too cynical and maybe I'm being... jumping to conclusions, but I feel that
12 he was doing a political job on me. That's what I feel. I know... I know you
13 objected to that, I could see you were objecting to it. I think you've been...
14 you've asked questions, I think... all I'd say is that you... I feel that you were
15 making assumptions about stuff which... the full-stop, for example, it's quite an
16 important full-stop. Erm, and in terms of this process, is it being completely
17 unfair? Absolutely unfair, yes.

18 **DB:** Yes, but can we just focus?

19 **NM:** Well, if I—

20 **DB:** Do you have any complaint to make about me?

21 **NM:** Erm, there's no point in complaining. There's no one to complain to really. Erm,
22 if I had been able to see that beforehand, then maybe I could have given you
23 more coherent answers, because we're looking at stuff which, erm, happened,
24 as I said, three and a half years ago, erm, and if I'd have seen the transcripts
25 you're referring to then I could have maybe jogged my own memory about what
26 was said, because memory's imperfect and—

1 **DB:** I mean, that may be something you want to discuss with [REDACTED],
2 because when I met with him—

3 **NM:** Yes.

4 **DB:** —about a month ago—

5 **NM:** Right.

6 **DB:** —we went through all these documents—

7 **NM:** Yes.

8 **DB:** —and I showed them to him and explained that you had copies of them and had
9 you... had he or me asked for copies of them—

10 **NM:** Right.

11 **DB:** —they would have been provided.

12 **NM:** Right, I didn't know that.

13 **DB:** Or you'd have been signposted to where they were in your bundle.

14 **NM:** I didn't know that.

15 **DM:** Well—

16 **NM:** Because I think what I was trying to do here was... was, erm, recollect, erm,
17 stuff from a long time ago, and, erm, memory is imperfect, I know it's imperfect
18 because with the Mick Anthony stuff, erm, just an example, erm, in my mind he'd
19 come out the lift. That... I'd absolutely swear to that, he came out of the lift, and
20 we had the interaction by the door. We did have interaction by the door. When
21 I viewed the CCTV, I was really surprised that he came down the stairs.

22 **DB:** Yes.

1 **NM:** Just, you know, erm, so I've tried to be truthful to the best of my ability. I've
2 answered in good faith, erm, some things I've probably said, well, yes, it could
3 have happened but I don't really know. Did it happen? There's no evidence it
4 did, no evidence that it didn't. Could it have? Yes, it could, of course it could
5 have done. But then, anything could happen because most of the time, I wasn't
6 there and, erm, I was dealing with people who I couldn't trust.

7 **DB:** Okay, well, if you're content, we'll call it a day at that. The time is now 2:26,
8 rather longer than I thought we were going to be but thank you for bearing with
9 me.

10 **NM:** Yes, oaky.

11 **DB:** And we'll end the interview and we'll turn off our recording equipment.

12 **NM:** Okay, thanks.

13 [Diwedd y recordiad / End of recording]



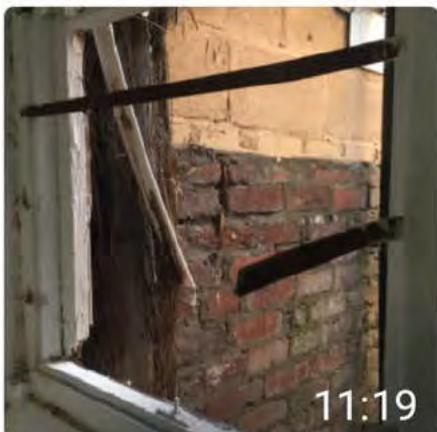
Swyddfa Plaid Office

Neil, PC, PC, PC, You

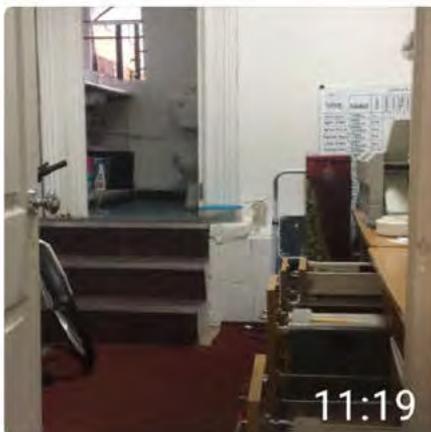


What it looked like when I came in. All untouched

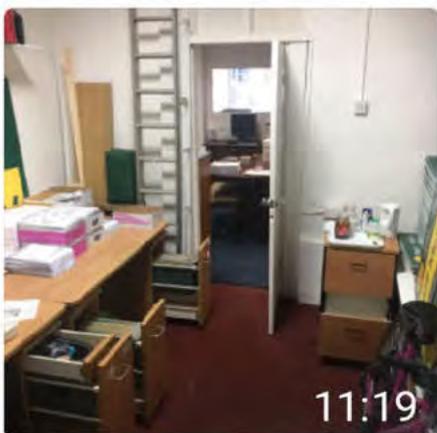
11:19



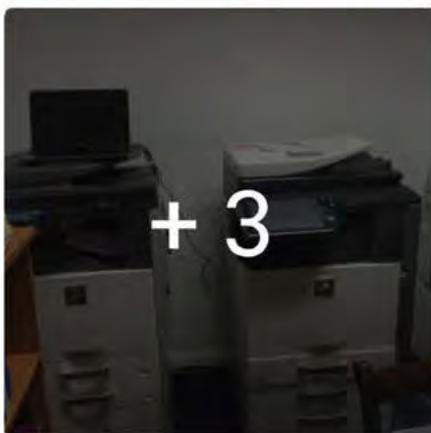
11:19



11:19



11:19



Neil McEvoy

says we should get a journalist to use #AssemblyGate. Get them to use it first.

14:39



Type a message





Dyddiad | Date: 06 August 2018

Pwnc | Subject: Standards Commissioner response

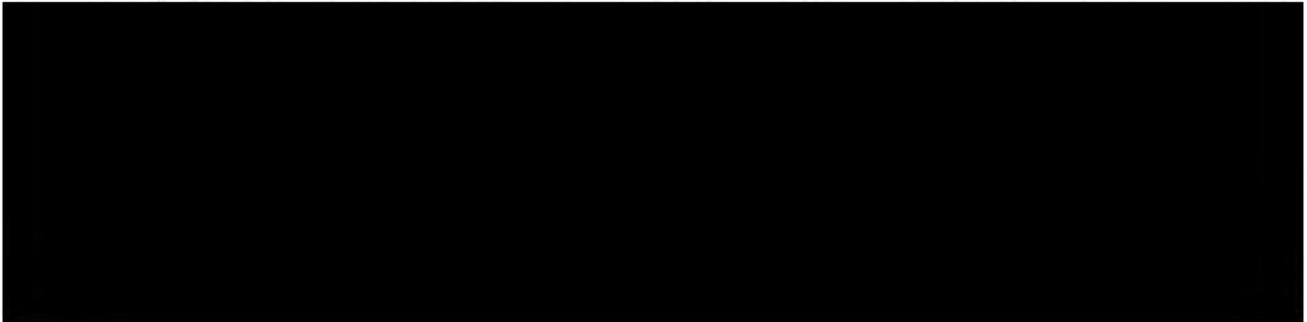
Dear Sir Roderick,

I am writing in response to your letter dated 10 July 2018, relating to alleged communication between myself and [REDACTED]

I do accept I sent the messages. Under normal circumstances I would not attempt to justify such behaviour and would attempt to apologise for my actions. But as you have asked for me to explain my motivation I will do so.

You will be aware, both [REDACTED] and Michael Deem are my former colleagues in Neil McEvoy's office. I have known [REDACTED] for at least eight years and considered her a friend.

Michael, for his part, was Neil's Office Manager and we worked closely together. However, he was suspended from work in the summer of 2017 and was later dismissed from his role.



Due to his treatment of [REDACTED] who I now line-manage, and the distress he put her under, the office was very relieved when the process with Michael was over. However, rather than accepting his dismissal, or even trying to make amends, he has used your office in, what I consider, to be a political way in order to make a series of contradictory allegations, not just against Neil, but against his staff members also.

[REDACTED] briefly worked for the office in order to keep the office open on a Saturday. It was Michael who was keen for this to happen and Neil obliged so that constituents who worked Monday to Friday were still able to access his office. Ultimately, this proved untenable and we reverted to a traditional 9-5 working week. Furthermore, Neil had spent all of his remaining balance that he was able to use for temporary contracts, which also cannot continue for more than six months. As a result, [REDACTED]'s temporary contract came to an end.





All seemed well, until after the Council elections in 2017, in which [REDACTED] was a candidate in [REDACTED]

A couple of weeks before the election, when [REDACTED] had stopped working for Neil, they had a small argument. Neil had given campaigning advice to [REDACTED], which she objected to. [REDACTED] told him to mind his own business and that she did not want his help or advice, as neither were needed by her. After that, Neil was not involved in the [REDACTED] election.

I continued to offer my voluntary time, making leaflets for [REDACTED] which were printed in the Cardiff Plaid HQ in Caerau. I was sacrificing all of my free time to the campaign at this point, using flexi-time, working every evening and both days in the weekend for several weeks. That led to me and [REDACTED] being very close and she was so happy with what I'd done to help she bought me a bottle of whisky at the end of the campaign to say thank you. I'm not aware of her doing that for any of the other volunteers.

But after the election [REDACTED] seemed to become quite bitter. Neil was informed by other members that there was something not right there and that Neil should visit her. He did go to her house and they talked, but it didn't seem to help. [REDACTED] has some form here, having also fallen out with one of the [REDACTED] candidates, who ultimately felt the need to resign, rather than continue to be subjected to her hostility.

After Michael was suspended things became worse. [REDACTED] was initially very unsure about Michael and claimed that he was untrustworthy. But as she alienated herself from Neil she grew closer to Michael. [REDACTED] started speaking out against Neil in Plaid Cymru meetings and began leaving negative comments on his Facebook page. After a series of such posts Neil blocked her from his page. This angered [REDACTED] and she took to her own Facebook page to denounce Neil. I spoke to her at the time and asked that she end her feud with him. She responded that she had thought of quitting Plaid because meetings had become so toxic (much of which was engendered by her) but that she'd been in the party too long to give up now. I unblocked her from Neil's page but she also said that she was unable to ever rebuild bridges with Neil. This disappointed me greatly as I felt that if we just all talked we could get along again. That didn't happen and the feud continued.

As time went on, it became clear that Michael and [REDACTED] were working closely together and that they had an agenda. Michael started coming to constituency meetings with a pre-prepared folder of minutes, agendas, correspondence and standing orders and went about trying to quash constituency efforts that could be seen as being favourable to Neil. [REDACTED] supported him in these efforts.

But what I found particularly strange was that Michael was starting to attend Canna branch meetings. Canna is a Plaid Cymru branch in Cardiff West that incorporates [REDACTED]



Riverside and Llandaff wards. It is the branch that I am a member of, along with Elin Tudur. Michael is not a member of Canna branch. Michael is a member of Plasmawr, which includes Radyr, where Michael grew up. He now lives in Cardiff Bay but was being welcomed by [REDACTED] and the Chair to come to Canna branch meetings, despite never having lived there. In eleven years of Plaid Cymru membership I have never seen a non-member of a branch attend ordinary meetings of other branches and be encouraged to participate.

I became increasingly concerned by this obvious alliance between Michael, [REDACTED] and the Chair of Canna branch, [REDACTED], during a public meeting in [REDACTED] on the 3rd of July, which was the night before I sent the messages.

The meeting was a public talk by the Plaid leader Leanne Wood in the Portuguese restaurant Mae Maria. After the meeting Canna members stayed to socialise. Michael Deem was also present, although this meeting was available to all Plaid members and so there was nothing unusual in that.

I find it difficult to speak to Michael, knowing what he did to my colleague, and so it's awkward for us to be in the same place. I spoke to [REDACTED]. She enquired about how my two year old son is doing but it was clear that she was plotting something. She kept saying to me that "I know it's very difficult for you". I took that to mean it's difficult because I work for Neil and she's very open about how much she wants to damage him and seems to assume that other members are on board in this scheme.

She announced that the branch needed an Annual General Meeting and the first person she asked about dates was Michael Deem. I found this very unusual as he is not a member of Canna branch, as I've already stated, and so his availability should be irrelevant. [REDACTED] then asked the Chair of Canna branch and one other member, and that was how the date of the AGM was decided.

I was particularly offended by this as I have been a very active member of Canna branch, in its various iterations, for over eight years but I was not consulted, despite being right there as they decided. And yet Michael, who was not a member and had been dismissed from his job over his conduct, was one of the four people arranging the branch meeting.

I socialised with other members and it was revealed that [REDACTED] had told multiple people about having given evidence to your office. These members stated that in their opinion [REDACTED] was not thinking rationally, was being led purely by her emotions, was frequently intoxicated and so prone to blurt things out, and was now determined to damage Neil as much as she could, including having him thrown out as an Assembly Member if she could.



These members knew all about Michael's complaints to your office and his attempts to take Neil to a tribunal.

Hearing this was very frustrating as Neil has respected the confidentiality of your office in this process and so was not being given the opportunity to defend himself. Michael and [REDACTED] meanwhile, were clearly vocally denouncing Neil to members and using complaints to your office as a way of doing it.

When I woke up at home after the meeting I did two things. Firstly, I sent the messages to [REDACTED] who I'd been speaking to a few hours earlier, which you now have in your possession. I did not have a motivation for doing this and did not hope to achieve anything. No thought went into the messages at all. I felt betrayed. I felt [REDACTED] had been two-faced to me by asking about my son the night before while also doing what she could to damage my employer, which directly affects my own employment. I felt like she was treating this process like a game, because she seemed to be thoroughly enjoying herself as she plotted the AGM the night before.

I quickly realised that the messages were inappropriate and sent her two further messages as follows:

'Things can't continue like this. I'd really like to meet up and talk things through. Everyone loses if it carries on like this.'

'This was a genuine offer by the way. I'd really like to hear your point of view because I am still quite confused by what's gone on. I am desperate to win [REDACTED] now I live here and can't see it happening unless we work together.'

I did not receive a response.

[REDACTED] and Michael's behaviour had, however, been so significant that night that it led to a meeting of senior members of the constituency to discuss a way forward, as they were clearly now dragging the party into their feud with Neil through untrue allegations about the party's campaigning during the elections in 2017. Not long afterwards Michael was suspended from Cardiff West constituency, while he is investigated by the national party into his treatment of [REDACTED].

The second thing I did the morning after the meeting was email the Chair of Canna branch, who is [REDACTED]. The email read:

'Hi [REDACTED],



'I was very disturbed last night to find Canna members openly asking about the availability of a non-member of the branch, i.e. Michael Deem, when deciding the next date of the meeting of the branch.

'Can you please confirm that this non-member will not be invited or in attendance and that all actual members of Canna branch are the main consideration when meetings are being arranged.'

Again I did not receive a response.

On 6 July 2018, I received an email from the Canna Chair, inviting members to the AGM they had been organising. I wrote back to him to state the following:

██████████,

'Can you please confirm who will be able to attend this AGM i.e. will it be for Canna members only? And who will be able to vote?

'Can you also please confirm why only 4 days notice has been given for an Annual General Meeting. It seems inconsistent with democratic practice to give people such short notice that they can stand for elected positions in a branch. Why was more notice not given?'

I followed this up on 9 July with:

'Hi ██████████,

'Any chance of a response to this email. Seems incumbent on you as Chair to provide answers to basic questions on an AGM, including who can go, who can vote, and how it came to be arranged so last minute.

'Thanks,

██████████

I did not receive a response.

I attended the Canna branch meeting on 10 July. I approached ██████████ before the meeting and politely asked him for a response to my emails. He was very frosty, barely spoke to me and then said I could raise it in the meeting.

The meeting began with him directly confronting me about my emails. He demanded that I state that the presence of Michael Deem was the reason I was asking these questions. I told him it was inappropriate to raise private emails between us in front of everyone. He stated that he had a problem with me from something I did four years ago when I worked



for [REDACTED] and that I didn't know what half of me was in meetings, the half that was a member and the half that worked for Neil and previously for [REDACTED]. He said that because of this he felt no need to respond to my emails. After questioning my integrity he demanded that I make a declaration of interest, something no one has ever asked me to do before at a Plaid meeting. I refused and said that everyone knew I worked for Neil. Most of the people in the room were personal friends of Neil.

When I said I worked for Neil, although not declaring an interest, he was triumphant, clapping his hands together while supportive noises came from [REDACTED]

He then asked if there were any apologies given for the meeting. After a brief pause [REDACTED] shouted "Michael Deem". The pause made me doubt that Michael had, in fact, given an apology to [REDACTED]. Furthermore, [REDACTED] holds no official position in the branch so the only reason he would give an apology to her would be if they were in regular contact with each other. It's also worth remembering that there is no need for Michael to make an apology to Canna branch for not being present, as he is not a member. It felt like [REDACTED]'s intervention was deliberate in order to demonstrate that they would continue to welcome Michael to branch meetings, that she was in contact with him and that my interventions in regards to him were not welcome.

After the meeting several people asked if I was okay. That included the Chair of Cardiff West, who was present at the meeting and texted me afterwards.

The Treasurer for Canna branch also emailed me the next day to say the following:

'Just to let you know, I asked [REDACTED] why he was so confrontational in dealing with the questions you had raised last night. All he would say was "because I wanted to be".'

This information may seem academic but you spoke about how people shouldn't suffer abuse and be put under pressure, but this is precisely how I feel I have been treated by these three people. Michael, [REDACTED] and [REDACTED] have made it their business to undermine Neil and that has now extended to me as I've started to question their behaviour. Their agenda of trying to damage Neil and the way in which they work together to do it has put me under a lot of pressure and, sadly, I have not reacted to it in the best way on this occasion.

In my naivety I was still in the habit of directly speaking to people I know, without realising that such communication was no longer possible or appropriate.

For further context, it is also worth remembering the pressure that Neil's office has been put under over an extended period of time.



The situation with Michael has been going on for over a year. His disciplinary process was followed correctly, but took several months.

Michael appealed his dismissal, but it was independently upheld by the Head of the Assembly's legal services. Michael is now working with the Labour union Unite to take Neil to a tribunal. Michael was not a member of Unite until after his suspension, so Unite's support is clearly political in nature.

Michael has also made two complaints to Plaid Cymru and two complaints to your office. Four complaints that were coordinated by lobbyists for political ends were also briefly being dealt with by your office, before they were returned to Plaid, who then rejected them all as being baseless.

That means we have been dealing with your office for over nine months, with no clear idea of what is happening. The process has a Kafkaesque quality, where Neil has been accused but he has yet to see any evidence after this amount of time.

It's easy to imagine this will go on for more months, taking the process to over a year. That would be a fifth of the time that Neil is an AM.

Meanwhile, Michael still attempts to meet Plaid Cymru members in Cardiff West in a continuation of his campaign against Neil. He invites them go for coffee so that he can "tell them about his new job". But what he actually does is try to turn them against Neil through giving his own inaccurate version of his dismissal. With the exception of Elin and the Chair of Canna branch he unsuccessful in his attempts and the members instead inform Neil about their interactions with Michael.

It's worth also considering that Neil had a similar situation in Plaid Cymru, where he was told there were complaints against him but wasn't told what they were for an entire year after being made aware that they existed, while being briefed against in the press throughout but unable to defend himself. Ultimately, he was expelled for being welcomed to a conference and for not allowing the Chair of Plaid Cymru to censor his well-received speech.

In summary, I am very frustrated by this process. We are a very busy office with 191 open cases on our books, with more being opened all the time. Demand has got to high that Neil now has four caseworkers employed to deal with this volume. People come to us because we help them and word of mouth spreads. But we spend an inordinate amount of time on politically motivated complaints by people who have an agenda of damaging Neil. I find it particularly frustrating with Michael and [REDACTED] because I know what they're saying isn't true and Michael's campaign against Neil is clear to all members involved in Plaid Cymru in Cardiff West.



Because we attend the same constituency and branch meetings, as members of Plaid Cymru, I also have to observe Michael, [REDACTED] and [REDACTED] working together on their anti-Neil project. That won't be the case for the time being as Michael has been suspended, but that has only been a recent development, of which I played no part.

I hope you now better understand my motivation in contacting Elin. I have been very hurt by the actions of someone I used to consider a friend. I had been speaking to her only a few hours earlier and continued that communication without thinking about how inappropriate it was. Working with Neil has been a fantastic experience but dealing with such protracted and vexatious complaints has been stressful. On this occasion the stress got the better of me. I will ensure that it does not happen again.

[REDACTED]
Senior Advisor to Neil McEvoy AM.

Strictly Private & Confidential

Neil McEvoy AM
National Assembly for Wales
Cardiff Bay
CF99 1NA

9 August 2018

Dear Mr McEvoy,

Re: Complaint by Michael Deem

I write further to our discussion some weeks ago about the progress of this matter and I must apologise to you for not having been in touch more promptly after our meeting.

The reason for the delay was that an issue arose between a member of your office staff and a potential witness whom I interviewed as part of my preliminary enquiries into the complaint. I felt it inappropriate to progress the complaint while that issue remained unresolved. There is nothing to be gained by my going into the detail of the issue in this letter and I do not intend to do so. You may, in any event be aware of the issue. However, if you are not and wish me to give you details, please let me know and I shall do so.

I have now completed my preliminary enquiries into the complaint and I have concluded that there is enough evidence to support the complaint to justify further investigation. I, therefore, now move to the formal investigation stage.

The situation with which I am faced is that Mr Michael Deem has made detailed allegations against you which, if proved, would constitute breaches of the Code of Conduct for Assembly Members. You deny the allegations completely. Both you and Mr Deem have submitted to me a file of documents in support of your contentions and each of you has indicated that you have witnesses upon whom you rely in support of your respective cases. There are, therefore, detailed factual issues for me to resolve and I have decided that the most just and efficient way for me to try to resolve them is to hold a hearing at which both you and Mr Deem together with your witnesses can give evidence before me. All witnesses, and that of course includes you and Mr Deem, will be questioned by me and be available for questioning by or on behalf of the opposing side. I shall then consider the evidence and reach a conclusion based upon it.

In preparation for the hearing of this complaint I make the following directions:

1. The hearing will take place in Tŷ Hywel in a room to be identified. Arrangements will be made to have the proceedings recorded.

Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA
—
Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@cynulliad.cymru
—
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
—
Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales
—
We welcome correspondence in both English and Welsh

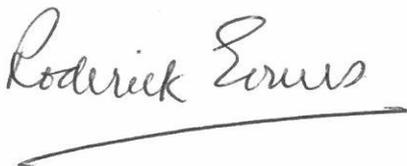
2. The hearing will be held during the weeks commencing 17th and 24th September 2018. It is difficult to estimate how long the hearing will take but I anticipate two days should be set aside for the hearing; if you think the hearing will take longer you should communicate that to [REDACTED] of my office as soon as possible.
3. At present, I am available on all days of each of the two identified weeks. It might be helpful in accommodating Assembly commitments if the hearing were held on a Monday and a Friday and I, therefore, propose that it be held on Monday 17th and Friday 21st September. However, I appreciate that there might be other factors which need to be considered and if the proposed dates are not convenient you should contact [REDACTED] as soon as possible so that he can co-ordinate arrangements.
4. A copy of the documents Mr Deem has given me in support of his case will be available to you from Monday 20 August and the documents you have provided to me in support of your case will be provided to Mr Deem within the same time frame. If you contact my office you will be able to make arrangements to collect the documents.
5. If you intend to be legally represented at the hearing I should be grateful if you would let me know the name and contact details of your representative.
6. It would be helpful for timetabling purposes if you could give a non-binding indication of the number of witnesses you intend to call at the hearing (in addition to yourself, of course).

If there are other matters on which you think directions would be helpful at this stage, please let me know and I will consider them.

There is one further matter that I must mention. Mr Deem suggested that I should interview [REDACTED] as part of my preliminary investigation. I did so in my room in the Pierhead and when I saw her I realised that I had met her previously. Approximately eighteen years ago I met [REDACTED] at her home in Canton when I picked up my daughter from her house. I have no recollection of meeting or seeing [REDACTED] between that day and meeting her at the Pierhead in relation to this complaint. In addition, [REDACTED]'s son is a solicitor in Cardiff whom I know to the extent that I would exchange pleasantries with him if I were to see him. During the last eighteen years I have done so on approximately three occasions. If this previous contact causes you concern in the context of my resolving this complaint I should be grateful if you would let me know.

I am, of course, writing to Mr Deem in similar terms.

Yours sincerely,

A handwritten signature in cursive script that reads "Roderick Evans". The signature is written in black ink and is positioned above a horizontal line that extends to the right.

Sir Roderick Evans
Y Comisiynydd Safonau/Standards Commissioner



Lucky you!!! 😬

🔒 18 Mar, 16:06

Neil McEvoy

Cllr Who? We have a new office! Knocked em down from £1k a month. Got it for £500. We now have a political office !! CAERAU LANE.



🔒 18 Mar, 17:30

F@#&*N AWESOME! Absolutely superb location! Great job

18 Mar, 17:32 ✓🔒



Wwww!!! Great!!! Go team Cardiff Plaid!!!

🔒 18 Mar, 17:36

Neil McEvoy

76% support in Pentrebane today. Will have finished 1 sixth of the Ward by tomorrow. We are



Signal message



MICHAEL DEEM INTERROGATORIES

Q1. On what date did you start work as Mr McEvoy's office manager?

A1. 20th June 2016

Q2. On what dates were you suspended and dismissed from that post?

A2. Suspended on 27th July 2017. Dismissed on 27th February 2018.

Q3. When did the office at 321 become operational – is it correct that was not until September 2016?

A3. No. The office at 321 was operational almost immediately. Neil McEvoy (NM) was keen to vacate the 2016 campaign office (also on Cowbridge Road East) as soon as possible, as Plaid Cymru were paying the cost for its rental. The printer, garden placards, leaflets and remaining political material were moved to 321 and stored in the back room.

NM was elected to the Assembly on 5th May 2016, and the contract at 321 began on 13th June, as shown by the entry on the NAFW Expenses Database (Exhibit Interrogatories Answers 3a). It is the case that the use of 321 as a formal Assembly office was limited in the first few months. This was primarily due to the poor aesthetics. NM encouraged us to hold casework meetings at constituents' houses, and we didn't advertise a walk-in surgery at this time, however neither were excluded. An area at the front of the office was segregated for emergency casework and team meetings.

The primary function of the office at this stage was a storage unit, printing and distribution hub. This can be best illustrated in Exhibit 5b, in which NM directs a new member to collect leaflets from 321 on 27th July. This, along with various building works would continue throughout the quiet Summer recess from 18th July – 12th September, before an official launch in September to coincide with the start of the new Assembly term.

Q4. No Q4.

A4. N/A

Q5. On what date was the campaign printer moved from your garage to the new campaign office?

A5. 27th March 2017 (Exhibit 6A, Pg.8)

Q6. Was the campaign printer used whilst at 321?

1


A6. Yes. The campaign printer was first delivered to 321 on 28th December 2016, and it was used regularly before being moved to my garage on 17th March 2017 (Exhibit 5a, Pg.4).

Q7. On what date did the document folding machine arrive at 321?

A7. Whilst I can't give the exact date the folding machine was delivered to 321, it was around the time the owner, [REDACTED] was selected as a candidate for Plaid Cymru in the 2017 Council election campaign. This would be sometime in the period from 19th September 2016 when NM first sent me [REDACTED] contact details via email (Exhibit Int.A7a), and 19th October 2016 when he was formally ratified as a candidate by the Cardiff Area Committee (Exhibit Int.A7b).

As a background, the folding machine was initially loaned to, and later purchased by Plaid Cymru from [REDACTED]. A text message sent from [REDACTED] on 16th December (Exhibit Int.A7c), shows the folding machine was clearly in 321 at this point, as he was requesting access to the office to use it.

[REDACTED] – *“Hi Mike – it’s [REDACTED] here. Is the office open tonight or tomorrow? I need to fold the Canton leaflets, but I’m not finishing until about 7pm. Neil said a while back that he’d sort out keys for me, I don’t know if that’s an option for tonight?”*

It is also worth mentioning that during oral testimony NM had stated that [REDACTED] had an office in Canton, and any references to ‘printing in the Canton office’ were in relation to [REDACTED] premises. I have always disputed this. It was my position that I was both unaware of, and sceptical that such premises existed. DC-C would later confirm via email (Exhibit Int.A7d) that he had been involved in a small amount of printing, approximately 3,600 units, for what he described as the Fairwater candidates (NM, [REDACTED] & [REDACTED]), but this was done by the Llandaff North Printing Society. I would therefore suggest the text message sent on 16th December proves the only office [REDACTED] was using in Canton was, in fact, 321.

Shortly after this [REDACTED] withdrew as a candidate after a disagreement with the other candidates in Canton. He gave us the option to purchase the folding machine which NM agreed to. The second message on 15th January from NM (Exhibit Int.A7e), shows his intention to purchase the machine.

NM – *“Are Riverside rounds in the office made up? Going to get [REDACTED] to pay for the folder from [REDACTED] Ok? It’s done then and we can use him in Llandaf North”*

MD – *“Yeah there’s a few riverside newspaper/calendar rounds there. Ok no probs, its still a great machine and don’t need the distraction of a drawn out argument with him.”*

2


Q8. On what date was that machine moved from 321?

A8. 17th March 2017 (Exhibit 5a, Pg.4).

Q9. Whilst at 321 was that machine used in part to fold election documents?

A9. Yes. Its primary function was to fold election documents. It was rare to print Assembly related documents in a volume that would require a folding machine as the rules around the legitimate use of Assembly resources were so strict.

Q10. Between the opening of 321 and 1 May 2017 were any of the documents referred to in your folder of documents printed elsewhere than 321 and the campaign office?

A10. Not that I am aware. I've been very careful to only include references to documents printed in either 321 or the campaign office however it is worth mentioning that during the period you reference, hundreds of thousands of units were printed.

A very small portion of printing was done externally. This includes the approximately 3,600 I've already mentioned that were printed by the Llandaff North Printing Society. 3,000 double sided leaflets printed by Ty Gwynfor invoice date 13th May 2016 (Exhibit Int.A10a), a further 2,000 leaflets again printed by Ty Gwynfor invoiced on 15th November 2016 (Exhibit Int.A10b). 60,000 newspapers printed by Trinity Mirror, invoiced 21st February but were delivered in early January (Exhibit Int.A10c). There will also likely be 3-4 leaflet orders with a company called GBM, run by [REDACTED]. CF is a Plaid member with access to a 'risograph' printer and sometimes orders were placed with him to ease pressure on the Assembly printer, campaign printer or both.

I have requested the full accounts over this period from the treasurer of the Cardiff West constituency branch of Plaid Cymru, [REDACTED] and his successor [REDACTED] which would give exact figures of leaflets supplied by various external suppliers, however both requests were declined. At the close of the last hearing, Sir. Roderick Evans was pursuing these records directly.

Despite all of this, any reference in the documents I have provided to 'printing in the office' can be read as 'printing in 321' or 'printing in the Caerau campaign office'. As he did with [REDACTED] NM attempted to cast doubt under cross examination over other sources of leaflets by suggesting that references to printing in the office could also have meant Ty Gwynfor, Plaid Cymru's head office. For the record, Ty Gwynfor was never referred to as 'the office', only ever Ty Gwynfor, TG or Ty G as in Exhibit 6a, Pg.2.

MF – "Mike, [REDACTED] called. There are loads of petition responses in Ty G"



The same can be said printing done by [REDACTED], as the references made in the transcripts are clear. For example, in Exhibit 6R, Pg.3, when discussing a particular leaflet on 1st November 2016 [REDACTED] says,

MF – “Also Neil, you asked about leaflets. There are still some to do around channel view, although some are still with [REDACTED] and haven’t been collected!”

And later in the conversation NM responds with,

NM - “We need to change date & venue on Ely one. I’d sooner just print on ours. Didn’t we agree to fit another 3k (ish) in for Grange? We have spare people. Can you bring OB with you & any cards? Can get [REDACTED] on it.”

In this exchange, it is clear that a leaflet MF is referring to was printed by [REDACTED] and when NM says he’d sooner print on ours he is referring to the Assembly printer in 321.

Q11. Was it important to prevent other political parties knowing that a campaign organiser was being recruited by the Cardiff Campaign Group?

A11. I wouldn’t say it was ever really a consideration. It’s somewhat expected for a political party to employ a campaign organiser, especially during an election they were seriously contesting. I would have thought other political parties would have simply assumed that we would be employing an organiser, as we assumed they would be.

Q12. Can you say from what Mr McEvoy said or did why he ordered the removal of a 30k highly political newspapers and thousands of DMs from 321 on 7 or 8 January 2017?

A12. On the 6th January I sent a message to the office WhatsApp group (Exhibit 5g, Pg.2) raising concerns that the newspapers were being stored in the office, and a senior manager from the Assembly commission was due to visit the property to perform a security check following a recent break in.

MD – “Serious concerns with [REDACTED] bringing a senior manager from MBS to the office on Monday. Currently have 30,000 highly political newspapers here plus thousands of DM’s. Need candidates over the weekend to make it disappear!”

BP – “Shiiiiite. I didn’t think of it like that. [REDACTED] explained the meeting plan over the phone and it sounded a good plan to me security wise. I should have thought. Would you like me to rearrange?”

NM – “No. Shift papers tomorrow.”

At this stage approximately half of the newspapers had already been collected by candidates. Exhibit Int.A10c showed the total order to be 60,000. Over the next few



days the remaining newspapers were moved, mostly by Neil. On the 10th January he messages the group saying,

NM – “I have collected all newspapers”

NM was aware that due to the highly political nature of the newspapers they should not have been delivered to, stored at or distributed from 321. He was also complicit in moving the offending newspapers after I'd raised concerns

Q13. No Q13.

A.13. N/A

Q14. Can you say whether or not Mr McEvoy was aware of the Election Guidance issued in late March 2017?

A14. I'm not sure which Election Guidance you specifically refer to, but I do remember the Assembly Commission issuing guidance relating to the use of Assembly resources around this time. I remember it as we were entering the period of Purdah before the Council elections. NM was very much aware of this guidance and raised it with us as a team. His steer was that the Commission would be looking for reasons to pull us up and therefore we should take extra care not to raise any red flags.

Q15. Did Mr McEvoy ever mention to you an enquiry from Cardiff South about the cost of printing a leaflet about their candidates?

A15. Yes. In an email on August 2nd (Exhibit 1a), [REDACTED] (MF) asked NM if Cardiff South could print a political leaflet in 321 and if so, how much it would cost. NM replied saying they could and that he thought it would be 1p per sheet black and white.

Q16. If so, where did you understand these leaflets would be printed? Was any mention of the printing being at Tŷ Gwynfor made by Mr McEvoy or anyone else?

A16. The leaflets would be printed at 321, Ty Gwynfor (TG) was not mentioned. It would be highly irregular for Cardiff South to contact NM regarding a leaflet they wanted printed at Ty Gwynfor. TG is the party's national headquarters and they are structured to deal directly with each constituency. If Cardiff South wanted a leaflet printed at TG, they would have simply approached TG directly, who would in turn invoice their treasurer. This can be seen in an invoice provided by NM in his evidence (Exhibit Int.A16a). NM, MF and myself were all members of the Cardiff West constituency and therefore approaching us to place an order with TG would be unnecessary.

The actual reason why Cardiff South approached NM's office to print a leaflet was because TG is notoriously slow for printing. They have a single printer and 40 constituencies making requests to use it. Neil had a reputation for being able to print

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large volumes of material in a very short period time, and this attracted others to him. If a constituency could get a leaflet printed in 321 at the same cost as TG, but at a fraction of the time, it would make sense to do so.

Q17. Was the campaign printer used whilst at 321?

A17. Yes. The campaign printer was first delivered to 321 on 28th December 2016, and it was used regularly before being moved to my garage on 17th March 2017.

Q18. Was the campaign printer used, other than occasionally, to produce Assembly related material?

A18. I can only think of one occasion when the campaign printer was used to produce Assembly related material, however given the period over which the printer was available, and the fact that that I wasn't always in the office, it's hard to speak in absolutes. Certainly, it would be unusual to use the campaign printer for strictly Assembly work.

Here is a passage of conversation between myself and NM via a private Signal message (not on the group chat), taken from Exhibit 3a, Pg.1&2.

5th March 2017

NM – “Chris in Caerau. He needs paper. The copying needs doing today on that machine. Can you resolve plz?”

MD – “He'll have to do it in Canton as there's not much ink left in Caerau. Probably get 200 pages out of it. I'll speak to him now.”

NM – “No toner at all? Can you drop paper to Chris plz? He can start it at Caerau.”

MD – “There's enough to get buy but not worth ordering more as they're £100 each and we've done all the volume printing now. Taken paper to Caerau though so we're stocked up everywhere.”

NM – “Don't want more ordered. The files are confidential and I don't want them moved. Can keep the copies in Canton & constituent can collect from Caerau. Can't afford to lose them.”

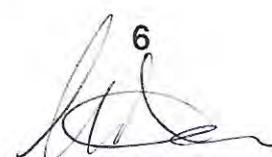
MD – “Ok no probs”

NM – “It's 3.30pm and Chris still has no paper. A waste of his day. He could have been out with u by now, once task completed.”

NM – “When will you get him paper?”

MD – “?? He's got paper. I took it over at 1”

NM – “I'm not sure what he means then. He needs about 1k sheets”

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MD – “Yes there’s a box of 2.5k there”

6th June 2017

NM – “Chris with you today. Assembly want breakdown of printing.”

NM – “Discuss printer on Monday. No toner at all in Caerau? We need 1. Clarity?”

NM – “We are ordering another toner for Caerau.”

MD – “Though we were discussing this Monday?”

NM – “Not this. The rest, yes. I need the file printed yesterday.”

MD – “So print it in Canton where it should be done. There’s ink there and a new cartridge on the way”

MD – “We also need to cut Bethan out of ordering anything to do with either printer. This is how red flags get raised. Let me manage this.”

NM – “I need a toner. I need the copies yesterday. You are campaigning. Monday, we can sort out how we will operate from now on. Have we paper?”

MD – “If Chris had done it in the Canton office in the first place we wouldn’t be having this conversation. There’s toner and paper in Canton. Do Assembly work from there. That must be the rule.”

NM – “After what’s happened lately, don’t you dare tell me the rule. Get on with what you are doing and we can organise matters next week.”

MD – “I’m trying to protect us both here I don’t think you can see that.”

This transcript documents an incident whereby Chris Law (CL), an Assembly colleague working for NM, took a box of highly sensitive casework documents from 321, to copy them on the campaign printer in Caerau. This was done for no other reason than to deceive the Assembly Commission.

Built into the Assembly printer is an internal copy counter that’s used to track how many copies the machine makes over a given period. A couple of weeks prior to this incident, the Assembly Commission had written to Neil with concerns about the figure registered on this copy counter for an invoice dated 30th April 2017 (Exhibit Int. A18a).

The invoice shows a copy count of 21,365 for the period, which would have been exceptionally high for a months’ worth of printing. NM was concerned that the Commission would investigate and discover he had been printing party political leaflets on the Assembly printer. NM therefore defended the high copy count by saying it was due to an unusually high amount of casework files that needed

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photocopying. This however left him with a dilemma, he didn't have the volume of photocopied material to produce as evidence if the Commission were to investigate further.

He couldn't simply copy casework documents on the Assembly printer, as this would have been registered on the copy counter and the same questions would be asked when the next month's bill was generated. He therefore asked CL to take a large box of confidential papers from 321, to Caerau, and copy them on the campaign printer, which of course was not being monitored by the Assembly Commission.

I didn't initially realise that this was NM's objective. I thought it was strange that CL was copying casework files in Caerau, which is why I challenged NM in the conversation. It was only after I returned to 321 the following week and found boxes of confidential paperwork dumped in the corner of the office, and not locked away in line with data protection law that I thought something suspicious was going on. It was at this point that I photographed the documents you can see in Exhibit 3b.

Q19. Where was [REDACTED] based from the time of her appointment until the opening of the campaign office?

A19. Prior to the opening of the campaign office [REDACTED] (AL) was based in 321.

Q20. Were regular staff meetings held at 321 each Monday morning?

A20. Staff meetings were usually held on a Monday but the timing varied. They were typically pencilled in for 9.30 but it was rare that a meeting would take place on time. Sometimes they wouldn't happen until the afternoon, sometimes not at all.

Q21. If so, did [REDACTED] ever attend them?

A21. Like all of us, if AL was in 321 when a team meeting was taking place she would attend. There was usually a significant portion dedicated to campaigning so it was useful to have her there. However, unlike MF, Bethan Phillips (BP) and myself, AL had to do the daily school run so there were a lot of times when she simply wasn't in the office.

Q22. What was discussed at these meetings?

A22. There was a huge range of things discussed at those meetings which is reflected in the agenda's provided in the main evidence body. Some of the common topics to be discussed were campaigning, a casework update, meetings for the week, questions for plenary etc.

Q23. For how long were the 30k highly political newspapers referred to in Q12 at 321?

A23. The total order of 60,000 newspapers were delivered on 5th January, they were collected in batches by candidates almost immediately after they were first delivered. Half had gone within 24 hours and the remainder by 10th January.

Q24. On 21 March 2017 Mr McEvoy sent you an email telling you to ensure that no political activity was to take place in 321. Did he ever say anything to you about that instruction?

A24. It was me that advised NM to send this email. Prior this I had sent a message to NM via a private Signal conversation informing him of an incident that had taken place in the office that day. This can be seen in Exhibit 5a, Pg.5.

MD – “Need a serious word with [REDACTED]. Just been on the phone to [REDACTED]. He came to the office to collect Grangetown DMs, moaned that they weren’t in envelopes, so [REDACTED] got them out and started stuffing them right under the fucking CCTV. I’ve spoken to [REDACTED] but can you have a word with him. Personally, I don’t think he should be going there at all.”

NM – “We can’t do that”

MD – “Up to you how we do it but think we need to send a strong message. If it was a week later implications would be massive.”

The follow up action based on my intervention was for NM to email the team warning them that no political activity was to take place in the office, however this was simply to cover NM if there were to be repercussions based on what had happened earlier that day, not a serious change of office policy.

Q25. Did party political/election work take place in 321 after 21 March 2017? If so, why?

A25. Yes. However it’s worth saying that political activity at 321 had already been scaled down by this stage with the campaign printer now being stored in my garage, and the imminent opening of the Caerau office.

There were however still occasions when it was required to campaign from both offices. This was usually when there was an issue with the campaign printer or if we were behind on a particular leaflet or direct mail print run. For example, on 8th April NM messaged the office group saying (Exhibit 5a, Pg.5),

NM – “We really must get up to date with the printing tomorrow. We must use both printers. Must get volunteers to people the offices.”

This clearly contradicts the email he had sent out less than 3 weeks before, however as I said, the email was more about covering himself than being a genuine directive to stop political activity.



Q26. The improper conduct at 321 alleged in your complaint took place whilst you were the office Manager. Why didn't you stop it?

A26. Firstly, I'm aware of my role throughout and make no excuse for my involvement in these repeated, and in some cases, flagrant misuses of Assembly resources. I'm also aware that in making the disclosures that I have, I will likely compromise my future career prospects, and could face severe ramifications. Despite this, I think there were certain mitigating circumstance that could better explain my inaction, even though it of course cannot be justified.

NM was my employer and I took my lead for how the office should be managed from him. It was NM's name at the bottom of my contract, and it was NM who conducted my performance review's. NM decided my pay banding and made recommendations for promotion. In short NM was my boss. Although I had experience managing in the private sector before going to work for NM, this was my first job in politics which meant from day one I had a lot to learn. Shortly after I was appointed I did spend time reading both the AM and AMSS codes of conduct and I was aware from very early on that some of the things I was being asked to do by NM were in breach of these codes. This made me uncomfortable and I did raise concerns with NM directly. The response I got was, "*It's ok, every AM does it*", a defence he went on to use during this hearing in relation to political meetings being held in 321. According to NM we could break the rules as long as, in his words, "*we didn't take the piss.*" This should of set alarm bells ringing, and with the benefit of hindsight I can see how inappropriate this was, but as I said previously, I was new to this world and looking back I was also very naïve. The only experienced member of staff, [REDACTED] who had himself worked in several political offices doing various roles, very much took the lead when it came to the campaigning side of our roles, which again reinforced NM's message that what we were doing was acceptable.

From day one it was made clear to us that NM's absolute priority in his first year was to take control of Cardiff Council by winning the local elections in May 2017. At that point Plaid Cymru had a small group of Councillors, of which NM was the leader, however he believed that due to the unpopular Local Development Plan (LDP) implemented by the ruling Labour Council, alongside a full time office staff and exposure as an AM he could overturn their majority and "*run the City*". He would say to us as a team quite regularly, "*we've never had this before*", referring to the office at 321 and permanent full time paid staff, and saw both as a tool to be used to take control of the Council.

I managed NM's office in the way that he instructed it to be managed. His priorities became my priorities and over time the boundaries we had been pushing were eventually broken. That's not to say there weren't occasions when I did push back, and actually the only two occasions prior to the Council election on May 4th, where political activity was challenged in the office was after my intervention. The first being

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the incident with the political newspapers and the second after the incident on 21st March.

Could I have done more? Yes. Should I have done more? Yes. Do I regret not doing more? Of course, and that is one of the primary motives for me bringing forward this complaint.

Q27. Why did you not make your complaint much earlier?

A27. Making this complaint was not a decision that I took lightly, and it's fair to say, something that I was somewhat reluctant to do. That's not just for the career reasons I outlined in the previous answer when thinking of the damage to my reputation and future employment prospects, but the really pressing issue for me was what the process entailed. I knew it wasn't going to be easy and would in all likelihood get extremely personal at times, which it has. I knew it would be mentally demanding and highly stressful for both myself, and my family members, which again has proven to be the case. Furthermore, I knew that the process would drag in other people, especially Plaid Cymru members which in turn would cause them stress, something again I was reluctant to do.

I tried every avenue I could to resolve the issues I've raised in this complaint before bringing it to your office. I initially raised concerns directly with NM prior to my suspension. I spoke out in team meetings and also during our 1:1 conversations however this approach did not go down well. Rather than acknowledging where we had made mistakes in the past, and committing to correct them going forward, NM's attitude simply became more combative. I personally believe he saw my raising of these concerns as a lack of loyalty rather than the actions of a concerned but well-meaning colleague. Over the period of some 3-4 weeks our working relationship deteriorated to the point where on 19th June I left the office having been aggressively confronted by NM. After this incident I was signed off as not fit for work by my GP for approximately 4 weeks.

To my surprise on 27th July I received notification from NM to say that I had been suspended. It was difficult to do anything at this stage as I was told to return my office keys, I wasn't to contact any members of staff and my laptop, security and IT credentials were frozen. I had to simply await further instructions.

On the 7th September I attended the first of my investigation hearings and at this stage I made enquiries with senior officers in the Commission as to how I could pursue a complaint. They had signposted me to various information, including the whistleblowing policy however it still didn't feel like the right avenue to take.

On the 5th October I met with Neil for a mediation session. In attendance were the Plaid Cymru Cardiff West constituency treasurer [REDACTED], MF, and another Plaid member, [REDACTED] a qualified legal professional who chaired the meeting. We spent a number of hours discussing the various issues and

ways of resolution. Shortly before concluding the meeting [REDACTED], MF and [REDACTED] left the room for myself and NM to talk in private, with the aim of reaching an agreement.

I said to NM I was happy to shake hands and draw a line in the sand if he were apologise for what had gone on over the previous 12-16 months, and assure me it would not continue in the future. NM's response shocked me. He said, *"I'd rather pull the trigger than apologise to you."* This left no possibility for dealing with the issues informally, and 5 days later I submitted a formal complaint to your office.

Q28. A screenshot on 7 April 2017 (Document 31) shows [REDACTED] messaging 'Great. I'm doing riverside here.' From your own knowledge, not what you've been told by anyone else except Mr McEvoy, do you know (a) where 'here' refers to; (b) what was being printed for Riverside; and (c) how many sheets were printed?

A29(a) Here refers to 321. [REDACTED] is in 321 and Angharad Llwyd is in Caerau.

(b) A direct mail (DM) to go out to potential Plaid voters in Riverside (Exhibit Int.A29a). MF had initially emailed it on 4th April to AL, BP and I to print in the campaign office (Exhibit Int.A29b). However due to a backlog of leaflets that needed printing, including the entire Fairwater and Splott wards, the Riverside DM couldn't be printed immediately. On the 7th April MF takes ownership of Riverside and decides to print it from 321.

(c) 980 double sided letters according to the spreadsheet that holds the data specific to that DM (Exhibit Int.A29c).

Q30. A screenshot on 8 April 2017 (Document 32) shows Mr McEvoy messaging 'We really must get up to date with the printing tomorrow. We must use both printers. Must get volunteers to people both offices.' From your own knowledge, not what you've been told by anyone else except Mr McEvoy, do you know (a) why was there a need to get up to date; (b) what was being printed; (c) what printers were being referred to; (d) what offices were being referred to; (e) was that printing done; and if so, how many sheets were printed?

A30(a) As mentioned in the previous answer, on 7th April MF had printed the Riverside direct mail in the Canton office. However, later that evening at 21:25, [REDACTED] the constituency treasurer emailed to say there was an issue with the addresses on the DM among other things, resulting in the entire batch having to be reprinted. NM confirms this in his reply to GH at 22:42 (Exhibit Int.A30a).

GH – "A good many of the DM letters that I have been sorting for Riverside are undeliverable because of incomplete address (e.g. Mr X, Ground Floor Flat, Riverside, CF11 9XX). It looks as though the mail merge set-up has omitted some lines from the address block.

Can these problems please be remedied?"

NM – “Yes. We need to sort the mail merge on names. Dear friend must go also. Dear neighbour.”

This put us severely behind schedule, predominantly because a direct mail takes a lot longer to print than a leaflet. The reason for this is every page on a DM is unique as it displays the recipients address. To do this a large data file is merged with the leaflet template to create the direct mail. When it comes to printing this type of file, the copy speed would be comparable to your average desktop style printer, rather than those you would usually see on a high-speed copier. NM’s response the next day was to instruct us to use both the campaign printer in Caerau, and the Assembly printer in 321.

(b) By doing this we were able to copy the slow printing Riverside DM in 321, whilst still having the capacity to churn our thousands of leaflets simultaneously from the office in Caerau.

(c) Assembly and campaign printers.

(d) Assembly office at 321 and campaign office at Caerau.

(e) Yes, that printing was completed. 980 double sided direct mails.

Q31. A screenshot on 27 April 2017 (Document 33) shows Matthew Ford messaging ‘I’m going to stay in Canton printing the riverside one. Will take all day’ and Bethan messaging ‘Yep riverside is still printing at the moment. 500 are folding so far but neil has asked me to do some telephoning this afternoon.’ From your own knowledge, not what you’ve been told by anyone else except Mr McEvoy, do you know (a) what does Canton refer to; (b) what was being printed at Canton; (c) does the fact that the printing will take all day give any clue as to the number of sheets being printed; and (d) how were the 500 folded if it is the case that the folding machine had been moved to the campaign office a month earlier?

A31(a) Canton refers to the office at 321.

(b) A highly political election leaflet (Exhibit Int.A31a)

(c) Yes. In this case 2,000 leaflets.

(d) On the 26th April, the day before this exchange took place, [REDACTED] (MF) emailed me requesting 6,200 Riverside leaflets be printed on the campaign printer in Caerau (Exhibit Int.A31b).

MF – “6,200 please”

However, over the course of that day, whilst printing a Butetown leaflet the campaign printer broke down. I arranged for an engineer to attend the Caerau office on the morning of the 27th. At 10:31 I messaged the group saying (Exhibit Int.A31c),

MD - "Is someone in Caerau office? Engineer on his way."

To which [REDACTED] replied,

BP - "Yep me and angharad – we'll sort no worries"

At 11:40 MF then messages the group (Exhibit Int.A31d),

MF - "Can you let me know when printer is fixed."

And at 11:41 BP responds,

BP - "It's fixed now"

At 12:07, MF messages the group saying,

MF - "I'm going to stay in Canton. Printing the riverside one. Will take all day"

And at 12:10 MF emails a new request to me (Exhibit Int.A31e), this time only asking for 4,200 Riverside leaflets to be printed on the campaign printer, 2,000 short of the total needed to do the entire ward.

MF – "4200 riverside and the rest of the butetown rounds"

The reason MF has done this is because we were under a lot of pressure from NM to get this leaflet printed. By printing 4,200 in the campaign office, and 2,000 in 321, we would be able to print the entire ward by the end of the day.

The printer at 321 was an MX2614 and had a maximum copy speed of 26 sides per minute (Exhibit Int.A31f), or 13 double sided leaflets. Allowing time for refilling paper, clearing jams, changing the toner cartridge and allowing the printer to cool halfway through the run, you could expect 2,000 leaflets to take approximately 4-5 hours to print. Given that MF started printing around midday, and finished work at 5pm, this run would in effect 'take all day'.

The reason BP was able to fold 500 leaflets in Caerau, despite MF printing in Canton was that the same leaflet was being simultaneously printed in 2 different locations. 4,200 in Caerau, 2,000 in Canton. As BP was printing in Caerau she was able to run the first 500 through the folding machine.

Q32. It is accepted that election boards or placards were moved out of 321 on 28 March 2017. For how long before that had they been there?

A32. The election boards were moved into 321 almost immediately after it was acquired in June 2016.

Q33. Whilst she was employed as a part-time AMSS between October 2016 and April 2017 did [REDACTED] (a) carry out any Assembly related translation; (b) carry out any election translation and, if so, what was it?

A33(a) No. The Assembly Commission provided a translator through the Plaid Cymru Assembly group for any Assembly related work. The one we used on a regular basis was [REDACTED]. Elin Tudur (ET) was only employed to translate the political content that couldn't be sent to the Assembly translator.

(b) Yes. Exhibit 6BM, 6BN, 6BP, 6BR, 6BS, 6BT, 6BU, 6BV, 6BY, 6BZ, 6CA, 6CB, 6CC, 6CD and 6CE are examples of such political/election translation.

Q34. What do you say to the allegation that your complaint is politically motivated and that you were part of a conspiracy to get Mr McEvoy out of Plaid Cymru and out of the Assembly?

A34. I'm not surprised by that allegation. It has become NM's default 'go to' defence when facing scrutiny. This was his line during internal investigations both with Plaid Cymru and also when NM was a member of the Labour party and, this was the line he took during the various cases investigated by the Public Services Ombudsman. He also used this argument against your predecessor Sir Roderick Evans.

For my complaint to have been politically motivated, then surely there must be some degree of political gain. After leaving NM's office I joined the Civil Service where I have laid the foundations for a successful career. I enjoy the challenges of my work and take very seriously the political neutrality required for my role. I am still a member of Plaid Cymru, but upon joining the Civil service I resigned as an officer in Cardiff West, I do not actively campaign and I don't express overtly political opinions in public. I have since been approached by members in the constituency to stand for both the Westminster election of 2019 and the coming Assembly election of 2021, to which I've declined both and reminded them of my work commitments and lack of political ambition. At the time of submitting the complaint I had no great desire for NM to leave Plaid Cymru, and as previously stated, in the mediation session between NM and myself on the 5th October 2017 I was prepared to shake hands and let bygones be bygones.

The only reason NM alleges that my complaint is politically motivated is because it suits his narrative.

Q35. On 16 March 2017 Mr McEvoy was informed that there was a complaint against him about improper use of the Media Briefing Room? Did he say anything to you or in your presence about that complaint?

A35. On the 14th March we held a Cardiff Council campaign launch in the media briefing room at the Senedd. This was one of NM's ideas and he thought by using this venue he could drum up extra media interest. Prior to the launch none of us saw

it as it being an issue, however after the meeting a BBC journalist tweeted that it was potentially a breach of the AM code of conduct. NM then immediately phoned me and said, "We've fucked up, BBC have picked up on us using the Senedd for a campaign launch". He said he'd try to get an invoice from MBS for the hire of the room which if issued would have resolved the issue. He then messaged the group telling staff not to comment (Exhibit 6a, Pg.3).

NM – "Don't comment on the BBC tweet. I have called the Assembly for an invoice for the hour. I'm obviously paying for the room. Otherwise it would be a breach of the code of conduct"

I'm not entirely sure what happened after this as NM dealt with it personally but as far as I'm aware MBS refused to bill Plaid Cymru for the room, the matter was investigated by the Standards Commissioner at the time, and the result was a minor sanction.

Q36. A screenshot on 1 November 2016 (Document 28) Mr McEvoy messages 'We need to change date & venue of Ely one. I'd sooner just print on ours. Didn't we agree to fit another 3k(ish) in for Grange? We have spare people. Can you bring OB with you and any cards? Can you get [REDACTED] on it.' From your own knowledge, not what you've been told by anyone else except Mr McEvoy, do you know (a) what the 3k(ish) for Grange refers to; (b) What OB refers to; and (c) what cards refers to.

A36(a) 3k(ish) for Grange refers to approximately 3,000 leaflets for the upcoming Grangetown by-election held on 3rd November.

(b) OB refers to the polling district within the electoral ward of Grangetown, as shown in Exhibit Int.A36a.

(c) Cards refers to political calling cards. There were 3 main types of political communication we would print.

1. Leaflets – Generic and designed to be delivered as a blanket communication.

2. Direct Mail – Targeted to specific voters/households.

3. Calling Cards. A calling card is similar to a leaflet in that they are generic, however they are only delivered to houses that don't answer during a canvass (Canvass is a session where volunteer 'canvassers' knock the door of constituents to discuss a certain political matter, in this case the Grangetown by-election). A calling card is essentially a leaflet to say, "We called to see you".

Whilst I can't locate the specific calling card being discussed here, Exhibit Int.A36b shows the calling card we used in the neighbouring Riverside ward. During

a conversation on the following day, [REDACTED] refers to the cards by their full name when she says,

[REDACTED] – “I’m bringing calling cards.” (Exhibit 6R, Pg.4)

Q37. What do you say to the proposition that ‘cards’ was a reference to Christmas cards?

A37. Firstly, why would Christmas cards be delivered on 1st November? Even my most organised of family and friends wouldn’t consider delivering Christmas cards until the last week in November at the very earliest. Secondly, I have shown in the previous answer that [REDACTED] messages the next day with reference specifically to calling cards, there is no mention of Christmas cards. My third point would be if NM was delivering Christmas cards, rather than political calling cards, these would likely be an allowable use of Assembly resources, and therefore the postage would be paid by the Assembly and you would expect to see a claim to NM’s office budget for the cost of the cards. No such claim exists. Finally, which is more likely, that a canvassing calling card is being delivered two days before a big by-election, or that Christmas cards are being delivered almost two months before Christmas day?

Q38. Have you edited or changed the order or content of any of the screenshots or other documents included in the folder of documents you submitted in support of your complaint?

A38. No. All screenshots, and the transcripts that have been produced from those screenshots, are exactly as they were originally sent. I haven’t included every single message that was ever sent between NM and his staff as much of it would be irrelevant to the case, and to transcribe every single message sent over that year long period would take a disproportionate amount of time.

NM has access to these messages and has never pointed to a specific instance where messages have been edited or the order changed. NM and I spent a number of hours with [REDACTED] reviewing the originals on my phone. Also, NM spent a considerable amount of time both during my cross examination, and his defence, referencing the transcripts, without raising issues of authenticity and accuracy.

Q39. Other than the Assembly printer was there any other usable printer at 321 between (a) from the date it came into use and 28 December 2016; and (b) 17 March 2017 and 4 May 2017?

A39(a) The only other usable printer was a small desktop printer in the front office, but this was no different from a standard printer that you may ordinarily find at home and wasn’t capable of efficiently printing more than 30 pages at a time. This was mainly used for printing NM’s committee paperwork and was paid for by the Assembly.

There was an old fashioned risograph style machine stored in the office for a short period. It was loaned to us by [REDACTED] at the same time as the folding machine but was not operational. It was an extremely complicated machine that required the operator to build up multiple layers of ink on the same page, changing large colour barrels between each layer. We tried to use it but could never get the quality right, and it was eventually returned to D C-C in early January 2017.

(b) Only the small desktop printer mentioned in (a).

Q40. Did [REDACTED] carry out work at 321 before her appointment as Campaign Organiser in January 2017?

A40. No. The first time AL came to 321 was after she was appointed campaign organiser. She had been a member of Plaid prior to her appointment but had not worked, or even volunteered at 321. Her job prior to her taking up the organiser position was with the BBC and therefore it would have been inappropriate for her to have done political work.

Q41. Whilst she was Campaign Organiser did she carry out any Assembly related work at 321?

A41. No, the Cardiff West constituency paid AL and she was not an Assembly Commission employee. I did concede during the hearing that there is sometimes a grey area between what is classified as strictly Assembly work, and strictly campaign work. For this reason, I'd like to slightly rephrase the way in which I answer the question by saying AL definitely did not complete any strictly Assembly related work, but some work she did complete could be argued falls into the grey area for the purposes of the case. However, at the time it was understood that all the work AL undertook was of a political nature.

To expand, holding a casework meeting or drafting a question to be asked in the Senedd can be easily classed as strictly Assembly work. It's also fair to say producing a party-political leaflet or campaign video for social media can easily be classed strictly campaign work. The less clear 'grey area' in between includes tasks that could be argued fall in to either. For example, this could be true of various jobs to do with the Local Development Plan. This was the number one issue we had in the local election campaign, as the LDP was implemented by Cardiff council. However, NM would also ask questions regarding the LDP in the Senedd.

During the hearing NM attempted to argue that some of the work AL did as campaign organiser, such as organising a social media video from Iolo Williams, was actually Assembly related. To be clear, it has always been my position that AL did not complete any Assembly work. This was confirmed by AL when giving evidence, and NM has been unable to provide any instances where she had completed work that falls into the strictly Assembly work category.

Q42. At any time, other than in his email on 21 March 2017, has Mr McEvoy said anything to you or in your presence about the restrictions on using 321 for party political or election purposes?

A42. The only other time I can recall was an email on the 12th May, after the local election campaign was over. This is outside the timeframe of what has been covered in this complaint and was following a social media video that I had filmed in the office relating to mental health, whilst I was the Plaid Cymru Westminster candidate. At the time I didn't see it as an issue but removed it after NM had raised concerns. This incident would come to be a significant moment in the deterioration of mine and NM's working relationship, as he struggled to move on from this. It would later form part of the reason why I was suspended from my job, although he would eventually drop the allegation prior to formal investigation. This could be for two reasons. Firstly, he accepted that the video was not political in nature. Secondly, he was concerned that far more serious breaches of the code of conduct prior to 12th May, breaches that he was not only aware of but on many occasions directed, would come to light.

On a more casual basis there were conversations that took place around the use of 321 for party political purposes, however these were not framed in the context of restricting activity, instead the focus was to ensure we push the boundaries without raising red flags.

Q43. Is there anything you wish to add?

A43. The only thing I would raise is again my frustration with the narrative that Mr. McEvoy has chosen to pursue throughout this process. You've presented me with a series of questions to which I've attempted to answer with the clarity, and attention to detail I have provided throughout this process. I believe Mr. McEvoy has acted in a way to deliberately increase the length of this hearing. The amount of time this has lasted has created for my family and me a great deal of stress.

In closing, I believe that over the course of this process I have satisfied all allegations to at least the standard of balance of probability. However, if there are any instances which I have not achieved this test in your eyes, the allegation pertaining to Mr. McEvoy charging the cost of printing party political leaflets to his office cost allowance comes to mind as you have not asked any questions relating to this in your interrogatories, I implore you to seek further clarification on my position before making your decision. I appreciate the sheer volume of material produced by myself, as well as the days of oral evidence given at the hearing stage must provide you with the unenviable task of separating conclusive evidence from the wealth of background and narrative, but if I can be of any further assistance I would be happy to do so.

19


Exhibits Referenced in MD Interrogatories

A3 – Exhibit Interrogatories Answer 3a

<https://allowances.assembly.wales/Claim/17410>

	News	About the Assembly	Assembly Members	Assembly business	Get involved	Visiting	Cymraeg
<h3>Assembly Member Claim Detail</h3>							
Member	Neil McEvoy						
Payee	[REDACTED]						
Financial Year	2016/17						
Claim Month	July						
Date	06/07/2016						
Allowance Type	Office Costs Allowance						
Expenditure Type	Office Rent						
Amount	£729.00						
Fees Reference	120211						
Invoice Reference							
Additional Information	Bill date: 13 Jun 16 Bill period: 10 Jun - 10 Jul 16						

Exhibit 5b is a reference to an email provided in the main evidence bundle. A copy of which is attached (1) for ease of reference.

A5. Exhibit 6a, Pg.8 is a reference to the transcript provided in the main evidence bundle.

AL Sunday fine for me. Can I check is the printer at the new office? Also do I come to Canton office in the morning or go to Caerau?

BP You'll be proud. Just given Neath constituency meeting a lecture on treeware. They're on board. I want to start building data for next Assembly elections. Building on the spirit of Cardiff West (*).

NM (*)

MD Yes printer is in campaign HQ. Can we meet at Canton, load cars with boards from back office then head over to Caerau? Also can someone bring a hairdryer? Random request I know but will make sense tomorrow. Cheers

20


A6 - Exhibit 5a, Pg.4 is a reference to the transcript provided in the main evidence bundle.

17/03/17 SIGNAL NM
NM URGENT CHAT
NM asap
MD Ring me?
NM Head to office. Chat there? Coffee.
MD Meeting [REDACTED] there at 7.30 to go to solicitors
NM K. I will be there in 15
MD Did you speak with [REDACTED]? Printer and folding machine need to go. On my way back to Cardiff, need to sort out this afternoon

A7 – Exhibit Int.A7a

[REDACTED] inbox x

Neil McEvoy [REDACTED] to me
Mon, 19 Sep 2016, 10:59

Sent from my iPhone
[REDACTED]
@neilmcevoy

[REDACTED]

Exhibit Int.A7b is a reference to the minutes if a Plaid Cymru area committee meeting. A copy of which is attached (2) for reference.



Exhibit Int.A7c

PC [redacted]
[redacted]

Friday, 16 December 2016

P Hi Mike - it's [redacted] here. Is the office open tonight or tomorrow? I need to fold the Canton leaflets, but I'm not finishing until about 7pm. Neil said a while back that he'd sort out keys for me, I don't know if that's an option for tonight?

13:05

Hi [redacted], I don't mind meeting you at the office tonight. Give me a ring when you're 20 mins away.

13:19

P Great, I'll try and finish

Enter message

Exhibit Int.A7d

[redacted] Feb 2016 19:00

to me
Hi Michael

Yes I do remember you. I hope all is well.

I've answered the questions to the best of my recollection.

please confirm if either you, or your business, printed any leaflets for Plaid Cymru candidates from 16th May 2016 to 4th May 2017?

Yes, the Llandaff North Printing Society did print for (at least) the Fairwater PC candidates.

If you did then how many separate leaflets were printed, and what sort of volumes were they run to?

From memory, I would suggest around a dozen individual leaflets in runs from around 50 (although such low numbers were discouraged by me) to c. 1,000. The average run was probably around 300.

And finally, was this done as a donation in kind, or were the costs of this printing invoiced to Plaid for payment?

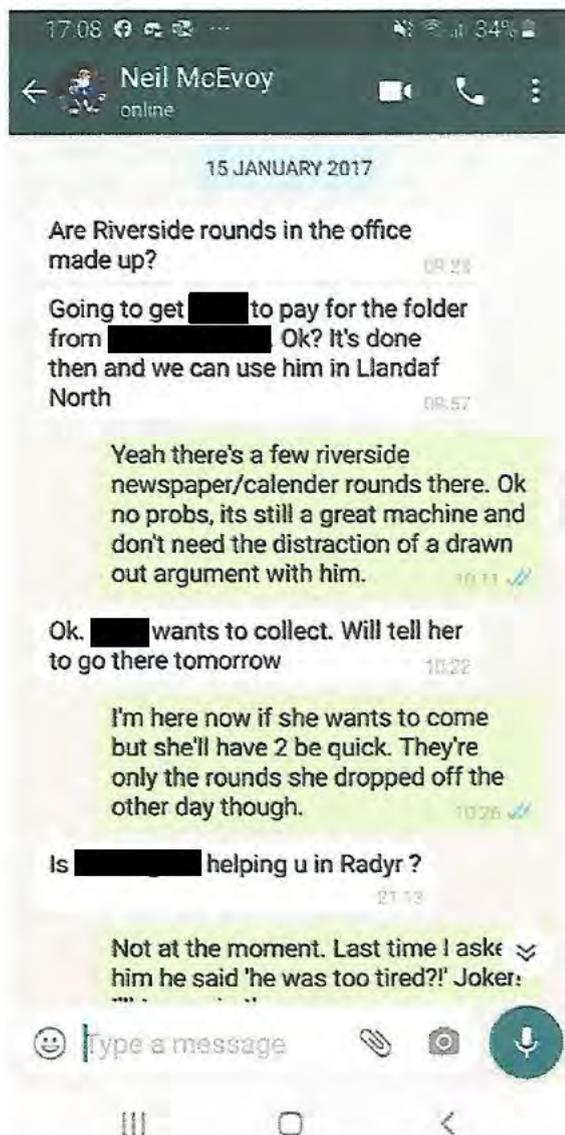
Some of the smaller runs ~~may~~ have been donations in kind, but I believe the vast majority were paid by invoice.

Can I ask what the nature of the investigation is please, and what body/individual instigated it the process?

Regards
[redacted]



Exhibit Int.A7e



A8 - Exhibit 5a, Pg.4 is a reference to the transcript provided in the main evidence bundle.

17/03/17 SIGNAL NM

NM URGENT CHAT

NM asap

MD Ring me?

NM Head to office. Chat there? Coffee.

MD Meeting [redacted] there at 7.30 to go to solicitors

NM K. I will be there in 15

MD Did you speak with [redacted]? Printer and folding machine need to go. On my way back to Cardiff, need to sort out this afternoon

23
[Handwritten signature]

A10 – Exhibit Int.A10a refers to the attached (3) invoice from Plaid Cymru dated 13th May 2016.

Exhibit Int.A10b refers to the attached (4) invoice from Plaid Cymru dated 15th November 2016.

Exhibit Int.A10c refers to the attached (5) invoice from Plaid Cymru dated 21st February 2017.

Exhibit 6a, Pg.2 is a reference to the transcript provided in the main evidence bundle.

MF Mike, [REDACTED] called. There are loads of petition responses in Ty G
MD Cheers, I'll pick them up on my way home and get them on TW before Sundays deadline

Exhibit 6R, Pg.3 is a reference to the transcript provided in the main evidence bundle.

01/11/16 W.APP. OFFICE
MF I'll be in bay by 11 too. Going via the regional office first though
MF Also Neil, you asked about leaflets. There are still some to do around channel view, although some are still with [REDACTED] Franks and haven't been collected!
NM What areas need doing?
NM We did around Channel view last nights
MF I'll need to check the map [REDACTED] left me in that case
BP if there's any inputting that needs doing then bring over to Bay, [REDACTED]
NM We need to change date & venue on Ely one. I'd sooner just print on ours. Didn't we agree to fit another 3k (ish) in for Grange? We have spare people. Can you bring OB with you & any cards? Can get Bethan on it.

A12. Exhibit 5G, Pg.2 is a reference to the transcript provided in the main evidence bundle.

Exhibit 5g – Page 2

06/01/17 W.APP. OFFICE

MD Serious concerns with James bringing a senior manager from MBS to the office on Monday. Currently have 30,000 highly political newspapers here plus thousands of DM's. Need candidates over the weekend to make it disappear!

BP Shiiiiite. I didn't think of it like that. [REDACTED] explained the meeting plan over the phone and it sounded a good plan to me security wise. I should have thought. :| :| :|

BP Would you like me to rearrange?

NM No. Shift papers tomorrow.

BP (*)

Exhibit Int.A10c refers to the attached (5) invoice from Plaid Cymru dated 21st February 2017.

A15. Exhibit 1a is a reference to an email provided in the main evidence bundle. A copy of which is attached (6) for ease of reference.

A16. Exhibit Int.A16a is a reference to an invoice originally provided in NM's evidence bundle. A copy of which is attached (7) for ease of reference.

A18. Exhibit 3a, Page 1 & 2 is a reference to the transcript provided in the main evidence bundle.

05/06/17 SIGNAL NM

NM [REDACTED] in Caerau. He needs paper. The copying needs doing today on that machine. Can you resolve plz?

MD He'll have to do it in Canton as there's not much ink left in Caerau. Probably get 200 pages out of it. I'll speak to him now.

NM No toner at all? Can you drop paper to [REDACTED] plz? He can start it at Caerau.

MD There's enough to get buy but not worth ordering more as they're £100 each and we've done all the volume printing now. Taken paper to Caerau though so we're stocked up everywhere.

NM Don't want more ordered. The files are confidential and I don't want them moved. Can keep the copies in Canton & constituent can collect from Caerau. Can't afford to lose them.

MD Ok no probs

NM It's 3.30pm and [REDACTED] still has no paper. A waste of his day. He could have been out with u by now, once task completed.

NM When will you get him paper?

MD ?? He's got paper. I took it over at 1

NM I'm not sure what he means then. He needs about 1k sheets

MD Yes there's a box of 2.5k there

06/06/17 SIGNAL NM

NM [REDACTED] with you today. Assembly want breakdown of printing.

NM Discuss printer on Monday. No toner at all in Caerau? We need 1. Clarity?

NM We are ordering another toner for Caerau.

MD Though we were discussing this Monday?

NM Not this. The rest, yes. I need the file printed yesterday.

MD So print it in Canton where it should be done. There's ink there and a new cartridge on the way

MD We also need to cut [REDACTED] out of ordering anything to do with either printer. This is how red flags get raised. Let me manage this.

NM I need a toner. I need the copies yesterday. You are campaigning. Monday, we can sort out how we will operate from now on. Have we paper?

MD If [REDACTED] had done it in the Canton office in the first place we wouldn't be having this conversation. There's toner and paper in Canton. Do Assembly work from there. That must be the rule.

NM After what's happened lately, don't you dare tell me the rule. Get on with what you are doing and we can organise matters next week.

MD I'm trying to protect us both here I don't think you can see that.

Exhibit Int.A18a relates to an invoice from Clarity Copiers. The invoice was previously provided in several locations in the main bundle. A copy is attached (8) for ease of reference.

Rep	Order No	Machine/Serial No	Inv Date	Account No	Invoice No
		MX2614NFK 25082838	30/04/2017	SW6217	61889
Meter Copy Charge as per service contract					
	Prev Meter	Curr Meter	Used	@	Charge
Black Copies/Prints	316766	338131	21365	0.5000	£106.83
Colour Copies/Prints	41290	42901	1611	5.0000	£80.55

Exhibit 3b is a reference to a series of photographs provided in the main evidence bundle. A copy of which is attached (9) for ease of reference.

A24. Exhibit 5a, Pg.5 is a reference to the transcript provided in the main evidence bundle.

21/03/17 SIGNAL NM

MD Need a serious word with [REDACTED]. Just been on the phone to [REDACTED]. He came to the office to collect Grangetown DMs, moaned that they weren't in envelopes, so [REDACTED] got them out and started stuffing them right under the fucking CCTV. I've spoken to [REDACTED] but can you have a word with him. Personally, I don't think he should be going there at all.

NM We can't do that

MD Up to you how we do it but think we need to send a strong message. If it was a week later implications would be massive.

A25. Exhibit 5a, Pg.5 is a reference to the transcript provided in the main evidence bundle.

08/04/17 SIGNAL OFFICE

NM We really must get up to date with the printing tomorrow. We must use both printers. Must get volunteers to people the offices.

A29. Exhibit Int.A29a relates to the Riverside direct mail. A copy of which is attached (10) for reference.

Exhibit Int.A29b

riverside DM Inbox x

to [redacted] me

4 Apr 2017, 14:37

Here is the riverside dm with data. You may need mike to show you how to do it.

Matthew

2 Attachments

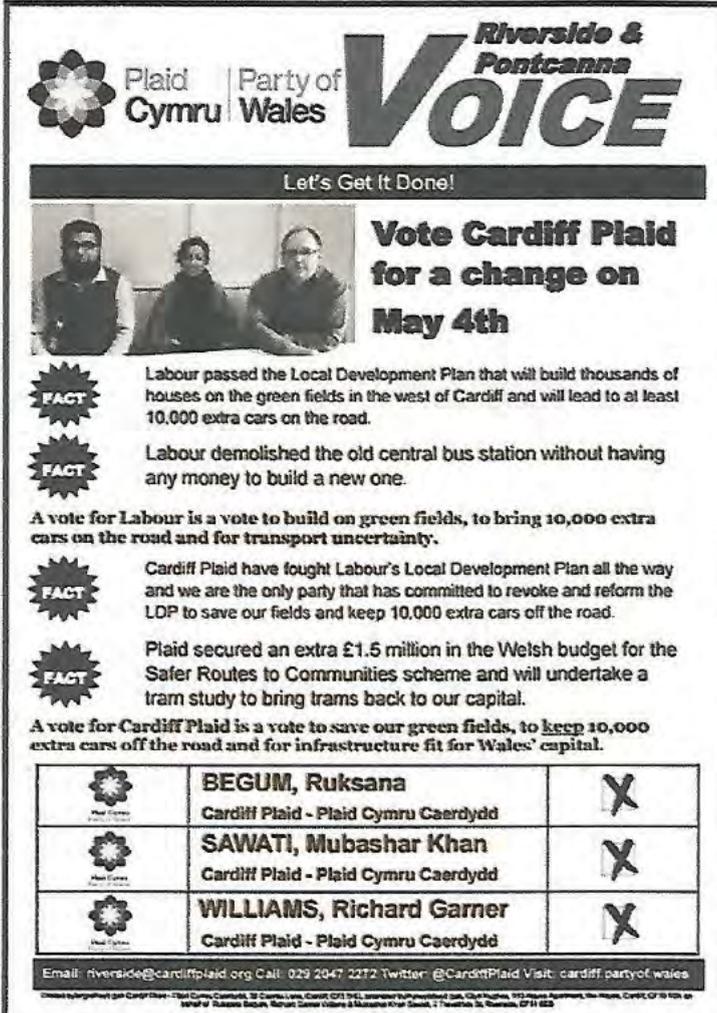
- Riverside DM1 final...
- Riverside DM1mub...

Exhibit Int.A29c

975	[redacted] Beacon Street	Riverside Cardiff / C CF11 9QD	[redacted]
976	[redacted] Beacon Street	Riverside Cardiff / C CF11 9QD	[redacted]
977	[redacted] Beacon Street	Riverside Cardiff / C CF11 9QD	[redacted]
978	[redacted] Bloom Street	Riverside Cardiff / C CF11 9QE	[redacted]
979	[redacted] Bloom Street	Riverside Cardiff / C CF11 9QE	[redacted]
980	[redacted] The Crescent	[redacted] Riverside Cardiff / C CF11 9QL	[redacted]
981			
982			
983			

Sheet1

A30 - Exhibit Int.A30a relates to an email from [redacted] A copy of which is attached (11) for reference.



Riverside & Pontcanna VOICE

Plaid Cymru | Party of Wales

Let's Get It Done!

Vote Cardiff Plaid for a change on May 4th

FACT Labour passed the Local Development Plan that will build thousands of houses on the green fields in the west of Cardiff and will lead to at least 10,000 extra cars on the road.

FACT Labour demolished the old central bus station without having any money to build a new one.

A vote for Labour is a vote to build on green fields, to bring 10,000 extra cars on the road and for transport uncertainty.

FACT Cardiff Plaid have fought Labour's Local Development Plan all the way and we are the only party that has committed to revoke and reform the LDP to save our fields and keep 10,000 extra cars off the road.

FACT Plaid secured an extra £1.5 million in the Welsh budget for the Safer Routes to Communities scheme and will undertake a tram study to bring trams back to our capital.

A vote for Cardiff Plaid is a vote to save our green fields, to keep 10,000 extra cars off the road and for infrastructure fit for Wales' capital.

	BEGUM, Ruksana Cardiff Plaid - Plaid Cymru Caerdydd	X
	SAWATI, Mubashar Khan Cardiff Plaid - Plaid Cymru Caerdydd	X
	WILLIAMS, Richard Garner Cardiff Plaid - Plaid Cymru Caerdydd	X

Email: riverside@cardiffplaid.org Call: 029 2047 2272 Twitter: @CardiffPlaid Visit: cardiff.partyof.wales



riverside leaflet Inbox x

to me

6200 please

Wed, 26 Apr 2017, 11:54

Riverside & Pontcanna VOICE

Let's Get It Done!

Vote Cardiff Plaid for a change on May 4th

Riverside - final le...

Reply Forward



Exhibit Int.A31c

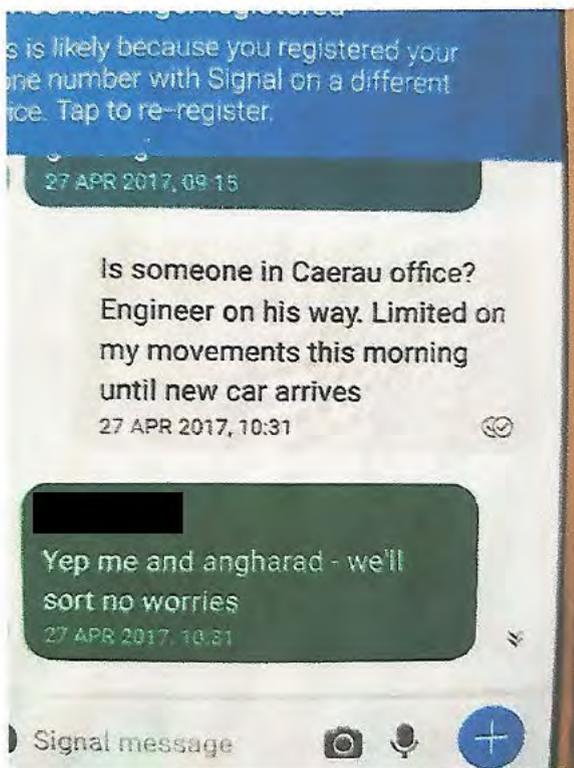


Exhibit Int.A31d

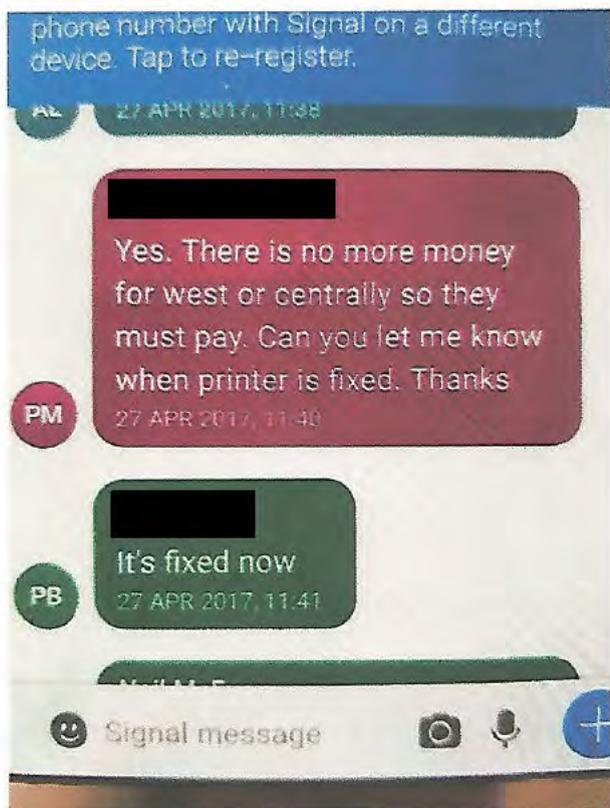


Exhibit Int.A31e

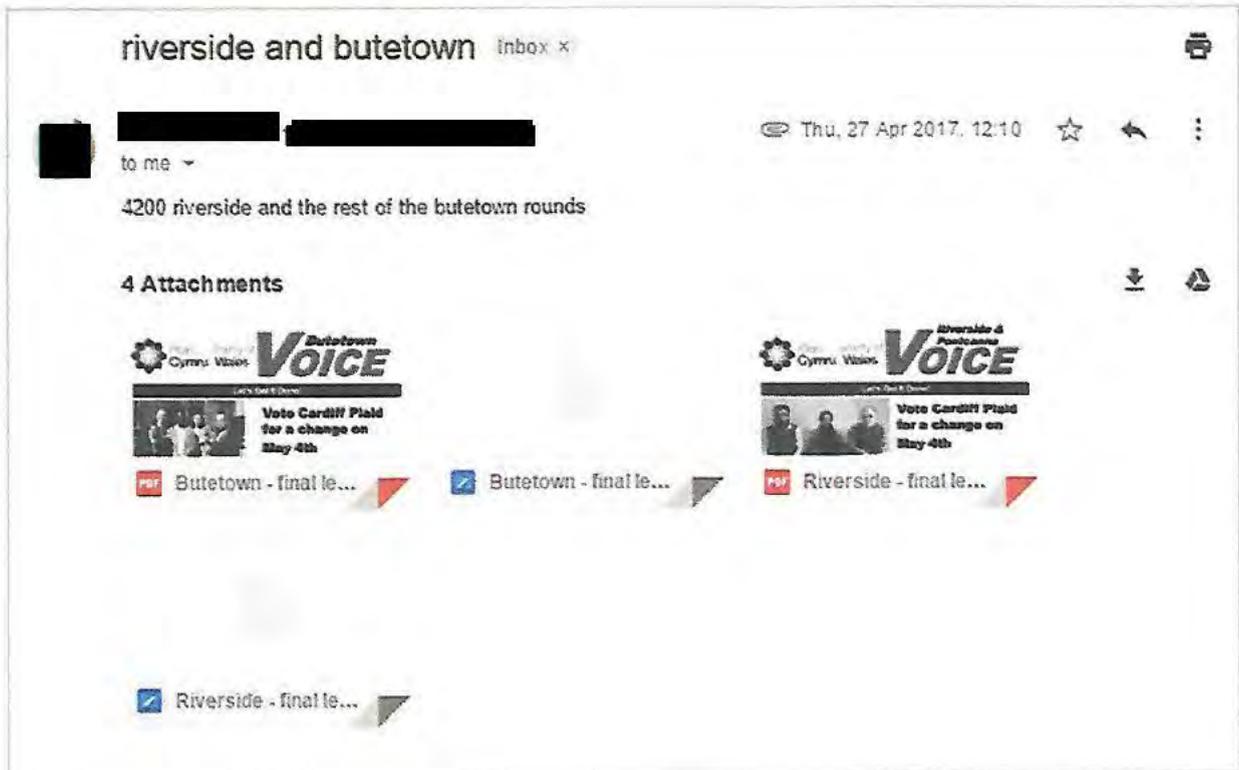


Exhibit Int.A31f

SHARP
Be Original.

MX-2614N



- ▶ PRINT, COPY, SCAN, FAX, FILE
- ▶ PAGES PER MINUTE: 26 B/W 26 COLOUR
- ▶ PAPER CAPACITY: STD 600 MAX 3100 SHEETS
- ▶ 'CLOUD' CONNECTIVITY OPTIONS AND THE ABILITY TO RUN SOFTWARE AS A SERVICE (SAAS) APPLICATIONS
- ▶ 7.0" COLOUR TOUCH-SCREEN LCD FACILITATES EASY OPERATION PLUS OPTIONAL KEYBOARD
- ▶ STANDARD MULTI-LAYER SECURITY SOLUTIONS FOR DATA/DOCUMENT PROTECTION
- ▶ OPTIONAL SPACE-SAVING INNER FINISHER AND PUNCH MODULE
- ▶ ENVIRONMENTALLY ADVANCED DESIGN WITH ENERGY SAVING FEATURES

A33 - Exhibit 6BM, 6BN, 6BP, 6BR, 6BS, 6BT, 6BU, 6BV, 6BY, 6BZ, 6CA, 6CB, 6CC, 6CD and 6CE refer to emails provided in the main body of evidence. Copies of which are attached (13-26) for ease of reference.

A handwritten signature or set of initials in black ink, located at the bottom right of the page.

A35 - Exhibit 6a, Pg.3 refers to a Signal message transcript provided in the main body of evidence.

NM Don't comment on the BBC tweet. I have called the Assembly for an invoice for the hour. I'm obviously paying for the room. Otherwise it would be a breach of the code of conduct

A36. Exhibit Int.A36a refers to the electoral map of Grangetown. A copy of which is attached (27) for reference.

Exhibit Int. A36b refers to the Riverside calling card. A copy of which is attached (28) for reference.

Exhibit 6R, Pg.4 refers to the transcript provided in the main evidence bundle.

02/11/17 W.APP. OFFICE

BP Half of the round you wanted doing today has been done ██████████ said she could help later on too. I asked them to mark streets that have been done so that those carrying on this evening can do so with no clashes.

I'm bringing calling cards.

Declaration

I confirm that the answers and explanations I have given above are true to the best of my knowledge and belief.

Signed:



Date: 10TH MAY, 2020

MICHAEL ANDREW CHRISTOPHER BEEM.

Strictly Private & Confidential

■■■■■■■■■■
c/o Office of Neil McEvoy AM
Tŷ Hywel
National Assembly for Wales
Cardiff
CF99 1NA

10 July 2018

Dear ■■■■■■,

You are clearly aware that I have received a complaint from Michael Deem against your employer, Neil McEvoy AM. I am currently investigating that complaint. One of the people to whom I have spoken as part of my investigation is ■■■■■■.

Following my conversation with her, ■■■■■■ has reported to me that she has received the following text messages from you:

“You've been snitching to the Standards Commissioner. You realise the lies you've told could see me lose my job. My son with a father who can't pay the rent. I just don't know what happened to you. And openly plotting with that bully Deem. What on earth are you doing? I've never known this level of treachery from anyone.”

“I just hope you realise that the Standards Commissioner is a former high court judge. He is a legal professional. By going around telling everyone about this complaint you've compromised the whole process. Complaints are meant to be strictly confidential.”

Do you accept that you sent ■■■■■■ these messages? If you do, would you explain to me what your motivation was in doing so, what you hoped to achieve by writing in these terms and why you thought it appropriate to do so in the course of an on-going investigation by me?

Where the truth lies in the matters which I have to investigate is for me to decide on the evidence before me. Witnesses who assist me in my task are entitled to do so without being subjected to the kind of pressure and abuse contained in the messages set out above and I take a stern view of any interference which might prejudice the process in which I am involved.

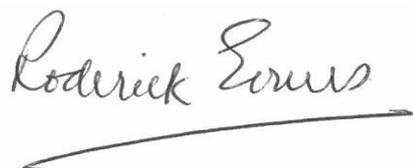
Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA
—
Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@cynulliad.cymru
—
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
—
Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales
—
We welcome correspondence in both English and Welsh

I look forward to hearing from you by return so that I can consider what further steps I should take.

I am copying this letter to [REDACTED].

Yours sincerely,

A handwritten signature in cursive script that reads "Roderick Evans". The signature is written in black ink and is underlined with a single horizontal stroke.

Sir Roderick Evans
Y Comisiynydd Safonau/Standards Commissioner

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

19th November 2018

at

Seminar Room, National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU/ THE THEN STANDARDS COMMISSIONER

**Witness:
MICHAEL DEEM**

Transcript from 00:00:00 to 04:42:21

- PRESENT:**
- Sir Roderick Evans, then Standards Commissioner (RE)
 - Neil McEvoy AM (NM)
 - Mike Deem (MD)
 - [REDACTED] (JT)
 - [REDACTED] (MF)
 - Unidentified Female Participant (FP)
-

- 1 **MD:** Hello.
- 2 **RE:** Come in.
- 3 **MD:** Morning.
- 4 **RE:** Morning. Come and sit down.
- 5 **MD:** Where do I sit? There?
- 6 **RE:** Well, we've got one side of the table and the other side the other.
- 7 **MD:** Yes. Sounds good.
- 8 **RE:** As you're first here you can pick your side.
- 9 **MD:** I'll look out over the Bay, I think, rather than looking at the door.
- 10 **FP:** Yes. Panoramic views of Wagamama's.
- 11 **MD:** Yes.
- 12 **FP:** Get you nice and hungry, ready for lunch. We don't have a coat rack as such,
13 I'm afraid.
- 14 **MD:** No, that's fine. I'll put it on the back of the chair.
- 15 **RE:** Hello, Mr McEvoy. Come and sit down, this side.
- 16 **NM:** I've got a letter for you but [inaudible 00:01:43] left it in his office.
- 17 **RE:** Well, you can get it later.
- 18 **NM:** It's relevant to this hearing.

1 **RE:** Right. How long will it take you to get it?

2 **NM:** Well, it's just on the table, five minutes.

3 **█:** Do you want me to go and get it?

4 **NM:** Yes, if you want.

5 **█:** Shall I get two copies of this, one for you?

6 **RE:** Bring two. Maybe you could turn the recording off for the time being. What do
7 you suggest is the significance of it?

8 **NM:** Well, the significance is that clearly before March mistakes were made.

9 **RE:** Right. How do you suggest we proceed then in light of this letter?

10 **NM:** I think it would rely on you, really, I think there is some mitigation there.

11 **RE:** Hang on now, before you submit your mitigation.

12 **NM:** Yes.

13 **RE:** Forgive me speaking in legal terms—

14 **NM:** Yes.

15 **RE:** —but that's my background.

16 **NM:** Okay.

17 **RE:** I don't mean this pejoratively, before you mitigate there has to be an offence.

18 **NM:** Okay. So until the offence is admitted, the issue of the office being the
19 campaign HQ is just a big lie, sort of, put that on the record. Happy to—

20 **RE:** There's no record yet. Is this being recorded?

21 **FP:** We are recording this.

22 **RE:** Right.

1 **NM:** Yes. What I'm dealing with is the irony is the person who was the rule breaker,
2 is the person who complained. I've admitted some of the things in there
3 because I should have been a lot stricter. I wasn't. The man had full authority
4 as office manager but what is a complete fabrication is the idea that the office
5 was the campaign HQ. In no way was it that. Also, in terms of the printing, that
6 just doesn't stack up either because there was not printing done on the
7 Assembly printer for political purposes.

8 **RE:** There was none?

9 **NM:** No, not for political purposes, no.

10 **RE:** Right. Well, what I don't understand from this letter is precisely what is admitted
11 by way of the present complaints.

12 **NM:** Okay. Shall we go through them?

13 **RE:** Well, let's just pause. Let me make some... What I'd intended to do was to
14 make an opening statement so that everyone understands how I intend to deal
15 with this.

16 **NM:** Okay. Can I be more clear? Leaflets were delivered, 60,000 newspapers which
17 Mr Deem arranged to have delivered to the office in early January. When they
18 arrived they clearly could not stay there so I arranged for those to be taken
19 elsewhere. That's a matter of record. Secondly, there was a printer stored at
20 the office, a Plaid Cymru printer, which shouldn't have been stored there, for a
21 number of weeks and that was then... Again, Mr Deem arranged delivery of that
22 and that was then transferred to his office and then after that to the campaign
23 office. Those things shouldn't have happened. In terms of meetings, I think it's
24 pretty difficult, in terms of being an AM, because we discuss things which are
25 political so we can have a general meeting about the casework, for example,
26 and I notice on some of the minutes provided, towards the end of the meeting
27 we've then discussed political matters. The fact of the matter is that every
28 Assembly Member does that but not every Assembly Member's office manager
29 will produce the minutes and the agendas. Also, if you look at one of the

1 meetings which is complained about, that meeting was called by the Chief
2 Executive or former Chief Executive of the Party so—

3 **RE:** Well, you're dealing with detail now, which we might need to come to in due
4 course. At the moment I don't fully understand what is admitted, what is not
5 admitted.

6 **NM:** I'm saying—

7 **RE:** Just pause a minute. I think the first thing to do is for me to make this opening
8 statement—

9 **NM:** Yes.

10 **RE:** —so that everyone understands where I'm coming from, what I intend to do.
11 Then we can consider what, if anything, we do about this letter and how we deal
12 with it today. The first thing I want to make clear is that this is a formal hearing
13 into complaints made by Mike Deem against Neil McEvoy. The proceedings, as
14 you are all aware, are being recorded and I assume from previous conversations
15 that everyone is content with that.

16 **NM:** Yes.

17 **RE:** Thank you. Three days have been set aside for this hearing; today, Thursday,
18 and Friday. What I suggest is that we aim to sit from ten till one and then from
19 two until half-past-four to five, breaking off at a convenient time. This is a formal
20 procedure. It's not a court of law but the procedure we will follow is based on
21 the procedure at court. A witness will give evidence, be cross-examined by the
22 other side, and then be available for re-examination by the party who called the
23 witness. I shall try to make this as relaxed a procedure as possible. However,
24 evidence will be taken in a formal way, witnesses will be required to make a
25 formal affirmation that the evidence they give is the truth and a breach of that
26 affirmation will, of course, have serious consequences. Does everyone
27 understand that?

28 **MD:** Yes.

1 **RE:** Mr McEvoy?

2 **NM:** Yes.

3 **RE:** My decision on these complaints will be based only on the evidence I hear in
4 this hearing. Each side has submitted a file of documents. I've read those files
5 and they will no doubt be a useful starting point for the giving of evidence.
6 However, it is important that everyone understands that the content of the files
7 and the contents of the documents in the files is not evidence. If a party wants
8 to refer to a particular document and wants it to be part of the evidence, that
9 document must be referred to in evidence and its contents and significance
10 explained. By way of example only, I have seen this morning a document that
11 you have sent in, Mr McEvoy, which is really a joint statement by a number of
12 Plaid Cymru candidates who say, "The headquarters of Cardiff Plaid election
13 campaign in 2017 was in Caerau Lane, Caerau."

14 **NM:** Mm-hmm.

15 **RE:** "Neil McEvoy AM was clear to us all that his office in Cowbridge Road East in
16 Canton was for [inaudible 00:08:28] only and not the council election campaign."
17 Well, that's fine but it isn't evidence. So I can't take that into account until
18 people come and give the evidence to me.

19 **NM:** Okay.

20 **RE:** Similarly, what I've been told during the preliminary investigation of this matter is
21 not evidence. I refer in particular to an issue that you raised, Mr McEvoy,
22 regarding [REDACTED]. I've told you in an email that what she told me in my
23 preliminary investigation is not part of the evidence in this case. If she wants to
24 give evidence or Mr Deem wants her to give evidence, she has to come here
25 and give me that evidence, otherwise what she told me and what other people
26 have told me is not evidence. When one party cross-examines a witness on the
27 other side it should be remembered that the purpose of cross-examination is to
28 test the evidence of the witness and to suggest an alternative case or
29 interpretation; it is not to argue with the witness and it is not to examine crossly.
30 There must be courtesy at all times. I've received a request relating to a witness

1 who Mr McEvoy wishes to call. The witness is [REDACTED] who I'm told
2 doesn't want to be cross-examined by you, Mr Deem. It's suggested that I
3 should cross-examine her. Now, that is something I'm prepared to consider but
4 if I agree to do that I should be able to do it only when the evidence reaches a
5 point when I have an idea of the issues about which I need to ask her questions.
6 I'm told that she can be here today but can't be here later in the week. It seems
7 to me to be very, very unlikely that I'm going to be in a position today to ask her
8 any questions. If I agree to do so, I'll need to confirm with Mr Deem in private
9 the questions that he wants me to put. I've a statement from [REDACTED],
10 which I'm sure you've seen, it hardly touches on the complaints, it's more a
11 critique of Mr Deem. Therefore, it isn't helpful to me in starting this process of
12 questioning her. It may be that she should be here to hear the evidence. It may
13 be that we have to come back some time in the future, maybe next week or the
14 week after.

15 **MF[?]:** I've just had a message off [REDACTED] and she's said she is prepared to be cross-
16 examined by Mr Deem.

17 **RE:** She is. Fine. Thank you. Now, is there any other matter that anyone wishes to
18 raise at this stage?

19 **MD:** Just one question. Obviously I'm not legally trained so I'm not sure around the
20 process. Obviously [REDACTED] is going to be called as a witness at some point so
21 would he, therefore, stay in the room throughout the duration of this or would he
22 just come back in when he's being called as a witness? I don't understand why
23 he's in here now.

24 **RE:** Well, there are two different approaches to witnesses being in court.

25 **MD:** Yes.

26 **RE:** In criminal trials, they're not allowed to be in court; in civil trials, they are.

27 **MD:** Okay.

1 **RE:** Now, it seems to me, subject to any argument anyone wants to put forward, that
2 it would be helpful if any witness who wants to be, can be in court, can be in the
3 room, sorry, not in court.

4 **MD:** Okay.

5 **RE:** Be in the room. But if you have any objection to that, I'm happy to listen to it.

6 **MD:** No. It's something I hadn't considered. I just wanted to ask the question, really.

7 **RE:** So, for example, if one of your witnesses, and at the moment I assume you're
8 going to call [REDACTED], if she wants to come to give evidence and wants to sit
9 in, that's fine.

10 **MD:** Yes. Okay. Sorry, one other question, when I initially said no list of witnesses
11 that I was going to call, that was before I realised that any evidence that has
12 been submitted so far is not evidence until they come here to give it. So, in
13 relation to [REDACTED] and [REDACTED] who provided statements, would I
14 be able to now call them at the end of the week to, obviously, give their
15 statements?

16 **RE:** Yes.

17 **MD:** Okay. Brilliant.

18 **RE:** Right, anything you want to raise, Mr McEvoy?

19 **NM:** No.

20 **RE:** Right, we've got—

21 **[REDACTED]:** I just wanted to, sorry, just about my role as well because I feel quite ill-prepared
22 for this process, to be honest with you, I haven't even received a formal
23 invitation to be here and when we're talking about following legal practices in
24 this meeting it doesn't feel appropriate for me to be cross-examined when I've
25 had, perhaps, a couple of hours' notice that I was going to be doing that, you
26 know. I'd feel it more typical if I'd had a slot in the day and be told this is when

1 you're going to be giving that evidence. Here's all the background to go along
2 with this.

3 **RE:** It's a matter entirely for you and Mr McEvoy, whether you stay in or go back to
4 your office or whatever. I have no—

5 **█:** But can you be more prescriptive about when I might give evidence, for
6 example?

7 **RE:** No.

8 **█:** No.

9 **RE:** I don't know how long people are going to take.

10 **█:** Right.

11 **RE:** What I anticipate, subject to any arrangement to accommodate witnesses, that
12 Mr Deem will give evidence this morning.

13 **█:** Yes.

14 **RE:** Start, I assume, he will go through his documents outlining his complaints. He'll
15 be cross-examined by Mr McEvoy. I've no idea how long that's going to take.
16 Mr Deem will then call any witnesses he wants to call. If they can't be fitted in
17 today or Thursday, Friday, we'll deal with them later in the week. When that's
18 finished, Mr McEvoy will give evidence if he wants to and he can call any
19 witnesses he wants to. It would be helpful if all one side's evidence were given
20 first and then the other side given. If that can't be done we can move things
21 around to accommodate witnesses. So whether you want to stay or go is a
22 matter entirely for you.

23 **NM:** Yes. Because I'd like to have somebody to take notes today. That's what I'd
24 been [inaudible 00:14:46] by law.

25 **RE:** Yes. Take notes if you want to, of course. Right. Now, we have this letter.
26 Mr Deem hasn't seen it. I've only read it through quickly. I think it would be
27 helpful if I were to read it again—

1 **NM:** Yes.

2 **RE:** —and then discuss with you what significance, if any, it has for the hearing this
3 morning. Then I should show it, I think, to Mr Deem but I'll discuss that with you
4 in due course. What is the best way of dealing with this? I can read it in private
5 and then ask you in to discuss it?

6 **NM:** Yes, I think so, yes.

7 **RE:** Right. Thank you. I think if everyone leaves; I'll read this. Everyone apart from
8 members of my office; I'll read this and then I think, first, I'll discuss it with
9 Mr McEvoy—

10 **MD:** Yes.

11 **RE:** —and then probably discuss it with you afterwards.

12 **MD:** Okay.

13 **NM:** Sounds good.

14 **RE:** I should think I'll be about five minutes, five, ten minutes.

15 *[Mr McEvoy and Mr Deem leave the room 00:15:49]*

16 **█:** █ seems to be saying that we haven't given him enough time but we only
17 knew he was coming on Saturday.

18 *[Mr McEvoy returns to room 00:16:52]*

19 **RE:** Right. I'm not sure I fully understand the significance of this letter.

20 **NM:** Okay. Well—

21 **RE:** Because the admissions that you seem to be making are partly admissions of
22 the complaints and they are admissions you make and blame on Mr Deem—

23 **NM:** Yes.

24 **RE:** —mainly.

1 **NM:** Well, I'm ultimately responsible [inaudible 00:17:19] aren't I? So the fact that I
2 was not in the office enough, far too relaxed in my approach, nowhere near strict
3 enough, based too much store on the expectations of the Party on me. For
4 example, if the former Chief Executive calls a meeting, as in the bundle, in
5 December, then what I probably should have said, "No, we're not having a
6 meeting," but it's just not practical, because everybody does that.

7 **RE:** I'm not really concerned about tail ends of meetings devolving into political
8 discussions.

9 **NM:** Right.

10 **RE:** That's neither here nor there, it seems to me, in the picture that is being painted
11 in the complaints. These admissions don't answer the complaints, do they?

12 **NM:** Which complaints?

13 **RE:** The ones that you've been given copies of.

14 **NM:** It depends. It depends which ones because... I'm unable to say there was
15 never anything ever hanging around the office because sometimes there was.

16 **RE:** Well, that isn't the nature of the complaint though, is it?

17 **NM:** That it was the hub for the election?

18 **RE:** Yes.

19 **NM:** Well, no, that's not the case, no.

20 **RE:** Well, what I suggest, I'll show this to Mr Deem, it should be disclosed to him—

21 **NM:** Yes, yes, of course.

22 **RE:** —and then we proceed to the hearing.

23 **NM:** Yes.

1 **RE:** One final matter, you don't mention in this, [REDACTED]. Now, I had an email from
2 you on Friday—

3 **NM:** Yes.

4 **RE:** —asking for a copy of her note, of the notes I took, notes I didn't take, in fact. I
5 didn't take any notes, but I dealt with that in an earlier email.

6 **NM:** Well, she's... Is this recording now?

7 **RE:** Yes.

8 **NM:** [REDACTED] is the main organiser with Michael so—

9 **RE:** Organiser of what?

10 **NM:** This politically-motivated complaint.

11 **RE:** Right.

12 **NM:** She's been asking Party members to turn up and to testify against me. The only
13 people that agreed are the people—

14 **RE:** Right. Okay.

15 **NM:** —who have submitted statements.

16 **RE:** I just mentioned that so that you are clear that I have received your email on
17 Friday—

18 **NM:** Yes.

19 **RE:** —which makes the same request as you had made some weeks previously—

20 **NM:** Yes.

21 **RE:** —and which I answered in full.

1 **NM:** To be honest, in terms of process, I think it's quite outrageous that ■■■ is able to
2 lobby on Michael's behalf without me knowing absolutely anything about the
3 conversation.

4 **RE:** Lobby whom?

5 **NM:** You.

6 **RE:** ■■■ hasn't lobbied me.

7 **NM:** Of course ■■■ did. ■■■ met with you.

8 **RE:** I think you need to be careful of the words you use.

9 **NM:** Well, lobby... You've been lobbied.

10 **RE:** ■■■ hasn't lobbied me at all. I asked ■■■ to come to see me. I spoke with ■■■.

11 **NM:** Yes.

12 **RE:** ■■■ gave me an indication of what ■■■ would say in evidence—

13 **NM:** Yes.

14 **RE:** —and I accepted it.

15 **NM:** ■■■'s the main organiser of this whole—

16 **RE:** Well that's another matter.

17 **NM:** Not really, because ■■■—

18 **RE:** Just wait. That's another matter. ■■■ has not lobbied me.

19 **NM:** Of course ■■■ has.

20 **RE:** Right. Would you mind withdrawing please while I show this letter to Mr Deem?

21 **NM:** Yes.

22 *[Mr McEvoy leaves the room 00:20:05]*

1 RE: [REDACTED].

2 *[Mr Deem returns to the room 00:21:07]*

3 MD: Thank you.

4 RE: You'd better see a copy of this letter.

5 MD: I can't have this copy? Can't mark it or... no?

6 RE: Not yet.

7 MD: No.

8 RE: Just read it.

9 *[Hearing resumes 00:21:53]*

10 RE: Mr Deem has now seen a copy of your letter. I've told him that it doesn't make
11 any real admissions and we proceed. What I suggested is he comes to sit
12 nearer me so I can be sure to hear him although it is a bit easier now that the air
13 conditioning is off.

14 NM: Okay.

15 RE: Would you change places with [REDACTED]?

16 NM: Yes.

17 RE: Thank you. Now, Mr Deem, I've got your original file, the one that you gave me
18 many months ago. They are flagged numerically. It's a matter entirely for you
19 how you go about your evidence but I think it might be helpful if, insofar as you
20 can, you stuck to the order of the complaints that you have in your file.

21 MD: Yes. I've re-organised this since I submitted the first time so I've got it in the six
22 complaint order and we'll just go through them.

23 RE: That's fine. Thank you. Can we just get the chronology clear in my mind? You
24 started working for Mr McEvoy in June 2016.

1 **MD:** Yes.

2 **RE:** You started as a community caseworker.

3 **MD:** Yes.

4 **RE:** You then moved on to be a senior caseworker.

5 **MD:** Yes.

6 **RE:** When was that?

7 **MD:** Within the first two months, I believe.

8 **RE:** So by about August.

9 **MD:** Yes. I think so, and it was shortly after that I was then given the title of office
10 manager and senior caseworker.

11 **RE:** So when was that, September, October?

12 **MD:** I think it was in the same move. I think it was from caseworker to senior case
13 worker and office manager.

14 **RE:** Okay.

15 **MD:** Yes. It was within two or three months of starting.

16 **RE:** Right, and then the Cardiff elections were in May 2017.

17 **MD:** Correct.

18 **RE:** Do you have the date of that?

19 **MD:** May the 4th.

20 **RE:** Then the general election was on 8th June.

21 **MD:** Yes.

22 **RE:** Right. So that's the timetable that we're looking at.

1 **MD:** Yes. There were a couple of others probably worth noting. So 20th September
2 '16 was the Plasnewydd by-election.

3 **RE:** 20th September '16. Plasnewydd by-election. Yes.

4 **MD:** 3rd November '16 was the Grangetown by-election.

5 **RE:** Right.

6 **MD:** 28th December was when we acquired the campaign printer.

7 **RE:** Sorry, 28^h September?

8 **MD:** December 2016 was when we acquired the campaign printer.

9 **RE:** You acquired what, sorry?

10 **MD:** The campaign printer, the separate printer.

11 **RE:** Acquired the... How do you spell that?

12 **MD:** Campaign, as in—

13 **RE:** Campaign.

14 **MD:** —political campaign.

15 **RE:** Right. I see. It isn't a make.

16 **MD:** No.

17 **RE:** Campaign printer. Right.

18 **MD:** 18th March '17 was when we acquired the campaign office.

19 **RE:** That's in Caerau.

20 **MD:** Yes.

21 **RE:** Yes.

1 **MD:** I've also got a date of when different members of staff were taken on so I don't
2 know if that's going to be helpful.

3 **RE:** Yes.

4 **MD:** So approximately October 2016 [REDACTED] began working for the Assembly.

5 **RE:** So that's when the employment started?

6 **MD:** Yes.

7 **RE:** Yes.

8 **MD:** 3rd January '17, [REDACTED] began working for the Assembly.

9 **RE:** Mm-hmm.

10 **MD:** 6th February '17 [REDACTED] began working for the Assembly.

11 **RE:** Right. Thank you. Okay. So, complaint one.

12 **MD:** Mm-hmm. A very brief overview from the start of that. So, since his election to
13 office in June 2016 until present Mr McEvoy's office has been used as his own
14 personal political headquarters.

15 **RE:** Right. Say that again. Since?

16 **MD:** Since his election to office in June 2016 until present, so the time that I
17 submitted the complaint, Mr Evoy's office was used as his own personal political
18 headquarters.

19 **RE:** Which office is that in?

20 **MD:** Cowbridge Road East. During this time the extent to which it has been used as
21 such has fluctuated with some periods being more openly political than others
22 but throughout has, to a certain degree, been used for political and campaign
23 purposes since it was opened. Over the period the office has been used to
24 store large volumes of party political material and has also acted as a

1 distribution hub for that material. It has hosted regular campaign meetings
2 including the Cardiff campaign group.

3 **RE:** Sorry, to break off there for a moment.

4 **MD:** Yes.

5 **RE:** I have omitted to ask you to confirm the truth of what you're saying.

6 **MD:** Right. Sorry.

7 **RE:** Shall we?

8 **MD:** Yes. I declare and affirm that the evidence I shall give will be the truth, the
9 whole truth, and nothing but the truth.

10 **RE:** Thank you. You confirm what you've told me so far is the truth.

11 **MD:** I confirm everything I've said to date is the truth.

12 **RE:** Right. So, the second use of the office was regular what?

13 **MD:** Meetings, campaign meetings, including that of the Cardiff campaign group.

14 **RE:** That would be for the local elections?

15 **MD:** Yes. Yes. A group was created of representatives from across the city to plan
16 the council election campaign for 2017 and their meeting place was Cowbridge
17 Road East.

18 **RE:** Can you give me names of the people?

19 **MD:** Yes.

20 **RE:** Who'd regularly attend.

21 **MD:** Regular attendants were [REDACTED]

22 **RE:** Right. Take it slowly. Was he a [REDACTED]?

1 **MD:** He was, treasurer of Cardiff West constituency and Caerau branch.

2 **RE:** [REDACTED]

3 **MD:** Paul Morgan. John Rowlands. Neil. Some days when Neil couldn't attend I
4 would attend on his behalf. [REDACTED]

5 **RE:** Yes.

6 **MD:** [REDACTED]

7 **RE:** What was the first name?

8 **MD:** [REDACTED]

9 **RE:** [REDACTED]?

10 **MD:** [REDACTED] surname... from Central. Sorry, I've got an email going out to everyone.
11 That should have everyone's name on it. I tell you what, I'm going to be getting
12 to this in evidence later on so if there are further names to submit, shall I do it
13 then?

14 **RE:** Okay.

15 **MD:** Rather than—

16 **RE:** When was the Cowbridge Road East office acquired?

17 **MD:** Shortly after Neil's election.

18 **RE:** So shortly after June 2016?

19 **MD:** Yes. So, yes, just moving on. So the office was also used as a place where
20 volunteers could come to stuff envelopes full of leaflets or input canvassing data
21 using the computer networks. In short, it was Caerau Plaid's campaign
22 headquarters for many months. Shall I start going through the exhibits that I
23 want to admit as well?

24 **RE:** Yes. Do you have any that supports that complaint?

1 **MD:** Yes. So, first of all, Exhibit 5A. Now, I don't know if it's worth at this stage going
2 through that... Sorry, let me explain what this is. So this is a transcript of the
3 messaging channel that we used in the office called Signal. Signal was a
4 private message channel and an encrypted messaging channel that we would
5 use between the staff in the office. We started using this in late January/early
6 February '17 for all of our internal communications. Sorry, the majority of our
7 internal communications. Prior to this we used WhatsApp group but it was
8 flagged up by [REDACTED] that that wasn't a secure way of communicating so we
9 moved to Signal.

10 **RE:** So what shall I read of 5A?

11 **MD:** Well, with these transcripts I'm going to be referring a lot to them in the cross-
12 examination so I'm wondering, if it will save time, if we deal with this during
13 cross-examination rather than evidence in chief.

14 **RE:** Right. Let me just have a quick look at it then.

15 **MD:** Yes.

16 **RE:** Who is AL?

17 **MD:** [REDACTED]. I mean, just looking at the first page, so we're talking about
18 producing a general letter about Cardiff Plaid and [REDACTED] says, "Yes, working
19 on it in the office now." The next conversation [REDACTED] says that the Creigiau
20 leaflet is ready to print now, it's on the memory stick and we've already
21 confirmed earlier on in that conversation that we're in the office there. But, like I
22 said, all of this is going to be questions that I'm going to raise further down the
23 line.

24 **RE:** The office here refers to what?

25 **MD:** Cowbridge Road East. So this is February '17, so this is prior to us acquiring
26 the campaign office in Caerau, that was March, 18th March '17.

27 **RE:** Right. I'll read that in more detail either over lunch.

1 **MD:** Yes. Okay.

2 **RE:** It's, what, a six page—

3 **MD:** Yes. I mean, there's one particular transcript that's 20-something pages and all
4 together transcripts we're talking about a total of 60 pages.

5 **RE:** That's fine. Thank you.

6 **MD:** Also with the context, I mean, I think it will be better if I was questioning
7 somebody who is talking in this conversation rather than me giving my opinion
8 as to what they were alluding to when certain things were said during this.

9 **RE:** Right. Okay. You made this transcript?

10 **MD:** I did, yes. I've also provided the screenshots of the originals which has been
11 sent to yourself and Neil. I just thought it would be easier if I was to transcribe it,
12 to reference, rather than repeatedly going back and forward on a laptop to get
13 screenshots.

14 **RE:** Yes. Right. Thank you.

15 **MD:** Exhibit 5B. So this is an email from Neil to [REDACTED]. Copied in is
16 [REDACTED] and myself. Neil says, "Hi all. New email to include on list.
17 [REDACTED] mobile is 078..." Then he gives his mobile. [REDACTED], we have leaflets to go
18 out. The office is at 321 Cowbridge Road East if you want to call in. Thanks,
19 Neil." That was July 16th, so shortly after we'd opened the office on Cowbridge
20 Road East. We were printing leaflets up there and volunteers were coming in to
21 collect leaflets from that office.

22 **RE:** It says printing leaflets for what at that stage?

23 **MD:** They were generic leaflets for individual campaigns. So [REDACTED] was the
24 candidate in Caerau. We were distributing leaflets for the council campaign
25 from approximately September 2015. I think that's when I started my Radyr
26 campaign and then over that period, just under two years, more candidates
27 would come on board, more volunteers would come on board. It was... The

1 council election campaign of '17 was seen as a massive election for us as a
2 party and as a constituency so there was, like I say, almost two years' worth of
3 campaigning that went into that. There were hundreds of different leaflets that
4 were printed over that period. They would range from local issues to national
5 policy. There was not a set, you know, agenda; it was when a local issue came
6 up we'd print a leaflet and then we'd get volunteers to come in and distribute
7 those leaflets. But this is the first evidence that I could find of the Cowbridge
8 Road East office being used as a distribution hub for that material. So the next
9 I'd like to submit is Exhibit 5C. This is two pages. It's an email from [REDACTED]
10 [REDACTED] to myself, Neil, and [REDACTED], all to our Assembly email addresses.
11 It was following a team meeting that we had on 14th November 2016. That team
12 meeting was held in the rear room of 321 Cowbridge Road East. Part of the
13 discussions in that meeting – yes, the second page is the minute – so bullet
14 point seven is surrounding leaflets to Neil, to do Fairwater and Butetown;
15 [REDACTED] to do Grange, Splott, and Cardiff West. So that is talking about who is
16 going to design the leaflets for those particular wards and tasks for them to do.
17 This was shortly before the Grangetown by-election so [REDACTED] was doing a lot
18 of work on that particular election, so that's why he was assigned the task of
19 doing Grange. At this stage the amounts that we are printing had really started
20 to significantly increase, so my task in bullet point eight was to explore getting a
21 campaign Riso. A Riso is a Risograph. It's a machine that prints multiple
22 leaflets in volume. Up until that point we were using the Assembly printer which
23 could only, I forget the print rate on it but it was a very slow printer to print the
24 volume of leaflets we needed.

25 **RE:** So at this time, and this is November 2016—

26 **MD:** Yes.

27 **RE:** —there was a printer, you say, which was an Assembly printer?

28 **MD:** Yes.

29 **RE:** Where was that?

30 **MD:** In the Cowbridge Road East office.

1 **RE:** But what could that print? At what rate was it printing, do you know?

2 **MD:** Maybe ten sides a minute, which in volume terms is not very good. I think when
3 we eventually got the campaign printer it was printing more along the lines of 30
4 a minute.

5 **RE:** Is the campaign printer the Riso?

6 **MD:** No. That's another printer again.

7 **RE:** So a Riso is a what?

8 **MD:** A Risograph.

9 **RE:** Did you get one?

10 **MD:** Yes. We were donated a Risograph but we didn't use it. The quality wasn't
11 great on the leaflets it was printing so we decided not to use it.

12 **RE:** You say you got a printer which produced 30 sides a minute.

13 **MD:** Yes. That was the campaign printer that we acquired on 28th December so—

14 **RE:** Just hold on a second. Who paid for the campaign printer?

15 **MD:** Cardiff West constituency. Either Cardiff West or Cardiff Area. I'm not sure—

16 **RE:** Well, it doesn't matter—

17 **MD:** —but it was Plaid Cymru, yes.

18 **RE:** —it was Plaid Cymru. You got that when?

19 **MD:** 28th December.

20 **RE:** 2016.

21 **MD:** Yes.

1 **RE:** Yes. So this was to do with the team meeting on 14/11 and you say that was to
2 be held at Cowbridge Road East.

3 **MD:** Yes. So there were four rooms in Cowbridge Road East. You had the initial
4 reception area where all our computers were; then you had a committee room
5 which was a, sort of, central room in the office. That is where the campaign
6 meetings, the political meetings took place. There was a fire safety door with a
7 safety switch separating the front of the office and the back of the office so when
8 you went into the committee room it was sound-proofed and you couldn't hear
9 the discussions from the front of the office. There was then a third room beyond
10 that which was what we referred to as the back office. This was a storage room
11 where the leaflets would be printed and we would organise into rounds and it's
12 where we kept campaign boards and general political material. Then off that—

13 **RE:** Where was the printer, in that room?

14 **MD:** The printer was initially in the back office and then we moved the three other
15 printers into the committee room to save space in the back office and so that
16 [REDACTED] and [REDACTED] could keep their bikes in the back office. Then the fourth
17 room then was just the toilet.

18 **RE:** You say you moved three printers.

19 **MD:** Yes. There were three printers in the office at one stage. So there was the
20 Assembly printer, the campaign printer and the Riso.

21 **RE:** Right.

22 **MD:** Okay. So the next one is Exhibit 5D. Again, this is a three-page document. It's
23 an email trail discussing the campaign, Cardiff campaign group 2017. Initially I
24 wasn't involved in the original email that was sent out because I wasn't
25 supposed to be going to this meeting but then Neil couldn't attend so he's
26 forwarded it to me and he's said to the group that, "I won't be able to come at
27 5.30, Mike Deem will fill in for me." This was the email that I was looking for
28 when you asked me earlier about who went to the campaign meetings.

1 Basically, it's all these people. So, I've said Paul Morgan, [REDACTED] [REDACTED]
2 [REDACTED].

3 **RE:** So this is the campaign group?

4 **MD:** Yes. So there are just a few names to add to that.

5 **RE:** Yes.

6 **MD:** Which is [REDACTED] [inaudible 00:52:40].

7 **RE:** To add to this list here?

8 **MD:** No, to add to... You know initially—

9 **RE:** Yes, I've got that list. Is [REDACTED] [inaudible 00:52:49] on this?

10 **MD:** He's on this one but he's not on the one from earlier.

11 **RE:** Yes.

12 **MD:** So, yes, [REDACTED] [inaudible 00:52:54].

13 **RE:** Yes, I see it.

14 **MD:** [REDACTED].

15 **RE:** Yes.

16 **MD:** [REDACTED].

17 **RE:** [REDACTED].

18 **MD:** [REDACTED], [REDACTED].

19 **RE:** [REDACTED] ? 00:53:03] [REDACTED].

20 **MD:** Yes.

21 **RE:** Yes.

1 **MD:** Okay. So if I just take you to page two of this exhibit.

2 **RE:** So this is for a meeting that is to be held.

3 **MD:** Yes. So it's part of the same email trail but if you go to page two—

4 **RE:** Yes.

5 **MD:** —I attach the agenda for the meeting at 5.30 tomorrow, November 17th, in Neil's
6 office, 321 Cowbridge Road East. So that's just confirming the location of the
7 meeting.

8 **NM:** [Inaudible 00:53:53]

9 **RE:** That's for 17th November.

10 **MD:** Yes. I think later on I come to evidence that [REDACTED] submitted with the
11 agenda and the minutes in detail but just from this email trail, one thing that Neil
12 asks to be discussed in the meeting is the job description for the organiser,
13 which would eventually be [REDACTED]. So at this meeting we were
14 discussing employing an organiser for the council election campaign, among
15 other things. This is the job description that Neil suggested, copying leaflets,
16 organising delivery, keeping volunteers in touch, etc. You'll see the precise
17 agenda is on page two. Because I wasn't part of the original email trail Neil's
18 forwarded this to me. I haven't got the agenda with this document but later on I
19 can provide it when I go through [REDACTED]'s evidence. Then just page three is before
20 the official minutes were sent out this is just a quick email, I believe the same
21 day, the same evening. Yes, it's sent from [REDACTED] to the group, obviously copying
22 Neil in, or sent to Neil because he wasn't there, just to say that the group had
23 decided that a representative from Cardiff Central should be put on the group
24 that's managing the organiser and that we should be talking to the Greens and
25 the Lib Dems, the campaign should be discussing strategy with the Greens and
26 Lib Dems, so just to show that it is a political meeting.

27 **RE:** Right.

1 **MD:** So Exhibit 5E is again another email regarding the meeting of the campaign
2 group on 6th December. Again, I haven't got the agenda at this point; I'll get to
3 that a bit later. Yes, this also took place in the committee room in Cowbridge
4 Road East. It doesn't specifically say Cowbridge Road East on there but
5 some... So [REDACTED] emails Neil saying, "So is it going ahead? If so, where
6 because [REDACTED] has previously said that he's been ill, we need to find out where
7 we are with the applications and the organiser," and then Neil replies saying,
8 "Let me check with Mike to see who will be in tonight," referring to the fact that I
9 spend the majority of my time in the Cowbridge Road East office and I could let
10 them in to have the meeting. Exhibit 5F. So, again, I'm going to talk about this
11 in a bit more detail when we go through the cross-examination material but it's
12 an email from Neil to members of staff in the office on 21st March, so this is after
13 we've acquired the Caerau campaign office. There was an incident earlier on
14 that day where [REDACTED] had come into the office in Cowbridge Road
15 East and was stuffing envelopes underneath the CCTV camera in the office.

16 **RE:** Who was?

17 **MD:** [REDACTED]. So he's a volunteer, had come into the office. It was a regular
18 thing that volunteers would come into the office but after we acquired the
19 campaign office in Caerau Neil was very strict on who went into the Cowbridge
20 Road East office. So this was three days after we'd acquired the campaign
21 office. [REDACTED] came in, started stuffing envelopes under the camera. Neil was
22 very conscious that there was at that point CCTV installed in the Cowbridge
23 Road East office.

24 **RE:** When was that installed, do you know?

25 **MD:** Shortly after we had a break-in there. There was a break-in, I believe
26 mid-January '17 and after that we had security improvements and part of that
27 CCTV.

28 **NM:** First week of January the break-in was.

29 **RE:** Sorry?

1 **NM:** The first week in January. It was the weekend before we went back to work
2 after Christmas.

3 **MD:** Yes, that sounds right.

4 **RE:** You think that's right?

5 **MD:** Yes.

6 **RE:** Yes. There was a break-in at the Cowbridge Road East office.

7 **MD:** Yes.

8 **RE:** In the first week in January.

9 **MD:** I think initially, after the CCTV was installed, none of us really realised the
10 implications of having CCTV cameras in the office and the fact that at any time
11 someone from the Assembly Commission could walk in and take copies of that
12 CCTV footage. So there was a message I had early one morning, again I'll
13 come to it when I go through the transcripts, where Neil had messaged me
14 saying we need to urgently meet up and discuss something. We met in the car
15 park of Co-op, which was a few doors down from the Cowbridge Road East
16 office, and he explained that we'd got CCTV cameras in the office now; we need
17 to be very careful; we need to get, basically, everything out of that office and
18 then from then on that's when he started getting strict about who was allowed in
19 the office, what was done in the office.

20 **RE:** Just pause there a moment. So Mr McEvoy said you need to get everything out
21 of the office.

22 **MD:** Yes. He said, basically, we couldn't have anything in there that was
23 incriminating in case we were audited by the Assembly Commission. So, yes,
24 pre-that, sort of, anything went in the office. After that there were still things that
25 went on but not as much, it gradually, sort of, tailed off until we got the campaign
26 office in Caerau and then from when we got the campaign office he was very
27 strict on who went into Cowbridge Road East. We'd still have political meetings
28 in the back room as an Assembly staff team because there was no audio on the

1 CCTV, it was simply cameras and we could explain having meetings and they're
2 not going to know what we were talking about, but as far as volunteers coming
3 in, printing leaflets, like I say, that tailed off dramatically. There was a period
4 where that office needed to be used and I don't know who did it, someone put a
5 black bag over the CCTV camera in the back office. I don't know if it was done
6 when they were renovating it to stop dust from getting into that camera but that
7 was then left on that camera, it wasn't taken down, and that's where the political,
8 you know, printing leaflets and folding leaflets and putting it into rounds was then
9 done in that very back room—

10 **RE:** Okay.

11 **MD:** —because there was no CCTV footage out there.

12 **RE:** Right. Let me just summarise what you said then.

13 **MD:** Yes.

14 **RE:** So after you had the Caerau office—

15 **MD:** Yes.

16 **RE:** —there was no printing, political printing done.

17 **MD:** There was still some done but the volume reduced significantly.

18 **RE:** So after you had the Caerau office there was a reduced political activity.

19 **MD:** Yes. I mean, with the printing, again, that's not necessarily that incriminating if,
20 on the cameras, they could see us printing a load of stuff. I mean, we could say
21 that they were anything, basically, but as far as, you know, volunteers coming in
22 to stuff envelopes was a big one because it's quite obvious was is being done if
23 you're watching back on a camera and seeing people stuffing envelopes.

24 **RE:** So no stuffing envelopes.

25 **MD:** You know, folding leaflets and then in the committee room, quite often before
26 this we would use the committee room because it had a big meeting table so

1 you'd have the folding machine on there and then, as you were folding you could
2 put them straight into rounds or you'd have the folding machine in the back
3 office, somebody's out there folding them, bringing them in, and then you had a
4 load of people sat round the committee table then putting them into rounds and
5 into streets. That was done pre-cameras being installed but after that, that stuff
6 then moved. It was either limited to the very back office or moved to Caerau
7 Lane.

8 **RE:** Right. So what is 5F?

9 **MD:** Right. Okay. Sorry. Earlier on in that day I'd had a message from [REDACTED] to
10 say that [REDACTED] had been in and he'd been stuffing envelopes underneath the
11 CCTV cameras. I then sent a strongly-worded message to Neil saying this has
12 happened.

13 **RE:** Just pause a moment. You had a message from?

14 **MD:** From [REDACTED] to say that [REDACTED] had been in. At this stage I was in my garage
15 in Radyr doing printing.

16 **RE:** So you sent a strong message to Mr McEvoy.

17 **MD:** Yes.

18 **RE:** Do we have that?

19 **MD:** Yes. Do you want me to try and find it now or do you want to deal with it in
20 Neil's cross-examination?

21 **RE:** If you can find it now so much the better.

22 **MD:** Yes. Okay. Okay. So when I said that we had a meeting in the car park in
23 Co-op, that was on 17^h March. Neil just sent me the message, capital letters,
24 "URGENT CHAT, ASAP," "Ring me."

25 **RE:** Where would I find that?

26 **MD:** This is Exhibit 5A, page four.

1 **RE:** Right.

2 **MD:** At the very bottom. So Neil starts, "URGENT CHAT. ASAP," and I say to him,
3 "Ring me," sorry. Neil says, "Head to the office." I was there at 7.30 that
4 morning because I had to go Bristol with a constituent.

5 **NM:** Sorry, what page is that on?

6 **RE:** This is Exhibit 5A, page four.

7 **NM:** Right. Yes.

8 **MD:** Okay. So, I was there very early that morning. Neil met me at around seven to
9 quarter-past-seven. I was just pulling up outside the office and Neil arrived. He
10 said, "We need to have a chat. Walk with me," and we walked down the end of
11 the street to the car park and the Co-op. Then Neil said about the CCTV
12 cameras and that he'd woken up in the middle of the night and he'd suddenly
13 realised the CCTV cameras had been recording everything that we did, so we
14 had to get everything out the office. So from that point I was then tasked with
15 emptying that office. So there's a message a bit further on, "Did you speak to
16 [REDACTED]?" This is [REDACTED] [REDACTED] ? 01:09:36], he's a volunteer that had access to
17 a big van that we would regularly use to move all the stuff around the
18 constituency. I say to Neil, "Printer and folding machine need to go." I was on
19 my way back to Cardiff at that point and I say to them, "We need to sort this this
20 afternoon." So, basically, what we did, Gareth came down in the afternoon after
21 I'd got back from Bristol; we put the printer in there, the folding machine,
22 anything political that we could find in the office, chucked it all into [REDACTED] van
23 and then took it to my garage in Radyr to store it there.

24 **RE:** Just pause there a moment. So the printer and folding machine were Plaid
25 Cymru's?

26 **MD:** Yes. So the Assembly printer stayed there but the campaign printer moved. By
27 that time the Riso had already gone back so there wasn't an issue with the Riso
28 because that had already gone. The folding machine, any leaflets that were
29 there, just anything that we could find in the office that was political we put in the

1 back of the van because this was 17th and then the day after, the 18th, Neil
2 purchased the office on Caerau Lane. So he sent us all a message on 18th of
3 the 3rd, "We have a new office. Knocked them down from £1,000 a month, got it
4 for £500." So this was all off the back of this revelation that we were being
5 watched by the Assembly Commission.

6 **RE:** What was that revelation?

7 **MD:** When Neil woke up in the middle of the night.

8 **RE:** I see. Right.

9 **MD:** And decided... I mean, we were always going to get another office eventually
10 but this is why this was done so quickly was because it was a kick up the
11 backside, really, to get into gear and sort out this campaign office ASAP
12 because that printer couldn't stay in my garage forever; we needed somewhere
13 to take it. So then, on the 21st, at this point although we'd agreed the purchase
14 of Caerau Lane, I don't think he had a... Did he have a key at that point? We
15 couldn't move in there anyway immediately, on the same day. I think we had a
16 key but [REDACTED] wasn't available to move all the stuff back so that printer stayed
17 in my garage for maybe a week, two weeks max that was in my garage and I
18 was printing from there. So at that stage I didn't leave Radyr. [REDACTED]
19 [REDACTED], and [REDACTED] were all in the Cowbridge Road East office. So, on the
20 21st—

21 **RE:** Just pause a minute. The printer stayed in your garage for up to two weeks.

22 **MD:** Yes.

23 **RE:** You were printing there.

24 **MD:** Yes.

25 **RE:** In whose time?

26 **MD:** On Assembly time.

27 **RE:** You said that [REDACTED], who else?

1 MD: [REDACTED].

2 RE: [REDACTED].

3 MD: [REDACTED].

4 RE: [REDACTED].

5 MD: Yes. Were all still at the Cowbridge Road East office. So then this brings us to
6 this Exhibit 5F. So—

7 RE: Just before you do that.

8 MD: Yes. So the email—

9 RE: You are saying the issues with [REDACTED]—

10 MD: Yes.

11 RE: —this is on the phone to [REDACTED] You came to the office to collect some
12 DMs. What are DMs?

13 MD: Direct mails. So they were letters, political letters that were sent out to a target
14 audience. It was like a leaflet but targeting specific households. So, on the
15 envelope it would have the name and address of the person we're sending it to.
16 So when I say stuffing envelopes I'm talking about putting direct mails into
17 envelopes and then putting labels on them to go out. So, yes, this is the
18 message I sent to Neil in the morning, "Moaned that there weren't any
19 envelopes so [REDACTED] got them and started stuffing them right under the
20 fucking CCTV camera. I've spoken to [REDACTED] can you have a word with
21 him? Personally I think he shouldn't be going there... I don't think he should be
22 going there at all." Neil text back saying, "We can't do that."

23 RE: Can do what, do you think?

24 MD: I think he means we can't stuff envelopes under the CCTV because he then sent
25 an email but I say to him... No, potentially we can't stop him from going there at
26 all, because I say, "Personally, I don't think he should be going there at all."

1 Yes. Neil says, "We can't do that," as in we can't stop it, and then I say, "Up to
2 you how we do it but we need to send a strong message. If it was a week later
3 the implications would be massive," referring to the fact that a week later was
4 purdah and it wouldn't only be at that stage, my understanding of it, it wouldn't
5 only be an issue with breaking the Assembly Member's Code of Conduct, it
6 could then potentially be a criminal issue if political activities are being done in
7 the Assembly office during purdah. So then, after we had that conversation, Neil
8 then emails, "Hi, Mike. I've emailed [REDACTED]. We can't allow any political activity in
9 the office. You have full authority from me to deal with such a future situation in
10 the strongest possible terms. I will call—

11 **NM:** Where are we now, Michael, sorry?

12 **MD:** Sorry, it's still 5F.

13 **RE:** 5F.

14 **MD:** "I will call [REDACTED] later today, as explained by you, to me it simply was not on."
15 Then he's sent that to me, to Matthew and to Bethan. I've emailed back saying,
16 "Of course, and while I'm stuck in Radyr printing, if Matthew and Bethan can
17 also help enforce this I'd be very grateful. Going forward I think we need a paid
18 member of staff in the office at all times. Happy to rota this," referring to the fact
19 that up until now there wasn't always a paid member of staff in there, there were
20 sometimes volunteers in there that had gone in to man the office and print
21 leaflets or stuff envelopes or whatever they were doing when one of us couldn't
22 be there. "It's not just our jobs on the line here, implications go a lot further than
23 that," so again referring to potential criminal activity. So Exhibit 5G then, again,
24 is a message transcript that I'll be referring to in the cross-examination. Just
25 page two though is probably a good one just to highlight while we're here.

26 **RE:** Yes. I don't have a page one.

27 **MD:** On Exhibit 5G.

28 **RE:** No, I just have page two.

29 **MD:** Right. Okay. That's strange.

1 **JT:** Do you want me to get a copy?

2 **RE:** We can get a copy in due course. Don't worry about it now.

3 **MD:** Yes.

4 **RE:** That's fine.

5 **MD:** Have you got a copy, Neil, of page one?

6 **NM:** Mm-hmm. Yes.

7 **MD:** So, yes. Page two, conversation on 6th January. So I've messaged the group,
8 at this point we're using WhatsApp rather than Signal but it was the same
9 people involved. So I've said, "Serious concerns with [REDACTED] bringing a senior
10 member from MBS." So this was a couple of days after the break-in. Bethan
11 arranged for head of security at the Assembly, [REDACTED], to bring in a senior
12 member of the Assembly Commission to the office on the Monday to assess
13 what additional security we needed. At that point there were 30,000 political
14 newspapers that had been printed, well, Matthew designed them and then sent
15 them off to be printed at Trinity Mirror. Again, I'll be going into that in cross-
16 examination, but they were, at that stage, being stored in the office. I'd had the
17 call from Matthew to say that they were printed so I took my car over, did about
18 four runs, filling my car up with these newspapers and bringing them back to the
19 office ready for people then to come to the office to pick them up to go out and
20 deliver them. I mean, 30,000 is going over almost, you know, more than half of
21 the constituency but we spread them across the whole city in the end so they
22 just went to target wards.

23 **RE:** So who had suggested contacting [REDACTED] and bringing the—

24 **MD:** It was part of the process. So this was just after the break-in. So we were
25 informed that... Neil and Bethan had the conversations but the process was
26 security was to come to the office and then assess what measures could be put
27 in place to improve security. So Bethan arranged it for the Monday, not
28 considering at that time that all these newspapers were in the office and not

1 realising the implications of if security and MBS came to the office and saw
2 30,000 newspapers there how would we explain that.

3 **RE:** She says, "Shit, I didn't think of it like that."

4 **MD:** '█████ explained the meeting plan over the phone and it sounded a good idea
5 to me security-wise. I should have thought of that. Would you like me to
6 rearrange?' Then Neil says, "No, shift papers tomorrow." That asterisk is a
7 thumbs-up, as in... █████ just giving a thumbs-up to that. Then four days
8 later... I shifted a lot of them the next day. I'm sure the 6th was a Friday. Let me
9 find out, actually. Yes, the 6th was the Friday. I shifted most of the newspapers
10 on the Saturday. I took a lot to my house. I took a lot to Neil's parents' house. I
11 took a lot to other candidates. Then Neil says in a message then that he's
12 collected all of the newspapers. I assume he means the ones that I took to his
13 parents' house.

14 **RE:** Where is that?

15 **MD:** In Fairwater.

16 **RE:** No, where is it on the page?

17 **MD:** Sorry, further down page two.

18 **RE:** Yes.

19 **MD:** It's potentially either that he's picked them up from his parents' house or that
20 there were some newspapers still left in the constituency office which I hadn't
21 managed to move all of them, but it's part of the same conversation around
22 these newspapers and the fact that they were in the office. I think Neil's, sort of,
23 made the admission to a certain extent up until now. Yes. All I'd say is Neil was
24 aware that they were there. I was directed by him to distribute these
25 newspapers from the office. █████ gave me the orders to go and pick them
26 up from the printing company. It wasn't just me involved in this, everyone knew
27 about it and everyone had had some sort of input into these newspapers arriving
28 at the office and then subsequently being moved very quickly.

1 **RE:** [REDACTED] told you to pick them up from where?

2 **MD:** From Trinity Mirror. So he was the one that arranged for them to be printed. He
3 had all the contact details for the chap there, our contact there. He was the one
4 that directed me.

5 **RE:** Mm-hmm.

6 **MD:** So, again, the rest of that I'm going to come to in cross-examination. Exhibit 5H,
7 I'd like to come to. So, this is a picture of the side wall of the committee room in
8 the Cowbridge Road East office. On the left is the Assembly printer, in the
9 middle is the campaign printer, and on the right hand side is the Risograph.
10 There's also a stack of political calendars on the shelving unit there, on the very
11 left hand side. They were ready to go out to constituents.

12 **RE:** The leaflets?

13 **MD:** They were actually calendars; it was a yearly calendar from the Plaid Cymru
14 branch. I think Cardiff South had printed them and gave us a load to distribute
15 and it just had... It was basically a calendar, contact details of your local
16 representatives, some Plaid Cymru, you know, logos and stuff and the idea was
17 just to get people to put it up on their fridge so every day they looked and they
18 see Plaid Cymru on their fridge. That's what they...

19 **RE:** Were they for distribution?

20 **MD:** Yes. They weren't... I mean, it wasn't necessarily our idea to have them
21 printed. Like I said, it was Cardiff South that paid for them but they had too
22 many printed so they gave them to us to basically stick into... if we were
23 delivering leaflets. The newspapers, when we were delivering the newspapers
24 you'd chuck in a calendar then just to use them up, really. Exhibit 5I—

25 **RE:** So that's 5th January 2017.

26 **MD:** Yes. 5I is another picture that was taken in the... this is the back office, the
27 storage room that I was talking to you about. On the right hand side, you can
28 see it better on mine, on the colour version, but along this wall were all the Neil

1 McEvoy political boards, that's where they were all stored. Here you can see
2 the corner of a big, I think, ten foot Neil McEvoy board, a Plaid Cymru board, but
3 on the table here in the corner was an example of stacks and stacks of leaflets
4 that had been printed but they're now ready to be folded and put into rounds.

5 **RE:** Mm-hmm.

6 **MD:** Like, just on the table on the left hand side. 5J is a transcript, again. The first
7 one we did was the Signal chat, then we did the WhatsApp; this is now text
8 messages. So this is... I think they're just text messages between Neil and
9 myself. Again, I can either go through them now or go through with Neil during
10 cross-examination.

11 **RE:** I don't want to be too technical about evidential values. It may be that what you
12 want to say about them won't be accepted by Mr McEvoy.

13 **MD:** Right.

14 **RE:** Therefore it might be better for you to explain to me just briefly, if you want, what
15 you say is the significance of them.

16 **MD:** Okay. Yes, yes. Fine. So 23rd of the 6th, '16, Neil says, "Dropping daughter to
17 school. Going to vote. Down 9.30-ish." I say, "At the office?" He says, "Yes,"
18 and then he says that we need to print some micro leaflets. I say, "Okay. See
19 you down there." This was June 2016, so just after we got the office. So even
20 back then we were printing leaflets, basically, from day one.

21 **RE:** So shortly after the election?

22 **MD:** Yes.

23 **RE:** So the office referred to there, you say is Cowbridge Road East?

24 **MD:** I believe so. It could either be Cowbridge Road East, I think—

25 **NM:** It wasn't open then, Mike.

26 **MD:** Yes. Okay.

1 **RE:** Sorry?

2 **NM:** The office wasn't open then.

3 **MD:** I accept that.

4 **RE:** Right.

5 **MD:** When I initially transcribed this I didn't factor in the crossover. So before we had
6 the 321 Cowbridge Road East office, for a very short period at the start of
7 Neil's... after he was elected he still had another office the other end of
8 Cowbridge Road East which was the office that we used in the run-up to the
9 Assembly elections of 2016.

10 **NM:** Paid for by Plaid Cymru.

11 **MD:** Yes. I don't have issues with that office but, yes, I'll accept that, actually.

12 **RE:** So the office there is not at Cowbridge Road East it was a Plaid Cymru office
13 and where was that?

14 **MD:** The other end.

15 **NM:** Cowbridge Road East

16 **RE:** Sorry?

17 **NM:** Cowbridge Road East

18 **RE:** Same road?

19 **MD:** Yes, the other end of the road. Sorry, what date was your office opened?

20 **NM:** It wasn't then. You tell me.

21 **MD:** Okay.

22 **RE:** Right. So nothing wrong with that, is there?

23 **MD:** No. I'll withdraw that.

1 **RE:** So I'll put a line through that. Then we go down to September '16.

2 **MD:** Yes.

3 **RE:** "Putting all the stuff in the back room. We'll sort it tomorrow." "Okay. No
4 probs." What's all that about?

5 **MD:** Yes. So that was just a load of Neil's stuff that he'd moved from his house in
6 Fairwater and he'd moved to the back room in the office at 321 Cowbridge Road
7 East. We definitely had the office by this point. So this included some personal
8 stuff but also a lot of just generic political stuff that had been cluttering his back
9 room at his house in Fairwater. I think [REDACTED], his – yes, they were married then –
10 either fiancée or wife had said to him that she wants rid of that from the house
11 so he moved it all to Cowbridge Road East, so there was, like, badges and flyers
12 and posters and just boxes of, you know, stuff.

13 **RE:** That's in a different category, isn't it?

14 **MD:** I don't know. I mean, the Plaid Cymru posters and badges and stuff, I don't
15 know whether they're supposed to be stored in the Assembly office.

16 **RE:** Probably not but—

17 **NM:** Well, the badges had my face on but they were my badge.

18 **MD:** No, these were the old badges, this is 2016 where we hadn't printed those one.
19 We did your face ones for '17. [REDACTED] and [REDACTED] designed them.

20 **NM:** It's best if I say nothing.

21 **RE:** You say what you want to about them. The only point I thought might be worth
22 thinking about is... I've got stuff at home, you wife says, "Get rid of,"—

23 **MD:** Yes.

24 **RE:** —I take it to the university and I leave it there. I'm sure the university would be
25 appalled. This isn't really about dumping stuff, is it?

1 **MD:** No. It's about the fact that the office was used as a storage place for political
2 material. That was just a reference to a time where an amount of political
3 material was used in the office. A couple of days later then Neil's going to a rally
4 on The Hayes and he's saying... he's then messaged me because he needs to
5 go to the office to pick up all his Plaid Cymru badges to take them to the rally
6 that he's going to on The Hayes, so yes, it's just to show that, you know, this
7 stuff that was brought to the office, was political in nature, shouldn't have been
8 going to the Assembly office but that was what it was used for.

9 **RE:** Yes.

10 **MD:** 20th September then, on page two, "If you go into the office before the Assembly
11 can you leave your laptop so we can print the mail merge?" So this time the
12 only laptop that could connect to the Assembly printer was Neil's personal
13 laptop. We hadn't... The Assembly ICT hadn't figured out how to connect all of
14 our Assembly laptops to the printer so, basically, if we wanted to print anything,
15 any leaflets or anything that we'd designed, any DMs, anything political we
16 needed Neil to bring his personal laptop to the office so that we could connect to
17 the Assembly printer to print it all off. So, yes, in that conversation I'm asking
18 Neil to drop his laptop off and then the rest of the conversation is not really
19 significant. That is why I've included it in that section. Again, further down that
20 page, sorry, 17th of the 10th, Neil says, "Were the letters to put into rounds?"
21 We're now talking about a Grangetown leaflet that we printed. We were sort
22 of... This was a couple of weeks before the Grangetown by-election. We had
23 printed them in the office on the Assembly printer. I've replied to Neil that I took
24 them over to [REDACTED] for him to do. Neil says, "[REDACTED] said he hasn't had them. He
25 said that they're not finished." He just text, "In a dinner, text." I tried to phone
26 Neil then and he said he couldn't reply because he was in a dinner so he asked
27 me to text. So I said to him, "They're all finished. After work I took them over to
28 [REDACTED] but no-one answered the door. They're still in my boot and was going to
29 try and drop them off again on my way to work in the morning." Neil says, "Just
30 bring them to the office. I'm in early. How you feeling?" Then I bring the
31 leaflets back to the office then. So, again, what I'm, trying to show here is the
32 office was that distribution hub for the leaflets. They were originally printed

1 there; I took them out to [REDACTED]; Neil tells me to bring them back to the office.
2 Either way they shouldn't have been in there in the first place.

3 **RE:** So on Mr McEvoy's personal computer there was political material, obviously—

4 **MD:** Yes.

5 **RE:** —leaflets which were printed in the office.

6 **MD:** Yes. At that stage we were still two months before we had the campaign printer
7 so they were printed on the Assembly printer.

8 **RE:** Mm-hmm.

9 **MD:** I've done this in work time because I say, "After work then I took them over to
10 [REDACTED] but no-one answered the door," so when I finished them, basically.

11 **RE:** Right.

12 **MD:** Then he asked me to bring them back to the office.

13 **RE:** What are LDP bags? Bottom of page two, LDP bags.

14 **MD:** So this is, I'm printing invitations to a meeting that we had in Radyr
15 Comprehensive School regarding the LDP and as part of those invitations I
16 included a DVD of the proceedings because I'd videoed it, so I think everyone
17 that attended and gave us their personal details on the day I then followed that
18 up with these packs which had, you know, a message from me and a video of
19 what happened on the—

20 **RE:** But is an LDP? What does that stand for?

21 **MD:** It's the Local Development Plan.

22 **RE:** Right.

23 **MD:** So that was a big part of my personal campaign and it was something that we
24 campaigned a lot as well across the city, but in this reference here I was doing

1 this in Radyr on a... burning CDs from my laptop and printing stuff using my
2 printer at home.

3 **RE:** Right.

4 **MD:** So, yes, Assembly resources weren't being used on that. Okay. So,
5 14th November 2016, so Neil messages me, I think that was quite late at night
6 because I haven't replied to him, "Without printer we're screwed. Can you call
7 and sort service and new Riso? Will be in the Assembly in 30." That's
8 [inaudible 01:39:46]. But, basically, the printer, the Assembly printer had broken
9 down at this stage so we couldn't print anything. The Riso we couldn't use
10 because the quality wasn't good enough. So, yes, Neil's saying without that
11 printer we're screwed, referring to the election because we needed to get
12 material out. So I text back the next morning saying, "The printer's up and
13 running." Neil says, "Thank fuck for that. We have 1,000. Can you send me
14 photos of rounds one to four? Will save [REDACTED] calling to the office." So what he's
15 saying there is he's already got 1,000 of that particular leaflet that we were in the
16 middle of printing at that time. By sending photos of round... There was a file in
17 the office of all the different wards and there were cover sheets for each of the
18 leafleting rounds within that ward, so Fairwater, I think, had 30 or 40 rounds of
19 leaflets, so rounds of 200 leaflets, and the cover sheet would have all the streets
20 that you have to go to deliver these leaflets. So what he's asking me is for cover
21 sheets one to four so he knows where to deliver these 1,000 leaflets that he's
22 got. If I could send him photos because the book was stored in the office, it will
23 then save [REDACTED], coming to the office to get that information. I say to
24 him, Ely or Caerau, because there are different round sheets for Ely and
25 Caerau. He says, "Good point, Caerau please," and then he said, "On my
26 computer there is Butetown three, so it's Butetown cover sheet three, just
27 started writing it, could you send it to my Assembly email? Must get it done."
28 So, again, I mean, I imagine he's in the Assembly at that point and he's
29 amending Butetown three when he's, I don't know, in the chamber or whatever
30 he was doing that day.

31 **RE:** Mm-hmm.

1 **MD:** I mean, this all, sort of, goes into each other, so the 17th of the 11th then, again,
2 I'm asking for Neil to drop his laptop to the office so I can get the Ely leaflets
3 printed. That's the third part of that conversation. Then 16th December, a month
4 later, I say that, "I've got toner, can I come and get your laptop?" "Yes, mate."
5 Then I say to him that the new printer, meaning the campaign printer, will be
6 installed on Tuesday. The significance of that is that I don't have to keep
7 coming and getting his laptop off him anymore.

8 **RE:** That's the campaign printer.

9 **MD:** Yes.

10 **RE:** Mm-hmm.

11 **MD:** Then another message that, "Do you want the Fairwater rounds left in the office
12 or taken to your parents' house?" He says, "I'll pick them up tomorrow." I say,
13 "Okay. Fairwater's done. Andrea's on the next print now." So she was a
14 volunteer that would come into the office. So, just, she's also a candidate as
15 well for the election and she'd come in just to keep the printer going, basically.
16 At that stage we were just printing non-stop. So Exhibit 5K is text messages
17 with [REDACTED].

18 **NM:** Can you just down, Mike, because I'm just making a note of what you said
19 there?

20 **MD:** Yes.

21 **NM:** Thanks.

22 **MD:** Can I have a sip of water?

23 **RE:** Yes, of course. So, the rest of that page, page three, shows, you say, that
24 leaflets were being printed and distributed from the office?

25 **MD:** Yes. So all of these transcripts in the series of exhibits that make up five is all to
26 do with complaint one.

27 **RE:** Yes.

1 **MD:** Initially this was complaint five in the submission—

2 **RE:** Five.

3 **MD:** —so that’s how they... but since then, obviously, I’ve moved them all round. So
4 this is all related to—

5 **RE:** Yes.

6 **MD:** —Cowbridge Road East being the political headquarters, so political activity
7 being, you know, directed and happening in Cowbridge Road East. The
8 transcripts in section six are all to do with staff, paid Assembly staff doing
9 political activity so there’s a different set of transcripts for those. Exhibit 5K—

10 **RE:** Yes.

11 **MD:** —is text message transcripts between myself and [REDACTED]. So I just said,
12 “Morning, mate. Office is up and running, however still no internet until the
13 engineer comes out again next week. Be in here all day with clients if you want
14 to pop in and take a look. Did you have a chance to draw up new Caerau
15 rounds, Mike.” So this is 21st July 2016, so this is just after the Cowbridge Road
16 East office has opened. At that point we didn’t have the internet connection
17 running there; we were waiting for an engineer but I was taking case work
18 meetings at this point. [REDACTED] messaged me back, “Hi, Mike. Having some
19 serious phone issues. Not sure if you’ve got any of my texts today. Are there
20 rounds for Canton still available for tomorrow? Only expect three people to
21 come.” So I imagine this was a Friday, no Thursday. So we would regularly
22 have all-day sessions on Friday or a Saturday or Sunday even where we’d get a
23 whole bunch of volunteers together to deliver leaflets. Later on we’d call them
24 super Saturday events and we’d basically get as many volunteers as possible to
25 get 2000 leaflets out all in a day. So what [REDACTED]’s saying there is are there
26 rounds available to doing Canton on the Friday and he’s expecting three people
27 to come to collect the rounds from the office and go out and deliver them. I say
28 to him, “There are five rounds bagged and waiting to go. That’s all Canton done
29 then. Haven’t started bagging Caerau until the rounds are rewritten.” Which I
30 think the leaflet in question is a thank you leaflet.

1 **RE:** A what leaflet?

2 **MD:** It's the thank you leaflet.

3 **RE:** Right.

4 **MD:** So shortly after Neil was elected we printed thousands and thousands of these
5 thank you leaflets to go out across the constituency. Again, they were all printed
6 using that Assembly printer and they were then folded, distributed, and sent out
7 across the constituency.

8 **RE:** So they were printed, folded, and then sent out from the office—

9 **MD:** Yes.

10 **RE:** —for distribution. Mm-hmm.

11 **MD:** So 6th November. Okay. So [REDACTED] says, "Are you able to look in the blue
12 book master copy of rounds to find out about how many we need for Canton?"
13 So this is the file I was talking to you about earlier, the master file with all the
14 cover sheets of the rounds. It was a blue folder. So [REDACTED]'s referred to it as
15 the blue book master copy of rounds.

16 **RE:** Where was that kept?

17 **MD:** In the office.

18 **NM:** Where is this?

19 **RE:** At CRE.

20 **MD:** It's Exhibit 5K. Yes at 321 Cowbridge Road East. I text back a little bit later, "I
21 was in a case work meeting." I mean, again, that shows that I was in the office.
22 "Canton is 6,500." So that's how many houses are in Canton.

23 **RE:** So the blue book would keep a record of how many pamphlets are going out?

24 **MD:** Yes. So it was... The overall figure on there was... So Cardiff West is broken
25 down into wards. Every ward would then have between 15 and 40 individual

1 rounds depending on the size. Every single one of those rounds would have a
2 cover sheet and on the cover sheet it would tell you every street to go to in that
3 round and at the end of every street we would have a figure of how many
4 houses were in that street. Then at the bottom is a total then of how many
5 leaflets are in that round. So when we're folding leaflets we would look at the
6 cover sheet, the cover sheet would say 250 for how many houses are in that
7 round and then we'd put a copy of the cover sheet on top of the leaflets, put an
8 elastic band round it of 250 leaflets and then that was the round ready to be
9 given to a volunteer to go out and deliver. So that's how we would organise it.
10 So in this conversation [REDACTED] wants to know how much Canton is in total
11 ready to start putting those into... to print enough to be able to round up.

12 **RE:** Mm-hmm.

13 **NM:** Can I have a quick break, Sir Roderick, please?

14 **RE:** Yes, of course.

15 **NM:** I've drunk so much water.

16 **RE:** Yes. We'll break off for ten minutes.

17 *Egwyl / Break*

18 **MD:** The significance of that is the direct mail, it's a political communication, 3,000 of
19 them being printed from the office on the Assembly printer. This was just under
20 two months before we got the campaign printer.

21 **RE:** What about the printing paper? Who paid for that?

22 **MD:** So some of it was purchased through the internet site we used from the
23 Assembly Commission. I forget the name of the company but basically we could
24 order materials off there. A certain amount was purchased off there but the
25 majority was purchased by Plaid Cymru, so [REDACTED] had a contact that he
26 would get in touch with to, sort of, buy paper and have that delivered to the
27 office.

1 **█**: Bought from Plaid Cymru or paid?

2 **MD**: Paid for by Plaid Cymru. So a percentage was paid for it by the Assembly
3 Commission, the rest was paid for by Plaid Cymru.

4 **RE**: Right. Thank you.

5 **MD**: So, 7th December, **█** says, "Do you know why these Grange leaflets are
6 in the office?" I said that **█** had dropped them off yesterday for **█**.
7 So **█** was a Plaid Cymru councillor in the Vale, not sure where, but
8 he had his own Riso at his house, much better quality than the one we had in
9 the office, so people would contact him to print out leaflets. We'd used **█**
10 **█** in the past in Cardiff West. The problem with **█** is that it would take a
11 long time to get the leaflets back so if we were in a hurry to get a leaflet out we
12 would usually just print it off the Assembly printer but if there was a big quantity
13 that there wasn't a huge deadline on then we would get **█** to print them and
14 then he would either bring them to the office to be folded and put into rounds
15 and for volunteers to pick them up or I would sometimes go up there and pick
16 them up directly from his house and bring them back. But, yes, in this instance,
17 **█**, which was Cardiff South, had put the order in to **█** to print
18 leaflets for Cardiff South, so for Grangetown. **█** had dropped them
19 off so the office in this circumstance was used as a distribution point, a collection
20 point for those leaflets to then be sent out to the volunteers.

21 **RE**: Mm-hmm.

22 **MD**: Then 16th December, again, **█**, "Hey, mate. Let me know when you've
23 got the Canton leaflets in the office. They want to come and put them into
24 rounds." I say, "Okay, mate. We've got **█**' half on the way to TG now."

25 **RE**: What's TG?

26 **MD**: Tŷ Gwynfor. Again, Tŷ Gwynfor is another place we would use to print leaflets
27 off. So in this instance I believe that half of them were printed by **█**,
28 half of them printed in Tŷ Gwynfor. It was just a case of getting them all together

1 in Cowbridge Road East again ready to be distributed. Sorry, Tŷ Gwynfor is
2 Plaid Cymru headquarters.

3 **RE:** Is that in Cathedral Road, is it?

4 **MD:** No, it's at the end of Dumballs Road around the Wharf.

5 **RE:** Right. Thank you.

6 **MD:** Okay. So Exhibit 5L. Right. So this was something that was printed again in
7 the office. These actually weren't printed on the Assembly printer, they were
8 printed off the desktop printers in the front of the office because of the colour on
9 them. We'd only use the Assembly printer for volume black and white leaflets;
10 we didn't print colour off there. So there were maybe 200 of these leaflets
11 printed and they're clearly... So at conference you'd have fringe meetings, so in
12 between speakers there'd be break-out rooms at the Plaid Cymru conference.
13 Neil was in charge of this particular fringe meeting but he wanted us to advertise
14 it to other members at conference so we printed, as I say, about 200 of these
15 and then when we went up to conference it was mine and [REDACTED]'s job to put
16 them on everyone's seat in the conference.

17 **RE:** These were printed what, on the campaign—

18 **MD:** These were on the desktop printers in the front part of the office. So, again, I
19 mean, they were provided by the Assembly Commission. All the ink and the
20 paper was paid for by the Assembly, but they were printed on those printers
21 rather than the big machine in the back.

22 **RE:** Who provided the desktop printer?

23 **MD:** The Assembly Commission. They provided, I think it was two desktop printers,
24 one desktop computer, a PC, and then they provided our laptops and docking
25 stations and monitors when Neil first got elected to the role, as part of his
26 allocation of ICT equipment.

27 **RE:** So this is 20th October 2016.

1 **MD:** Yes. In one of the transcripts we haven't been through yet there was a
2 conversation where [REDACTED] had forgotten to print out these leaflets and she was
3 already on her way to the conference so she forwarded the email to me which
4 had the fringe leaflet attached to it, which is this document here, and then I
5 printed them off in the office—

6 **RE:** Right.

7 **MD:** —and took them with me to the conference.

8 **RE:** Right. Shall we go to 5M?

9 **MD:** Yes. So, 5M is an email trail from [REDACTED], he was a volunteer and a
10 candidate, to [REDACTED], myself, and [REDACTED]. At the start of the meeting
11 they talk about... at a public meeting that had been arranged by Neil but to go
12 alongside this public meeting that [REDACTED] was going to be speaking at there
13 were leaflets to go with it, so [REDACTED] said, "Not urgently chasing. Any ideas
14 when the leaflets will be ready, that way I can organise myself to get them out
15 and posted?" So basically referring to the fact that it was our job to get the
16 leaflets printed and rounded up for him and then he'd come to the office and
17 collect them. Just a bit further down in that conversation it says, "I'll pick them
18 up. Hoping to leave Cathays just before four and I'll drive straight to the office to
19 get them well in time for five." So we usually shut the office at five o'clock. So
20 he would—

21 **RE:** So this, again, is the Cowbridge Road East office?

22 **MD:** Yes. Yes. This was October 2016.

23 **RE:** Mm-hmm.

24 **MD:** So we're well into Cowbridge Road East and this was well before Caerau office
25 was opened. Yes. I mean, it says, again, "I can come and collect today. What
26 time will someone be in the office today?"

27 **RE:** So again showing leaflets you say being collected—

1 **MD:** Yes.

2 **RE:** —from the office.

3 **MD:** Actually, if you go to page two, sorry, this is the start of the message trail, it says
4 [REDACTED] is saying that he's, "Going to print them now but there are still
5 three rounds left of the previous leaflet that needs to be delivered. Are you able
6 to come and get them?" Yes, he said, "I can come and get them today," and
7 then he sends another message giving the time that he's going to come and
8 collect them.

9 **NM:** What page is that on?

10 **MD:** Exhibit 5M, page two. It's where the first message in the trail is at 10.14 when
11 [REDACTED], [REDACTED], [REDACTED], says, "Any update on the leaflet?" [REDACTED]
12 has said he's going to print them now, three rounds previous. [REDACTED] then
13 says he'll come and get them and what time.

14 **RE:** Right. Thank you. What about 5N?

15 **MD:** Okay. So this is—

16 **NM:** I don't seem to have 5N.

17 **RE:** M?

18 **MD:** This was as part of the additional evidence bundle that I submitted. Do you
19 have copies of those?

20 [REDACTED]: Is that the [inaudible 02:02:17]?

21 **MD:** Yes, there was a... You know when I came in on the Monday morning and we
22 printed the additional...?

23 [REDACTED]: Yes. I'm sure I sent that to everyone.

24 **RE:** It was added, I think, on 12th November.

25 **NM:** Yes. Fine.

1 **RE:** Got it?

2 **NM:** Yes. Have you got [inaudible 02:02:40] I put in?

3 **RE:** No.

4 **NM:** 5N, page one, yes?

5 **MD:** Yes.

6 **NM:** There we go.

7 **MD:** So this was a message from [REDACTED], [REDACTED], to [REDACTED] about a
8 campaign meeting, campaign group meeting on Monday evening at 5pm at the
9 National Assembly. So this is just highlighting the fact that there weren't only
10 campaign meetings in the Cowbridge Road East office; there were also
11 campaign meetings in Neil's office in Tŷ Hywel and I think, again, Neil has
12 admitted that in the initial letter that he sent to you.

13 **NM:** I didn't admit calling the meeting; I admit to attending the meeting. It was
14 actually in an Assembly meeting room, Plaid Cymru group room.

15 **MD:** Okay.

16 **RE:** Right. Tell me that again. Explain that to me again. I don't understand.

17 **MD:** Okay.

18 **RE:** This is an email from [REDACTED] to [REDACTED].

19 **MD:** Yes. Sorry, [REDACTED] has forwarded the message to [REDACTED], I'm not... It's in Welsh so
20 I'm not quite sure what it says there, but the original email was from [REDACTED]
21 [REDACTED]—

22 **RE:** Right.

23 **MD:** —to the group of... the campaign group, saying that there's a campaign group
24 meeting at 5pm in the National Assembly. Obviously I didn't go to that meeting

1 so I didn't know what room it was in. If you can provide documentation to say
2 that you've booked the committee room, fair enough, I'll accept that.

3 **NM:** I didn't book it. It was done through [REDACTED] adviser, wasn't it?

4 **MD:** Why?

5 **RE:** So this is a political meeting that was held on Assembly estate?

6 **MD:** Yes.

7 **RE:** Is that permitted?

8 **MD:** I don't believe so, no.

9 **NM:** In Plaid Cymru group room. It was organised by [REDACTED] who was
10 [REDACTED] ' adviser there so I just attended.

11 **RE:** Sorry.

12 **NM:** I did attend but the meeting was organised through [REDACTED] ' adviser at
13 the time in the Plaid Cymru group office.

14 **RE:** So [REDACTED]—

15 **NM:** I did attend.

16 **RE:** [REDACTED] was—

17 **NM:** I can cover this later.

18 **RE:** Yes, yes. But [REDACTED] was [REDACTED] ' adviser?

19 **NM:** No, no. [REDACTED] was [REDACTED] ' adviser and [REDACTED] was a
20 former chief executive of Plaid who called the meeting.

21 **RE:** Right. [REDACTED], adviser to [REDACTED].

22 **[REDACTED]:** I don't think that he was an adviser, he was senior researcher to the Plaid
23 Cymru group.

1 ■: Sorry.

2 ■: But mainly working with ■.

3 **NM:** Senior researcher to the Plaid group but mainly working with ■.

4 **RE:** Okay.

5 **NM:** Senior researcher.

6 **RE:** Right.

7 **NM:** The organiser, the meeting took place in the group room for Plaid and that was
8 just, being a former chief executive, as the email shows, called the meeting.

9 **RE:** Right. So who organised that on National Assembly estate? Do we know?

10 **MD:** Well, the original looks like the... So the original email... No, actually, we'll go to
11 the first one in the trail on page three.

12 **RE:** Right.

13 **MD:** That seems to be the first one requesting that a meeting is held and it's from
14 Neil, from his personal email address, not his Assembly address, saying, "Given
15 what is happening I think we need to meet today at 5pm. I knew the tribunal
16 would find against me for the issue of..." what happened in 2015, so the bullying
17 of the council official.

18 **RE:** Right.

19 **MD:** "I didn't know that some senior Plaid players would use it to get even with me
20 without a care for what could be historic results on May 4th. So it looks like
21 Labour has done a lot of work on ■ in the Bay," goes on and on.
22 So it looks like Neil has requested this meeting.

23 **NM:** I didn't request a meeting. That was just done, wasn't it?

24 **MD:** Then at 4.30... Let's see. So, at three o'clock an email goes out from ■
25 ■ to the group saying that there's a campaign group meeting on Monday

1 evening at 5pm at the National Assembly. Then at 4.30 – was that the day
2 before? No, that's a different exhibit. So, yes, so, Neil's requested it and then
3 [REDACTED] has sent that out to the group. Like I said, I wasn't there so if
4 you say it was in the committee room—

5 **NM:** I want to say that if you look at the number of people there, my office at the time
6 was a box room, there was only room for three people so the meeting wasn't in
7 my office, it took place in the Plaid Cymru group room.

8 **RE:** Right. What would you like me to gain from Exhibit 5N?

9 **MD:** Well, I mean, yes, in fairness, it only says the National Assembly. On this one it
10 doesn't state your actual office in the Assembly so I accept your explanation for
11 this one so I'll withdraw that.

12 **NM:** I'd like to retain it as an exhibit because I think it shows how things work.

13 **RE:** Right. Well, it's in the file and it will stay there. You can make any point you
14 want to make on it. Right. Exhibit 5O

15 **MD:** 5O is an email to a much smaller group than the previous exhibit. This is, again,
16 sent out from [REDACTED] and this one specifically says, "We'll meet
17 tomorrow at 12.15 at Neil's office in the National Assembly." I would suggest
18 that was in Neil's private office in the Assembly.

19 **NM:** No, it wouldn't be because it was... Okay. We'll come to that later.

20 **MD:** So, yes, there's only a handful of people invited to that one.

21 **NM:** Which one's that, Mike?

22 **RE:** 5O.

23 **MD:** Exhibit 5O.

24 **NM:** There's not a handful. There's one, two, three, four, five, six, seven, eight
25 people.

26 **MD:** You could comfortably fit eight people into your room in the Assembly.

1 **NM:** No. Not the one that I had then.

2 **MD:** Yes. I disagree. I think you could quite easily host it and it says—

3 **NM:** I get the measurements.

4 **MD:** —it says 12.15 at Neil’s office.

5 **NM:** I can measure the room.

6 **RE:** So the point you’re making is that this is a political meeting held on National
7 Assembly—

8 **MD:** Yes.

9 **NM:** Called by [REDACTED], not me.

10 **MD:** So [REDACTED] called the meeting without your knowledge?

11 **RE:** Well, hang on. We’ll just go through the evidence bit by bit. So you’re saying a
12 political meeting was held in Mr McEvoy’s office on 5th April—

13 **MD:** Yes.

14 **RE:** —2017 at 12.15.

15 **MD:** It says, “We have several aspects of the campaign to discuss but I’d like to focus
16 on agreeing a plan for materials, how these are to be produced and authorised.
17 I want to see a clear, costed, and timetabled plan for the meeting, not to the
18 pennies, of course.”

19 **RE:** Yes. Can somebody help me? How could someone like [REDACTED]
20 who’s... He wasn’t working in the Assembly then, was he?

21 **NM:** No.

22 **RE:** So how could he call a meeting?

23 **MD:** I think he was the [REDACTED]

1 **NM:** He's a former chief executive, isn't he, so if he wanted to have a meeting, the
2 meeting takes place.

3 **RE:** Well, this was a campaign meeting. He was the [REDACTED]—

4 **MD:** No, he wasn't [REDACTED] but he had a—

5 **NM:** He was [REDACTED].

6 **MD:** [REDACTED] was the chair.

7 **NM:** That was [REDACTED] who took over.

8 **MD:** Okay. Initially it was [REDACTED] and then [REDACTED] later on in the campaign
9 took over as chair. Yes, I remember that. So, yes, he's calling that meeting as
10 [REDACTED]

11 **RE:** Right. Right. Thank you. Are you done?

12 **MD:** So, yes, we're now into complaint two.

13 **RE:** Right. I've got further exhibits under five.

14 **MD:** Right. Okay. I didn't... Yes. I can get those. I didn't put the... When I printed
15 them with [REDACTED] they didn't have exhibit numbers on them so I just slotted
16 them into the back of my file but I can go through them now with you.

17 **RE:** Only if they're relevant to this.

18 **MD:** Yes.

19 **RE:** Right. Entirely for you. I'm not going to try and—

20 **MD:** No, no.

21 **RE:** —force you to deal with something you aren't ready to deal with.

22 **MD:** No, it's fine. I haven't got numbers on these so that's the only reason they're at
23 the back of my file rather than in that place.

1 **RE:** Right. I've got 5P and 5Q.

2 **MD:** Yes. Statement by [REDACTED]; statement by [REDACTED].

3 **RE:** Yes. Now, what I am to get from [REDACTED]' statement?

4 **MD:** So if you go down to the second paragraph.

5 **RE:** Yes.

6 **MD:** End of the second line, "Neil McEvoy would lead Plaid Cymru's overall
7 campaign." So that's just confirming that Neil was the head of the council
8 election campaign and then the last sentence, "So Neil's leadership role was
9 confirmed with the despatch of leaflets at regular intervals from his Cowbridge
10 Road East office to all target wards in the city, especially during the Grangetown
11 by-election in November 2016."

12 **RE:** Is [REDACTED] going to give evidence?

13 **MD:** Well, I will call him now because, obviously, when you said this morning that
14 they need to come in and give this evidence for it to be submitted. I wasn't
15 aware of that. I thought as Neil's put in statements from people that aren't going
16 to be called, I thought I'd—

17 **RE:** Well, there will be... You see, it's impossible for me to assess the truth of
18 anything unless somebody says X and the other person says, "No, that's
19 wrong," "That's right."

20 **NM:** I haven't asked [REDACTED] to come along because as far as I'm concerned—

21 **RE:** Well, it doesn't matter—

22 **NM:** —there are flat lies in there, so.

23 **RE:** I can't take the content of [REDACTED]' statement into account or the
24 statements that you've submitted, Mr McEvoy, unless they come to give
25 evidence and I can hear them giving evidence and being cross-examined,
26 otherwise it simply isn't a fair system. All right?

1 **MD:** Yes. I'm happy with that. Like I said, I would have already contacted them if I
2 knew that was the case. So, yes, I'll get in touch with them tonight and I can
3 arrange that.

4 **RE:** Thank you.

5 **MD:** So, yes, if we can leave them for now and come back to them.

6 **RE:** Then there's 5Q as well. Does that have any relevance to this complaint?

7 **NM:** I'm not sure what that is.

8 **RE:** Let me show it to you.

9 **MD:** Yes. This statement from [REDACTED] is a typed up version of this email and
10 I've also included the attachments. So these attachments are on the email.

11 **RE:** Right.

12 **MD:** I've printed out copies. Again, it's to do with his statement.

13 **RE:** So he'll be coming to give evidence?

14 **MD:** I'll contact him as well. Yes.

15 **RE:** Thank you. Right. Is that the end of that particular complaint?

16 **MD:** It is and it isn't. So, with what you said during the transcripts about if I was to
17 raise them during cross-examination, if they were challenged at that point then it
18 wouldn't automatically be evidence, I'm wondering if it's worth going back to the
19 transcripts that we do go through in detail and do that.

20 **RE:** Right. Which one is that?

21 **MD:** There are two of them. So it's the Signal group and it's the WhatsApp group.
22 Whether it would be better to just get all that out of the way today so at least
23 they're on file and then if someone wants to challenge it a cross-examination
24 then that's their choice to make.

1 **RE:** Right. Which exhibits are these?

2 **MD:** So Exhibit 5A is the first one.

3 **RE:** Right. We've been through part of this, haven't we?

4 **MD:** Yes.

5 **RE:** Right. These are print-outs of screenshots that you've taken.

6 **MD:** Yes.

7 **RE:** Right. Is there any challenge, Mr McEvoy, to the accuracy of these?

8 **NM:** I've viewed some of them. We can verify Michael's phone, can we, as we go
9 along, I suppose?

10 **RE:** What I don't want to do is to take time—

11 **NM:** Yes.

12 **RE:** —having something proved that is not an issue.

13 **MD:** I mean, there were no factual inaccuracies with what I've already shown you
14 when we—

15 **NM:** Which... You couldn't disclose the Signal group's before February.

16 **MD:** Yes.

17 **NM:** What I did notice was that – and I mentioned this in the meeting – you cut and
18 pasted the messages, so there are replies you've just completely missed out.

19 **MD:** No. So what I've submitted is only stuff that's relevant to the complaint. So as
20 part of these messaging groups there was a lot of chat on there that was nothing
21 to do with any of the complaints I've brought forward. "What you doing over the
22 weekend?" "We'll meet up for a pint or something later," all that sort of stuff that
23 I've just left out of it. The only stuff that I've included is stuff that's relevant to the
24 complaint. First of all, just to save on the volume of submissions and, second of

1 all, to make it easier to reference and pick out the stuff that's important rather
2 than having huge trails of messages that no-one can decipher because... I've
3 spent the time picking out of those messages what is important to the case. I
4 spent the time transcribing them for ease of you to read them. I mean, you've
5 got these messages; [REDACTED]'s got these messages; [REDACTED]'s got these
6 messages. If you want to go back, we were all involved in it, in the group chat,
7 so if you want to go back and—

8 **NM:** That's a fair point.

9 **RE:** That's, I think, a fair point. If you have—

10 **NM:** We don't have them. I've changed telephones and those conversations no
11 longer exist. That's why I was surprised.

12 **RE:** What about [REDACTED].

13 [REDACTED]: I don't have them either.

14 **RE:** Why?

15 [REDACTED]: I've changed phones. Also we've changed the phones. It doesn't update
16 WhatsApp on those groups anymore.

17 **MD:** If you go in there and key in your mobile number that you were using on the
18 previous group it will automatically bring back all the old messages. So when I
19 got my new phone, because I'm in the same position, I've had a new phone
20 since then, I went onto my new phone, went into WhatsApp, keyed in my phone
21 number and I had all the messages since the start of the time I was using
22 WhatsApp. So if you want to go into it there are ways to do it.

23 **NM:** [Inaudible 02:19:12] I've keyed it in and it doesn't happen.

24 **RE:** Well, perhaps you can bring your phone here and Mr Deem can—

25 **NM:** Yes, sure. Okay.

1 **RE:** —do whatever you want him to do with it so you can have the content of the
2 messages.

3 **NM:** Can I just state that it's highly unsatisfactory because what we're having is a cut
4 and pasted version of messages. So Mr Deem says that only this is relevant but
5 it's only relevant to him because there may well be material there which is useful
6 to me which has not been disclosed.

7 **RE:** Well, it's not a question of disclosure. Disclosure is quite different.

8 **NM:** Okay. But if there's a string of messages it's a strong possibility that what may
9 be useful for me is not there.

10 **RE:** Well, quite.

11 **NM:** It's been cut and pasted. So as long as everyone is aware of that.

12 **RE:** Well, there are two issues there. The first issue is that if Mr Deem is right you
13 can retrieve them. The second issue is when it comes to my assessing the
14 cogency of the content I would certainly bear in mind the fact that if you haven't
15 reproduced themself—

16 **NM:** I've tried but they're not there.

17 **RE:** —then I will bear that in mind, but that doesn't undermine the potential accuracy
18 of what Mr Deem is saying. I accept your point.

19 **NM:** February... Anything before February you couldn't reproduce either.

20 **MD:** No. So, when we went to the meeting I was scrolling back through my phone
21 and every time I got to February on the Signal group it would crash. I believe it's
22 because I haven't had... there wasn't enough memory on my phone to keep
23 going back, but since the messages were sent I got a new phone, I've filled the
24 memory. What I am prepared to do is if we can reach an agreement whereby
25 everything post that on the Signal... The Signal group was the only one there
26 was an issue with. It was quite easy to retrieve all the other ones because they
27 were much shorter transcripts—

1 **NM:** It didn't [inaudible 02:21:11], did we?

2 **MD:** Well, I'm confident that they were produced but what I don't want to do... A
3 potential fix is to update the Signal app on my phone and make some space on
4 there by deleting photos and stuff. I don't want to apply that update though in
5 case I lose anything. So if we can agree what's on there at the moment then
6 we'll do that and then as soon as that's agreed then I'll try everything I can to
7 make space and update the app to try and go... get back the messages before
8 then. I don't think it's an issue because I've already provided you with the
9 screenshots. I mean, you've already got that. It's not like that information is not
10 available. I've sent you the screenshots and you can physically view the
11 messages that are before that point in February, but I don't want to now, since I
12 took those screenshots I've used the phone a lot since, filled up a lot of the
13 memory, I don't want to now go back and update it at this stage.

14 **RE:** Well, I'm sure Mr McEvoy can attempt to do what you've done.

15 **NM:** Yes. I'm happy to do that.

16 **RE:** Right.

17 **NM:** But the fact of the matter is that you said at the last meeting with [REDACTED] that
18 you had resolved the memory issue and you've not done that.

19 **RE:** No, you've—

20 **MD:** I have but I haven't got it. I haven't got the phone with me.

21 **RE:** It's a minute before one o'clock, before we break. What do you want me to get
22 out of page five, for example, and six, 5A?

23 **MD:** Okay. So 15^h February. So I have got a general letter about Cardiff Plaid I can
24 send to people who want more information from the Party.

25 **NM:** Which page is this, I'm sorry?

26 **MD:** Exhibit 5A, page one. So this is [REDACTED] now. She's asking have we got a
27 general letter about Cardiff Plaid. Neil says, "No, we need one." [REDACTED]

1 says, "Okay. Matthew, have you got time?" He says no, so Angharad says,
2 "Okay. Working on it. In the office now." So this is showing that Angharad
3 Llwyd, the organiser for Cardiff Plaid, was producing a Cardiff Plaid leaflet in the
4 office at 321 Cowbridge Road East. 17th February, "Hi, have you got any A4
5 hidden anywhere in the office?" I've replied back saying, "Yes, it's in the back
6 office under the empty bank of boxes." Angharad says, "Thank you." Neil says,
7 "Are the Llandaff leaflets being bagged?" Angharad says, no, she's going to do
8 it tomorrow. "Shall we invite [REDACTED] in to help?" Neil says. Matthew says, "The
9 Creigiau are ready to print now, it's on the memory stick." Angharad says, "Yes,
10 sure. I think she responded to a volunteer email, she's free tomorrow morning,
11 be nice to meet her," and then she says that she's going to print the Creigiau
12 leaflets ASAP. [REDACTED], no, is in fact away till Wednesday," and Angharad says,
13 "No problem." So as part of that conversation Angharad is in the office, she's
14 not had chance to bag the Llandaff leaflets but she's going to do it tomorrow. So
15 instead she's going to print the Creigiau leaflets. Again that's being done in the
16 office. This was February so this is before we've got the campaign office in
17 Caerau.

18 **RE:** The same for February 23rd?

19 **MD:** Yes. "Need to print out leaflets for Grange and Caerau tomorrow. Okay?"
20 Angharad says, "Okay, are they ready? Need to print Butetown too tomorrow."
21 "Just a few hundred for Caerau. Very simple and for Grange." Angharad's
22 thumbs-up.

23 **RE:** 24th, again.

24 **MD:** Yes. "Can we get Caerau out printed for Matthew in the morning? We can't big
25 canvass on a weekend. At the worst can someone send me the PDF of the
26 English side?" Angharad saying, "The Grange ones are done." She can't print
27 off her computer, Matthew, if he can finish and send it over she'll go in the
28 morning. Neil says, "Fab, just a few hundred will do." Matthew then messages
29 back saying, "I'm not involved in the Caerau leaflet. Neil's put it together. They
30 probably have some of the previous ones anyway unless they've already
31 canvassed."

1 **RE:** Your point, I meant, is the same, isn't it?

2 **MD:** It's the same. Yes.

3 **RE:** Just using the office, you say—

4 **MD:** Yes.

5 **RE:** —for dealing in printing, folding, distributing political leaflets.

6 **MD:** Yes.

7 **RE:** 27th February. That's a continuation of the same point, isn't it?

8 **MD:** Yes.

9 **RE:** It's a reference to the Welsh version.

10 **MD:** Yes. Yes. Then [REDACTED] I think she says she can't go back. Yes. [REDACTED]
11 just saying she'll be in first thing to print it.

12 **RE:** There's a reference to [REDACTED] translating.

13 **MD:** Translating. "Sorry about slogan translation it doesn't sound so..." Yes, that
14 was trying to decide the slogan for the campaign, so "Let's get it done," was the
15 slogan. Eventually she came up with "Amdani" because that was the most...
16 that's what sounded best but it took us a while to get there.

17 **RE:** Same as 4th March, it is again a reference to flyers and being in the office.

18 **MD:** Yes. Yes, so this is, you know, the fringe flyers I said earlier were printed on the
19 desktop printers. So [REDACTED] has messaged the group saying, "I haven't printed
20 any fringe flyers out. Only now realise. Anyone happen to be at the office this
21 morning? If not, I'll stop there on my way up. I've everything else sorted.
22 Email..." Sorry, she wasn't already on her way to the conference but [REDACTED]
23 lives in [REDACTED] so it would have been a long way for her to come over just to print
24 those.

25 **RE:** So this is the reference to connected with 5L then.

1 **MD:** Yes. Yes. Neil says, "We need the flyers." So then I phoned [REDACTED] and I get
2 her to forward me the—

3 **NM:** Okay. So can I—

4 **RE:** That can't be right, can it? We talked about in 5L in October '16 and this is
5 March '17.

6 **MD:** Fair enough. Then 5L is to do with the annual conference. It's exactly the same
7 thing. We would have printed fringe leaflets for the annual. This would have
8 been the spring conference.

9 **NM:** Earlier though, you relied upon, in the evidence. Do I say this later?

10 **RE:** Yes, of course.

11 **NM:** Or do I deal with...? So a couple of things which came up going through which I
12 didn't interject with but since you did. Earlier you reference [REDACTED]'s message
13 about the flyer but they're different conferences.

14 **RE:** Yes, he just said that.

15 **MD:** Yes. No, I just said that. We always print out fringe leaflets for the conference.

16 **NM:** Where was the...? In your evidence earlier you said there was a line of
17 messaging for 5L.

18 **MD:** Yes.

19 **NM:** Can you tell me where it is in the bundle because I'm not sure?

20 **MD:** To be honest, it's a big bundle. I will come to it at some point. When we were
21 reading back through this I assumed that we were talking about the same leaflet
22 but I imagine it's probably in somewhere in bundle six because bundle six is to
23 do with Assembly staff being employed to do political activity. So I imagine it's
24 somewhere in that transcript.

25 **NM:** Bundle six—

1 **RE:** You can look it up in due course.

2 **NM:** Yes.

3 **MD:** Sorry, charge five, sorry, the big one anyway about... It's somewhere in here.

4 **RE:** Well, it was number six and you've now made it five.

5 **MD:** Yes, it was initially six, went to five.

6 **RE:** Right.

7 **MD:** Yes. This is still talking about printing.

8 **RE:** I think we'll have a break there and start again at five-past-two. All right?

9 **NM:** Yes.

10 **RE:** How much longer have you got to do on this first?

11 **MD:** I mean, if we keep going at this rate I imagine this one is only going to be 20
12 minutes and then we get onto the... I mean, then charge two, charge three are
13 going to be quite short. Charge four is going to be quite short. It's charge five
14 that's the big one.

15 **RE:** Big one. Right.

16 **NM:** Which one's charge five?

17 **RE:** That was number six originally.

18 **NM:** Right. Okay.

19 **MD:** Employed members of staff specifically...

20 **NM:** Yes. Shall I make a point now or later about the printing because—

21 **RE:** No, later.

22 **NM:** Okay. Yes.

1 **RE:** For two reasons, first of all, lunch.

2 **NM:** Yes.

3 **RE:** Secondly, it's easier if we do it in some kind of order.

4 **NM:** Of course.

5 **RE:** Easier for me anyway. Shall we meet again at, what, ten-past-two.

6 *Egwyl / Break*

7 **RE:** Right. We're still on the first complaint which was complaint five. We were
8 going through Exhibit 5A, some of which we had done anyway, but the purpose
9 of Exhibit 5A, you say, is to show that the office at CRE, Cowbridge Road East,
10 is used as a hub.

11 **MD:** Mm-hmm.

12 **RE:** Yes. Right.

13 **MD:** I think we got to 5th March.

14 **RE:** Mm-hmm.

15 **MD:** We briefly talked about the... So, I'll go from 5th March. Neil says, "Brill, I prefer
16 if [REDACTED] and [REDACTED] no longer come to the office.

17 **NM:** Sorry, which sheet are we on now?

18 **MD:** Exhibit 5A, page three.

19 **NM:** So the first two pages have not been verified now.

20 **MD:** Yes, we've gone through those.

21 **NM:** But we've not seen them.

22 **MD:** You've got the screenshots of those pages.

1 **NM:** I'm very happy to have my phone used to see if they actually exist or not.

2 **RE:** I'm happy for them to be. Can you do it or would you like—

3 **NM:** I'm not sure I'm able to do it. It's just impossible.

4 **MD:** So you've got WhatsApp on there, have you?

5 **NM:** Yes.

6 **MD:** When did you get that phone?

7 **NM:** I'm not sure, to be honest, earlier this year.

8 **MD:** You okay if I go into your WhatsApp messages?

9 **NM:** Well, I'm in there now, so.

10 **MD:** Is it the same phone number?

11 **NM:** Yes.

12 **MD:** Is this when you got it, is it, August 2019?

13 **NM:** Not sure. That's what that one's dated or is this a different one?

14 **MD:** Yes. So did you do this when you got the phone, the migration?

15 **NM:** Well, just switched it on, basically.

16 **MD:** What's your number now?

17 **NM:** Same.

18 **MD:** You're happy for me to try and do this?

19 **NM:** Yes. [Inaudible 02:35:02] now?

20 **MD:** No. I think this is going back earlier, isn't it? It's going earlier in 2018. Yes, this

21 should be nine or ten.

1 **NM:** I've tried doing this but I've been unable to get anything.

2 **RE:** Right. Well, we'll carry on for the time being. You can try again later perhaps.
3 Okay. Right. We're on 5th March. Exhibit 5A, page three.

4 **MD:** So, yes. Neil says, "Brill, I would prefer it if [REDACTED] and [REDACTED]
5 no longer come to the office. The political office needs to be one of their homes.
6 After those pair turning on me Saturday I've lost all confidence in them. They
7 are not welcome. Am happy to email them to explain." So I think what I'm trying
8 to show here previous to them not being allowed to come to the office, their
9 political office was considered Cowbridge Road East. Bethan says, "Of course,
10 very fair. I'm not sure if I want to continue with Plaid Ifanc. I'm really unsure if it
11 is a waste of my time turning up to meetings." Then Neil turns round and says,
12 "Let's not ban [REDACTED] and [REDACTED]. I'm really unhappy but best not to take it to the
13 next level." Angharad says, "Keep your enemies closer." Bethan says, "I like
14 your mentality." Matthew says, "They're not our enemies though guys, don't let
15 Labour divide us, we need to work it out with candidates." So I think what I'm
16 saying in this is that originally, yes, Neil said their political office will be
17 somewhere else and then it turns out no, after all they're not going to get to
18 banned from the office, implying that Cowbridge Road East is going to continue
19 to be their political office.

20 14th of the 3rd, then, "Number one priority is to sort sub-let to Plaid." "Okay,
21 chasing now." So this was March 2017. Obviously we'd been in there nine
22 months now and this is when Neil was pushing for us to sub-let the back room to
23 Plaid Cymru. He mentions it briefly in his letter in submissions this morning.
24 Yes, again, the idea was... this was around the time that we were considering
25 getting the campaign office and we were looking at the finances for getting the
26 Caerau office. In order to explain the fact there was so much political material in
27 Cowbridge Road East we decided that if we could get Plaid to sub-let the back
28 room in the Cowbridge Road East office then we could say, well, that area is
29 nothing to do with the Assembly Commission, we're not paying for it. There
30 were a couple of emails between myself and the Assembly Commission and it
31 didn't pan out in the end. I forget the reason why we didn't go ahead with it but
32 Plaid never did sub-let the back room in the office. I can access my Assembly

1 laptop, my old Assembly laptop and that sort of conversation would have been
2 on there because I'd have been using my Assembly address. That's the one
3 that's being stored in your office currently but since my credentials have been
4 wiped out I've not been able to access that to get that email trail.

5 **RE:** Right.

6 **MD:** So, 15th of the 3rd. [REDACTED] this is, "Hi, [REDACTED]. Just checking if Splott leaflet
7 is ready to print. If so I'll come to the office or otherwise go home." [REDACTED]
8 says, "Hi, [REDACTED] We've got the Riverside one ready to print. Splott hasn't
9 come back yet.

10 [REDACTED]: That's not me.

11 **MD:** Sorry, [REDACTED] Sorry. [REDACTED] says, "Hi, [REDACTED] We've got the Riverside
12 one ready to print. Splott one hasn't come back yet." [REDACTED] says, "Okay,
13 fab. Will be over soon." So, again, that's saying that [REDACTED] is going to come
14 to the office to print the leaflet. This was three days before we Caerau Lane.

15 **NM:** Can I interject and say what office or do we save that until later.

16 **RE:** I'm sorry.

17 **NM:** Do I interject and ask what office or do we save that for later?

18 **RE:** Well, what Mr Deem is saying is that that was part of the—

19 **NM:** Okay. Save it for later.

20 **RE:** —Cowbridge Road East. It's three days before the Caerau office.

21 **MD:** Caerau office. Yes.

22 **RE:** You've dealt with 17.

23 **MD:** Dealt with, yes, 17. I've dealt with 18. I've dealt with the 21st.

24 **RE:** Yes.

1 **MD:** Okay. So the next one is just showing... I don't know if we talked about it in the
2 previous, the fact that the printer is now in my garage and it needs a service
3 because we were using that printer to print leaflets but there was a black line
4 that was coming through the leaflets and it wasn't good enough quality to go out.
5 This is the Assembly printer we're talking about here because... No, it's not, this
6 is the campaign printer, my apologies. We left the Assembly printer in the
7 Cowbridge Road East office. So this is just to show that the campaign printer is
8 now in my garage so it's a follow-on from the conversation we had previously
9 about moving everything from Cowbridge Road East to my garage.

10 **RE:** 7th April.

11 **MD:** Sorry, just to be clear, when Neil says in that that we need to sort the printer, the
12 line is poor, he's referring to print-outs from the one made legitimately on the
13 campaign printer. I'm not suggesting that the Assembly printer was used for
14 that.

15 **RE:** Mm-hmm. Right.

16 **MD:** So 7th of the 4th. So, this is showing that two printers were being operated
17 simultaneously. So [REDACTED] is in the campaign office in Caerau and she said,
18 "The printer's working now. I'm printing 1,000 Fairwater calling cards," and
19 [REDACTED] said, "Great, I'm doing Riverside here."

20 **RE:** Here would be?

21 **MD:** A separate location to [REDACTED] so the Cowbridge Road East office. Then that
22 follows on into the 8th where Neil sends a message to the group saying, "We
23 really must get up-to-date with the printing tomorrow. We must use both
24 printers. Must get volunteers to people the offices." So this is the two offices,
25 Cowbridge Road East and the campaign office, both being used, both printers
26 being used and Neil's given the authority for that to happen.

27 **RE:** Mm-hmm.

1 **MD:** So 11th of the 4th, [REDACTED] says, “Any printing for me to do from Cowbridge
2 Road?” [REDACTED] says, “Hope you get better soon, Mike. I’m in the Caerau
3 office,” and then [REDACTED] says, “Awesome. I’ll be inputting Treeware today.”

4 **RE:** What is Treeware?

5 **MD:** Treeware is a computer programme that we use to collate data. It would be
6 used for political purposes. So we would collect data from constituents but also
7 have data off various marked registers from previous elections. All of that gets
8 centralised in the Treeware. Then, from there you can formulate lists of target
9 voters that you want to go after. So the more data that we put into it and voting
10 practices, previous voting history, the more data we put into it the more accurate
11 picture we then get as to who we need to target in order to win an election.

12 **RE:** Right.

13 **MD:** So Treeware is a political—

14 **RE:** So where are you saying that [REDACTED] is on 11th April.

15 **MD:** In Cowbridge Road East.

16 **NM:** I think Mike is just flagging up one aspect of Treeware there. It’s routinely used
17 by Assembly members to keep in touch with constituents.

18 **RE:** I’m sorry, say that again.

19 **NM:** Treeware, Michael’s only highlighting one aspect of Treeware there. Treeware
20 is routinely used to keep in touch with votes.

21 **RE:** I see.

22 **MD:** Yes, I think we getting into the arguing point at this stage. I mean, there’s plenty
23 more evidence I could submit as well—

24 **NM:** Well, it’s my—

25 **MD:** My chance now to—

1 **NM:** —you're misrepresenting what Treeware can be used for.

2 **MD:** Like I said, initially I suggested we address this in cross-examination because
3 there's more evidence to present and to give it more context but I'm just
4 presenting this piece of evidence at this stage so we can argue it later on.

5 **RE:** What appears to me to be significant from what you say is that [REDACTED]
6 there is saying that she is in Cowbridge Road East asking whether there's any
7 printing you've got to do there.

8 **MD:** Yes.

9 **RE:** Okay.

10 **MD:** So, 27th of the 4th. Okay. So [REDACTED] says, "Done. [REDACTED], I'll have to shoot
11 off soon. Are you coming over to finish printing in Butetown and the rest? I'll be
12 in to sort rounds in the morning." [REDACTED] says, "I'm going to stay in Canton
13 printing the Riverside one. Will take all day." [REDACTED] said, "Fine." Then
14 [REDACTED] said, "Yes, Riverside is still printing at the moment. 500 are folded so far
15 but Neil has asked me to do some telephoning this afternoon and he'll continue
16 folding later." So, again, that's saying that [REDACTED] is printing Riverside in
17 Cowbridge Road East and [REDACTED] is doing the folding.

18 **RE:** So you're saying [REDACTED] is in Cowbridge Road East.

19 **MD:** Is in Canton, yes, so Cowbridge Road East office.

20 **RE:** Right.

21 **MD:** Also, if he's in Cowbridge Road East office he's going to be using the Assembly
22 printer because the campaign printer is now in Caerau.

23 **RE:** Yes. Well, there are two parts there, aren't there? Using the Assembly printer,
24 you say, is wrong anyway.

25 **MD:** Yes.

26 **RE:** But doing it in the office is also wrong.

1 **MD:** Yes.

2 **RE:** Right.

3 **MD:** So 8th of the 5th, [REDACTED] messages, "Everyone happy to have a team meeting at
4 ten on Wednesday in 321 Cowbridge Road East?" [REDACTED] says, "Yes." The
5 significance of that will be more apparent later down the line. I'm going to say
6 that that team meeting was political in nature. There are minutes but it's going
7 to take quite a bit of time to go through and locate them at this stage.

8 **RE:** Right.

9 **MD:** So if you'd rather I'd address that further down the line.

10 **RE:** Yes. Right.

11 **MD:** Finally on this one, so 20th of the 5th, Neil messages the group saying, "DM list.
12 Is there a mail merge for all contacts 2017, excluding Labour and
13 Conservatives? The usual target list." That would be a list that would be
14 generated from Treeware. Then he says, "Cover this on Monday, 9.30 staff
15 meeting, Canton. Thanks." So I'm saying here that we're discussing a DM list,
16 a mail merge for all contacts, and target voting lists in a staff meeting in the
17 Cowbridge Road East office.

18 **RE:** To discuss those political matters.

19 **MD:** Yes. I mean, yes, this message is... all of the tasks involved there are all of a
20 political nature.

21 **NM:** Can I just say that this is after the council election. So if Mike is alleging that he
22 was aware of resources being used for Westminster then you've already signed
23 your expenses to say that this didn't happen.

24 **MD:** I don't think that's got anything to do with it.

25 **NM:** Well, you seem to be alleging now that resources are being used in the office for
26 a Westminster election—

1 **MD:** Yes.

2 **NM:** —but as a candidate you signed those returns to say that none of this happened
3 because none of this was included in your return, Mike. So we need to be clear
4 there.

5 **MD:** I don't quite know what you're getting at.

6 **NM:** The allegation is the council election. The council election has gone, it was
7 4th May.

8 **MD:** Yes.

9 **NM:** This is 20th May.

10 **MD:** Yes.

11 **RE:** So this is in relation to Westminster elections?

12 **MD:** Yes. Yes.

13 **RE:** Who's the candidate then?

14 **MD:** Me.

15 **NM:** If you're saying that this was printed in the office for a Westminster election then
16 you're basically admitting that you made a false electoral declaration.

17 **MD:** I don't remember the electoral—

18 **RE:** That's an argument that we can have in due course. So what you're saying is
19 that this is Mr McEvoy discussing political matters or referring to political matters
20 while in a meeting the following morning, or on Monday morning, of the staff?

21 **MD:** Yes.

22 **RE:** What is wrong with that?

1 **MD:** Because he's asking for a direct mail list to be produced, a mail merge for all
2 contacts from 2017, the usual target list. So they are all lists that are used for a
3 political nature.

4 **RE:** Where would they be kept?

5 **MD:** They can be generated anywhere.

6 **RE:** On the computer.

7 **MD:** Yes. On our computers we'd go into Treeware to access them.

8 **RE:** I'm not sure I understand at the moment what is wrong with this so far as
9 Mr McEvoy is concerned.

10 **MD:** Okay. I guess further down the line, when Treeware becomes... I mean,
11 [REDACTED] sends an email which gives a really detailed explanation of Treeware
12 mail merges, how they can be used in campaigning. That is further in the
13 documents in the submissions. That's a really good explanation, basically, of
14 why these tools are political in nature. So maybe, again, later on in the
15 submission that will become more apparent.

16 **RE:** Okay.

17 **NM:** Just to clarify, so you're alleging that mail merges is political?

18 **MD:** If used in a specific way, yes.

19 **NM:** Okay.

20 **RE:** Right. We've been through the rest of Exhibit 5, have we?

21 **MD:** I believe there's one more transcript. I think it was about 5G.

22 **RE:** 5G, right. Yes. I said before lunch that I didn't have page one.

23 **MD:** Right. Yes.

24 **RE:** I do have it. I found in the... I moved it with something else.

1 **MD:** Okay.

2 **RE:** Right.

3 **MD:** So, yes. 12th of the 10th, '16. [REDACTED] says, "Labels for [REDACTED] are in the back
4 room. They're for the letters that will be sent by paid post and are [inaudible
5 02:54:13] in Butetown. [REDACTED] may be coming in."

6 **[REDACTED]:** [Inaudible 02:54:14]

7 **MD:** We're not at that stage yet. So, yes, "[REDACTED] might be coming in tomorrow with
8 volunteers to stuff, just to let everyone know." So what's being said there is that
9 the labels for the direct mails have been printed and that [REDACTED] is going to come
10 into the office the next day to stuff envelopes.

11 **NM:** What—

12 **RE:** Just—

13 **MD:** We're not. It's going to take all day, if they ask.

14 **NM:** Leaflets.

15 **MD:** It's a leaflet.

16 **NM:** Yes. Of course it is.

17 **MD:** Do you want this to drag on for three weeks or do you want us to get through
18 this now? If you've got any questions, write them down.

19 **NM:** Well—

20 **RE:** You can ask your questions—

21 **NM:** At cross-examination—

22 **RE:** You can ask your questions in due course.

23 **NM:** Okay. Thanks.

1 **RE:** 12th October you say is what?

2 **MD:** So we've printed labels for [REDACTED] for his direct mails, they're in—

3 **RE:** [REDACTED]?

4 **MD:** [REDACTED] is the candidate in—

5 **RE:** Riverside?

6 **MD:** —Butetown.

7 **RE:** Right.

8 **MD:** They're in the back room of the office.

9 **RE:** Right.

10 **MD:** Can I just ask a question at this point? So we've now got two witnesses here
11 taking notes of everything that I'm saying and the evidence that I'm submitting
12 who are later going to be cross-examined. So is this not giving them an
13 advantage come the cross-examination? I raised it with you in the beginning
14 when it was just [REDACTED] but now it's [REDACTED] and [REDACTED] sat there basically
15 writing down everything that they're going to be cross-examined about. Is that
16 correct?

17 **RE:** I don't see what's wrong with it at the moment.

18 **MD:** I just think it gives... Obviously they've got all this information—

19 **RE:** Yes.

20 **MD:** —but I'm explaining the significance of all of this. I'm going to be raising that in
21 the cross-examination. I would rather them have it first time during the cross-
22 examination and not be able to go away tonight and make up their own story of
23 how this all happened.

24 **RE:** Well, there's got to be a balance here, hasn't there? As I mentioned earlier
25 there are two different approaches depending on criminal or civil cases.

1 **MD:** Mm-hmm.

2 **RE:** They've got all this information. What I want is for this to go through as quickly
3 as possible otherwise people will be here for days and days and days. I don't
4 see any disadvantage to them having... to knowing your case. They're going to
5 have to know your case in order to answer it.

6 **MD:** Mm-hmm.

7 **RE:** So at the moment I don't see any—

8 **MD:** Okay.

9 **RE:** —reason for (a) stopping them taking notes—

10 **MD:** No. It's not that, it's just the fact that two witnesses are now in the room when
11 I'm giving my evidence.

12 **RE:** Well, you can have your witnesses here as well if you want.

13 **MD:** Okay.

14 **RE:** Right. So 12^h of the 10th, you say, [REDACTED] is saying that political
15 material is in the back room to be picked up.

16 **MD:** Yes.

17 **RE:** Right.

18 **MD:** Well, not picked up. So [REDACTED] is going to bring volunteers in the next day to stuff
19 the direct mails into the envelopes and then they'll stick the labels onto the
20 envelopes—

21 **RE:** Right.

22 **MD:** —to go out via paid post.

23 **RE:** Right. Yes.

1 **MD:** So then 17th of the 12th, so, "Interviews for organisers on Monday. Will need one
2 of you to herd the applicants to the Assembly. Cancelled interviews today.
3 Going to [inaudible 02:58:16] mum's funeral, on antibiotics..." The rest is not
4 really relevant, but if you go on to the next day the two conversations link into
5 each other. Sorry, there's a day in-between. So to bring context, the interview
6 for organiser took place in the Assembly office, so Neil's office in the Assembly.

7 **RE:** This is the organiser for Cardiff elections.

8 **MD:** Yes, the position that [REDACTED] would get. So this is the political
9 organiser for the Cardiff campaign.

10 **RE:** Mm-hmm.

11 **MD:** As I say, the interviews were done in the Assembly. That is then shown in the
12 next series of messages when [REDACTED] says, "Hi, all. Would it be a problem if I
13 went to the Bay today to chase up a few things before the Assembly closes over
14 Christmas? Would rather keep out of the way of interviews." So at that stage
15 [REDACTED] thinks the interviews are taking place in Cowbridge Road East. She
16 says to [REDACTED], "I'll continue with Canton article. Let me know if anything else I
17 can do." Then I say, "No problem. Can you collect the candidates from the
18 foyer? You'll have to let security know. Just tell them it's for a meeting with Neil
19 if challenged, I doubt you will be. They're interviewing for the two Assembly
20 temp posts." [REDACTED] says, "Didn't realise it was down the Bay. No worries. Will
21 do. What time are they expected to arrive?" Then, yes, the conversation is
22 around the same sort of thing.

23 **RE:** Mm-hmm.

24 **MD:** Yes, [REDACTED] just confirming that she's going down to the foyer and that
25 everything's sorted front of house. So, yes, what I'm saying is that shouldn't
26 have taken place in Tŷ Hywel to interview for the political organiser. We've dealt
27 with 5th January which is the two images that I showed you earlier, the one of
28 the printers and the other one. We've dealt with 6^h January with the
29 newspapers.

1 **RE:** Yes, and the 10th.

2 **MD:** Yes.

3 **RE:** 11th January.

4 **MD:** I was just looking at the ends. It's going on talking about printing again and I'm
5 trying to see what [REDACTED]'s talking about there. Right. Okay. Yes. So we're
6 now printing freepost envelopes in the constituency office. This was to go in
7 with surveys I think we were doing. We were going to give them a return
8 envelope to send back for the survey that we put in the direct mail. So, six lines
9 down, I say that, "I've used all the freepost envelopes. Can we have the
10 memory stick back to the office to print more?"

11 **RE:** Mm-hmm.

12 **MD:** [REDACTED] says, "[REDACTED] is bringing it." Then I say, "Great. Anything else we
13 need to know or do you just print it as you would a leaflet?" Because it's the first
14 time printed those envelopes, I wasn't sure how to use the printer to do that.
15 [REDACTED] says, "I'll come in in the morning to explain."

16 **RE:** So printing the freepost envelopes.

17 **MD:** Yes, to go in with the direct mails.

18 **RE:** Yes. In the office.

19 **MD:** Yes.

20 **RE:** To go with political mail.

21 **MD:** Yes. The return address on them was Tŷ Gwynfor.

22 **RE:** Right. Okay.

23 **MD:** 11th of the 1st. So Neil says, "Timetable an hour a week to advertise a cup of tea
24 in the office with me. Chat about presenting that letter. Three people a week."
25 So it's Neil's idea to get constituents to come in and have a chat with him over a
26 cup of tea. I say to him, "Great idea but can we do it in the Senedd rather than

1 Cowbridge Road East? Think we should minimise the number of people we're
2 inviting to the office this side of the election due to potential campaign activity."
3 So basically saying to Neil that I don't want constituents in the office because
4 they could witness campaign activity going on in the Cowbridge Road East
5 office. Neil says yes, "People would probably prefer the Senedd."

6 **RE:** The purpose of these cups of coffee or tea?

7 **MD:** Nothing, just to come in and have a chat with the Assembly Member. It wasn't
8 an issue about having those meetings but if there was a lot of political activity
9 going on in Cowbridge Road East at that time and there would have been even
10 more up until the election so what I'm saying to Neil is if we're inviting
11 constituents in for a cup of tea then they could potentially witness the political
12 activities that were going on in the office. Then 15th January, Neil says, "Are the
13 Riverside rounds in the office made up?" He says he's going to get [REDACTED] to pay
14 for the folding machine. Then I say, "Yes, there's a few Riverside
15 newspaper/calendar rounds there." He says, "Okay. No probs. It's still a great
16 machine and don't need the distraction of a drawn out argument." So that was
17 just referring to the folding machine there. There was an issue with whether we
18 were going to keep it or not. Neil says, "Okay. [REDACTED] wants to go there to
19 collect. Will tell her to go there tomorrow." Then I say, "I'm here now if she
20 wants to come but she'll have to be quick. There are only the rounds that she
21 dropped off the other day." So, basically, this is just saying that, "Are there any
22 Riverside rounds in the office?" Neil asks. I confirm and then Neil says, "Okay.
23 [REDACTED] wants to come and collect them."

24 **RE:** Mm-hmm. Right. That's the end of...

25 **MD:** Yes. That's the end of that one.

26 **RE:** What is complaint number two?

27 **MD:** Printed large volumes of leaflets in the... It's just the printing side of it rather
28 than being used as a political headquarters.

29 **RE:** Mm-hmm. That was old number what?

1 **MD:** That was old number one.

2 **RE:** Right. Got that. Okay.

3 **MD:** Is there any chance you could just pull the blinds on that window?

4 **FP:** This one?

5 **MD:** The first one, yes. It's probably dying down now. That's lovely. Thank you.

6 **RE:** Thanks. Right. So this is printing in Cowbridge Road East?

7 **MD:** Yes. So, again, I've got a brief overview if I could commit that to record.

8 **RE:** Yes. Yes.

9 **MD:** So Mr McEvoy had a Sharp MX2614—

10 **NM:** Where is this, please?

11 **MD:** You haven't got this. This is me giving oral evidence to the record. So
12 Mr McEvoy had a Sharp MX2614 photocopying machine in his regional office
13 that is provided by the Assembly Commission.

14 **RE:** So this is the printer you've been... sorry, photocopying, not printer.

15 **MD:** Yes, photocopier printer.

16 **RE:** So it's the same thing.

17 **MD:** Yes, yes. This is what I've been referring to as the Assembly—

18 **RE:** Assembly printer.

19 **MD:** Yes.

20 **RE:** Fine. Thank you.

21 **MD:** The campaign one was also a Sharp but it had a separate MX number at the
22 end. So this Sharp MX2614 is the Assembly printer. The cost of the machine's

1 rental is covered through his office cost allowances. All print bills are sent
2 directly to the Assembly for payment. On no account must this machine be used
3 for the production of party political material. However, over the course of this
4 investigation you will learn that it was common practice to print hundreds of
5 thousands of leaflets using this machine. Mr McEvoy was fully aware that this
6 was happening and transcripts I'll provide in a later dossier actually showing
7 Mr McEvoy directly instructing his staff members to use this machine to print
8 leaflets. The majority of political printing was done in the weeks before a
9 number of key elections to the Plasnewydd and Grangetown by-elections in late
10 2016 and the full Cardiff City Council election in May 2017. Mr McEvoy was
11 repeatedly challenged by Members' Business Support for excessive printing bill
12 but instructed staff to lie about the nature of the printing being done. It was only
13 after being found guilty of using a room in the Senedd for the purpose of
14 launching his 2017 Cardiff Council campaign that Mr McEvoy began to limit the
15 volume of political printing being done on this particular machine for fear of
16 further sanctions by your office.

17 **RE:** Right. How does it differ from the first complaint?

18 **MD:** Okay. So the first complaint was talking about the office being used as a—

19 **RE:** Political hub.

20 **MD:** —political headquarters. This is talking about printing.

21 **RE:** But we have talked about printing before, so it's the same printer.

22 **MD:** It's the same printer but, yes, the first complaint was more around the fact that it
23 was the office space being used to do the printing. The second one is the fact
24 that the Assembly machine was being used, so it's a separate breach, I think, of
25 the rules.

26 **RE:** Right.

27 **MD:** Then the third complaint then looks at the fact that the bills for the printing were
28 charged to the Assembly Commission. So, again, I would say that that's
29 another breach.

1 **RE:** Okay.

2 **MD:** So, yes, in the office, printing, bills. They're three separate parts.

3 **NM:** Are you sure you've said hundreds of thousands.

4 **MD:** Yes. Yes. I can prove that later on.

5 **NM:** Paid for by the Assembly.

6 **RE:** Right. What do you want to tell me about this then?

7 **MD:** There's only one email on this one. The rest is going to be dealt with during the
8 transcripts. Exhibit 1A is an email from [REDACTED] to myself and Neil. He
9 says, "Hi, both. Cardiff South have been in touch. They're putting together a
10 leaflet to announce their new candidates and they're wondering about printing in
11 the office, i.e. are they able to, how much does it cost? Could you get back to
12 me?" Then Neil replies, "Yes, penny a sheet, I think, black and white." So a
13 constituency have been in touch to ask if they can print in the office and Neil
14 said that you can.

15 **NM:** Which office?

16 **MD:** Cowbridge Road East.

17 **NM:** That's [inaudible 03:11:20]

18 **MD:** Yes. Cowbridge Road East. I can prove that as well.

19 **RE:** Right. A constituency have been in touch, asked if they could print and
20 Mr McEvoy says yes and charges them a penny a sheet.

21 **MD:** Gives them a price as well.

22 **RE:** Do you know whether they ever paid?

23 **MD:** I'm not sure. I didn't deal with that. That would have been [REDACTED] that
24 would deal with anything like that.

1 **RE:** Right. But what you're saying, as I understand it, that the machine was being
2 used politically—

3 **MD:** Mm-hmm.

4 **RE:** —for printing political material. Paper?

5 **MD:** Again, some of it was provided by the Assembly, some of it was paid for by
6 [REDACTED].

7 **RE:** Right.

8 **MD:** Okay. So there's an additional piece of evidence that we're going to look at a bit
9 later about which bills were rejected by the Assembly. This was one of the ones
10 that was rejected.

11 **RE:** Right. The printing that was being done on this machine, was your office,
12 Assembly office charged per sheet or per month or what?

13 **MD:** Yes. So, it was either worked off a counter that was on the printer. I think I go
14 into it in the next one.

15 **RE:** There are references in one of them.

16 **MD:** Yes. So the next one is a detailed breakdown of what it is. So you can either
17 use the copy count on there or if they're not able to use the copy count then they
18 use the toner excess charge, so they work out how much toner they've sent us
19 and from that they determine how many copies we've made; they've got an
20 average amount of toner they use for each copy and that's how they set up the
21 bill.

22 **RE:** Right. So this is an Assembly printer.

23 **MD:** Yes.

24 **RE:** It's rented or leased or whatever.

25 **MD:** Yes. So whatever happens, Plaid never paid anything towards the rent of the
26 machine; it was only the Assembly that paid for the rental.

1 **RE:** So it's hired. Rent paid for by the Assembly, you say.

2 **MD:** Yes.

3 **RE:** The rent is based on either the number—

4 **MD:** No, sorry. The rent is a fixed figure.

5 **RE:** Right.

6 **MD:** So there are two separate bills that are generated. So the rent is a fixed term
7 contract. I forget the figure but it's a certain amount of hundreds of pounds per
8 quarter that we pay to rent out the machine.

9 **RE:** So the rent is paid per quarter and then you pay an additional sum.

10 **MD:** Then you pay an additional depending on how much you actually use it.

11 **RE:** That's based either on a count—

12 **MD:** Yes. There was an internal count on the machine, a copy count.

13 **RE:** —of sheets, of copies. Yes. That doesn't matter whether it's photocopying or
14 printing?

15 **MD:** No. One side is a count. So every time you print a side, it doesn't matter what's
16 on there, whether it's a scan, print, copy.

17 **RE:** Right.

18 **MD:** One side of A4 adds one to the count.

19 **RE:** Or it's based on the use of toner.

20 **MD:** Yes.

21 **RE:** Right.

22 **MD:** So what I'm trying to show in here is intent. So, as I've said, Cardiff West have
23 been in touch; they're asking if they can do printing at Neil's office in Cowbridge

1 Road East, are they able to and how much it costs. Neil said... He's agreed to
2 them printing in the office and he says, "It's a penny a sheet, I think, black and
3 white."

4 **RE:** Now, that's copied to you, the second one.

5 **MD:** Yes.

6 **RE:** Why is it copied to you? They're both copied to you.

7 **MD:** Yes. I was in most of the copies, most of the email trails. It was just... I mean,
8 that's how I've got most of the evidence, it's just being copied on various emails.

9 **RE:** Right. Thank you. So that's the second.

10 **MD:** 2nd August. Yes. So then, if we go to the next complaint then.

11 **RE:** Yes.

12 **MD:** Which is about charging the costs.

13 **RE:** Now, this is complaint three.

14 **MD:** Yes. Originally complaint two.

15 **RE:** Right.

16 **MD:** Shall I go through the first page again?

17 **RE:** Yes.

18 **MD:** So Mr McEvoy would regularly charge large photocopying bills directly to the
19 Assembly Commission. These bills were for the production of party political
20 material. Exhibit 2A shows one of the bills that Mr McEvoy submitted to printing.
21 You'll notice the bill is for some 228,000 copies. Something that was flagged up
22 at the time by MBS staff, [REDACTED] and the bill wasn't paid. So the bill I'm
23 going to show you later on is the one that gets refused. An investigation began
24 but shortly after its commencement [REDACTED] went on a career break and the
25 original document was lost in transition. [REDACTED], [REDACTED]' replacement,

1 had to therefore suspend the investigation for lack of evidence. He would be
2 grateful to have this document forwarded to him for his internal records.
3 However, due to my own suspension, I'm unable to contact him. So when I
4 submitted this I could have sent that bill forward to [REDACTED] to carry on
5 the investigation but I couldn't because I was suspended from the Assembly at
6 the time. After this initial scare Mr McEvoy was careful not to submit such high
7 bills but instead spread the printing from month to month. He would, however,
8 continue to use this machine to print many tens of thousands more leaflets. His
9 office print bills were always high and on a number of occasions the office was
10 questioned by MBS. When this happened he would claim that the bills were due
11 to the high volume of casework being processed but this was a lie. The reason
12 they were so high was because of the political material being produced. Again,
13 I'm suspended and I'm unable to pull off the precise breakdown of each month's
14 print bills which is stored on my Assembly profile. However this is public
15 information and if you were to contact MBS they would be happy to provide you
16 with details. I suggest that you request all print bills in relation to Mr McEvoy's
17 regional office printer since the start of his term in office as well as an average
18 figure of monthly print rates from other Assembly Members. Again, some of that
19 is no longer relevant because I no longer work there but that would be
20 suggesting where there would be evidence in MBS.

21 **RE:** Right. So we're on to Exhibit 2A.

22 **MD:** Yes.

23 **RE:** The date of that?

24 **MD:** So the date of this is – can't see it – 31st August.

25 **RE:** 2016?

26 **MD:** Yes. This is the end of the month bill that was produced after Neil has told
27 Cardiff South that they're able to print in the office.

28 **RE:** Just a minute. Let me just look at this. Right.

1 **MD:** This was 2nd August and this is 31st August. This was calculated off the toner
2 excess. You can tell that because here it says, "Used 10,000" which is a
3 standing number that the administrative team in Clarity would put in if they were
4 unable to get a meter reading for whatever reason. So they put 10,000 on there
5 and zero on the colour and then they generate the bill off the excess charge.
6 The excess charge is below that and for this particular month it's showing as
7 228,000 units—

8 **RE:** Right.

9 **MD:** —were copied in that month.

10 **RE:** The name, Clarity were the hirers?

11 **MD:** Yes.

12 **RE:** They didn't, for whatever reason, take a meter reading.

13 **MD:** Yes.

14 **RE:** So they put in 10,000 black and white. So then they calculate the bill—

15 **MD:** Based on this. At the bottom it says "black toner excess charges".

16 **RE:** Yes. Toner charges.

17 **MD:** So that's calculated by how many toner cartridges that they've sent us
18 throughout the month. They've got an average amount that they... average
19 figure that they use which says how much toner it takes to do each side.
20 They've then generated that figure of 228,000 based on that amount.

21 **RE:** Right.

22 **MD:** That generated a bill of £1,068.53, including the VAT.

23 **RE:** Mm-hmm.

24 **MD:** This bill was then submitted to MBS for payment.

1 **RE:** By whom?

2 **MD:** By Neil. Neil signed all of the printer bills.

3 **NM:** Can we just make clear what the process was? Who would submit the bills to
4 MBS? I recall signing. Who would send in the bills?

5 **MD:** When you sign that form you are signing to say that you're responsible for that
6 form to go in. So regardless of who hands it over—

7 **NM:** Maybe deal with it later because that's going to come up because there's a
8 process.

9 **MD:** Yes. There are—

10 **NM:** You know whose job it was.

11 **MD:** So we'll deal with it a bit later on. I've got the forms to say that it was your
12 responsibility.

13 **NM:** Yes, yes.

14 **MD:** I mean, it's your name—

15 **NM:** I signed for the internet as well, didn't I, without realising it?

16 **MD:** So, yes. This was submitted to the Assembly Commission. Again, I haven't got
17 the email trails because at this stage I was locked out of my Assembly
18 computer. Sorry, the stage when I was putting the evidence together I was
19 locked out of my Assembly computer; I wasn't locked out at the time that the
20 bills were submitted. But it was flagged up by [REDACTED] in the Assembly
21 Commission the fact that we'd submitted a bill for over £1,000. This is what Neil
22 would call a red flag. I'm going to talk about red flags a bit later on, but the fact
23 that this bill had gone in for such a high amount and we were now being
24 challenged by MBS was a red flag. So Neil instructed me to tell them that it was
25 a mistake; that it shouldn't have been submitted and that we'd go back to Clarity,
26 find out what was going on, why it was so high, and send them in a new bill.

1 **RE:** So he instructed you to say that to MBS?

2 **MD:** Yes, to MBS.

3 **RE:** Mm-hmm.

4 **MD:** So then this bill still needed to be paid. We knew there was nothing wrong with
5 it; the reason why it was so high is because we'd just printed 200,000 leaflets,
6 the last of the thank you leaflets, we had the Plasnewydd by-election, printed a
7 lot of leaflets for that; we had printing for Cardiff South. I mean, that was a time
8 where we were printing a huge amount of leaflets.

9 **NM:** Just to be clear, 200,000 leaflets?

10 **MD:** Yes.

11 **NM:** Okay.

12 **RE:** Just pause a moment.

13 **MD:** There are the figures there, Neil.

14 **RE:** So in August you're saying—

15 **MD:** Actually, sorry. Can I...? So this is copy sides, so it would have been 100,000
16 because we printed double-sided. So a side of A4 is one copy; the reverse of it
17 is the second copy. So if you print something double-sided it would register as
18 two on the count. So my mistake—

19 **RE:** So it was 114,000.

20 **MD:** Yes. Sorry. Yes. We printed 114,000 during that month.

21 **NM:** How many, sorry?

22 **MD:** Over 100,000.

23 **NM:** Over 100,000 leaflets. So 200,000 covers, 100,000 leaflets, just to be clear.
24 Yes?

1 **MD:** That's right.

2 **RE:** 114,000.

3 **NM:** 114,000. Okay.

4 **RE:** 114,000 leaflets. They would have been for what?

5 **MD:** For various different things. As I said, there was—

6 **RE:** In August, this was printing just in August?

7 **MD:** It was up until 31st August, so—

8 **RE:** Yes, but from what date?

9 **MD:** I'm not sure. I haven't got the print bill before this one but—

10 **■**: [Inaudible 03:27:18] printing documents.

11 **NM:** We didn't move into the office until 21st July.

12 **RE:** Sorry, I can't hear you.

13 **NM:** Sorry. We didn't move into the office 21st July.

14 **RE:** Right. So this would only be for August.

15 **MD:** Potentially it could be longer.

16 **RE:** How much longer? 21st July on if that date is correct. Let me just check.

17 **MD:** It depends whether... Actually, now you mention it, it depends whether all of the
18 bills were paid off from the Assembly campaign. This bill is as good from the
19 last time that we paid a bill to Clarity. So if Neil hadn't paid a Clarity bill from
20 when he was elected that could potentially have rolled on into this figure.

21 **RE:** Right.

1 **MD:** So we could be talking a bill that was submitted to the Assembly election for
2 material that was produced for your election to that office, but the only person
3 that could confirm that is [REDACTED], if you want to call [REDACTED] in.

4 **RE:** Can we just agree on the date on which you went into the Cowbridge Road East
5 office, 21st July, you say? Do you agree with that?

6 **MD:** I'll check it.

7 **NM:** It was in the bundle earlier. We can check the date.

8 **RE:** I'll just put a question mark by it at the moment. 21st July 2016.

9 **NM:** Yes.

10 **RE:** Took over the... Okay. So this bill. Would you give it 2A. Would be for the
11 period from—

12 **MD:** 31st August until the last bill was generated. I'm not sure when the previous bill
13 was generated.

14 **RE:** So the period from the payment of the last bill.

15 **MD:** Yes.

16 **RE:** To 31st August '16. How do we identify...? How do we find out where that...?
17 You've obtained these, Mr McEvoy, haven't you?

18 **NM:** Yes.

19 **[REDACTED]:** This bill was not paid by the Assembly.

20 **NM:** No. I'm letting Mike go on because he's misrepresenting everything so I'm quite
21 content to listen to it and deal... listen to him and deal with it later.

22 **RE:** Right.

23 **NM:** I'm trying to be polite here.

24 **RE:** I know.

1 **NM:** Yes. Because I don't really appreciate the facts—

2 **RE:** I appreciate it. I don't want to write a note which in due course someone is
3 going to correct and I'm going to have to unpick a note.

4 **NM:** Mr Deem is the one with the allegations so maybe he needs to be clear.

5 **MD:** I don't have access to the previous print bill so I can't give you an exact date. All
6 I'm saying to you is this bill is for the printing up until 31st August 2016. That's
7 what I can be certain about because that's what it says in the documents.

8 **RE:** When was the Assembly printer obtained, do you know?

9 **MD:** We had the Assembly printer before Neil was elected to his office. So this
10 printer was initially rented out on an agreement that Neil had with the owner of
11 the company to cover his 2016 election. Then, following his election, we then
12 negotiated with the Assembly Commission to move the contract over to them, so
13 from the date of his election we were then, as an Assembly office, paying for the
14 rental charge and should have been paying for any toner after that point.

15 **RE:** Right. Let me just make a note of that. That's a fairly important...

16 **NM:** Just to clarify as well, the bills were—

17 **RE:** No, let me get this down first otherwise I'm going to forget it. So, the Assembly
18 printer was first obtained by Mr McEvoy before his election. Sorry, Mr McEvoy, I
19 should know this, but when were you first elected?

20 **NM:** May—

21 **█:** May 5th.

22 **NM:** —5th, 2016.

23 **RE:** 2016?

24 **NM:** May 3rd? May 3rd 2016.

25 **RE:** But it was May '16.

1 **NM:** Yes, yes. '16.

2 **RE:** That was on a, I'll call it a private contract.

3 **NM:** Yes. Yes. That was from February onwards, I think.

4 **RE:** From February '16. Following the election the contract was transferred—

5 **NM:** No, a different contract. It wouldn't have been the same contract. The bill was
6 settled by the agent after the election and then we took out another contract
7 through the Assembly.

8 **RE:** Right. So the contract was paid up, is that a fair way of saying it?

9 **NM:** Yes. Yes.

10 **RE:** Was paid up after the election.

11 **NM:** By the agents.

12 **RE:** Which agent would that be?

13 **NM:** [REDACTED] is the agent.

14 **RE:** That's your political agent?

15 **NM:** Yes.

16 **RE:** New contract entered into for the Assembly. Okay. Right. Are you happy with
17 that? Do you agree with that?

18 **MD:** Yes. I think from what Neil says it appears then that this is from his date that he
19 was elected up until 31st August.

20 **RE:** Well, unless there's a previous bill.

21 **MD:** Unless there's a previous bill, but if he says that it's paid, that [REDACTED] paid up the
22 previous, obviously I'd take his word on it.

1 **NM:** Maybe just check with [REDACTED] because [REDACTED] dealt with the finance, as agents, not
2 me.

3 **MD:** So then this is—

4 **RE:** Would you like some water?

5 **MD:** Yes, please. So 228,000 sides were done from up until 31st August.

6 **RE:** Well, unless there's a previous bill.

7 **MD:** Yes, yes.

8 **RE:** An intervening bill.

9 **MD:** Yes.

10 **RE:** So 114,000 copies between post-election and 31st August '16 unless there is a
11 previous bill or an intervening bill. Right. Okay. Mm-hmm.

12 **MD:** Sorry, one second. So, yes, this was then, as I said, submitted to MBS who
13 refused the bill. This bill then went to Cardiff West to settle because it was clear
14 that it wasn't going to be paid through the Assembly. I'm not alleging that this
15 was ever paid by the Assembly but it was attempted to be charged to the
16 Assembly. This was, I think, the first bill that was ever submitted. No-one really
17 knew what they would reject, what they wouldn't reject, and they came back,
18 [REDACTED] said that this is a bill for 228,000 sides, what on earth have you been
19 photocopying, basically. So, like I said, we said to her that it must have a
20 mistake, we'll go back to Clarity and find out. Then we didn't submit another bill
21 then until December.

22 **RE:** So it was not resubmitted?

23 **MD:** No. It wasn't amended or anything because, as I said, we knew the reason for
24 the high cost but didn't know what could be put through the Assembly books and
25 what would be rejected. So it was returned and Cardiff West paid the bill.

26 **RE:** Cardiff South paid the bill.

1 **MD:** Cardiff West.

2 **RE:** West.

3 **MD:** Yes.

4 **NM:** So you're changing the complaint then. It was the Assembly paid for those.

5 **MD:** No. This one particular bill I'm talking about. There are others that I want to get
6 to.

7 **RE:** Before we go on, the light seems to be concentrated on this end of the table.
8 Are you all right down there without light?

9 **■:** I'm okay. Yes.

10 **RE:** Are you?

11 **■:** Yes, it's fine. Yes.

12 **MD:** The sun's gone down now if you want to bring the blind up.

13 **RE:** I don't know why the light's down there. Anyway, doesn't matter. Right. Cardiff
14 West paid the bill and the next bill submitted was in December.

15 **MD:** Yes.

16 **RE:** Okay. Right.

17 **MD:** Exhibit 2A is just, basically, an explanation of... Sorry, 2A is just what I've
18 basically talked about there.

19 **RE:** I don't have that, I'm afraid. I don't think so anyway. Yes. No 2G.

20 **MD:** I mean, that is just an explanation of how you apply the meter copy charge
21 versus the toner copy charge.

22 **RE:** Which you've just told me.

23 **MD:** Yes.

1 **RE:** Yes. That's fine. Right. I've got 2B.

2 **MD:** Yes. 2B is an explanation of print bills.

3 **RE:** Do we have these bills?

4 **MD:** Yes. Yes. They're the next... Sorry, just reading.

5 **NM:** I've submitted them as well, Sir Roderick.

6 **RE:** Yes. I haven't been through them in detail. Are they in your bundle, Mr Deem?

7 **MD:** Yes, yes. I've got copies of the bills.

8 **NM:** Not with the same details.

9 **█:** These are the ones you submitted last week?

10 **NM:** Yes.

11 **RE:** Right. Okay.

12 **MD:** Yes. I haven't got those. It would be useful to have those.

13 **RE:** Well, you can get copies of those in due course.

14 **NM:** It's got the actual print numbers.

15 **RE:** Right. So where do we go from 2A?

16 **MD:** Sorry, I was just reading through 2B—

17 **RE:** Right.

18 **MD:** —so what it's talking about. Yes, a lot of it I've covered already. Delegated
19 responsibility. Assembly Member delegation authorisation form. I'll get to that,
20 but that basically would be how Neil would delegate the authority of submitting
21 bills, which he didn't do. Yes. Then just the fact that... I mean, we would
22 regularly get challenged on submitting bills to MBS and they would regularly
23 come back to us and say that the bills were high; they were excessive; they

1 needed explanation. It was never... I don't think there was a single month
2 where, post-December anyway, when we actually successfully submitted bills
3 that we weren't challenged on them and had to give some sort of reason. Neil's,
4 sort of, stock excuse would always be that he did a lot of casework and that
5 involved volume printing but it just didn't stack up to the numbers that were
6 included on our print bills. There was another month we were challenged in
7 January. The excuse then was we'd just had the break-in and that we needed
8 to... all the files in the office, we had to copy all those files and have them stored
9 at [REDACTED]'s office so we had a second copy of everything in the office in case
10 there was another break-in.

11 **RE:** Just pause a minute.

12 **NM:** Can I just ask about process?

13 **RE:** No, let me just do the note first.

14 **NM:** Sorry.

15 **RE:** Right. What I've noted is that as far as subsequent bills are concerned you were
16 repeatedly challenged or regularly challenged on the amount of copying bills and
17 Mr McEvoy would say that he did a lot of casework copying and after the break-
18 in in January 2017 the excuse he gave was that he needed to copy all files in
19 case of a break-in.

20 **MD:** Yes, and have separate storage in [REDACTED]'s office. He wanted all of the
21 files moved to a second location because he thought that it was a politically-
22 motivated break-in and the fact that he needed all of those files because he was
23 challenging corruption and he thought that someone was going to come in and
24 steal his files so we told the Assembly that they were being copied and moved
25 there. I mean, we never did, they were just elaborate excuses to tell the
26 Assembly Commission why we were printing so much in the regional office. The
27 reason was because we were printing all the leaflets but we had to come up with
28 an excuse for why we were printing so much.

1 **NM:** Can you be specific on all the leaflets because I want to be clear what I'm being
2 accused of. We were printing all the leaflets, you said.

3 **MD:** No, no.

4 **RE:** He never said that.

5 **NM:** He said—

6 **RE:** No, hang on. Let me tell you what the evidence is so far. The evidence is so far
7 that some of these were printed in different locations. One was a gentleman
8 whose name I've forgotten—

9 **MD:** [REDACTED].

10 **RE:** — [REDACTED] something.

11 **MD:** [REDACTED].

12 **RE:** [REDACTED] down in the Bay, I think.

13 **MD:** Yes.

14 **RE:** Some were in the Caerau office; some were in the Cowbridge Road East office.

15 **NM:** And Party HQ as well.

16 **MD:** And some in Tŷ Gwynfor.

17 **RE:** And in Tŷ Gwynfor. Yes.

18 **NM:** At the office.

19 **RE:** So he hasn't said they were all printed.

20 **NM:** I misheard what he said there. Can I raise a matter of process?

21 **RE:** Just a minute. Let me make a note first. Right. Sorry.

1 **NM:** The only person who can disprove or testify that what has been said is a
2 fabrication is in the US. So would it be possible for him to give evidence via
3 Skype?

4 **RE:** Yes, of course.

5 **NM:** Excellent.

6 **RE:** I assume the email here is strong enough for that, isn't it?

7 **█:** Yes. Yes. We can Skype. No problem. Yes. Fine.

8 **NM:** Okay. Good.

9 **RE:** Yes.

10 **MD:** Who's the witness? Just I can prepare some cross—

11 **NM:** The barrister.

12 **MD:** Right. Okay.

13 **NM:** ██████████.

14 **RE:** What can ██████████ say?

15 **NM:** Well, ██████████'s the barrister to whom Michael is referring.

16 **RE:** Yes.

17 **MD:** Yes, yes. Definitely. I've also said that this was an excuse, that it wasn't
18 actually copied; the reason was because we were printing leaflets. We just told
19 the Assembly Commission—

20 **NM:** Right. So ██████████—

21 **MD:** I'm not saying that we actually copied all the files.

22 **NM:** Okay. Right.

1 **MD:** The reason the print bill was high because we were printing leaflets.

2 **NM:** Okay. All right. So therefore [REDACTED] would be able to add nothing because
3 it's—

4 **RE:** No, quite.

5 **NM:** —it's fantasy.

6 **RE:** That's why I...

7 **NM:** Yes. Okay. I misheard, sorry.

8 **RE:** Okay. Would it be helpful, and this is a matter for you, Mr McEvoy, you have
9 these documents, you've given them to me—

10 **NM:** Yes.

11 **RE:** —I thought they'd been given to Mr Deem.

12 **MD:** No.

13 **RE:** Right. Well. They should have been. Would it be helpful if you were to see
14 them now?

15 **MD:** Absolutely. Yes. I could look at them—

16 **RE:** Do we have copies of them? We can give...

17 **NM:** Have you got an email?

18 **RE:** I've got my copies here.

19 **NM:** I've got the copies if you want.

20 **RE:** Are they in this, are they?

21 **[REDACTED]:** I did ask for consent last week though and didn't get it. These are the ones you
22 referred to, Neil. They're not printer bills.

1 **NM:** The printer bills, yes. Everything is there.

2 **RE:** I think I've got them in here as well.

3 **MD:** It's easier if I just have a copy of all the additional evidence that you submitted
4 now.

5 **RE:** Well, you should have a copy of it.

6 **█:** Here.

7 **MD:** Is this your copy or mine as well?.

8 **RE:** I'm hoping that I've got a copy of my other one. Let me just check. Can you
9 take out of that anything that isn't...?

10 **█:** Can I just go and make another quick copy of this?

11 **RE:** Yes, of course.

12 **█:** It'll be sorted out.

13 **RE:** Right. What I've got here—

14 **█:** This is it.

15 **RE:** Yes. These are the ones, aren't they?

16 **█:** Yes. That's the chronological file which I put in [inaudible 03:47:15].

17 **RE:** On Friday, end of last week, was it?

18 **█:** This should be in [inaudible 03:47:20]

19 **RE:** Right.

20 **█:** You don't need another copy?

21 **RE:** No, just keep it. We won't need that though because that's not relevant to this.
22 This is the statement I read out earlier today—

1 ■: Yes.

2 RE: —which doesn't take it any further. Not sure what that is. Mr McEvoy, what is
3 that?

4 NM: That was the details of the—

5 RE: Right. Good.

6 ■: It's got an email there if you want to exchange [inaudible 03:47:45].

7 MD: Can I mark these?

8 RE: Yes, they're yours.

9 MD: Yes. Brilliant. That's the email saying about the fact that they were copied and
10 went to the barrister's office.

11 NM: Who was that sent by?

12 MD: By me.

13 NM: Okay.

14 ■: Was that me?

15 MD: I think it's me. I can remember sending it.

16 NM: Yes.

17 ■: ■ might be [inaudible 03:49:36].

18 NM: He's made that [inaudible 03:49:39].

19 ■: Because when he sent it to me, he didn't send [inaudible 03:49:43].

20 NM: Oh, right, so it didn't go to MBS, Mike? It only went to—

21 ■: It went to me.

22 NM: It only went to ■.

1 [REDACTED]: [Inaudible 03:49:53]

2 MD: No, it's gone to [REDACTED], "Hi, [REDACTED]..." Oh, no, [REDACTED] said that.

3 NM: Bethan [inaudible 03:50:08] it didn't go to anybody else.

4 MD: To [REDACTED], he's MBS.

5 NM: No, if you look at the email it's to [REDACTED]

6 MD: No, from [REDACTED] to... are we 28th February 2017?

7 NM: Yes.

8 MD: 10.38.

9 NM: Yes, we got that one.

10 MD: From [REDACTED] to [REDACTED].

11 NM: Okay.

12 RE: Can you just point me towards that.

13 [REDACTED]: [Inaudible 03:50:31]

14 NM: Yes.

15 RE: What was the date of the email you're referring to?

16 MD: It was 28th February 2017 at 10.38. "After the break-in we copied a lot of the
17 documents that could potentially be used as evidence in a number of cases we
18 are tackling. These additional copies are now kept in the offices of Neil's
19 barrister with the clients' consent." This is [REDACTED] emailing [REDACTED]. I
20 say that that never happened, this was just an excuse for the high print volumes.
21 If you want to get [REDACTED] on Skype to confirm that, Neil, do it.

22 NM: Right.

23 MD: I think fantasy was the other word you used.

1 **NM:** Yes. Yes. It's pretty clear there, isn't it?

2 **RE:** That's from [REDACTED].

3 **MD:** Yes. It's the first time I've seen any of these because I've been locked out of my
4 Assembly account, so I just wanted to go over them.

5 **RE:** Right. Do you want time to look at these?

6 **MD:** Do you mind? Yes.

7 **RE:** Not at all. Mr McEvoy, as I understand it you just told me that copies were not
8 kept in [REDACTED]' office.

9 **NM:** No.

10 **RE:** No. Right. Fine. How long do you want to go through them? Ten minutes?

11 **MD:** Yes. Not even that. Five minutes if possible.

12 **RE:** Right.

13 **MD:** Because I don't think there's going to be much here. It's just the emails really. I
14 mean, I've got the figures.

15 **RE:** You've got the figures.

16 **MD:** Yes, it's fine. Yes, five minutes.

17 **RE:** Do you want to go in the other room and do it in private?

18 **NM:** Did you provide for Michael the copy of the email from MBS as well which said
19 there were no issues with the bills that were sent through some weeks ago?

20 **[REDACTED]:** Yes. I think it was sent... The things that were sent through at the back end of
21 last week I needed your consent to send it but I didn't get it so I didn't send that
22 stuff.

23 **NM:** Right.

1 ■: The ones previous to that I would have provided all that.

2 **NM:** Roughly, around 8th October where he says that there were no specific issues
3 that can be recorded on your printed invoices, which is a lot different to what
4 we've heard here. That was from ■. I wonder if Mike had had that
5 email.

6 **RE:** We'll have a ten minute break anyway. Mr Deem, if you want to take the papers
7 into another room.

8 **MD:** Yes. Can I stay here?

9 **RE:** Yes. Of course. I don't mind where you stay.

10 ■: Do you want to take a...?

11 **NM:** Yes.

12 *Egwyl / Break*

13 **MD:** How long have we got left on the break?

14 **RE:** Do you want more time?

15 **MD:** I'm done. I was just wondering if I could pop out for a cigarette and get some
16 fresh air.

17 **RE:** Yes, of course.

18 **MD:** Yes. Thank you. It is very hot in here.

19 ■: I'll turn that heating off. I've sent him everything at two. I'll check what he was
20 referring to there. I mean, I can print it off quickly but the only thing I can... I
21 asked him three times for his consent and he never sent it to me. I didn't want
22 to send it to him, you know.

23 **RE:** No, quite, no. There's obviously an issue here. ■

24 ■: Yes.

1 RE: —about giving it to [REDACTED], for example.

2 [REDACTED]: Yes.

3 RE: I thought at one stage he was going to say [REDACTED] would confirm
4 that they were in his office.

5 [REDACTED]: Yes.

6 RE: Now he says that they were never copied to [REDACTED].

7 [REDACTED]: He said that first. Yes, it doesn't stack up that, does it? I mean, he says
8 [inaudible 03:57:35] a lot of importance on anybody else coming back and
9 saying, you know, no issues. Well, they're looking at it from a different view,
10 aren't they? They're... All they can pick up on is the numbers, so they don't see
11 the material that's gone through the copier, do they, MBS?

12 RE: What MBS says doesn't count, does it?

13 [REDACTED]: Not really.

14 RE: No.

15 [REDACTED]: [Inaudible 03:57:54]. They can't, you know. It's not worth the paper it's printed
16 on, is the common phrase.

17 RE: Yes.

18 [REDACTED]: You know, I think—

19 RE: Or even [inaudible 03:58:03]?

20 [REDACTED]: I never thought I'd become an expert in photocopying.

21 RE: Oh, dear God.

22 [REDACTED]: I mean—

23 RE: We're going to get old [inaudible 03:58:12]. Well, I am, but you're going to get
24 older.

1 ■: They say he said [inaudible 03:58:20] prior to when he got elected. I think he
2 was [inaudible 03:58:31] that the Assembly might have even paid that bill before.
3 I think that's what he was saying. You know, when before even Neil was
4 elected.

5 RE: Yes. So have you decided yet to go back to where you were before?

6 ■: I've already sent ■ an email. No, it's fascinating stuff.

7 ■: They're not all like this.

8 ■: No, I'm sure.

9 RE: Anyway, it's interesting stuff, I suppose, if you—

10 ■: If it's any consolation one of my recent inquiries was a committee that I've been
11 on was on potholes.

12 RE: Well.

13 ■: Infinitely more exciting. You win, hands down, you win.

14 RE: Oh, dear.

15 ■: [Inaudible 03:59:33] potholes. Has it come to this? I mean, if there's anything
16 that Neil wants to refer to and Mike hasn't got, of course we can just print it off.

17 RE: Yes.

18 ■: But I would like Mike to be specific about exactly what he needs.

19 RE: I think Neil thinks that there is a crushing good point here on his part and
20 actually I don't think it is.

21 ■: I don't think there's anything there really. He's a master, isn't he, at, sort of,
22 getting that [inaudible 04:00:02]?

23 RE: Anyway, we'll see. We'll see what goes on. I think what I might do is just put
24 these in here.

1 ■: It's hard to get an idea of the scale of the amount of money, isn't it? Because
2 there's no-one who isn't paid.

3 RE: I think it's worth a couple of thousand.

4 ■: [Inaudible 04:00:34].

5 RE: Exactly... I mean, if he agreed that it was paid by Cardiff West or whatever, for
6 what? Why should Cardiff West pay for it?

7 ■: Yes. [Inaudible 04:01:00]

8 RE: Dear, dear.

9 ■: In fact, [inaudible 04:01:13] I've done lots of casework, you know. That's what
10 [inaudible 04:01:17].

11 RE: Yes. Oh it's a... oh dear.

12 ■: I don't know if we were to phone BMS and ask exactly what was paid from, you
13 know, April 2016 to...?

14 ■: They'd have it on their record, wouldn't they? It'd be easy enough to find?

15 ■: Yes.

16 ■: I mean, MBS do regularly challenge people on their bills.

17 ■: Yes.

18 ■: It's just a common thing. They're very robust, aren't they?

19 ■: I never knew photocopies were so contentious. You know, like, the super-
20 dooper copiers, right, I'm presuming there's no images kept of what they
21 produce?

22 RE: Right. Shall we try and get them back in, do you think?

23 ■: We said ten minutes.

1 **RE:** Ten minutes isn't up yet.

2 **█:** I think they've all gone up for a smoke.

3 **RE:** Have they? You're all smokers, are you? You're not a smoker?

4 **█:** I'm a vaper.

5 **RE:** Right. That's a bit better, I suppose.

6 **█:** I gave up in January and this January it's going to be all about [inaudible
7 04:03:04]. I'll see how it goes.

8 **█:** Yes. [Inaudible 04:03:07] timetable. Well done.

9 **█:** Well, you know, I've tried giving up a few times but never managed it.

10 **█:** I think January is a good time to give up, isn't it, because you want to go outside.

11 **█:** Never a good time to—

12 **NM:** I need to leave actually before five.

13 **RE:** Sorry.

14 **NM:** I need to pick up my prescription before five.

15 [Inaudible – several participants speaking simultaneously 04:03:30]

16 **RE:** What time do you need to leave?

17 **NM:** 20-past, if that would be okay.

18 **RE:** So that will give us another... another half-an-hour or so.

19 **NM:** You can probably tell by my voice it's—

20 **RE:** That's all right. Okay.

21 **NM:** **██████**'s just gone for a sandwich, **█** hasn't eaten today.

1 **RE:** Now that everyone has inhaled all this stuff they shouldn't inhale, we'll carry on.
2 Okay. Now, you've got the remaining documentation relating to the later bills.

3 **MD:** Yes.

4 **RE:** You had the figures before but they were attached to exhibit 2E of your bundle.

5 **MD:** Yes. No, it's not, just after the figures of how many prints were made in each of
6 the subs when bills were submitted. So, yes, I'm happy to continue.

7 **RE:** Right. So what point do you want to make on these bills?

8 **MD:** Okay. So...

9 **RE:** So, the first bill, the one that was submitted, queried, came back, wasn't
10 resubmitted but was paid for, you say, by Cardiff South.

11 **MD:** Cardiff West.

12 **RE:** Cardiff West, yes.

13 **MD:** Either by Cardiff West or by the Cardiff Area but either way it was paid for by
14 Plaid Cymru. I do not that on the last page of the email trails Neil has emailed
15 [REDACTED] and said, "Could I have a copy of the printer bills paid by the
16 Assembly from when I started until July 2018?"

17 **RE:** Hold on, let me find that. Yes, I've got it. No, I don't. I'm sorry. The date of it?

18 **MD:** 6th November 2018. It was the last page of that that you've just given me. It's
19 Neil's imprint at the bottom of the email, Plaid Cymru imprint.

20 **NM:** [Inaudible 04:05:54] shouldn't be.

21 **RE:** Maybe it's in this file, is it?

22 **MD:** 6th November 2018.

23 **RE:** Yes, sorry, I've got it. I hadn't moved it. Sorry.

1 **MD:** So, yes. The one that was refused wouldn't have been returned by [REDACTED]
2 or [REDACTED] [REDACTED] ? 04:06:16] because it wasn't paid, that's the first point I'd like
3 to make. Second point is if you were to contact [REDACTED] [REDACTED] could confirm
4 that that bill was submitted and denied.

5 **RE:** Right. Hang on.

6 **MD:** This is in relation to the bill for 114,000 sides, the £1,000 bill which was denied.

7 **RE:** Yes.

8 **MD:** That wouldn't be involved in here because it was never paid.

9 **NM:** 200,000 sides. 114,000 sheets.

10 **MD:** Yes.

11 **NM:** Double sheets.

12 **MD:** So, yes, £1,000.

13 **RE:** Only bills paid were asked for.

14 **MD:** Yes. You can ask for everything.

15 **RE:** The £1,000 bill for August 2016 was not paid. Okay. Thank you.

16 **MD:** Okay. So the first one that was actually paid was on 31st December 2016. That
17 was for the amount of £492.71. This was the first one that had got through the
18 Commission scrutiny process and was physically paid for by the Commission.
19 We were challenged on this particular bill, again because it's almost £500. The
20 excuse given for this one was that this was for an entire year's worth of printing,
21 so everything from when he took the office in May up until 31st January we said
22 was covered in this £492.71—

23 **RE:** When for six months, was it seven months?

24 **MD:** Yes, and they accepted that.

1 **RE:** Right.

2 **MD:** The next bill was January—

3 **RE:** Hang on, what do you say it was for? This is now January or December 2016.

4 **MD:** Yes. So this particular bill was for... So this one you can see has been
5 calculated using the meter reading.

6 **RE:** Mm-hmm.

7 **MD:** So it's saying that it's got it down as "Used black and white, 9,755. Used colour
8 5,602." Toner excess charge of a very small amount, £2.36 and then £79.36.
9 So total, including backwards, £492.71. So, again, because I haven't got the
10 previous invoice to this it could have been for December; it could have also been
11 the bill from the one that was paid in August up until this date.

12 **RE:** So, we can confirm that, can't we? There's no way of identifying that, is there?

13 **MD:** I think you can do it off meter reads.

14 **RE:** Yes.

15 **MD:** So the current meter read on the one of 31st August is 234,666—

16 **RE:** Yes.

17 **MD:** —whereas the previous meter read on the one for December is more than that.
18 So there's been another—

19 **RE:** Been an intervening bill.

20 **MD:** Yes. There's been another bill which would have been paid by Plaid Cymru.
21 But, again, I mean, during that time the Assembly Commission was still paying
22 for the rental on the machine so although they didn't pay for the copy costs they
23 were still paying for the rental of the machine. So regardless they were paying
24 for an element of that printing that was being done over that time.

1 **RE:** That would mean, for example, look at the previous page or maybe the
2 subsequent one is better. This £492 is simply the print cost, whereas the next
3 one for the end of February, or halfway through February, is for copy cost and
4 rental.

5 **NM:** Mm-hmm. It's all together.

6 **RE:** Yes.

7 **MD:** Yes. It says what it's for so—

8 **RE:** Yes.

9 **MD:** —that one... this is for print costs. Yes, this is for copy costs, January and the
10 Q3 rental.

11 **RE:** Yes.

12 **MD:** So, yes, there's a £240... Yes, so there's the £240 the Assembly was paying
13 throughout for the quarter and then—

14 **RE:** That would be a direct payment?

15 **MD:** Yes. No, so we submit these claim forms and then they would pay the supplier;
16 so they wouldn't pay Neil, they would pay directly to Clarity.

17 **RE:** Yes. But if you're correct in saying that there was an intervening bill between
18 the end of August and the end of December which was paid by Plaid Cymru,
19 how would that be physically dealt with?

20 **MD:** So the bills were initially sent to the office and then we would submit the bills to
21 the Assembly and then the Assembly would send the money to Clarity.

22 **RE:** Yes. But this bill for the end of December, it's simply the £492.71.

23 **MD:** Yes.

24 **RE:** That was paid by the Assembly.

1 **MD:** Yes.

2 **RE:** Presumably the rental was paid by the Assembly.

3 **MD:** Yes.

4 **RE:** Now if there was a bill before this, that is between August and December—

5 **MD:** Yes.

6 **RE:** —which was paid for by Plaid Cymru—

7 **MD:** Yes. So Plaid wouldn't have paid the... So they'd send two bills out; one would
8 be for the rental and one would be for the copy costs, so Plaid Cymru would
9 have paid the bill for the copy cost and the Assembly would have paid the bill for
10 the rental. The Assembly paid the rental bills from the start, from when Neil
11 negotiated the new contract after he was elected. So Plaid Cymru didn't ever
12 pay for those rental costs. They may have paid them or they would have paid
13 them prior to him being elected but that was on a different contract. After his
14 election, yes, the bills would come in two separate formats.

15 **RE:** Right. So how do I establish whether there was an intervening bill? Would
16 there be a record anywhere which would show that there was a payment of the
17 rental cost but no—

18 **MD:** Yes. I mean, that should be somewhere on the Member's interests expenses
19 page. If not, MBS should be able to provide you with when they started paying
20 the rental charges, from what date they started paying the rental charges.

21 **RE:** So if you are right there may be a record of a rental being paid for one or more
22 months without there being copy costs paid.

23 **MD:** Sorry, I'm just going to check. Yes. So the record on the Member's interests for
24 January '17 has only got the copy cost on there. So somewhere else there's
25 going to be a record of where this £240 is accounted for but it's not on the
26 Member's allowances transaction details.

27 **RE:** Right.

1 ■ :

2

3 **MD:** So it would be the Assembly Commission that would confirm that.

4 **NM:** They have confirmed it. We were given the bills. The only expenditure there is
5 in front of you.

6 **MD:** Yes. There are lots of different pots. When you go onto this page online it's just
7 public information. There are lots of different categories of which you have to
8 declare different expenses. I've searched your printer, photocopying bills and
9 this is what it's come back with. The rental agreement would not necessarily
10 come under the photocopying bills as it was a contract that was negotiated for
11 direct payment by the Assembly.

12 **NM:** MBS have confirmed that—

13 **MD:** They haven't confirmed that. They've confirmed the photocopying costs.

14 **NM:** The costs of prints... The bills for the printer I've asked for, and that's what
15 they've sent me.

16 **MD:** Yes. This was a separate contract for the rental agreement so that was a
17 different way of charging.

18 **RE:** We'll try and look into it.

19 **NM:** Yes.

20 **RE:** So we've got the—

21 **NM:** [Inaudible 04:17:33]

22 **RE:** —one for £492 which is the end of December.

23 **MD:** Yes.

24 **RE:** That looks to me like something like 15,000 copies.

1 **MD:** Yes.

2 **RE:** The figures at the bottom shouldn't be taken as copy figures.

3 **MD:** They are... So, basically, this is the read that it says on the printer. Because we
4 were using, we were printing leaflets they had a lot more colour and black and
5 white than an average document that you would use to photocopy. So in this
6 situation Clarity then apply a toner excess charge. So any excess toner that has
7 been ordered and used, that's not accounted for in the copy costs, they apply
8 this additional charge. So on the colour they've added an extra 644 or £2.36
9 because the amount of toner we've had off them doesn't match up with the
10 9,754. So we've printed leaflets that month that have got additional ink used on
11 them. The colour is the same. So we've printed 5,602 but we've had additional
12 cartridges off them because the documents we were printing had a lot of
13 pictures; they had a lot of logos on so in order to make back that money on the
14 toner they've given us a toner excess charge.

15 **RE:** Right.

16 **NM:** Is that what they've done?

17 **RE:** Yes. Yes. Right. Next one is £449. That includes... Added to that is £240
18 leasing.

19 **MD:** Yes.

20 **RE:** But on the payment document it looks as though it's just put the £449.

21 **MD:** Yes. So it's been paid into a different account, a different pot. So the Assembly
22 Commission has got many different pots; that's why you have one of these
23 cover sheets which tells you what it's for. So they would put £449 on the
24 photocopying and then they would put an additional £240 on office lease
25 equipment. So if you were to go back to the Assembly and say that you want
26 records of the lease equipment that Neil's had since the start of his term that's
27 where I imagine you'll find these bills for £240. That's the question that needs to
28 be asked, but the question that was asked was, "Could I have a copy of the
29 printer bills paid by the Assembly?"

1 **NM:** Yes, printer bills, yes.

2 **RE:** Right.

3 **MD:** Can I just establish that it's under office equipment leasing, it's not under printer
4 bills.

5 **RE:** Okay. Right.

6 **NM:** That's your opinion.

7 **RE:** Hang on. I'm not going to get into an argument about this. Facts are facts and
8 they can be established in due course.

9 **NM:** Yes. He's making allegations which—

10 **RE:** If you go on to the next one which is for £241.

11 **MD:** Yes. Sorry, this bill was also challenged but this is the bill that was said that we
12 had photocopied a lot of extra stuff after the break-in.

13 **RE:** Right. Hang on.

14 **MD:** So this was the reason why it was £449 this month, which sort of almost tallied
15 up with the previous bill of £492.

16 **RE:** £492. So that's... This is for January.

17 **MD:** Yes.

18 **RE:** Right. What was the next one? £241.27.

19 **MD:** Yes. Again, this one was challenged so I think is the one that [REDACTED] is... wrote
20 back. Yes. So this one was paid on 28th February. Again, this is [REDACTED]
21 clarifying.

22 **RE:** Right.

23 **MD:** Then the third one, final one, sorry, is 30th April.

1 **RE:** Was that challenged, the £241?

2 **MD:** I believe so, yes. Yes, there's an email there showing that someone's
3 contacted—

4 **RE:** Where will I find that?

5 **MD:** So it's this email here.

6 **█:** It's probably the other pink folder on there.

7 **RE:** I've got soemthing here. Is this is the one? Yes. Date of it?

8 **MD:** 28th February '17.

9 **RE:** Right. Yes.

10 **MD:** So █ says, "I'm just processing the Clarity copier claim you brought in last
11 week. Would it be possible to get a copy or example of the material printed last
12 month? I only ask as the bill for January is quite high so we'll need something
13 on record for auditing purposes." So, sorry, when they're challenging there,
14 they're challenging the £449 one that was submitted in January and the reason
15 for that given was that we've copied these files to be stored in █ the
16 barrister's office.

17 **RE:** Right. So that's the £449.

18 **MD:** Yes.

19 **NM:** Where's the challenge?

20 **MD:** You know, he says, "I only ask because the bill for January is quite high so we'll
21 need something on record for auditing purposes."

22 **NM:** Is that in the bundle?

23 **MD:** Yes. This is the one you supplied.

24 **RE:** Yes. Right. So the £241, any evidence of that being challenged?

1 **MD:** No, I don't think so. I think they were happy with that one. I mean, I couldn't tell
2 you because obviously I haven't got access to my emails but nothing springs to
3 mind with that one.

4 **RE:** Right. Then we've got them for—

5 **MD:** Yes. I don't think it would have been because the January one is showing... the
6 February one, sorry, the £241 is showing use of 7,873; colour copies is 2,074,
7 so less than 10,000. They have applied a black toner excess charge to it but
8 MBS were quite content that if the figure was under 10,000, although they said
9 that was high for an Assembly Member, they didn't say it was abnormally high; I
10 think that was the word that they used. So although we were on the top end of
11 the brackets it wasn't raising a red flag.

12 **RE:** Okay. Next one.

13 **MD:** Next one is—

14 **RE:** April.

15 **MD:** —April. So this one did get challenged, £361.49. The reason is that it covers
16 two months. So when was the last one? March and April.

17 **█:** You could ask █.

18 **RE:** So this was challenged but it was for two months.

19 **MD:** Yes. So they accepted that excuse.

20 **RE:** Right.

21 **MD:** So, yes, over time you can see the print bills have gradually come down from
22 that very first submission of almost £1,000-worth. I think the feeling was, you
23 know, got burnt submitting the first one so had to be a lot more careful. So
24 December's bill went in, although it was still high we said it was for the year,
25 they accepted it. January's came down slightly but still high because we were
26 printing a lot of leaflets on there at the time. Again, because of the break-in, we
27 were able to say we've had to copy everything and send it to █'s office.

1 They gradually came down after that because from 28th December that's when
2 we got the campaign printer so the majority of the printing then switched onto
3 the campaign printer so there was no need to put the huge bills in anymore.

4 **RE:** So 18th March was the campaign printer?

5 **MD:** No, 28th December was when the campaign—

6 **RE:** Campaign office 28th March, sorry.

7 **MD:** So, yes, there were still leaflets printed on this machine throughout that period
8 but significantly less than before and we'd worked out that 10,000 was the limit
9 so we wouldn't submit anything that would go over that limit and raise red flags.
10 So the majority of the time we'd use the printers to do... the Assembly printers to
11 do direct mail because that didn't use as much toner so it didn't flag up the toner
12 excess charge so that wasn't on the bills that went to the Assembly
13 Commission, and also we didn't send out as many direct mails because they
14 were a targeted type of campaign material whereas the leaflet goes through
15 everyone's letterbox. The direct mails needed somebody to be in the office to
16 do the mail merge to be connected to the printer at all times.

17 **RE:** So the direct mail, you're saying, was concentrated on the Assembly printer.

18 **MD:** Yes.

19 **RE:** Because it didn't use so much colour.

20 **MD:** So much toner in general.

21 **RE:** So much toner.

22 **MD:** These are direct mail, it's a letter so it's more in line with what the company
23 would expect you to use toner-wise, whereas a leaflet there's a lot of block
24 colour in that, so we'd use the campaign printer for that.

25 **RE:** Yes. Then the next one is for the end of May.

1 **MD:** Again, yes, so this is April and May, I think it was. Sorry, no, there shouldn't be
2 another one after May.

3 **RE:** I've got one for the end of May and also for—

4 **NM:** June.

5 **MD:** What machine was that?

6 **RE:** —the end of June. Well, 15th June, sorry.

7 **MD:** Okay. So these two bills were not... I don't believe were paid by the Assembly
8 because they're not showing on your register of transactions.

9 **RE:** Well, they've been produced, as I understand it, by the Assembly.

10 **MD:** Yes, could be then. No, that's 23rd August. That's 17527. Okay. Yes. So if
11 you have a look on the due date it's 23rd August '17. This is long after I'd been
12 suspended from Neil's office and that he was aware that there was going to be
13 an investigation into the use of Assembly resources.

14 **RE:** Wait a minute then. What date were you suspended?

15 **MD:** June.

16 **NM:** No, you were sick in June and then—

17 **MD:** July I was suspended.

18 **RE:** 27th July you were suspended.

19 **MD:** Yes.

20 **NM:** Yes.

21 **RE:** Now, the bill we're looking at for £175 was for a period up to 31st May.

22 **MD:** Yes, but it wasn't submitted until August.

23 **RE:** Yes. Yes. That's on the covering...

1 **MD:** And the other one was submitted on the same day as well.

2 **RE:** Yes. Is there any significance in that?

3 **MD:** There's nothing I can prove. I have my suspicions of why these bills were
4 submitted just after the investigation was... but, I mean, that's just my opinion of
5 why it took them till August.

6 **RE:** But they've got a period up to a date when you were still working for Mr McEvoy.

7 **MD:** Yes, yes. I was suspended from duty but this is just after the investigation had
8 started and there was... I had raised grievances during that about the way that
9 the office was being run and things that were political activities that were going
10 on in the office, so I mean, potentially to cover it—

11 **NM:** Can we just...? That's a really important point.

12 **RE:** Well, wait a minute now.

13 **NM:** Can you make sure that's omitted?

14 **RE:** Neil, we're talking about a period when you were still in employment.

15 **MD:** Yes.

16 **RE:** You left the office and didn't return on 19th June.

17 **MD:** Mm-hmm.

18 **RE:** So all this took place before... Sorry, these invoices all refer to a period when
19 you were still in the office.

20 **MD:** Yes. Yes, the invoices do but they weren't submitted while I was there. They
21 weren't submitted until after I left.

22 **RE:** No, what do you say is the significance of that?

23 **MD:** Because they were submitted at a time just after an investigation had been
24 started into the office being used for political purposes.

1 **NM:** What investigation? [Inaudible 04:34:40] investigation.

2 **RE:** I'm not sure I understand that. You might be right, I'm just trying to get the
3 chronology of this right.

4 **MD:** Yes. Okay.

5 **RE:** You didn't raise issues with me, for example, until the... with Plaid Cymru and
6 with me until after the summer of 2017.

7 **MD:** No. Initially I raised them during communications with members of MBS shortly
8 after my suspension.

9 **RE:** Well, your first meeting with an independent HR professional who would report
10 to Mr McEvoy was 7th September 2017. This may have no relevance at all but I
11 just don't see what point adverse to Mr McEvoy you can make on this.

12 **MD:** Yes. No. There is no real adverse point. Like I said, I have my suspicions why
13 they were submitted but it's nothing that I can prove in a hearing so, yes, I
14 mean, there's nowhere I can take this.

15 **RE:** Yes.

16 **MD:** So, yes, I mean, yes, the bills were submitted.

17 **RE:** So we've got the one for the end of May and then one for the middle of June of
18 £187. They are... Well, there are six photocopies at the end of June and 140
19 for the end of May.

20 **MD:** Yes. Yes. So that shows me that after the council election campaign the printer
21 was barely used because all the political printing had been done.

22 **NM:** June, the dates here are for June 2017 and it says that there were 17,000.

23 **RE:** I'm sorry, I'm not following.

24 **NM:** The date is 15th June 2017. There were 17,000 on that bit.

25 **RE:** Where do you find that?

1 **NM:** It's on the bill.

2 **RE:** Sorry.

3 **NM:** It's on the bill.

4 **RE:** Yes, black and white.

5 **NM:** Mm-hmm.

6 **RE:** Yes. I was referring to the colours.

7 **NM:** Right. The colours, yes. Okay.

8 **RE:** You're quite right though, the black and white is 17,000.

9 **NM:** Yes, yes. There's an explanation of the colours.

10 **RE:** So what would the 17,000 be for?

11 **MD:** On which bill, sorry?

12 **RE:** That's on the one up to 15th June, £187.24. This would be up to the period just
13 after the general election.

14 **MD:** Potentially, you know, thank you leaflets, communications post-election, I
15 imagine. The Westminster printing was done in the Caerau office. There was
16 very little... I can't think of any... I couldn't find anything within the transcripts
17 that suggested there was any Westminster printing done in the Cowbridge Road
18 East office because by that time we had a well-established campaign office in
19 Caerau with a printer that was working there. You know, potentially, like I say...
20 I've never... I haven't seen these bills before now; they were submitted long
21 after I've left so I haven't really had chance to consider what was utilised, what
22 was done on them.

23 **RE:** Right. Well, it's 4.19. I know that Mr McEvoy wants to get away by 4.20. You
24 can therefore have plenty of time to scrutinise them—

25 **MD:** Okay.

1 **RE:** —before the next hearing. Next hearing will be Thursday at ten o'clock. Will
2 you finish going through this on Thursday?

3 **MD:** The speed that we've gone through today or the interruptions I don't think so.

4 **RE:** Well, I feel that the interruptions have generally been helpful in order to identify
5 issues.

6 **MD:** As far as actually presenting initial, I mean, we're that far through and that's
7 what's left to go through.

8 **RE:** Right.

9 **NM:** Have I seen all that?

10 **MD:** Yes.

11 **NM:** Okay.

12 **RE:** Yes, you've had it all.

13 **MD:** No, sorry, we are... What file are we on?

14 **RE:** Number three.

15 **MD:** We're on three. So we've got through that and we've got that to go.

16 **RE:** Right.

17 **MD:** So I don't think so.

18 **NM:** Have I had all that? It seems a lot.

19 **█:** I mean, you have an exact replica of—

20 **MD:** Yes.

21 **█:** —[Inaudible 04:40:24].

22 **NM:** Okay. We've been going through further, I mean, back and forth.

1 **RE:** If you can think of any way of addressing the various documents, globally,
2 shortly. If you can't well, we'll just do it but it is going to take some time. Before
3 you leave, Mr McEvoy, I wrote to you some time ago saying why I couldn't
4 adjourn this, because I was committed next week.

5 **NM:** I was glad to do it.

6 **RE:** Well, there have been some changes in my itinerary next week. I could do a
7 day next week—

8 **NM:** Yes.

9 **RE:** —and the Court of Appeal, which I was going to sit in the week of the 3rd, isn't in
10 London, it's in Swansea—

11 **NM:** Right.

12 **RE:** —and only for three days so I could do the end of that week as well.

13 **NM:** Okay. Monday or Thursday/Friday would be okay.

14 **RE:** Right. Could you think a bit by Thursday?

15 **NM:** Yes, absolutely. Yes.

16 **RE:** Right. Thank you both very much. We'll meet again on Thursday at ten o'clock.

17 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

22 November 2018

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
MICHAEL DEEM**

Transcript from 00:00:00 to 04:26:00

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - **Mike Deem (MD)**
 - 
 - 
-

1 **RE:** We're ready to continue. Two matters before we do continue. Firstly, I had two
2 emails from Mr McEvoy yesterday. He's content that I share them with you and my
3 reply. The purpose of the emails was hoping to deal with programming. He gave
4 me a list of his witnesses or potential witnesses, which you can have, and asked
5 when they might be called and what the procedure will be from now on. What I
6 have said is, in response, that the normal procedure would be for you to complete
7 your evidence-in-chief, then to be asked questions by him and then for you to call
8 your witnesses or as many of them as are available straight away. If there are
9 difficulties about convenience for them you can fit them in later, perhaps,
10 depending on how we go and then Mr McEvoy's case will start and the same for
11 him, we can deal with his witnesses in one go if we possibly can otherwise we can
12 make arrangements to fit in with their convenience. Erm, but we will forward the
13 email, in particular my response to you, but the other ones as well and then future
14 dates. It does seem to me that we're not going to finish this this week. I can do
15 Thursday of next week. Can you both do that?

16 **NM:** Yes

17 **RE:** Right. So, next Thursday, 29th November, I hope we'll have a room that we can
18 identify well before that and we'll give you both notice of it. I can do Thursday
19 6th December. Can you do that?

20 **MD:** Yes.

21 **NM:** Yes.

22 **RE:** Good. I can then do Wednesday 21st December.

23 **MD:** Yes, that's fine.

24 **RE:** Mr McEvoy?

1 **NM:** Yes, should be able to that.

2 **RE:** Right. That should be enough, shouldn't it?

3 **NM:** I hope so.

4 **MD:** I imagine so, yes.

5 **RE:** At a push I might be able to do the 22nd, that is the Thursday, but I would rather not
6 because I've got other matters to deal with, but we'll pencil in those three dates
7 then. Right.

8 **NM:** Sorry, what date was the December one?

9 **RE:** The 6th and the 21st.

10 **NM:** I can't do the 21st. It's my wife's... I've booked a holiday for my wife, I just, just
11 realised that but, it's her birthday so—

12 **RE:** So that's out?

13 **NM:** Yes.

14 **RE:** And you'll be away for how long?

15 **NM:** Thursday to the Monday. Well, it's Christmas then, isn't it?

16 **RE:** Yes. So... any?

17 **NM:** I can do the 20th.

18 **RE:** No, I can't do that.

19 **NM:** I can do the 19th.

20 **MD:** Can we do the [inaudible 00:03:11]. We're off. The Assembly's not sitting 18th or
21 19th.

22 **RE:** The 17th is a Monday, isn't it?

1 **NM:** Yes, I can do the Monday.

2 **RE:** I can't do that. I've got a graduation ceremony at [inaudible 00:03:38] University.
3 The 18th is a Tuesday. I've got the dates wrong, I'm sorry. Is Wednesday the 21st
4 or the 20th?

5 **MD:** Wednesday is... 20th is the Thursday, 21st is a Friday

6 **RE:** Of December?

7 **MD:** Yes.

8 **RE:** I've got this all wrong then. Yes. I could do Wednesday 19th.

9 **NM:** Yes, I can do that.

10 **RE:** Can you do that?

11 **NM:** Yes.

12 **RE:** Sorry, I got the dates all wrong. So, Wednesday 19th is okay?

13 **MD:** Yes.

14 **RE:** Right. Fine. So, we've got three days. Thursday 29th November, Thursday
15 6th December and Wednesday 19th December. Thank you very much. Right.
16 Mr Deem. Where next then?

17 **MD:** There were a few loose ends from Monday I'd like to go back over if that's possible.

18 **RE:** So, this is complaint three.

19 **MD:** If we go back to complaint one first, sorry. Did you manage to print the invoices as
20 well?

21 **■:** I haven't got that, that's from this morning. Do you want the invoices that I sent to
22 you yesterday, is it?

23 **MD:** Yes.

1 **█**: I'll get those brought over, okay.

2 **MD**: Okay. It was a question over exhibit 5A, page three which was where I'd referred
3 to the fringe leaflets.

4 **RE**: Exhibit five... exhibit five?

5 **MD**: 5A, page three.

6 **RE**: 5A, page three, right. Yes.

7 **MD**: I had thought that that, erm, on the fourth of the third where **█** says, "I haven't
8 printed any fringe flyers out, only now realised, anyone happen to be in the office
9 this morning?" and I thought it was referring to this exhibit 5L page two and you
10 picked me up on the date of that, that they didn't correspond. Erm, I've gone back
11 through my emails now and I've found the fringe leaflet that is being referred to in
12 there so—

13 **RE**: So, this does not link with 5L.

14 **MD**: Erm, 5L, yes, exhibit 5L.

15 **RE**: Page three.

16 **MD**: Yes.

17 **RE**: Right. But it does link with what?

18 **NM**: Can I just check in terms of process? So, am I able now just to introduce a whole
19 load of new evidence on the back of what Mr Deem says?

20 **RE**: You can use any evidence you want to if it's relevant to what this is all about.

21 **MD**: If you disregard the Clarity bills for now which are further in the additional evidence
22 I've just handed you I'll [00:07:31].

23 **RE**: I'll need that?

1 **MD:** Yes. So, yes, that is the leaflet that's being referred to in, on 4th March '17.

2 **RE:** Right.

3 **MD:** You can see the date it was sent.

4 **RE:** Does link with exhibit 5P page two.

5 **MD:** I wasn't trying to mislead the hearing in any way, it's just there's a lot of evidence
6 here and I just got mixed up.

7 **RE:** Just a different leaflet, you say?

8 **MD:** Yes, exactly.

9 **RE:** Okay. Right. So, I've put that in. Okay, thank you.

10 **MD:** I've found, also, the place in the evidence later on that is actually referring to exhibit
11 5L so if you want that reference, I can give you that as well.

12 **RE:** Right, so this new leaflet you say was produced on... in March '17 on the... in the
13 office on the Assembly printer.

14 **MD:** Erm, Yes. Well, it was printed off the desktop printers which are the small printers
15 that sit on top of each of our desks, not the big one. But yes, it was produced and
16 printed on that printer.

17 **NM:** So 5P, page two is new evidence, for which reference Mike, please?

18 **RE:** That's for reference two, exhibit 5A, page three and the entry is 4th March '17.

19 **NM:** Okay, lovely, thanks.

20 **RE:** And printed by whom?

21 **MD:** It was printed by myself I believe. Yes. So [REDACTED] forwarded me the email, erm,
22 because [REDACTED] had realised that [REDACTED] hadn't printed them. [REDACTED] says, "Anyone happen

1 to be at the office this morning? If not, I'll stop there on my way up," but I went to
2 the office and I printed them out.

3 **RE:** Right. Thank you.

4 **NM:** So that's the email from [REDACTED] to you, yes?

5 **MD:** That is the transcript of the Signal message and then on there I've included the
6 email where [REDACTED] forwards this to me. I think [REDACTED] says, "Thank you ever so much,"
7 when [REDACTED] sends me the email.

8 **NM:** Okay.

9 **RE:** Right. Thank you. Right, so that's... is that the only tidying up on complaint one?

10 **MD:** Yes.

11 **RE:** Right. The next one.

12 **MD:** Is in relation to the print belts.

13 **RE:** This is complaint three then?

14 **MD:** Yes.

15 **NM:** Wait there, Mike. This is, this is a jpeg, it's not, it's not an attachment.

16 **MD:** That was the attachment that was joined to the email.

17 **NM:** We wouldn't pass on.

18 **MD:** I think that's a preview on there.

19 **NM:** We don't send jpegs to print. We, we wouldn't print off a jpeg.

20 **RE:** Well you can ask questions later. Right. Complaint three.

21 **MD:** Okay. So, there was some confusion as to the request Neil had made to [REDACTED]
22 [REDACTED] in relation to the... erm... asking for all of the print bills to be produced in

1 relation to MX2614. Erm, I'd contested that it wasn't a complete disclosure of the
2 bills because we were missing the rental element of the evidence so we'd had had
3 the print copy bills that had been approved by the Assembly but we didn't have the
4 rental. I think there were a few cover sheets that had £240 in the office lease rental
5 box and then the print costs, so I've approached MBS and they've now presented
6 me with the, erm, the rental bills for that machine. That's not this piece of evidence
7 here. I haven't printed those. I think [REDACTED] forwarded them to you.

8 [REDACTED]: Yes, they'll bring it over now from—

9 RE: [Inaudible 00:12:15]

10 NM: I've forwarded those to you before [REDACTED]. Just to be clear, Sir Roderick, I've
11 forwarded those previously. You have them already from me. So there's no slight
12 of hand here, you've had those things.

13 RE: Right.

14 [REDACTED]: If we're referring to the ones in a separate file that didn't have the ones, are you
15 talking about the ones prior to December 2016?

16 MD: Erm, yes because the rental agreement covers from when Neil was first elected up
17 until the present day or whenever that agreement was stopped. So you don't have
18 it in front of you at the moment. [Inaudible 00:12:55] bring it over, but I've got it
19 as—

20 NM: Just to help, it's in my file, so if there is anything—

21 RE: Could you point it out to me. At the moment I transferred to my portal all the
22 relevant documents from your file.

23 [REDACTED]: Neil, did they have the rental invoices in there as well?

24 NM: Yes. It's, erm, email from [REDACTED] ... [REDACTED] 21st November 2018, 10.33,
25 no actually 10.44. It should be in the email... in the bundle somewhere.

26 RE: Well you can point it out in due course.

1 **NM:** Yes. Okay, yes, so that, we accept that, there's no issue there.

2 **MD:** So the invoice that you're going to have a copy of shortly shows the rental from...
3 the first one was... the invoice was issued on 31st October and it covers the May,
4 June, July, August, September and November '16 rental agreement for these...
5 it's... sorry, it's not those invoices, that's going to follow on after I've gone through
6 the rental side of it. Those are the copy costings, so...

7 **RE:** So, when did the rental start?

8 **MD:** When Neil was elected to office.

9 **RE:** So, from June.

10 **MD:** Erm, I think May was the—

11 **RE:** May?

12 **MD:** First one, yes. May the—

13 **RE:** And how much a month?

14 **MD:** Erm, it was £240 a quarter.

15 **NM:** Have you got the exact date in May?

16 **MD:** On the invoice it just says for May, June and July.

17 **NM:** Okay, we'll come to it later.

18 **RE:** Right. Starting in May. Okay.

19 **MD:** Yes. So that's '16 and then they've also sent the bill for December '16,
20 January '17, February '17, March, April, May '17, June, July, August '17, so
21 basically what that's showing is from the time that Neil was elected until past the
22 course of this complaint that the rental for that machine was being paid for—

23 **RE:** By the Assembly.

1 **MD:** —by the Assembly.

2 **NM:** That was already in a bundle which I forwarded last week.

3 **RE:** You agree that?

4 **NM:** It was... I forwarded it. I provided the information, yes.

5 **RE:** Okay.

6 **MD:** There was also some confusion—

7 **RE:** So see the invoices [inaudible 00:15:52]... right and then we've got the printing
8 bills.

9 **MD:** Yes, so there was also some confusion in the gap between the bill that I say was
10 submitted to the Assembly Commission and refused in August of—

11 **RE:** '16.

12 **MD:** —'16. The bill for 1,068 and the first bill that was ever paid out by the Assembly
13 Commission on 31st December 2016 which was again supplied in Neil's bundle and
14 you asked, because the meter readings didn't match between the two, was there a
15 bill submitted in between those? So I have gone back through and I have found
16 the bills that were submitted in between those so I've provided that as evidence as
17 well today.

18 **RE:** Where were they found?

19 **MD:** Erm, in my emails. They were quite tricky to locate but they were buried within the
20 emails.

21 **RE:** Now, are these bills that were paid by the Assembly or somebody else?

22 **MD:** These are bills that were paid by Plaid Cymru.

23 **RE:** Right. Just pause a moment.

1 **NM:** You see it's news to them.

2 **RE:** Right. Print emails to fill in the gap between 31st August 2016 and
3 31st December 2016.

4 **MD:** So, exhibit 2J page one is the bill, the starting place, this is the bill that I've already
5 submitted in my evidence. If you notice on the current meter reading on this one it
6 says 234666.

7 **RE:** Yes.

8 **MD:** If you then go to 2J page two, the next invoice was dated 30th September 2016.
9 The previous meter reading is 234666.

10 **NM:** Have I got these?

11 **MD:** Yes, I handed it with the digital evidence.

12 **RE:** Yes.

13 **MD:** Matching up with the previous invoice. So then you go to the right to current meter
14 244666 on the bill in September.

15 **NM:** Can you just stop there Mike because I've just put them somewhere.

16 **█:** I think you put them in the [inaudible 00:18:26].

17 **NM:** There they are there.

18 **MD:** Okay, have you got 31st August?

19 **NM:** 2J, page, p1.

20 **MD:** P1, so current meter read is 234666.

21 **NM:** Yes.

1 **MD:** And then if you go to page two it says, “previous meter read 234666,” relating to
2 the previous bill. And then “current meter read 244666”. Then go to page three,
3 previous—

4 **NM:** Can we slow down now please? So that’s page two, is it?

5 **MD:** Yes, page two is in September, so if you take the current meter reading from
6 September of 244666 that matches up with the previous meter reading in October,
7 244666. Then if you take the current meter read from October of 281256 and go to
8 p4, that matches up with the previous meter reading in November of 281256 and
9 then if you take the current meter reading in November of 293854 that matches up
10 with the first bill that was submitted for payment... successfully paid by the
11 Assembly in December with a previous meter read of 293854.

12 **RE:** So pages two, three and four are the fill-in, fill in the gap invoices which I
13 understand. Now what do you say about those? Were they ever submitted to the
14 Assembly?

15 **MD:** The, not the gap ones. The first one of over £1,000 was submitted and it was
16 refused. The gap ones weren’t, they went straight to [REDACTED], [REDACTED]
17 Cardiff West for payment along with the £1,000 bill. The first one that was
18 successfully submitted and paid was in December. There was pushback on that
19 because, again, it’s a high, i.e. £492 but the reason we gave is for that, that was
20 the entire print bill for 2016 and they accepted that excuse and paid the bill.

21 **RE:** So these were paid by Plaid Cymru, not by the Assembly.

22 **MD:** Erm, the ones I’ve provided to you today, yes, were paid by Plaid Cymru. The
23 significance is, we’ve already established that throughout this period the Assembly
24 Commission were paying the rental on this machine which is the second element
25 that makes up the payment of these bills so although the Assembly Commission
26 were paying the rental on the machine Plaid Cymru were paying the copy costs of
27 the printing that was done from the start of Neil’s election until December.

28 **NM:** [Inaudible 00:22:00]

1 **MD:** So regardless of whether you believe my version of events after December, and I
2 do say that there was still political material printed on this machine which were
3 submitted to the Assembly Commission for payment. Regardless of whether you
4 accept that, pre-December I've proved that the Assembly Commission was paying
5 for the machine and Plaid Cymru was getting the benefit of that from the printing.

6 **NM:** Can you just repeat that, Mike, please, what you just said there. So the Assembly
7 was paying for the machine?

8 **MD:** Yes.

9 **RE:** But Plaid Cymru was paying for what the machine did.

10 **NM:** I think you said benefit, didn't you?

11 **MD:** Mm-hmm

12 **NM:** And Plaid Cymru was benefiting.

13 **RE:** Right.

14 **█:** The invoice that was pushed back on from MBS. The ones that filled in the gap,
15 were they paid after that date?

16 **MD:** They were paid before Decem... before the end of the year. They weren't ever
17 submitted to the Commission for payment though.

18 **NM:** Can we start using the word alleged perhaps sometimes as well because then you
19 just made a direct statement about that whereas I don't believe Mike's presented
20 any evidence... was there any evidence that we tried to get MBS to pay that bill?

21 **RE:** Pay what bill?

22 **█:** This £1,000 one.

23 **MD:** The £1,000. I'm in the process of trying to look into that.

1 **NM:** So you don't have any evidence currently? It's just the way it was presented there
2 was as if it wasn't an allegation and it was a fact but there's no evidence.

3 **RE:** Well I can tell you that I've made enquiries since the last hearing. I wrote to MBS
4 asking for these documents and I'm making enquiries as to the submission of the
5 bill of 31st August. Right, thank you. That's a matter that I shall have to pursue.

6 **NM:** Yes.

7 **MD:** So, putting aside the print bills I think this is where we stopped at the end of the last
8 session.

9 **RE:** We had just to the end of the bill of 14th June of £107.24 which was submitted and
10 paid by the Assembly [inaudible 00:24:34].

11 **MD:** Right, okay, yes. I've tried to get hold of the election agent for both myself and Neil
12 during the period because obviously a point was raised about the potential issues
13 with, erm, the electoral returns for the two periods. Erm, I haven't been able to
14 speak to him as of yet so I don't want to scrutinise, erm, post-council elections at
15 this stage until I've at least had the chance to inform him because if Neil wants to
16 pursue that it's obviously not myself that's going to be in any trouble with the
17 Electoral Commission. It's going to be the agent so I want to run that by him before
18 I go down the route of scrutinising that.

19 **NM:** Can I just interject there because, this is more relevant to the next, next phase,
20 really, I think. You signed returns in good faith.

21 **RE:** Just a moment now.

22 **MD:** This has nothing to do with the hearing.

23 **RE:** No, you're cross-examining now. You can do that in due course.

24 **NM:** Okay, all right. But he's—

25 **RE:** Where are we on this present complaint. Have you come to the end of it?

1 **MD:** So it was put into two parts, so the original two complaints were merged to, erm,
2 I've got them down as 3A and 3B, so 3A was, "Neil McEvoy charged the cost of
3 printing to the Assembly," and then when challenged on it attempted to deceive the
4 Assembly Commission as to the validity of the complaints", that was the second
5 part I had of complaint, of charge two. So we haven't gone into that yet.

6 **RE:** We need to get the numbers of these complaints right.

7 **MD:** Yes. So when—

8 **RE:** My understanding is that the first complaint you put before me in this hearing was
9 the old complaint five.

10 **MD:** Yes.

11 **RE:** And that was to do with the use of the office.

12 **MD:** Yes.

13 **RE:** Right. Then the second complaint you put before me is to do with Mr McEvoy
14 using the Assembly printer to print out the, print the material and charging
15 constituency wards or branches for that.

16 **MD:** Yes.

17 **RE:** And that was old complaint number one.

18 **MD:** Yes.

19 **RE:** And then we've got complaint three, which is the old complaint number two and
20 that is to do with charging the Assembly for printing and using the machine that
21 was being paid for by the Assembly for political printing.

22 **MD:** Yes.

23 **RE:** Right.

1 **MD:** It's also got, so, I've, so in the letter that you wrote Neil outlining them, so complaint
2 three, the last part of the paragraph says, "On one occasion in order to support
3 your contention that casework caused the high photocopying bills you had a large
4 volume of casework papers taken from the regional office in Caerau to be
5 photocopied on another machine." So that was original complaint three. So, I've
6 merged the two, original complaint two and three are now part of the hearing
7 complaint three.

8 **RE:** And that's the letter I wrote to Mr McEvoy after I'd received your complaint?

9 **MD:** Rem, yes. Sorry, it hasn't got a date on it but this was outlining the complaint.

10 **RE:** Right. Let me just... that was fairly early on wasn't it?

11 **MD:** Yes, really early on. It was the first communication.

12 **RE:** That would be about March, would it? April, March?

13 **MD:** I don't know.

14 **RE:** It doesn't have a date on it, does it?

15 **MD:** No, I think this was attached to the email that had the date on it.

16 **RE:** Right. Probably have in my file.

17 **MD:** What was that if you go back? Sorry, forwards, I think I saw it. Is that it? No.

18 **RE:** No.

19 **MD:** Do you want to take this copy because it's not in... it's just at the front of my file.

20 **RE:** Right, well you can photocopy it and I'll give you that back. It's in here somewhere
21 but—

22 **█:** What date was it, did you say?

23 **RE:** Right. So this is the sentence... Do you have this letter Mr McEvoy?

1 **NM:** Erm, somewhere.

2 **RE:** I don't mind, I'm in the same position as you are.

3 **NM:** What's the date of it?

4 **RE:** I'm afraid the letter is undated but it was probably attached to an email which was,
5 of course, dated.

6 **NM:** We're only talking about merging complaints, are we?

7 **RE:** Yes, this is the third paragraph of the letter and we've... in summarising the
8 complaints I say, "On one occasion in order to support your contention the
9 casework caused the high photocopying bills you had a large number of casework
10 papers taken from the regional office in Caerau to be photocopied..." all right?

11 **NM:** Yes, yes.

12 **RE:** Okay, Mr Deem.

13 **MD:** Okay, so I think to start off talking about this one if I could just turn to Neil's
14 response table summary and narrative that were submitted in Neil's file of
15 evidence.

16 **RE:** Right. Got that.

17 **NM:** So which, which one is that? Which number?

18 **RE:** That's the one you've got in [inaudible 00:30:55].

19 **MD:** We're just going to look at number 3B.

20 **NM:** 3B.

21 **RE:** Right.

22 **MD:** Erm, so, yes, 3B, so it says, "On one occasion in order to support your
23 contention..." so the wording that you've used, "Manipulation denied. Casework

1 papers were collated and kept at 321 and copied there when needed, a proper use
2 of 321. The costs of this were properly included in invoices submitted to MBS.
3 Taking casework papers from 321 to 36 Caerau Lane was unnecessary and did not
4 happen save for one occasion when the office at 321 ran out of toner for the
5 printer. Mr Deem had failed to order sufficient toner.” So, just to be clear, the
6 office at 321 ran out of toner is Neil’s evidence.

7 **RE:** Right. The allegation 3B, as you call it, is that Mr McEvoy photocopied casework
8 papers at Caerau Road to mislead MBS.

9 **MD:** Yes. So, if you go to exhibit 3A, page one.

10 **RE:** Exhibit 3A, page one, right.

11 **MD:** This is a conversation between Neil and myself. I believe shortly after the issue
12 with one of the print bills, one of the last print bills that was submitted was for two
13 months rather than one month. That was submitted to the Assembly Commission
14 and they had made some investigations as to why that print bill was so big, so this,
15 this conversation takes place shortly after we were challenged by MBS.

16 **RE:** In respect of which bill was this? Because the 30th April bill was challenged but
17 they were told it was for two months.

18 **MD:** That’s the bill, yes.

19 **RE:** Right. And that was for £361.49. Right.

20 **MD:** Yes. So on the 26th of the... I’ll just read through all of this I think because it gives
21 a context, so Neil says, “Emailed you about printing. The high norm is 9,000. April
22 was 21,000. Can you email me a breakdown and explanation before we address
23 with MBS please? Discuss Tuesday morning. We will go through this after the
24 staff briefing. We can then contact MBS.” I reply, “I told you earlier I haven’t done
25 any high-volume printing from the Canton office. You’ll need to engage with
26 everyone. I haven’t got the answer.” Then Neil responds, “I delegated
27 responsibility to you for all bills being submitted. That’s why you’re the office
28 manager. You submitted a bill without noticing an issue which needs explaining.

1 That's not what I expect. We can discuss this on Tuesday at the team meeting."
2 Then on 4th June Neil says, "I need the photocopying bill sheets tomorrow please,
3 Mike," and I reply, "They're in the Canton office on the notice board." Neil says,
4 "Great, just focus on delivery tomorrow then."

5 Then the next day is when I'm saying that this deception took place so on 5th June,
6 "█████ in Caerau, he needs paper, the copying needs doing today on that machine,"
7 referring to the campaign machine that was in Caerau at the time. "Can you
8 resolve this please?" I reply, "He'll have to do it in Canton as there's not much ink
9 left in Caerau. Probably get two pages out of it. I'll speak to him now."

10 So this is saying that it's not the printer in 321 that's out of ink, it's the printer in
11 Caerau that's out of ink. This is three days before the election. All the volume
12 printing had been done. Three days before the general election. All the volume
13 printing had been done so we'd pretty much used all the ink that was in the
14 campaign printer but there was still plenty in the 321 office. Neil replies, "No toner
15 at all. Can you drop paper to █████ please? He can start it at Caerau," and I say,
16 "There's enough to get by but not worth ordering more as they are £100 each and
17 we've done all the volume printing now. Taken paper to Caerau though so we're
18 stocked up everywhere."

19 So at this point we've got paper in Caerau but very little ink, we've got paper in 321
20 and ink in 321. Neil replies, "Don't want more ordered. The files are confidential
21 and I don't want them moved. Can keep the copies in Canton and constituent can
22 collect from Caerau. Can't afford to lose them." I reply, "Okay, no problem." Then
23 Neil said, "It's 3.30 and █████ still has no paper. A waste of his day. He could have
24 been out with you by now once task completed. When will you get him paper?"
25 And then I replied, "? He's got paper. I took it over to him at 1pm." Neil says, "I'm
26 not sure what he means then. He needs about 1,000 sheets," I said, "Yes, there's
27 a box of 2,500 there." And then the next day, "█████ with you today, Assembly
28 want breakdown of printing."

1 **RE:** Can I pause a moment? Going back to 5th June. The middle sentence from
2 Mr McEvoy. "Don't want more ordered. The files are confidential. I don't want
3 them moved. Constituent can collect them..." what was all that about?

4 **MD:** So that is the content of the... what's actually in the files.

5 **RE:** So what are the files?

6 **MD:** They're casework files. They're confidential casework files. They should have
7 never been taken to the office in Caerau because that's a public campaign office.
8 We had volunteers walking in all the time off the street to stuff envelopes and fold
9 leaflets. Files of that nature should have gone straight to Canton; they should
10 never have gone on to the Caerau office.

11 **RE** Mm-hmm.

12 **MD:** So then on 6th June Neil says, "[REDACTED] with you today. Assembly want breakdown of
13 printing," so he's obviously had a further communication from the Assembly
14 Commission in relation to this print bill. Neil then says, "Discuss printer on Monday.
15 No toner at all in Caerau? We need one. Clarity?" So, the day before he's saying
16 we don't need to order another one. He's now saying that we do need to order
17 another one. He's had another bill... he's had... the Assembly have been in
18 contact again about the breakdown of printing so now he's decided that he actually
19 wants another toner cartridge in... for the campaign printer and he confirms that by
20 saying, "We are ordering another toner for Caerau." I reply, "Thought we were
21 discussing this Monday," and Neil says, "Not this. The rest yes. I need the file
22 printed yesterday," so there's obviously some sort of urgency with getting this file
23 printed.

24 I then reply to Neil, "So print it in Canton where it should be done, there's ink there
25 and a new cartridge on the way. We also need to cut [REDACTED] out of ordering
26 anything to do with either printer. This is how red flags get raised. Let me manage
27 this." Then Neil says, "I need a toner. I need the copies yesterday. You are
28 campaigning. Monday we can sort out how we'll operate from now on. Have we
29 paper?" Then I reply, "If [REDACTED] had done it in the Canton office in the first place we

1 wouldn't be having this conversation. There's toner and paper in Canton. Do
2 Assembly work from there. That must be the rule." And then Neil replies, "[REDACTED]
3 [REDACTED]. Get on with what you're
4 doing and we can organise matters next week," and then I say, "I'm trying to protect
5 us both here. I don't think you can see that."

6 **RE:** Right. So, casework papers should be kept in 321?

7 **MD:** Yes.

8 **RE:** They were being photocopied in Canton... in Caerau?

9 **MD:** In Caerau.

10 **RE:** Why?

11 **MD:** Neil had had an email from the Assembly Commission questioning how much, erm,
12 printing had been done on the, erm, Assembly Printer in Canton. Any printing
13 that's done on that machine is tracked by the internal copy count on the machine.

14 **RE:** That is the 321—

15 **MD:** Machine, yes. We submit a meter reading and that's how they generate.

16 **RE:** The standard one?

17 **MD:** Yes, exactly. Neil—

18 **RE:** Just pause a moment. I just want to get a note of this. Yes, sorry.

19 **MD:** So Neil had received this email from the Assembly Commission saying "There's an
20 issue with the amount that you've printed in 321, we need an explanation for it."
21 This, to give a wider context, is just over a month after Neil had launched the
22 Cardiff Plaid campaign from a meeting room in the Senedd. He invited the media,
23 distributed the key pledges for the campaign and was later then, erm, sanctioned, I
24 think it was by your office, for a misuse of the Assembly Estate.

25 **RE:** Yes.

1 **MD:** So when this email then arrives saying that they need further explanation of these
2 bills, Neil was concerned that a further audit would be done of the casework files in
3 Caerau... in Canton sorry, to investigate whether or not the 21,000 copies that
4 were made during that month... what, what they were. He was concerned that
5 someone from the Assembly Commission was going to come in and say, "What is
6 all this printing you've done? I need evidence of this volume of printing."

7 **NM:** Sir Roderick, can you make sure you—

8 **RE:** Just pause a minute, I'm making a note. He was concerned that someone from
9 MBS would come to examine the copies.

10 **MD:** Yes, that were stored in 321 to marry up against the bill that was submitted. So, he
11 was concerned that they would come in and ask for evidence of the 21,000 copies
12 that were made.

13 **RE:** And that bill was for 21,000 black and white copies?

14 **MD:** Yes.

15 **RE:** Right. Yes, you.

16 **NM:** I'll come to it when I cross-examine.

17 **RE:** [Inaudible 00:44:11]

18 **MD:** Obviously there wasn't evidence at 321 to, erm, substantiate that because, erm,
19 although it was for two months' printing which we found out at a later stage, within
20 that there was a lot of political printing still being done in the form of draft mails,
21 erm, some leaflets, but it was mostly draft mails. So if the Commission ever did
22 come to Cowbridge Road East we wouldn't be able to provide evidence to back up
23 how much printing had been done there. So I believe that these files which didn't
24 ever start in 321, these were not files that were already there, I believe these are
25 Neil's casework files from his house from the casework he's done over the years
26 with one particular constituent, erm, that he did a lot of work on a very complex
27 case for him, as well as casework that his sister does on behalf of, erm,

1 constituents in Fairwater, [REDACTED] does in Fairwater. I believe that he had taken
2 all of... two boxes, more than two boxes, of those files that were, at that time, at his
3 house or wherever else they were, took them to Caerau to be copied by [REDACTED]
4 and then from Caerau they were then subsequently taken on to 321 Cowbridge
5 Road East, both the originals and the copies.

6 **RE:** So, copied by [REDACTED]. Right.

7 **MD:** Yes. The reason for doing this is because the copying done on the campaign
8 printer would not have registered on the internal copy count on the Assembly
9 machine. It's a separate machine so therefore by copying all these files on the
10 campaign printer and then taking them to 321 he's then been able to provide
11 thousands of pages of documents without that impacting the, the copy rates on the
12 Assembly machine. If he had done it on the Assembly machine all that would have
13 done is roll the issue over into the next month when the next bill was generated so I
14 believe... he's so adamant, he says it in the conversation, "The copying needs
15 doing today on that machine," talking to the... about the campaign machine. I think
16 that is significant because it should have been done in Canton, it could have been
17 done in Canton because there was, despite what he says in his, erm, table of
18 contents where he says that there was no ink in Canton, there was. The reason
19 that it was done in Caerau was to bypass that internal count clock on the Assembly
20 printer, therefore enabling him to deceive the Assembly Commission staff if they
21 were to investigate how much printing was done that month.

22 **RE:** Right, thank you.

23 **MD:** So exhibit 3B then shows the box of originals, erm, after they were then brought to
24 321 Cowbridge Road East. Erm, you can see on the second image in the top right
25 hand corner the box actually says on it, "Fairwater, St Fagans Road, Cartwright
26 Lane, Tudor Close," which is why I believe that they were casework files from his,
27 erm, councillor role rather than Assembly Member role.

28 **NM:** Can we just be clear that you'd said that those photographs were taken at 321?

29 **MD:** These photos were taken at 321. Yes.

1 **NM:** Thank you.

2 **MD:** Yes, these were, erm, taken a few days later after the paperwork had been taken
3 back from Caerau and deposited at 321. When I walked into that office that day I
4 was straight away suspicious by the fact that there's three, or two heavily loaded
5 boxes of confidential paperwork chucked in the corner in 321 Cowbridge Road
6 East. That straight away set alarm bells ringing and that's why I photographed
7 them. All of that paperwork, if it was processed in the correct way, erm, should
8 have been locked away in filing cabinets in that office. They're actually next to the
9 filing cabinets but they've just been chucked on the floor hurriedly, erm, and I say
10 this is after they were copied by [REDACTED] in Caerau.

11 **RE:** And in which room were they in 321?

12 **MD:** Erm, this is the, erm, the middle room, the committee room.

13 **NM:** Can I just ask, Sir Roderick, when it's my turn to cross-examine. These images I
14 have here are pretty unclear because they're small. Michael's made an important
15 allegation there that the confidential documents were in those boxes. I'm not able
16 to see anything in the boxes from here so I'm wondering if it's more clear on larger
17 photographs.

18 **RE:** I haven't seen larger photographs. These are the ones that I have.

19 **NM:** Okay.

20 **RE:** Are there larger images?

21 **MD:** I'm sure I can find them. It shouldn't be a problem at all. It will be on my other
22 phone, erm, that's locked away at the moment but I can access that and I'm sure I
23 can forward you the originals if that would help.

24 **RE:** Maybe it's up to you.

25 **MD:** Yes, no worries, yes.

26 **RE:** So just a moment, I'm trying to remember what note I wrote, [inaudible 00:52:11].

1 **RE:** So you took these photos.

2 **MD:** I took these photos. [REDACTED]
3 [REDACTED]. So they are casework documents.

4 **NM:** Child protection files.

5 **MD:** Confidential casework files.

6 **NM:** Yes, confidential child protection files.

7 **[REDACTED]:** You can't see from the pictures of the boxes [inaudible 00:52:50].

8 **RE:** Right, thank you.

9 **MD:** Erm, there's one other point before I go on. We're almost at the end of this
10 particular complaint but I've realised now where we've sort of jumped past the
11 delegation form, erm, which is, erm, an important part of the overall picture of this
12 complaint so if you wouldn't mind going back to exhibit 2G. Exhibit 2G, yes, but it'll
13 be within complaint three I imagine. I know it is in my file but yours hasn't been—

14 **RE:** I've seen the delegation form.

15 **MD:** Yes, and it's the email that precedes that.

16 **RE:** Exhibit 2H I've got it as.

17 **MD:** Yes, so there's a... exhibit 2G is the email of a, erm, yes the one before that.
18 There's an email from [REDACTED] to myself, [REDACTED] and Neil. The team meeting
19 notes of that day, 14th November 2016, point three. Clarification that it's [REDACTED]'s
20 role to submit Neil's expenses

21 **RE:** Right.

22 **MD:** And then exhibit 2H is a copy of the Assembly Member Delegation Authorisation
23 Form. So this is the form that Neil would have to complete with [REDACTED] if he
24 wanted to delegate the overall responsibility of submitting print bills. Erm, I'm
25 saying that this form was never completed so he didn't ever formally, erm, delegate

1 authorisation responsibility for submitting print bills to [REDACTED] so what I'm saying is
2 Neil has overall responsibility of every bill that is submitted to the Assembly
3 Commission.

4 **RE:** Okay. Right, is that the end of that complaint?

5 **MD:** Yes, it is.

6 **RE:** Good, right. Where do we go next?

7 **MD:** Complaint four.

8 **RE:** Which is old complaint four?

9 **MD:** Erm, it's old complaint four as well.

10 **RE:** Good. [Inaudible 00:55:57] office costs that were used specifically for campaign
11 purposes.

12 **MD:** Yes, there's very little evidence in chief to present at this point. This is more
13 something that's going to be explored during cross-examination, erm, so this
14 shouldn't take long but the complaint is in relation to a specific piece of audio-visual
15 recording equipment called a Beastgrip. It was purchased by Mr McEvoy in
16 approximately March 2017, I don't currently have the exact date [of purchasing?
17 00:56:28] the item, however a request to MBS could, erm, give you the exact date
18 and detail of that purchase. At the time of purchase Neil was warned that in order
19 for this claim to be processed by the Commission he was to declare that no political
20 films, erm, were to be shot using the equipment and he did so. However,
21 Mr McEvoy went on to repeatedly breach this rule. He not only used the equipment
22 to shoot videos promoting his own re-election to Cardiff Council in the election, but
23 other candidates used it regularly to film their own campaign videos.

24 **RE:** Mm-hmm.

1 **MD:** So, as I said I haven't got any further evidence-in-chief to present on that but during
2 the cross-examination I'll be asking witnesses as to whether they used this piece of
3 equipment when filming their videos.

4 **RE:** So I can establish from MBS the date when the Beastgrip was purchased, its cost
5 and the conditions of use but what do you know of your own knowledge about its
6 use?

7 **MD:** Erm, it was used by candidates during the council election campaign in 2017. Erm,
8 it was at one stage stored in the Caerau office, the campaign office. Erm, it was,
9 erm, it was just sat on the top of a desk and, erm, it would be used when
10 candidates wanted to shoot political videos.

11 **RE:** Right. Can you name any of those candidates?

12 **MD:** Erm, [REDACTED] used the... had the Beastgrip used, myself. I haven't got any other
13 witnesses to, erm, to say that they've used it but I was aware that, erm, it was
14 common knowledge that, erm, if candidates wanted to use that piece of equipment
15 they could use it.

16 **RE:** But you used it?

17 **MD:** Yes.

18 **RE:** [REDACTED] used it, and it was common knowledge, you say?

19 **MD:** Yes.

20 **RE:** That other candidates used it. Right. So that's the, that's complaint four.

21 **NM:** Can I just... just in terms of the evidence I'm just not clear what videos?

22 **RE:** You've got as much information as I have.

23 **NM:** It's quite an important point really.

24 **RE:** Well, they're campaign videos, I have understood.

1 ■: What campaign videos?

2 RE: Well, the evidence so far is it was used by candidates during the council elections
3 to make campaign videos. He says that he used it, ■ used it and it was
4 common knowledge that other candidates used it.

5 NM: For cam... I'm not sure what campaign.

6 ■: It's not evidence, it's an allegation.

7 RE: You can ask questions [00:59:57].

8 NM: I'd like to establish... if it's an allegation there needs to be something behind it, so
9 I'd like specifics really. What campaign videos?

10 RE: Well you've got all the evidence that there is at the moment. Right. Next
11 complaint.

12 MD: The next one is charge five which was old complaint six. This is a big one, erm. I
13 don't know if I could request a quick break before we start this one, if that's okay
14 with you?

15 NM: It's quite cold in here, isn't it. It's not too warm. It's not too warm at all.

16 RE: Right, we'll have a 15 minute break. We'll sit again at half past. That's 18 minutes
17 in fact.

18 ■: Are you too cold? Do you want the heating on?

19 NM: I'm a bit cold. My wife's got a cold so I don't know whether I'm coming down with it.

20 ■: I'm not sure what they do in this place [inaudible 01:00:59]

21 RE: I'm not cold but I never am.

22 NM: She's sniffing, I don't want to come down with that.

23 ■: Switching the heating up in this place.

1 **RE:** Right. We're on complaint five, which would be old complaint six in the file. Right.

2 **MD:** Erm, so, yes, this is in relation to the use of staff members employed by the
3 Assembly, erm, for work, employed to do political activity which is in contravention
4 of the rules on what you can use staff members for.

5 **RE:** So, employed by the Assembly that is, paid by the Assembly, although formally
6 employed by the Assembly Member.

7 **MD:** Yes, so Neil's the employer. He has the staffing budget to use as he, erm, sees fit.

8 **RE:** Are there conditions on that staffing budget?

9 **MD:** Erm, there are conditions of what staff members are allowed to do, erm, while
10 working on Assembly time.

11 **NM:** Can I just clarify from evidence you gave yest... or last time—

12 **RE:** I'm sorry, let me just finish this please.

13 **NM:** Sorry, I do apologise.

14 **RE:** So, is there a document which sets that out?

15 **MD:** I believe it's in the Assembly Members Code of Conduct and the AM... Assembly
16 Members Support Staff Code of Conduct. It outlines what is... that's spilled on my
17 hands there.

18 **RE:** Thank you. Go on.

19 **█:** Yes, this came up the other day. I just wanted to be clear that... Michael did say
20 on Monday that you used no flexitime or any holidays for the activities you carried
21 out.

22 **RE:** No, well, you can't... that's a question really, isn't it?

23 **NM:** Sorry, I do apologise. Just one thing, this is relevant, you're right, I'm sorry, you're
24 right, I'm sort of transgressing into the bloody cross-examination, I'm sorry. I want

1 to clarify the timescale here because the complaint is for the council election...
2 and... but the evidence spills into Michael's Westminster campaign and so I
3 wanted to clarify that really, because, again, we're back to the old electoral law and
4 declarations that you made in good faith, so are you now alleging that the political
5 work carried on until June?

6 **RE:** Hang on, but that's again a question, isn't it? I think?

7 **NM:** Because I'm not sure what I'm accused of, now, in that sense.

8 **RE:** Well, no. I understand the... the evidence that's been given so far. The period
9 we're looking at is from your election in May or June 2016 up to the time when
10 Mr Deem, erm, was suspended at the end of July. So it's about a year's
11 previous—

12 **NM:** I suppose really, my observation is I'm just a bit confused [REDACTED]
13 [REDACTED]

14 **RE:** Well that's another matter.

15 **NM:** I don't say that, I say it's not, obviously, but it just seems very odd.

16 **RE:** I think we need to be clear about this because Mr Deem is saying that he himself
17 has done things wrong. You can ask him about that in due course. [REDACTED]
18 [REDACTED]

19 **NM:** No, not at all. I just—

20 **RE:** Right, okay.

21 **MD:** I'm just going, sorry, I've got the Assembly Members Code of Conduct here and I'm
22 just... sorry... Assembly Members Support Staff Code of Conduct and I'm just
23 seeing if it outlines in here... I think potentially there's a separate policy. This is the
24 overall Code of Conduct and there's a number of policies that feed into this, erm,
25 so I'm quite sure that, yes, there would be separate guidance about what staff can
26 do in their role.

1 **RE:** But what you're saying is that a member isn't entitled to use a member of his staff
2 paid for by public money to carry out critical tasks during the time they're being paid
3 for by the public?

4 **MD:** Yes.

5 **RE:** Right, okay. So exhibit six. Sorry, complaint five, old complaint six.

6 **MD:** Okay. So since being elected to the Assembly, Neil has used his staffing budget
7 supplied by the Assembly to employ persons for the sole purpose of campaigning.
8 This included [REDACTED] who would predominantly deliver leaflets, [REDACTED] who
9 would mostly use his computer design skills to edit the manifesto and produce
10 social media attack ads, and [REDACTED] who was employed to translate all political
11 material into Welsh as the office was unable to use the Assembly translation
12 service for this type of work. So, just to be clear, the, erm, translation department
13 within the Assembly Commission can translate, erm, any document that's not of a
14 political nature, erm, that's a service that's available. [REDACTED] was employed to
15 translate the leaflets, the direct mails, all the stuff that I would say is totally political.

16 **NM:** Can I just be clear, because the... it's a detail really... I'll pick up on it again.

17 **MD:** So if you—

18 **NM:** It's okay, I'll pick up on it, it's fine.

19 **MD:** So if, erm, in the course of, erm, Neil's day to day business as an Assembly
20 Member he had to write to a constituent in Welsh, for example, there's a
21 department... there's a specific colleague within the Assembly Commission that's
22 assigned to each party, so I believe Plain Cymru's translator was a lady called [REDACTED]
23 [REDACTED]. We would forward that document that needed translating to [REDACTED], she would
24 translate it and return it so that it could then be passed on to the constituent, erm,
25 in their chosen language.

26 **NM:** Okay, so just to be clear there, it's the Plain Cymru group, not the Commission.
27 [REDACTED] is employed by the group.

1 **MD:** The Plaid Cymru group has a translator that is employed by the Commission,
2 assigned to them. So in the same respect as [REDACTED] is the Plaid Cymru
3 group representative on, erm, Members' Business Services, he's the point of
4 contact with that sort of, erm enquiry, we've also got a translator in [REDACTED], that
5 any translation work on behalf of Assembly Members that are in the Plaid Cymru
6 group could send the stuff to her to be translated.

7 **[REDACTED]:** [REDACTED] still translates for Neil, as [REDACTED] has done.

8 **RE:** I'm sorry?

9 **[REDACTED]:** [REDACTED] translates for Neil in a voluntary capacity.

10 **RE:** So why wouldn't translation work be sent to the Commission here?

11 **MD:** It is. [REDACTED] is employed by the Commission but [REDACTED] is just... they'll have a
12 group of translators, it just so happens that the one that Plaid Cymru group use is
13 [REDACTED]. The Labour Party would have their own translator, Conservatives would
14 have their own translator. So anything that's, that's not political, Assembly
15 business, we were in a position where we could send it to [REDACTED] or, if [REDACTED] wasn't in,
16 another translator in the Assembly and then they could do that work.

17 **RE:** But [REDACTED] wouldn't be allowed to translate political leaflets.

18 **MD:** Yes, exactly.

19 **RE:** Right.

20 **MD:** Furthermore, the three permanent members of staff, [REDACTED], [REDACTED]
21 and myself were given responsibility for planning and executing numerous council
22 election campaigns over the period. These included the Grangetown by-election
23 and full Cardiff City Council election. The tasks we performed were so numerous in
24 nature it's safe to say that between us we dealt with all aspects of the campaign
25 from designing, printing and delivering leaflets, organising canvassing sessions,
26 briefing candidates, fundraising, completing electoral returns, inputting data etc,
27 etc.

1 Erm, so if we go to exhibit 6A, what I suggest, I've brought in a flash drive with all of
2 these screen shots of these conversations so I was going to suggest if [REDACTED]
3 wanted to, sort of, erm, if it was possible for him to keep that with the screenshot as
4 we were discussing the conversation so if there is any question about the validity or
5 whether these actually... these conversations actually exist we could cross
6 reference them against the computer, if that helps.

7 **NM:** No, it doesn't. The screenshots are just the same as this so I'll accept these. It'll
8 save time.

9 **RE:** Okay, thank you. So exhibit 6A.

10 **MD:** I appreciate that Neil's accepted that, erm, and I thank him for it. There are a
11 number of pictures that are referred to in the early part of these transcripts. It might
12 be easier just to get those particular pictures up.

13 **NM:** Yes, sure.

14 **RE:** Can we do that on the screen here?

15 **[REDACTED]:** I'll try with the laptop, otherwise we can just put it on here.

16 **RE:** Okay well [inaudible 01:12:58]. We'll see how far we go.

17 **NM:** Just to go back to one thing just to be clear about the images. The office images
18 which I'm told... which you took at 321... I don't want to receive them. If you can
19 just send those to the Commission then I'd be happy with that. Sorry, not the
20 Commission, the Commissioner. I don't want to see those. I'm happy to deal with
21 them in the tribunal but I don't want that material sent to me.

22 **RE:** I'm not sure I understand that.

23 **NM:** Because I don't want to have to save images of a child protection file with details of
24 abuse on it, or alleged abuse, which is a contravention of the Data Protection Act. I
25 think he can send them to you, you're allowed to keep them as a Commissioner,
26 but I don't want to have those because I'm not allowed to have them. If I have

1 them I have to delete them. I don't want to get into the game of receiving stuff like
2 that and having to explain it... so.

3 **RE:** I've no understanding of the Data Protection Act. It's not something I've ever been
4 involved in until I started this job. There are issues which, erm, arise from those
5 pictures that you said earlier that you're going to cross-examine on them. If you
6 want to see pictures in more detail like you've mentioned they'd have to be shown
7 here.

8 **NM:** Yes, I'm content with that. I just don't want, I just wanted to make the statement I
9 don't want them sent to me.

10 **RE:** Okay, that's fine. Right. 8th February 2017, so that is just before the council
11 elections?

12 **MD:** Erm, yes, a couple of months before the council elections. So this is the Signal
13 transcript, this is the encrypted messaging channel that we switched to after using
14 the WhatsApp group. We'll get to the WhatsApp transcripts a bit later but in
15 relation to Signal on 8th February [REDACTED] sends a picture to me, "Another pile of
16 Waungron petition slips has arrived," erm, referring to them arriving at 321
17 Cowbridge Road East. They would have been forwarded from Tŷ Gwynfor
18 because the return address on the petition slips was Tŷ Gwynfor. They were then
19 posted on to 321 Cowbridge Road East for us to, erm, use the data that was
20 inputted onto those petition slips. The picture just shows a pile of these petition
21 slips on the desk in 321.

22 **NM:** Can we see the picture?

23 [REDACTED]: Just put it on the laptop because the—

24 **MD:** You're going to exhibit 6A and then it'll be 0208. What are the months first or the
25 days first? So it'll be 0802. I think it goes in numerical so it'll be right on the
26 bottom. That's the bottom there?

27 **RE:** So what are the petition slips?

1 **MD:** Erm, so they were attached to the bottom of leaflets. We would distribute leaflets
2 and at the bottom there's a bit that you can rip off and return to Plaid Cymru, erm,
3 signing a petition for a specific political campaign. This one in question was the
4 closing of Waungron Road recycling centre which was a big focus during the
5 election campaign predominantly in and around the Fairwater area because that
6 was the area that was most affected with it.

7 **RE:** Waungron cycling—

8 **MD:** Recycling Centre.

9 **RE:** Recycling.

10 **MD:** Yes.

11 **█:** What's the zero here? It's a date, isn't it?

12 **MD:** So it'll be SO and then 08.

13 **█:** Okay.

14 **MD:** 08.02.17. Towards the top there.

15 **█:** I'll get it up on the screen, Sir Roderick, but it's... we're getting another laptop to
16 come over because I don't think it's got a connection for it.

17 **RE:** And that is the photo taken by you?

18 **MD:** By **█**.

19 **RE:** By **█**, sorry. In 321, you say?

20 **█:** Try and get this hooked up to the big screen.

21 **NM:** Right, okay. Yes, this is okay. So, erm, what we have there is just a desk. There
22 are leaflets on the desk, just for the record. There's no... it's just a desk. There's
23 absolutely nothing in the background other than slips and a hand. That's [inaudible
24 01:19:42].

1 **MD:** So that was the picture that [REDACTED] sent through and accompanying that picture
2 was the message, “Another pile of Waungron petition slips has arrived. They’re
3 pretty much all voting Plaid.” Erm, so on that petition slip it would have voting
4 preferences. We would then take that, that rich data and input it into Treeware in
5 order to then, erm, calculate voter preference and voter targeting lists later down
6 the line, so this is all part of the data collection phase of a campaign before you
7 then specifically target those in the immediate runup to the election.

8 **RE:** And this was a month before the Cardiff office was acquired?

9 **MD:** Yes.

10 **[REDACTED]:** Okay, it’s on screen now if you want to—

11 **MD:** Oh, brilliant.

12 **RE:** Right, well done. Where was the campaign printer kept before the office in Caerau
13 was—

14 **MD:** In 321 so do you remember I’ve provided the photo with the three printers along the
15 back wall in the committee room so you had, the first one was the Assembly
16 printer, the campaign printer was in the middle and on the right hand side was the
17 riser as well.

18 **NM:** This is from a newspaper though, these slips.

19 **RE:** Okay.

20 **NM:** So that’s what we’re talking about, slips from the newspaper.

21 **MD:** Yes, could well be.

22 **NM:** Mmm, is it or not? I just want to be sure.

23 **RE:** Well that’s a question. You haven’t asked the question yet.

24 **MD:** So, 20th February then, this time I’ve sent a picture to the group, so if I bring it up
25 on the laptop. So this picture in the top right hand corner is, erm, an example of

1 the Twitter attack ads that were designed by [REDACTED] [REDACTED]. Erm, this particular one is
2 targeting the, I think he was the Minister for Transport at the time, [REDACTED]

3 **RE:** Right.

4 **MD:** We've actually got the... later on in the evidence is the originals of all these attack
5 titles that were produced by [REDACTED] so it might be worth going into the detail further
6 on but this is an example of me sending the first one to the group, erm, and
7 [REDACTED] says, "Better. Is it the right proportions though? Twitter tiles are usually
8 two to one. We need to have a look," and I reply, "Yes, works well on Facebook, I'll
9 get [REDACTED] to play around with it tomorrow."

10 **RE:** Right, so what does this show then?

11 **MD:** This shows [REDACTED] designing these attack ads that are then used during the
12 campaign.

13 **RE:** And [REDACTED] was employed by Mr McEvoy and this was being done in his office hours?

14 **MD:** Yes.

15 **RE:** Mm-hmm.

16 **MD:** So 1st March, Neil says, "Can we send a brief NationBuilder message out about
17 tomorrow." [REDACTED] replies, "[REDACTED] has sent the translation to what we wrote
18 yesterday so we'll get something sorted. What recipient list?" So NationBuilder is
19 again a political tool that's used to communicate with, erm, a specific target
20 audience. We can use it to send out campaign material. We can use it to, erm,
21 target... you can use it for whatever purposes you want. We used it for, erm,
22 fundraising, to try and get a certain mailing list of, erm, members to a specific
23 fundraiser event. We also used it to, erm, promote other campaigns that we had
24 around the city. We usually used the data provided by constituents in their petition
25 slips and at public meetings, anything we'd gathered on constituents to say that
26 they were interested in a specific subject we'd then use NationBuilder to send them
27 communications in relation to that particular campaign. So it sort of ties in with the
28 use of Treeware. Treeware is where the raw data would go into.

1 **RE:** But what am I to get from this message?

2 **MD:** Again, Neil's asking members of his office to send out this NationBuilder message.
3 [REDACTED] has said that [REDACTED] is happy to do it. [REDACTED]'s translated it, the communication
4 that was supposed to go out and [REDACTED]'s just enquiring about which recipient list.
5 So what I'm saying is this is being done by Neil's colleagues on Assembly time.

6 **RE:** Right.

7 **MD:** So, I've probably... I've sort of tried to expediate the process and go through what I
8 think is more important to this hearing than others. I decided the fourth of the third
9 wasn't really of that much impact so I've gone on to 5th March '17. Neil says, "The
10 [REDACTED] caption on Facebook was excellent. Can we grab loads of my
11 Facebook and start tweeting them? Big job of work. [REDACTED] can assist." [REDACTED]
12 says, "agreed, [REDACTED] would be ideal," Neil said, "Let's run with that tomorrow." I
13 say, "[REDACTED] doesn't work Mondays," and [REDACTED] says [REDACTED] be happy to get started
14 with it.

15 So a couple of days before these messages were sent Neil was suspended from
16 Cardiff Council after a hearing into an incident with a council employee. In order to,
17 erm, push back on the negative press that he'd received immediately after that
18 suspension what we did was, erm, copy and paste positive messages that he'd
19 received on his Facebook page and send them out through the Cardiff Plaid Twitter
20 account, basically to balance out the negative comments with positive comments.
21 To do this, [REDACTED] would go into the Facebook page, [REDACTED] use the snipping tool to cut
22 out positive messages on Facebook, [REDACTED] save them in a file then on the Assembly
23 computer and then whoever was responsible at that... the majority of it was me
24 actually posting it to the... through the Plaid Cymru account. I'd click into the saved
25 images and just share that then via Twitter to balance out the press and the one
26 night, erm, I was pretty much in the office all night and that's the... [REDACTED]
27 references it in [REDACTED] statement that I slept in the office one night and I was there late
28 submitting all these captions onto Twitter.

29 **RE:** Right, so this is a suggestion that [REDACTED] moves [REDACTED] work days so that he can do
30 this work?

1 **MD:** Yes. And then [REDACTED] also says [REDACTED] also happy to get started with it so [REDACTED]
2 [REDACTED] makes a start on the work and then [REDACTED] takes over.

3 **RE:** So this is political work? Right.

4 **MD:** Yes. So then 7th March '17, [REDACTED] sends the message to everyone saying,
5 "[REDACTED] Riverside really needs an out leaflet. Can you work with Mike and
6 [REDACTED] to make it happen? Thanks a lot. Go team." Yes, so that's just a... a
7 request from [REDACTED] that me and [REDACTED] would design an out leaflet for Riverside.
8 An out leaflet is if you'd gone canvassing, you've knocked the door, there was no
9 answer so you've put the leaflet through just to say that you'd been there, erm, and
10 there'd be a brief message from whoever the particular candidate was in Riverside.
11 10th March, Neil says, "Let's finalise the way forward. Finish the manifesto today
12 and get on campaign mode. I'm not minded to re-apply to the group until after May
13 4th." So, yes, this is just direction from Neil to the group that first of all the
14 manifesto's got to be finished which is obviously a highly political document and
15 then getting into campaign mode.

16 Further down, [REDACTED] says, "Guys, if you're out canvassing remember to ask
17 supportive residents for pictures that we can put up on Facebook. Get their names
18 and addresses to remember who they are." Again, this was a method of drawing
19 attention to the work that we were doing. If we were out canvassing and we got a
20 picture with a resident being supportive we'd upload it to social media, we'd tag that
21 particular resident in with the hope that they would then share it within their own
22 group of friends and family to increase the reach that we had during the campaign.

23 A bit further down, [REDACTED] again says, "Mike, [REDACTED] has called, there are loads of
24 petition responses in TG," so again that's more of the petition slips we saw earlier
25 that had been posted to Tŷ Gwynfor and then I say "I'll pick them up on my way
26 home and get them on Treeware before Sunday's deadline". Usually we would
27 have waited for them to just post them on but because there was a deadline
28 coming for an update on Treeware it was important to get all of that information
29 onto Treeware before that deadline had arrived so that when it came to the final

1 stage of the campaign we had the most up to date data available to target
2 residents.

3 **NM:** Can I, sorry, Mike, which one is it?

4 **RE:** So what do I get from that? This is Mr McEvoy saying the manifesto has to be
5 done today and getting onto campaign mode?

6 **MD:** Yes.

7 **RE:** Now what is in this that indicates that these people were being engaged in this
8 work during public time, as it were.

9 **MD:** Erm, it was, the messages were sent at... during office hours. This was during a
10 working day. These messages are going back and forth. If you want to bring up
11 the, the picture I can send you the times back and forward that they were sent.

12 **RE:** That would be helpful as an example.

13 **MD:** So the initial message is sent from Neil, 5.23 in the morning. [REDACTED] sends the
14 message about the petition slips at quarter past three.

15 **RE:** Quarter past three?

16 **MD:** Yes. He sends the message about, "If you're out canvassing ask people,
17 supportive people,"

18 [REDACTED]: Can you just go back to the other screen for the times please?

19 **RE:** No, wait a minute on it, let's just hear Mr Deem.

20 **NM:** Okay, sorry, because I'm not aware of the times.

21 **RE:** You say [REDACTED] mentioned the canvassing at what time?

22 **MD:** The canvassing is 11.55am.

23 **RE:** Right.

1 **MD:** And then, erm, the comment about [REDACTED] calling about the Tŷ Gwynfor responses,
2 the petition responses, was at quarter past three.

3 **RE:** Right. So what you're saying then is the messages that we're going to be dealing
4 with are all dealt with during office time subject to Mr McEvoy at five o'clock in the
5 morning.

6 **MD:** Yes.

7 **NM:** The usual. It's the usual.

8 **RE:** I noticed that one of your emails to me was at half past three in the morning.

9 **NM:** Yes. I don't need to sleep so much as I get older.

10 **RE:** You need to retire; you'll sleep better then. Right, sorry.

11 **MD:** Yes, I think that's in on that particular photo. And then on 12th March Neil
12 messages the group, "Marked register input must be wrong, nobody voted in 2016,
13 [inaudible 01:35:25] in the city, nobody [inaudible 01:35:26]." [REDACTED] replies, "I
14 inputted the data. Inputted the way it came up on the electoral register. Confident I
15 wouldn't have made a mistake." So, yes, this is just [REDACTED] saying that [REDACTED] was
16 the one that inputted all the data and this will become more significant when we go
17 through the emails later on to show you the period over which this data was
18 inputted.

19 **[REDACTED]:** [REDACTED] said, "I inputted the data," not all the data.

20 **RE:** He said inputted.

21 **MD:** Yes, "I inputted the data."

22 **RE:** So you did that?

23 **MD:** No, this is [REDACTED] saying that to the group.

24 **RE:** Right.

1 **MD:** Erm, and then subsequently it turns out that there was just a mistake during the
2 inputting so there was no fraud, it was just an administrative error on [REDACTED]'s part
3 when [REDACTED] inputted the data. Erm, 14th March, [REDACTED] says to the group, "Hi
4 [REDACTED], [REDACTED] has sent you the posters, can you post them on NationBuilder
5 please?" Further down, erm, sorry, we'll deal with that first. So, yes, [REDACTED] had
6 designed... as part of his role [REDACTED] would design specific posters to be done on
7 social media and he did the campaign pledges, he did the manifesto so this is one
8 of the things that he designs to then be posted by [REDACTED] on NationBuilder to a
9 target audience that would have been decided prior to that message being sent
10 out.

11 **NM:** Just clarify there what you said, that [REDACTED] did the manifesto.

12 **MD:** [REDACTED] designed... [REDACTED] did the, erm

13 **RE:** What he said was [REDACTED] had designed posters for social media.

14 **[REDACTED]:** And [REDACTED] did the manifesto.

15 **MD:** He designed the, erm, digital version of the manifesto so we'll get to that later on.
16 But, yes, [REDACTED] and [REDACTED] the words they used were, "jazzed up the manifesto,"
17 so changed the font and put pictures and stuff in, but, yes, that's coming up shortly.
18 This was the same day that Neil got in trouble for using the, erm, room in the
19 Senedd for promoting the launch of the campaign because about half way down
20 Neil says, "Don't comment on BBC Tweet." The BBC had noted that the Cardiff
21 Council campaign had been launched in, erm, the committee... the media room in
22 the Senedd. Then he says, "I've called the Assembly for an invoice for the hour.
23 I'm obviously paying for the room otherwise it would be a breach of the Code of
24 Conduct." This was sort of an afterthought of the way to get out of being in trouble
25 for using the room. He decided to ring the Assembly Commission afterwards to
26 ask for an invoice but, again, I think you've already dealt with this in a previous
27 consideration. Then right at the bottom Neil says, "Never had such coverage for
28 local government policies before," so if anything he thought the coverage that was
29 generated after the misuse of that room actually benefited our campaign launch.

1 **NM:** Just to be clear... no... best... so you're saying that was the campaign launch, yes,
2 Mike, just to be clear?

3 **MD:** That was the, erm, it was the key policies that we were going to be fighting the
4 campaign on so it was a campaign launch of sorts, I mean, there were a number of
5 actual launches. It was one for volunteers, there was, erm, a publicity shoot
6 outside City Hall, there were various different launches but this is the one that we
7 were informing the media of, these are our pledges, this is what we're going to do if
8 we win the council election.

9 **█:** What was the timing of this?

10 **RE:** 16th March [inaudible 01:40:22].

11 **MD:** He was suspended by the Ombudsman around 1st or 2nd March.

12 **RE:** Who was suspended?

13 **MD:** Neil.

14 **RE:** By the Ombudsman?

15 **MD:** Yes, from his role as a councillor.

16 **NM:** Sorry, Mike. So... the room... what date are you talking about?

17 **MD:** The room incident took place on 14th March.

18 **NM:** Okay, thank you.

19 **MD:** But yes, he was suspended from the Council right at the beginning of March. 15th
20 March isn't really... there's nothing of significance there so I'll move on to 16th
21 March. Neil says, "Do we have the infographics in Welsh? Also need them. I'm
22 conscious that I'm tweeting in Welsh only." I believe the infographics would be the
23 actual pledge cards that were put onto social media to promote our seven key
24 pledges for the campaign.

1 **RE:** I'm just wondering whether we can take this more quickly. If you think we can't,
2 just say so, but I've been through many of these and they all refer to members of
3 staff doing particular tasks which are of a political nature and what you say is that
4 these are all to do with... all being carried out in office time. Is there a need then to
5 put all of these into a detailed context?

6 **MD:** Erm, potentially not. As I said, we're actually getting into the detail of it when we
7 get to the emails and the actual physical evidence of what was produced. This is
8 just giving the instructions to do those tasks. So, yes.

9 **RE:** I don't want to cut you short or to in any way inhibit your presentation of this. I'm
10 just wondering about the time element, whether the time is justifying going through
11 individual tasks when what we've got here in 6A is a whole series of conversations
12 relating to individual tasks. Might be... do you just want to go through them
13 quickly?

14 **MD:** Yes, I can do that. Like I said I've highlighted most of it now so I could just jump
15 straight to it. So 17th March Neil says, "We need more Fairwater, called to see you
16 Fairwater," so that is again the out leaflets that I talked about. [REDACTED] says,
17 "Sorry, not in the office today, can anyone else print the Fairwater calling cards
18 please?" [REDACTED] says, "We need to get calling cards sorted for Llandaff. Start next
19 week if possible. I'm happy to do so," erm, and Neil then says, "Where are we on
20 the translation of the manifesto?" So, in that particular day those are the political
21 tasks that we've done during our office day. Going forwards to 20th March now,
22 Neil says, "Can we sort the clips for Crowdfunder in Welsh and English, launch
23 Wednesday. Can we organise a telephone line, internet provider, quotes and when
24 it can be done by. See you 3.30ish. Like I state we need to sort the campaign
25 out." So when we're talking about phone line and internet provider then, that was a
26 task that myself and [REDACTED] were given to do in relation to the new office, erm, so
27 by this time Caerau office is open but there's no telephone, no internet so [REDACTED]
28 researched how we could get those facilities, erm, installed so, again, by this stage
29 we're now being given tasks to manage two separate offices, both during time
30 when we're employed by the Assembly.

1 **RE:** [REDACTED] and you?

2 **MD:** Yes. The clips for Crowdfunder were... we got candidates to video themselves
3 talking about the key pledges so we got those, uploaded them to social media so
4 we could use that as promotion material. 21st March, "Can the Cardiff Plaid
5 account push the pledges Welsh and English please?" That's in relation to exhibit
6 6I which we'll come to shortly. So these are the pledges with a specific key pledge.
7 One in English, one in Welsh, and these are what Neil's asking us to push on the
8 Cardiff Plaid account. There were spelling mistakes on the original one sent out so
9 [REDACTED] said, "I'll get the Welsh ones changed with [REDACTED] in the morning," and
10 then Neil suggests, "Could [REDACTED] show others how to do it?" because at this stage
11 [REDACTED] is the only one that knows how to do this work so rather than have only one
12 person do it—

13 **[REDACTED]:** Sorry, what page are we on now.

14 **NM:** Try and keep up.

15 **RE:** Page five, exhibit 6A, page five. 21st.

16 **[REDACTED]:** The correspondent ones.

17 **MD:** The correspondence is exhibit 6I. [REDACTED] actually says, "So [REDACTED] is in. [REDACTED] in
18 a case meeting now," meaning a casework meeting, "Will do that when he's
19 finished," so [REDACTED] would basically—

20 **NM:** Can you tell me where you're reading from this time, Mike, please?

21 **RE:** I'm sorry?

22 **NM:** Jump back four [inaudible 01:46:19].

23 **MD:** 21st March, do you want me to slow down again?

24 **NM:** Yes, so 21st March. Okay, I can see it now.

1 **MD:** So, yes, 21st March. So [REDACTED] would, if we had walk-ins or if [REDACTED] schedule
2 casework meetings [REDACTED] do that in between doing this campaign work. That's
3 about halfway down the page, the fifth message in the back and forth.

4 **RE:** Right.

5 **MD:** And then sort of three up from the bottom of this page I say, "[REDACTED] and [REDACTED]
6 are going to format (jazz up) the manifesto ready for launch," which is what I was
7 referring to a couple of minutes ago. That is exhibit 6K. So, this is [REDACTED] sending to
8 the group, "Latest versions of the manifesto. One is the original publisher file, the
9 other is a PDF which you can view on phones," so this is taking the raw text of the
10 manifesto which was translated by [REDACTED] and putting it into a more attractive version,
11 erm, to post on social media.

12 **RE:** Where did [REDACTED] normally work?

13 **MD:** Out of 321.

14 **RE:** Thank you.

15 **MD:** So back to exhibit A, page six, it's just following on from that conversation. Erm,
16 top line, [REDACTED] says, "Thumbs up regarding email for nominations for [REDACTED]. I'm
17 getting it typed and sent out now." Erm, so, yes, [REDACTED] would regularly send out
18 the communications for the campaign. This particular one is regarding nominations
19 for a candidate. Then [REDACTED] corrects [REDACTED] [REDACTED], not [REDACTED], erm, so, yes, that's
20 just a political communication that [REDACTED] sorting out and then at the bottom
21 [REDACTED] just confirms that we've now all been sent a draft copy of the jazzed up
22 manifesto so that was the document I've just shown you.

23 22nd March, erm, [REDACTED] writes, "I'm not sure of the updates on project but do we
24 have all candidates in place for pledges and if not would you like me to get in touch
25 with a few?" So, again, this is talking about getting the videos off the candidates for
26 the pledges. We needed 14 videos altogether so [REDACTED]'s talking about collating
27 that information. Where [REDACTED] then says, "Dim probs, just popping to Tesco," or, "will

1 leave the shutter up but will lock the door and put the alarm on," that's just showing
2 that [REDACTED] in the Canton office rather than the Caerau office.

3 **RE:** Why, because of the shutter?

4 **MD:** Erm, well the Caerau office did have a shutter on but the fact that [REDACTED] going to
5 Tesco which is a five minute walk from the Canton office whereas in Caerau if you
6 were to try to get to Tesco to walk there from there would take you sort of 45
7 minutes to an hour so you wouldn't just pop to Tesco from the Caerau office.

8 **RE:** So [REDACTED] in the regional office?

9 **NM:** He alleges [REDACTED] in the regional office. I don't want to get too bogged down—

10 **RE:** I'm sorry?

11 **NM:** He's alleging that [REDACTED] in the regional... because it's two minutes or five minutes in
12 a car, the other Tesco's.

13 **MD:** Yes, but [REDACTED] doesn't drive, does [REDACTED]? Anyway—

14 [REDACTED]: There is actually a Tesco about five minutes from the Caerau office

15 **NM:** Can you, can you from there?

16 [REDACTED]: On the A48, Tesco Express.

17 **RE:** I'm sorry but you can't just pop across. We'll leave that for clarification when we
18 need.

19 **NM:** Yes, sorry, you're right, yes.

20 [REDACTED]: It's at the end of Caerau lane.

21 **NM:** So the Tesco's is 45 minutes' walk according to Mike. That's the evidence he's
22 given. That's all I want to know really. Confirmed.

1 **RE:** Tesco's is five minutes walk from 321 and about 45 minutes walk to an hour from
2 Caerau. The point of all these is the same. They're all referring to political tasks
3 being carried out by members of your staff and what Mr Deem is saying is that they
4 were all being done in office hours. So the point is the same for them all. Some of
5 them, Mr Deem is saying, indicate internally that (a) this was during office hours;
6 and (b) it was from the regional office paid for by the National Assembly. That's the
7 point isn't it?

8 **NM:** Yes, because the Tesco's is 45 minutes away. Yes, okay.

9 **RE:** I mean, whether it's 45 minutes away or two days' walk away it doesn't much
10 matter. The point that he's trying to make, whether it's right or not I'm not
11 commenting on, but that's the point he's making. Right.

12 **MD:** And then the last message in that transcript is, so, [REDACTED] saying that the
13 reminder fundraiser email doesn't work, can you check please. Thanks. And that's
14 a message to [REDACTED]. Sorry, the four messages. "Hi [REDACTED], message from [REDACTED]
15 The links on the reminder fundraiser email don't work. Can you check please?" So
16 that's, again, that email would have been sent out using something like
17 NationBuilder to promote a fundraising event and [REDACTED] saying that the links
18 included within that email are not working so can [REDACTED] fix them. 22nd March, Neil
19 says, "Where's the envelopes, mate?" I say, "They didn't arrive. [REDACTED]'s going
20 to message me when the company update [REDACTED] with a delivery time. Probably in
21 the morning. Had to reprint your DM as it was signed Councillor McEvoy and
22 thought you might get a complaint. All done now. Want me to drop them to your
23 parents' when the envelopes arrive?" and Neil just says, "Check with me next time.
24 Should have gone ahead. Fuck 'em."

25 **NM:** Yes, can I apologise for my intemperate language please.

26 **MD:** Basically, it's... I was just being vigilant around the fact that Neil had been
27 suspended at this point from the council and the DMs that we'd printed originally
28 had been signed Councillor McEvoy so I'd binned those and re-printed the...
29 reprinted the DMs without that included.

1 **RE:** So where were you when you were taking part in this?

2 **MD:** I'm not sure to be honest. One of the offices. There's nothing that indicates to me
3 where I was at the time, so I wouldn't want to guess.

4 **RE:** But it was in office hours?

5 **MD:** Yes, it was within the office hours. I'm just not sure on the location. So Neil says
6 on 23rd March, "Have we agreed dates for internet switch on? We are missing
7 details guys. Sign writer also. Let's keep a list of matters on a board." So, again,
8 this is relating to the tasks that we were assigned to do with relation to getting the
9 internet up and running in Caerau Lane and also getting a sign drawn up for the
10 front of the office. [REDACTED] says, "I'll look into a sign writer. Can anyone remember
11 the name of ours from 321?" which indicates now that [REDACTED]'s involved in this task
12 as well.

13 Further down Neil says, "We really need pledges out on Twitter. Welsh and
14 English," [REDACTED] says that [REDACTED] do the pledges and then [REDACTED] further in that
15 conversation says, "I've taken down all the English pledges so there are no pledges
16 online. We'll launch them all tomorrow with the Crowdfunder and send the
17 manifesto out for consultation," so that's showing that [REDACTED]'s now involved with
18 the pledges and the manifesto and the last sentence, "Six copies of each manifesto
19 is locked in my right-hand drawer in a folder." What I'd say is that's an indication
20 that [REDACTED] was in Cowbridge Road East because we didn't have keys for the filing
21 cabinets in Caerau so [REDACTED] wouldn't have been able to lock them in her drawer in
22 Caerau, erm, so that suggests to me that [REDACTED] locked them in [REDACTED] drawer in 321.

23 24th March, Neil sends myself a message saying, "Any luck with the leaflets mate?"
24 I say, "Fairwater's printed, [REDACTED] and [REDACTED] heading off shortly to start delivering
25 them when [inaudible 01:57:07] done this afternoon so that's just showing that
26 [REDACTED] and [REDACTED] are out delivering leaflets on Assembly time. Then on 27^h of the
27 third—

28 **RE:** On 24th, it indicates that [REDACTED] and [REDACTED]... [REDACTED], is it?

1 **MD:** [REDACTED], yes.

2 **RE:** Were delivering leaflets. Do you know what time that message was sent?

3 **MD:** Was it 24th of the fourth, was it?

4 **RE:** 24th March, yes.

5 **MD:** 9.36 in the morning.

6 **RE:** Which one was that? From Mr McEvoy?

7 **MD:** The message I sent myself was on 24th March at 9.36.

8 **[REDACTED]:** Can you just zoom up slightly.

9 **MD:** “Fairwater’s printed, [REDACTED] and [REDACTED] heading off shortly to start delivering then
10 we’ll all sit down this afternoon.”

11 **NM:** [Inaudible 01:59:12]

12 **RE:** And where were you when you sent that? If you can’t say—

13 **MD:** No, I’m not... not sure.

14 **RE:** And what is the time of Mr McEvoy’s message?

15 **MD:** Erm, 9.16. It has to be... yes, it’s showing on here as the... this one’s come
16 through first but it’s not. So it’s 9.16, “Any luck with the leaflets mate,” 9.36,
17 “Fairwater printed, [REDACTED] and [REDACTED] heading off shortly.”

18 **RE:** 27th March.

19 **[REDACTED]:** It’s a printer.

20 **NM:** Where’s that then? We saw the printer.

21 **MD:** I haven’t included it. That’s the rest of the day’s conversation.

1 **NM:** So, "Heading back to campaign office," where's that? Okay, doesn't matter.

2 **MD:** So this is a screenshot of the messages that I'm including in the evidence. The
3 rest of the conversation which I didn't particularly think was relevant I haven't
4 transcribed.

5 **NM:** Is there any chance I can have a printout of all the screenshots? That would be
6 helpful.

7 **MD:** I've sent them all to you.

8 **NM:** Rather than. Where are they? I haven't looked at them.

9 **RE:** Well you need to if want to... you've got them.

10 **NM:** I've seen them here. But I've not—

11 **RE:** But you've got the screenshots.

12 **MD:** You've had all these files.

13 **NM:** Yes, it's fine. Yes, okay.

14 **RE:** Right. 27th March.

15 **█:** [Inaudible 02:01:20]

16 **MD:** 27th March. If I go to... I've just highlighted on the next page, █ says, "Can
17 I check the printer is at the new office?" erm, referring to the period when it was
18 taken out of 321 and put into my garage, erm, and then I confirmed to █
19 "Yes, printer is in campaign HQ. Can we meet at Canton, load cars with boards
20 from the back office and then head over to Caerau." So that was getting the last of
21 the political stuff out of the 321 office and getting it over to Caerau Lane.

22 **RE:** Right.

23 **MD:** So then 28th March. Neil sends a message saying, "This is what I sent █," and
24 then he's quoting himself. "That's not just conducive to running a joined-up

1 campaign. I don't think [REDACTED] will be prepared to carry on doing your leaflets
2 and my printing on this basis. We are paying [REDACTED] to do a job and you have
3 prevented him from doing what he needs doing. If he tells me to jump on matters
4 social media I say how high. You should do the same, please reconsider. He is
5 the expert in the field not me. So this is referring to the fact that we've got two
6 advisers from Scotland down to help on the campaign, erm, [REDACTED] and [REDACTED]
7 [REDACTED]. They had told us that each constituency had had to release the data that
8 they had in order for us to target people in the campaign and [REDACTED] was... who was
9 from Cardiff South was pushing back on that basically saying that he didn't want to
10 release all of this information to [REDACTED] and [REDACTED] to use in the campaign, erm, so
11 Neil's saying here, basically, if you don't release it then [REDACTED]'s going to stop
12 designing your leaflets and I'm going to stop printing your leaflets indicating at that
13 point that that's what we were doing for the whole city.

14 Right at the end of that day's correspondence [REDACTED] says, "I only ordered the
15 map yesterday." It was in relation to a map that [REDACTED] ordered off the Assembly
16 Commission that you'll see a little bit further down the line which we used... erm,
17 we used in the campaign office as a way of mapping out who we were going to
18 target for the election, so there's a picture of that a bit further down the line.

19 **NM:** Where is that now?

20 **MD:** It's the bottom of 28th March. [REDACTED] says, "I only ordered the map yesterday.
21 Will be a few days." So that was ordered off the Assembly Commission to be used
22 in the campaign office.

23 **RE:** Mm-hmm.

24 **MD:** So 29th March, [REDACTED] says, "Anyone coming to Caerau office?" [REDACTED] says,
25 "Mike and [REDACTED] on way. Have just sent super Saturday email out." [REDACTED]
26 says, "Can you also send the curry night one out please," and [REDACTED] says, "Yes."
27 So, this is [REDACTED] again sending... super Saturday email is a request for volunteers
28 to come out and deliver leaflets on a specific day. Super Saturday we would all
29 meet up in the morning, we'd have a couple of thousand leaflets and we'd all
30 deliver them... we'd all sort of split up and get them delivered in one day so [REDACTED]

1 sent that email out asking for volunteers. Also the curry night was a fundraiser that
2 we were promoting to get funds basically, for the campaign and [REDACTED] sent that
3 email out as well.

4 **RE:** The date and time of that? Sorry, the date is 29^h March.

5 **MD:** So, "Mike and [REDACTED] on their way," is at 10.23?

6 **RE:** Yes.

7 **MD:** Can you just, sorry, read the next part again.

8 **RE:** There's a reference at the end of that exchange. Where people usually been put in
9 office? "Sit at my computer in the corner," you say. Where was that?

10 **MD:** That was in the Cowbridge Road... sorry. So that was sent at 11.33.

11 **RE:** What was, yours?

12 **MD:** No... the, "Where do people usually input in the office just to be safe."

13 **RE:** 11.33.

14 **NM:** Which one, which date is that, Mike?

15 **RE:** And, in which office was your computer in the corner?

16 **MD:** Cowbridge Road East. So I send a message back, "Yes, perfect. Email them
17 through. Sit at my computer in the corner." That's at 11.37.

18 **RE:** Yes, but the computer in the corner is at 321?

19 **MD:** Yes, so in [inaudible 02:09:14].

20 **RE:** So where were you when you sent that?

21 **MD:** Probably at the campaign office. I was going to Caerau at that stage, so [REDACTED] is
22 still in the regional office.

1 **NM:** Where is it in the file?

2 **MD:** So, exhibit 6A, page eight, 29th March, the bottom. Going over to the next page,
3 sorry, page nine. "Where do people usually input in the office just to be safe," and I
4 say, erm, "Sit at my computer in the corner."

5 **NM:** Oh right, okay.

6 **RE:** Now, you say you were going to Caerau at that stage but what do you mean by
7 that? What is the significance of that? You were going to Caerau.

8 **MD:** Yes.

9 **RE:** During working hours?

10 **MD:** Yes, so I would have, erm... yes, so [REDACTED] says, "Anyone coming to Caerau?"
11 and I've confirmed that me and [REDACTED] are on our way there so me and [REDACTED] are
12 going off to Caerau. The only work we would have done from the Caerau office
13 would have been campaign work. There was no Assembly work to do in Caerau.
14 [REDACTED] has stayed in 321 to manage the Assembly office. The reason [REDACTED] asks
15 where [REDACTED] should sit to input was because of the CCTV cameras in 321. So,
16 where the, erm—

17 **RE:** Carry on.

18 **MD:** So, when you first come through the door into the front part of 321 there's a CCTV
19 camera immediately above the doorway and it covers the first three computers
20 around the desk. So, this is the bank of desks we've got. If you've come in
21 through the front door there's a security camera here which covers this computer,
22 partially covers this computer and this computer. It can see what you're doing.
23 This is my desk in the corner and it's not covered by CCTV. There's no line of sight
24 to be able to see what you're doing. So people would sit at that computer to input
25 data so that you couldn't see what's going on, on the CCTV cameras. As far as
26 anyone was concerned we were just sat at the computer doing work.

1 **RE:** So let me just get that picture generally. This was a couple of months, a month or
2 so before the local elections. You just had the office in Caerau. You say at that
3 stage you were going to the Caerau office.

4 **MD:** Yes, I was back and forth between the two offices but on this particular day, erm,
5 I've said that I'm going to the Caerau office.

6 **RE:** And that was in work time?

7 **MD:** Yes.

8 **RE:** [REDACTED] was in 321.

9 **NM:** I need to print those out really.

10 **RE:** Now 'input' is input data from canvassing returns?

11 **MD:** Yes. It can cover a wide range of things. In this particular instance it's inputting
12 canvassing returns. There were periods shortly after specific elections where you
13 would input the marked electoral register. So, this is something that you can
14 request off the Electoral Commission I believe it is. You get the document off and it
15 shows... it doesn't show who people voted for but it shows—

16 **RE:** Who voted, yes.

17 **MD:** —who voted. So we would input that into Treeware so you'd know who were the
18 regular voters and you would go and target those. If someone didn't vote at every
19 election you wouldn't use resources to go after that person.

20 **NM:** To say that if they don't vote you wouldn't use resources to go after them.

21 **MD:** We wouldn't target them.

22 **NM:** Okay, just.

23 **RE:** Right. 30th March.

1 **MD:** Yes, so in that top line Neil says, "Need the lists as soon as possible. Super
2 voters, postal scheme." So, a super voter is someone who votes all the time so
3 they're the ones that we would target in this particular circumstance. This is just
4 before the postal votes go out, erm, so if we have a list of all the people who vote
5 every election we need to target those because they will be voting imminently.

6 **NM:** Did you just say that the 30th is just before the postal votes go out? Just checking.

7 **MD:** Well it's before the postals go out. We're now at the stage... sorry, you say, "Three
8 weeks to hit them," so three weeks after that day the postal votes go out.

9 **NM:** Okay, but you did say just before the postal votes go out.

10 **MD:** It's semantics.

11 **NM:** Yes.

12 **RE:** So we've got at the moment, you've got [REDACTED] the Scottish man... [REDACTED] is
13 going to be in the Caerau office.

14 **MD:** Yes.

15 **RE:** And this was during work time.

16 **MD:** Yes. I mean, it's all right for [REDACTED] to be at the campaign office during work
17 time because [REDACTED] paid for by Plaid Cymru Cardiff. I mean, [REDACTED] never employed
18 by the Assembly Commission. [REDACTED] was the organiser... but Neil says, "Where
19 does [REDACTED] go today," and [REDACTED] said that [REDACTED] can go and keep her company
20 at the campaign office.

21 **RE:** So [REDACTED] was paid for by Plaid Cymru?

22 **MD:** Yes.

23 **RE:** So what do we get out of [inaudible 02:16:22]

24 **MD:** I haven't highlighted any bits in there... I mean, Neil's asked where and [REDACTED]
25 just says that [REDACTED] can go to the campaign office but there's nothing that really

1 jumps out at me for the rest of that conversation. So 6A, page ten, erm, I've
2 highlighted the entire conversation on this so we'll just go through it. So, Neil
3 McEvoy, "Have we the number addresses of PC supporters in target wards? Can't
4 order posters without that figure." Erm, so at this stage we're ordering Plaid Cymru
5 posters to send out to our supporters so they can put it up in their windows as a
6 show of support. [REDACTED] says, "[REDACTED], have you got the above info, can you
7 phone me?". [REDACTED] says, "I gave you the figures on Tuesday. Wrote it down for
8 you. I'm out in Radyr at the moment. Is it today that these are needed? If so, can
9 we get them by the end of the day." And then [REDACTED] says, "Will ring you in two
10 [REDACTED]."

11 Neil says again, "We need all target ward. It's urgent now. We need them to order
12 posters. Not just Fairwater. We also need the other lists. Call me when by a
13 computer." Then [REDACTED] comes into the conversation and says, "I'm going to do
14 this now but we need to have a think about the best use of people's time. If so
15 many people are out canvassing then organisational things don't get done. For
16 example, this week we have managed to print four rounds for just two wards.
17 There's data that needs entering too but [REDACTED] is spending all day painting."

18 **RE:** Painting what was [REDACTED]?

19 **MD:** Painting the shutter on the campaign office, so we were... I don't think we'd
20 officially launched the campaign office and it was an old red shutter on the front of it
21 before so [REDACTED] spent a couple of days painting that green.

22 **RE:** And who was [REDACTED] being paid by?

23 **MD:** [REDACTED]. He was being paid by the Assembly Commission.

24 **RE:** And what day was it, this one, a working day?

25 **MD:** Yes, it's the 31st of March. Sorry, I'll just get there now. Yes, 31st of March was a
26 Friday.

27 **RE:** Right. Okay.

1 **MD:** So then [REDACTED] continues, "Basically if we're doing legwork out in the wards the
2 machinery of the campaign is being elected." I think that's supposed to say
3 neglected but it says elected. "To go back to the war analogy then there's no point
4 turning up to battle with no bullets and no plan. Can we have a chat about this,
5 about what the best thing for people to be doing is please? What are our priorities,
6 what the priorities are," and then, yes, [REDACTED] corrects himself and says [REDACTED] was
7 supposed to say "neglected". Then [REDACTED] messages back. [REDACTED] says, "I'm doing
8 these. I'm sat up in Mike's office now. I completely agree though. [REDACTED] puts
9 a thumbs up in agreement and then Neil just says, "We need lists."

10 **RE:** The map arrives on the fourth, on the fifth we've got, erm. Now the 5th was what
11 day? If 31st was a Friday it would be a weekday.

12 **MD:** Sorry, yes, a Wednesday.

13 **RE:** So [REDACTED] is saying that Splott is being printed and folded as [REDACTED] speaks.

14 **MD:** And Neil is saying, "Is Fairwater done?" [REDACTED] says, "Up to round 20. After the
15 thousand Splott finished which is in 20 more leaflets I can go back to Fairwater. I
16 was told to start on Splott for a bit when I got in," and then [REDACTED] also says, "First
17 thousand of Splott have just printed so let me know what's best." I say, "You can't
18 print 6,600 of the same leaflet in one go. It fucks up the printer head. This is really
19 important as after the next part goes we will not be getting a replacement. Need to
20 rotate every thousand. 2,600 Fairwater to go. Will be done by close of business."
21 [REDACTED] says, "Noted. I'll continue with Splott with the rotations you showed my
22 then Mike if that's what you mean. Thumbs up." So, yes, that's just showing on
23 that Wednesday printing more leaflets. The issue with rotating them was the
24 header was... kept being printed on one end of the printer. It would, as I say
25 colourfully, mess up the printer heads and we would have to keep replacing parts
26 on it so we needed to turn it back and forth to preserve the life of the printer.

27 **RE:** Right. 6^h April.

28 **MD:** Okay, so [REDACTED] says, "I've got a weekly timetable system in place now which will
29 go up on the wall in Caerau. Can we all update the calendar please at the end of

1 that." So, yes, [REDACTED] just planning out all the events and stuff that we need to
2 attend to in the running up... the final run up to the campaign. [REDACTED] role was to do a
3 lot of the organisational stuff and that was just one of the tasks that was involved in
4 that. Then at the end of the conversation [REDACTED] says, "We need to keep our eye on
5 Labour boards around the city in build up to the election i.e. are they overspending
6 on a budget. Will discuss in our team meeting on Monday/Tuesday but Neil keen
7 to have someone delegate for this task." So, yes, Neil just wanted someone to
8 take ownership of logging where these boards were going up and make a note of
9 them. The boards are the garden posters that fix.. that go at the end of your—

10 **RE:** So, what do I get out of that?

11 **MD:** Again, these are the political jobs that [REDACTED]'s doing, so it's the timetabling, it's the
12 calendar and it's the keeping track of the election boards.

13 **RE:** Okay. There's nothing is there on 10th April?

14 **MD:** 10th of the fourth. So, Neil says, "Urgently need a price on leaflets. We must not
15 go over budget." Then he says, "Why not let TG print the DM," so I just wanted to
16 draw attention to the fact that TG represents Tŷ Gwynfor.

17 **RE:** There were a number of places where pamphlets had been printed, you told me.
18 321, the Caerau office after it was acquired, Tŷ Gwynfor and the gentleman in
19 the—

20 **MD:** [REDACTED]

21 **RE:** [REDACTED] in Vale of Glamorgan.

22 **MD:** Yes. The vast majority were done in 321 and then in the last couple of months of
23 the election when we acquired the Caerau office the majority then were switched to
24 the Caerau office. There were still some being done at 321 but the majority was
25 done in Caerau. Tŷ Gwynfor printed two, three at a push, leaflets for us. It was
26 very minimal. [REDACTED] slightly more, maybe four, five.

27 **RE:** So after you got the Caerau office most printing was done there.

1 **MD:** Erm, most printing after we got Caerau was done there. Overall the majority of the
2 printing was done at 321 because of the timeframes. That was... we had that for a
3 lot longer. When we acquired Caerau then the majority at that time was done in
4 Caerau. Like I say, Tŷ Gwynfor is minimal and [REDACTED] is minimal.

5 **RE:** Right. 10th April refers to [REDACTED].

6 **MD:** Erm, so this jumps over to two days. I think that message was sent sort of late in
7 the day because I send a message to Neil saying, "Rescheduled tomorrow's
8 casework meetings. [REDACTED] heading to HQ for nine." And then Neil replies to that
9 message the next day saying, "Needs to deliver" so basically just saying that when
10 [REDACTED] gets to the Caerau office his task is to deliver leaflets.

11 **RE:** Right, well we break off there. Could you give me a list, an agreed list if possible,
12 of the members of staff of Mr McEvoy's office, whether they were full time, part time
13 and the periods in which they worked. For example, [REDACTED] didn't work in
14 the office, [REDACTED] did, [REDACTED] did. [REDACTED] did. I'd like to know the
15 periods in which they were employed and their hours and the same with [REDACTED].

16 **MD:** No problem at all.

17 **NM:** Okay.

18 **RE:** We break off there, see you here at two o'clock.

19 **NM:** This is going great guns now isn't it.

20 **RE:** So if you can think of some way of getting through this by the end of the day it
21 would be... there's a lot of.

22 **MD:** I mean we're nearly to the end of the transcripts. It's the transcripts that take up a
23 lot of the time but then... that is the point I've got up to highlighting. After there I'm
24 back to... is there somewhere I can go here to have my lunch and carry on
25 highlighting from here onwards? That might speed it up slightly. I'll go upstairs
26 today, have lunch up there and carry on highlighting while I'm on lunch.

1 **RE:** [Inaudible 02:27:56]
2 **MD:** No, it's fine. I'll go upstairs.
3 **RE:** Good, thank you.
4 **RE:** What do you do for lunch?
5 **█:** Just switch this off now.

6 *Egwyl / Break*

7 **RE:** So what are you saying **█** is suggesting there?
8 **MD:** That he's, erm, printing leaflets in the Canton office the following morning so that
9 would be the Tuesday morning before the campaign meeting.
10 **RE:** Right. Thank you.
11 **MD:** Page 14 then is two separate messages. One between myself and **█** and
12 another between myself and **█**. The top half is me talking to **█** the
13 bottom half is me talking to **█**. I think I'm still in hospital at this stage and
14 communicating from hospital. Erm, so, **█** says, "No worries Mike. I'm really
15 sorry but I'm not able to deliver this afternoon. There's so much data work and
16 organising to do here at the minute. I'll try and get stuff finished as soon as
17 possible and can then cycle to train station if I have time," and I've said, "Okay.
18 This is a blow. Is there someone else? These people will have voted by 5pm.
19 This should be a priority. Data can wait. Who made this decision? I knew I should
20 have been on the call." So I believe there was a team meeting conference call that
21 I'm referring to then but because I was in hospital I wasn't in on the call. **█**
22 says, "**█**. I've been ringing"—
23 **NM:** Could you stop there Mike because that's quite important. Thanks.
24 **RE:** Carry on.

1 **MD:** So [REDACTED] says, "[REDACTED]". I've been ringing a few people but no luck. Will
2 continue to ring. I say, "Thought so. Fucking piss take. Don't need this stress. I'll
3 message him now," and then [REDACTED] says, "All sorted." I say, "What's the plan?"
4 [REDACTED] says, "[REDACTED] picking me up, taking bike and me delivering. How will I get the
5 leaflets?" and I say—

6 **RE:** So what do I get from that?

7 **MD:** That [REDACTED]'s out delivering leaflets. When I went into hospital that [REDACTED] took
8 over the campaign in Radyr and was distributing all the leaflets that I would have
9 usually done as a candidate but at some point [REDACTED] has asked [REDACTED] to stop
10 delivering and go back to data inputting and organisation of the campaign.

11 **RE:** Right.

12 **MD:** So at the same time there is a conversation going between me and [REDACTED] and I
13 say to him, "I need [REDACTED] to deliver the final DMs in Radyr this afternoon. These
14 people are voting in the next few hours. Really don't need this stress right now,"
15 and then [REDACTED] says, "[REDACTED] is going now but [REDACTED] needs to do some campaign
16 work tomorrow. With you gone and [REDACTED] with [REDACTED] not here too there aren't many
17 people to actually manage the campaign and make sure the other candidates have
18 everything they need to campaign." I say, "That's fine. [REDACTED] a good organiser.
19 [REDACTED] done a great job managing my campaign while I'm in here. [REDACTED] doesn't
20 need to be entering data though especially while there's daylight. There's plenty of
21 people who can do that. They just need to step up. We also have an organiser
22 employed for 30 hours per week. I get there's a lot to do but [REDACTED] really
23 shouldn't be needed all that much but that's a whole different conversation."

24 [REDACTED] says, "I don't think [REDACTED] is employed to deliver leaflets personally.
25 That's the most basic job there is. The work [REDACTED] doing is organising. Right now
26 it's the garden posters, recording where they're going then getting the
27 communications with the candidates so that they're using [REDACTED] conferencing
28 facility and NationBuilder emails. It's important stuff." Then I said, "Didn't ask to be
29 in here [REDACTED]. [REDACTED] running Radyr in my absence. Whatever that entails.
30 Hopefully I'll be out tomorrow and we'll be back to full strength," and then [REDACTED]

1 says, "I don't want to get into a row about it but I think it's self-evident that if the
2 people meant to be running the campaign are out on the street then the campaign
3 has a problem," and I say, "Completely agree."

4 So [REDACTED]'s basically just outlining what [REDACTED]'s role in the campaign is. [REDACTED]
5 actually says that [REDACTED] not employed to be delivering leaflets but more doing the
6 organising side of the campaign.

7 **RE:** Yes.

8 **MD:** The next conversation is a piece from [REDACTED] about a third of the way down,
9 "I'm leaving now. Caerau leaflets still in Canton office," just referring to leaflets that
10 are supposed to be distributed around Caerau that are in the Canton office. I
11 imagine the reason is because they are printed in the Canton office and they need
12 distributing in Caerau.

13 23rd of the fourth, Neil says, "I need the rest of Fairwater printed first thing. I'll be in
14 with tasks for everyone for the last eleven days. Can you message me individually
15 what you have on yourselves until May 4th, erm, so basically just handed out the
16 last few jobs before election day. And, yes, that's going to the office group so he's
17 talking about all of us, the organiser and the assembly staff in that one.

18 **RE:** 26th April anyone coming to the office which office would that be? Can you tell?

19 **MD:** It's not clear from that... the messages there. I believe [REDACTED] in the Caerau office
20 because at this stage [REDACTED] was spending the majority of [REDACTED] time in the
21 Caerau office and just...

22 **RE:** Right.

23 **MD:** Yes, [REDACTED] says, "Just turn the printer on and keep printing Butetown leaflets. I
24 mean, if [REDACTED] in the Caerau office there's no reason why [REDACTED] can't be printing the
25 Butetown leaflets, [REDACTED] the organiser. It's direction from [REDACTED] to get the
26 leaflets going out. Just before that one on 24th of the fourth there's a message from
27 [REDACTED] saying that [REDACTED] going out delivering with Neil. The 24th was a Monday.
28 The 6th then, of May, so this is just after the election. [REDACTED] says, "Okay for

1 ██████ to data input first thing. Just remember there's some from Ely and Caerau
2 that need going in from Friday. Not much there. Start with just the last few
3 canvassing sheets we did in the last days of the election," for ██████ to make sure
4 that that was input into Treeware then for future elections. We'd have all that data
5 inputted.

6 █████: How did you want to get the dates of their employment by the way, these different
7 staff members?

8 RE: Why or how am I going to get it?

9 █████: Yes, because I can just access it on this computer but how would you like me to
10 provide you with the—

11 RE: Email it to ██████.

12 █████: Just email it to ██████.

13 RE: Thanks very much.

14 MD: So, yes, the election's passed but there's still some jobs that need doing so the
15 main jobs that needed doing after the election were inputting the last of the data
16 from canvassing, inputting the electoral register, the marked electoral register when
17 we'd got it and also doing the thank you leaflets. The thank you leaflets are leaflets
18 that go out across the whole constituency.

19 RE: What's the date of the election?

20 MD: May 4th.

21 RE: Thank you.

22 MD: So, yes, 6th May ██████ to do data input first thing. Then 8th May I send a message
23 saying, "Can you make a graph for me to go on the Radyr thank you leaflet. I want
24 to show swing as Labour massively down," and ██████ says that ██████ is doing it.
25 So, yes, this is post-election communication.

1 **RE:** Well, the election's on, what do you say, the 4th, that would be a Thursday, 5^h
2 would be a Friday, so the 6th would be a Saturday.

3 **MD:** Yes, so, yes... it's not, I mean that's not an office day. This is the 8th.

4 **RE:** And the 8th would be a Monday.

5 **MD:** Yes.

6 **RE:** Right.

7 **MD:** So yes, that's the graph and [REDACTED] is then making a graph on the Monday after the
8 election.

9 **RE:** Right.

10 **MD:** Okay, so 14th May then, half way down the page, Neil says, "[REDACTED] in tomorrow."
11 Sorry, I say, "I'm doing it now. Yes, [REDACTED] in tomorrow but [REDACTED] be inputting the
12 electoral address."

13 **NM:** Sorry what page is that, again, Mike please?

14 **RE:** Page 17, halfway down. These are thank you...

15 **NM:** Okay.

16 **RE:** [Inaudible 02:41:22] not feeling well [inaudible 02:41:28].

17 **MD:** Yes, and Neil says, "[REDACTED] is in tomorrow", so this is a Sunday talking about the
18 Monday. "[REDACTED] in tomorrow, we can get them done then." I say, "I'm going it now.
19 Yes, [REDACTED] is in tomorrow but [REDACTED] be inputting the electoral register." Then Neil
20 says, "Have you been in touch with [REDACTED]? Got the leaflets. No, wait, no [REDACTED]
21 gone away.

22 **RE:** The 14th is a Sunday isn't it?

23 **MD:** Yes. So yes, the key for this is talking about [REDACTED] doing the inputting on the
24 Monday. And then on the 15th [REDACTED] says that, "All telephone lists are sent to you

1 [REDACTED] I'm now helping [REDACTED] with the data input," so this is the Monday
2 morning. [REDACTED] [REDACTED] [REDACTED] are now inputting the electoral register... yes, electoral
3 register. And then later on that same day another message, "Everyone happy for
4 [REDACTED] and I to crack on with the marked reg when not dealing with case work? And,
5 [REDACTED] I'll send NationBuilder email out tomorrow morning." So, yes, this
6 suggests to me that [REDACTED] [REDACTED] [REDACTED] are in the Cowbridge Road East office. In
7 between casework meetings then they're inputting the marked register and [REDACTED]
8 the next, the Tuesday, is going to send out a NationBuilder email.

9 Then the 16th, [REDACTED] sends a message. [REDACTED] and I simultaneously inputting
10 Canton and Riverside. That will be done by the end of the day. Again I'd say that
11 that is most definitely in the regional office because a little bit further down it says,
12 "Hi guys, we've had two walk-ins asking for boards and posters. I've obviously
13 redirected them to Caerau which is our political office and explained we are
14 Assembly related here. So, yes, that says to me that they were in the Assembly
15 office but they are still inputting the data.

16 **NM:** What dates are they inputting did you say?

17 **MD:** On the 16th of the 5th.

18 **RE:** 16th of May, page 18.

19 **NM:** The marked register. Okay.

20 **MD:** Yes, that's what [REDACTED] says.

21 **RE:** Okay.

22 **MD:** And then if you go to the next page, 19, at the bottom, the 18^h of the 5th which is a
23 Thursday, erm, so it's talking about, erm, telephone canvassing from the postal
24 telephone numbers but [REDACTED] says that the... So, Neil's asking for a list. [REDACTED]
25 says, "Could be made in less than ten minutes. [REDACTED] and I have inputted all of the
26 marked register now so we can get them done straight away in the morning. I'm
27 happy to telephone canvass. So they're referring to telephone canvassing on the
28 Friday which isn't an issue because [REDACTED] [REDACTED] but just

1 acknowledging at the end that by that Thursday they'd finished all the inputting so
2 basically the two of them have spent the week inputting the marked register.

3 Page 20, 23rd of the 5th. I believe... so, Neil says, "Terrible news from Manchester.
4 I think everyone will be suspending campaign today. Could we do the admin, so
5 printing of the thank you's. Where are we on yesterday's task? Keep the shop
6 shutter up though so we can get walk-in cases. So that suggests to me that, erm,
7 that in the regional office... although there were shutters on the two we wouldn't
8 usually have walk-in cases to the Caerau office. Walk-in cases would tend to go to
9 the Assembly office on Cowbridge Road. And then further down the page it says,
10 [REDACTED] says, "Can you go to Tŷ Gwynfor. Mike there. Printing and folding not
11 working so printing down there," so this is an example of a time where I'd gone to
12 Tŷ Gwynfor to do printing rather than at the campaign office or the regional office.
13 So I said there were a few occasions and this is one of the ones when we were
14 down at Tŷ Gwynfor.

15 Then that's the end of the transcripts. Like I said I've sort of rushed through that
16 because without, of course, obviously informing [REDACTED] of potential implications to
17 [REDACTED] I wouldn't... I don't want to go into that at this stage but I don't know what the
18 possibility is of leaving that open for now and coming back to it.

19 **NM:** Leaving what open? I'm just a bit confused?

20 **RE:** I'm sorry?

21 **NM:** Now look I'm not sure what Mike refers to by leaving it open. Leaving what open?

22 **MD:** The opportunity to submit more to evidence in relation to this particular complaint.
23 Because at the moment none of this is evidence. It's only evidence when I submit
24 it to this hearing.

25 **NM:** So why have you not submitted yet?

26 **MD:** Well there's a lot that I haven't submitted yet and I'm not going to name it because
27 that is—

1 **NM:** Well, I've spoken to [REDACTED], [inaudible 02:47:56] my evidence and [inaudible
2 02:47:59].

3 **RE:** If you want to address anything do it through me and I'll put it across the table. 23rd
4 May, what do you say about that? This is an example of printing being done at Tŷ
5 Gwynfor.

6 **MD:** Yes. [REDACTED] says, "Is there anything I can do in Caerau? Thinking of going there
7 soon. Done what needed doing down the Bay," and [REDACTED] says, "can you go to
8 Tŷ Gwynfor?" because I'm there printing and folding. "Mike there, printer and folder
9 not working so printing down there," so can [REDACTED] go to Tŷ Gwynfor and sort of
10 help me out on that.

11 **RE:** Right. We go on now to the emails.

12 **MD:** Yes.

13 **MD:** Okay, so this is an email from [REDACTED] to [REDACTED], myself and Neil. This was on 4th
14 August, half past ten, and it's in relation to a team meeting I believe, yes, so we'd
15 had a team meeting that day, put together the council election canvassing plan and
16 then following that meeting [REDACTED] has typed that up and emailed it to the group.
17 [REDACTED] says, "Attached is a generic canvassing plan for the council elections. It would
18 be useful if it could be put on the agenda for one of our August team meetings just
19 so we can go into September with a solid month by month and even week by week
20 plan as [REDACTED] suggested." Then [REDACTED] at the bottom, says, "I really like that
21 [REDACTED]. I'm going to put together a comms plan and a wider campaign plan now
22 and we'll integrate them together." So, what I'm trying to show here is that the
23 planning for the council election campaign started as early as August of '16. This is
24 when we started meeting in the office to discuss the plans, everything that went
25 into planning for that particular election campaign.

26 **RE:** So it started in August. Okay.

27 **MD:** And then page two is a detailed breakdown of everything that was discussed in that
28 meeting so you've got phase one now on Christmas talking about target wards,

1 erm, talking about canvassing the super voters so the ones that vote every single
2 election, canvassing agenda, who are the local candidates.

3 **RE:** Yes, I can see what it is. What do I get out of it?

4 **MD:** So this is a meeting that's happened in the Cowbridge Road East office between
5 Neil's Assembly staff to plan the political campaign for the council elections.

6 **RE:** Okay.

7 **MD:** It's set out everything in detail of the plan at that stage from then up until election
8 day. As I said, this was the first of a number of these meetings that would
9 eventually become regular in the Cowbridge Road East office. I know on Monday
10 Neil made a submission that there was sporadic political chat in the office but what
11 I'm trying to show here is that it was more than sporadic. It was detailed campaign
12 planning that was happening in those meetings.

13 **RE:** Mm-hmm. Right. 6C.

14 **MD:** Okay, so this is from [REDACTED] to Neil, myself and [REDACTED]. 13th September. So
15 [REDACTED]'s just talking about one of the tasks that [REDACTED] got for the council campaign.
16 [REDACTED] says, "Part of my tasks for the council campaign was printing off ward maps
17 which will allow us to mark off streets we've canvassed and leaflets. Whilst ward
18 maps may not specifically be needed until after Christmas I think it would be useful
19 to organise a purely council campaign team meeting in the coming weeks. Then
20 Neil says, "Yes, need these. Need to revisit all the delivery rounds and split up by
21 polling district." So, yes, this is just confirming that we're now moving into having
22 these detailed council campaign meetings and as I said this is all taking place in
23 Cowbridge Road East between the Assembly staff.

24 **RE:** Mm-hmm.

25 The next is another email from [REDACTED] to the group. The attachment is a to do list
26 for the Assembly staff before Christmas, so that to do list, [REDACTED] suggests in [REDACTED]
27 email that we could use this as a meeting agenda for a debrief before Christmas
28 and then [REDACTED] says [REDACTED] thoughts on that particular document were that [REDACTED] was

1 going to put together a draft timetable for the campaign. ■ talks about that in a bit
2 more detail, about being rigid and sticking to that campaign plan. ■ talks about
3 getting a proper system for printing is absolutely critical.

4 **RE:** So what do I get from these?

5 **MD:** These are the campaign meeting notes. This is what we are now discussing on a
6 weekly basis in the Cowbridge Road East office. It would usually happen on a
7 Monday afternoon. Myself, ■, ■, Neil we would all sit down and spend
8 however long, half an hour, an hour, discussing exactly what the plan was for the
9 council election and the jobs that we would need to do.

10 **RE:** So on Monday afternoons you, Mr McEvoy, ■?

11 **MD:** Yes.

12 **RE:** And ■?

13 **MD:** Yes.

14 **RE:** Would sit down, where?

15 **MD:** In the briefing room, the committee room in Cowbridge Road East. The second
16 room.

17 **RE:** In Cowbridge Road East. And discuss plans for the election. Okay.

18 **MD:** From those meetings we'd generate, you know, individual tasks for each of us to
19 complete. Yes, we'd have an overall idea of what would need to be done and then
20 Neil would delegate those tasks to us.

21 **RE:** Right. And there's a to do list on page two.

22 **MD:** Yes, so i.e. printing Fairwater leaflets, printer needs to be chased up. So this is
23 talking about a new printer now. So on the previous page ■ says, "Getting a
24 proper system for printing is absolutely critical. We need this printer because we'll
25 be printing pretty much every day. It's taken almost two weeks for ■ to get

1 these Canton leaflets to us. We can't rely on him. Also we need paper, ink,
2 envelopes regularly sent. I have a company that delivers now." And then the next
3 page is talking about the campaign printer needs to be chased up. Printing,
4 printing. I mean, some of the stuff in there is Assembly, so, [REDACTED] to print out
5 confidential folder again for Neil," but the vast majority of stuff in there is political
6 tasks.

7 Exhibit 6E. I don't know how much relevance this is. It's an email that Neil sent
8 from his Assembly address to us with some information that he said... I think the
9 key point is he puts, "PS Don't reply to this email. I always delete political stuff
10 from this. You should also." It's just a heads up that anything political to keep off
11 our Assembly email addresses and use our personal email addresses for.

12 So exhibit 6F then is a task for [REDACTED]. So Neil sent this to the group. "Went
13 through member sheets. As I saved it kept on changing the format. Will resolve
14 with [REDACTED] and co today." So, this is just talking about creating a spreadsheet of
15 volunteers and codes and then there's regular deliverers, deliverer, super Saturday
16 person, there's the codes there. But this particular job was given to [REDACTED] to do
17 because Neil was having issues getting the format right on that spreadsheet.

18 **RE:** So this is political work?

19 **MD:** Yes. It was just [REDACTED] second week working for Neil. Exhibit 6G then is a job
20 that [REDACTED] had done and it's the, erm, the Twitter tiles that we had talked on
21 briefly earlier. So this was a strategy that was inspired by someone from the SNP
22 who had used it to some effect. The idea was to put these attack ads, tiles, onto
23 social media, identify a specific councillor that we were targeting during the
24 election, what their responsibility was and our take on how they had performed.
25 So, for example, [REDACTED] in the first card was responsible for transport so
26 we're attacking him for creating traffic chaos in Cardiff and then we've put his
27 contact details for constituents to lodge complaints with him and get in touch with
28 him that way. So, yes, I mean, these were highly political in their purpose. They
29 were created to attack the councillors that we were going after during the elections.

1 **RE:** And it was [REDACTED], an employee paid for by the Assembly, you say, who did
2 these?

3 **MD:** Yes, this was all done on Assembly time. This was done in the Cowbridge Road
4 East office using the Assembly computers. It was all done on Assembly property.
5 And then the following email trail is just discussing that. So, Neil says he loves it.
6 [REDACTED] says this is a good idea but [REDACTED] doesn't like the hashtag; [REDACTED] thinks the
7 hashtag is too political and that we should use something a little less partisan that
8 constituents are more likely to use so rather than 'Labour shame' using 'Stuck in
9 Cardiff' because people are more likely to use that on their social media than
10 openly attacking the Labour party but for me that shows that everyone was aware
11 that actually, yes, these were a political attack mechanism to be used.

12 So going on then, 16th February. So Neil's now requesting one for Waungron.
13 Waungron is the recycling centre that we targeted during the campaign. I think the
14 fact that he says, "Don't use Assembly emails for this," shows that he's aware that
15 this is a political job and that he wants to keep it off the Assembly email addresses.
16 And then page four just shows the actual tiles that he did complete. There was a
17 series of them. So there was one for [REDACTED] [inaudible 03:02:00],
18 [REDACTED], [inaudible 03:02:05], [REDACTED]. They were all for a similar purpose.

19 **NM:** Sir Roderick, can I just ask a question there? Just about this material? Because
20 there's been no permission to disclose any of this.

21 **RE:** Why is permission required?

22 **NM:** Well for me, the reason with this one I feel particularly bad is I'm making a political
23 comment on somebody who I like actually as a person, I did a Welsh course with
24 him for example, and is this going to be public that I called him hopeless? It's not
25 very nice, is it? That would upset me if he would know that I called him hopeless in
26 a political sense because I do actually get on with him.

27 **RE:** To whom are you referring?

28 **NM:** The person in the email of 17th February 2017.

1 **RE:** Yes, I know, but—

2 **NM:** I'm talking about the [REDACTED] there, because he's in [REDACTED]. He's the
3 only one in [REDACTED] and, yes, I get on with him well. He's a nice guy. He was
4 hopeless politically to be honest but I'm not sure if I'd really like him to know that
5 I've said that.

6 **RE:** And the name of the person who are saying is hopeless.

7 **NM:** At that time, he was hopeless then, [REDACTED]. [REDACTED]. I did a
8 Welsh course with him in the Summer and we did get on very well and that's quite
9 an unkind statement to make even though it was just a political statement not a
10 personal one.

11 **RE:** I will be as circumspect as I possibly can in naming people.

12 **NM:** Thanks. We're a different party but that doesn't make it—

13 **RE:** I can see no reason for me to name [REDACTED] in terms of his being hopeless in your
14 view.

15 **NM:** Only politically.

16 **RE:** But actually we need to discuss at some stage how I present my findings and the
17 naming of people in that because I think there is a sensitivity about naming
18 individuals in something that might become public when they haven't had the same
19 opportunity of defending themselves as people who come to give evidence. But
20 that's something we can discuss in due course. Sorry to interrupt you. 6G. These
21 are the cards.

22 **MD:** Yes. So, this is the result of [REDACTED] work to produce these cards.

23 **RE:** Yes. Right.

24 **MD:** Is the quality okay on your ones? I mean it's easy to see on my colour ones but—

1 **RE:** well, I mean, they're black and white, you can't really read much without
2 extrapolation but it doesn't really matter, does it? The point you're making with
3 these are that they are political cards for political attack, they're produced by [REDACTED]
4 [REDACTED] ... paid for... and as [REDACTED]'s time is paid for by the Assembly and [REDACTED] did it
5 in Assembly time. Right.

6 **MD:** So 6H then is the campaign plan as discussed on 27th February. Again this would
7 have taken place in the Cowbridge Road East office because we still didn't have
8 the Caerau office at this stage. This is after [REDACTED] and [REDACTED] had come down for their
9 initial meeting with us from Scotland. We had a productive meeting in Cowbridge
10 Road East where we discussed for, basically the whole day, how they suggested
11 that we went about the council campaign. Some really valuable input from them
12 and that led then to this campaign plan being produced.

13 **RE:** What day was 27th February?

14 **MD:** Monday.

15 **RE:** And the people who were present were [REDACTED], you, Mr McEvoy and
16 [REDACTED].

17 **MD:** Yes.

18 **RE:** And [REDACTED] was Plaid Cymru payee.

19 **MD:** And [REDACTED] was there as well.

20 **MD:** Yes, [REDACTED] would take the notes from these meetings and feed it back. So, just, a
21 few things on that. Nodding Neils, there was an idea to have a little statue of Neil
22 made on a spring that would go into the back of people's cars and it would be a
23 novelty item that people could purchase which would go towards the campaign
24 finances but also it was an amusing way of advertising Neil as the leader of the
25 campaign around the city, so [REDACTED] was to look at a supplier in China that could
26 make these little toys and look into finding the money to actually have those
27 produced. One of my jobs was sourcing the balloons, the Plaid Cymru balloons for
28 the election. Talking about the Beastgrip for the first time, so that we should look at

1 purchasing the Beastgrip for Neil's phones to be used during the campaign. We
2 actually say there, "We may be able to do this through the Assembly," and that I
3 was to check whether or not we could get the funding through the Assembly.
4 Target voters, pledge ads, video ideas, there's a lot that we've covered in this
5 particular campaign meeting.

6 **RE:** Okay. 6I.

7 **MD:** So these are the pledge cards that, again, [REDACTED] has created. These are the Welsh
8 versions of them, so [REDACTED] would create these cards that, again, would be shared on
9 social media and they were the seven key pledges we used during the election
10 campaign. Exhibit 6J is the text to go into the manifesto, so [REDACTED] has
11 forwarded this to... has sent this to Neil, sorry, and [REDACTED] has then forwarded it
12 to myself and [REDACTED] so, yes, this is the city-wide manifesto. I haven't printed
13 all the... I think you've got a copy in your—

14 **RE:** I've got a copy here.

15 **MD:** So, yes, that was what we produced.

16 **RE:** Right.

17 **MD:** Which was obviously a huge document with political—

18 **RE:** So [REDACTED] translated it and you say [REDACTED] did that in

19 **MD:** Assembly time.

20 **RE:** Assembly time and on Assembly wages.

21 **MD:** Yes.

22 **RE:** Okay. 6K.

23 **MD:** Again, this is [REDACTED] sending on the manifesto in a PDF file which could be viewed
24 on the phones. So, I think the first one was publisher and then [REDACTED] sends through
25 the PDF then to enable people to view it on the phones.

1 **RE:** Right. 6L.

2 **MD:** Sorry, I'm just trying to see whether... at some point this manifesto is changed
3 into... has had the pictures and the fonts changed by [REDACTED] and [REDACTED]. When
4 we looked at the conversation earlier when they said that they'd jazzed up the
5 manifesto that's what we're talking about is them uploading the pictures and
6 changing the fonts and stuff. I think the one that I've given you there in 6J is
7 actually the one from 6K.

8 **RE:** I see.

9 **MD:** Because [REDACTED] wouldn't have put all those pictures and stuff so when [REDACTED] sent the
10 initial manifesto through it would have just been the translated version, the text, and
11 then [REDACTED] and [REDACTED] were the ones that formatted it into the way you see it
12 there.

13 **RE:** But the point being, you say, is that all done on National Assembly time.

14 **MD:** Yes, yes, it doesn't change the point.

15 **RE:** Okay.

16 **MD:** The next, 6L is another campaign meeting on 18th April. This is a Tuesday.
17 "Attached are the minutes of the meeting that we've just had regarding the
18 campaign." And then the agenda.

19 **RE:** Where was that meeting held?

20 **MD:** I'm not sure. It could have been either office by this stage because the other one
21 was open. Erm, there's nothing in there that confirms either way.

22 **RE:** But at what time of day was it held?

23 **MD:** So the meeting notes were sent out at 12.04 so it would have been the morning of
24 Tuesday the 18th. So, yes, regardless of location it's a campaign meeting
25 happening on Assembly time.

1 **RE:** Okay. 6M.

2 **MD:** Again, another campaign meeting on 1st May. So just some of the tasks on there
3 are, [REDACTED] to send out a NationBuilder emails.”

4 **NM:** Can we just check what day 1st May is?

5 **MD:** Monday.

6 **[REDACTED]:** It's a bank holiday.

7 **NM:** So Monday Bank Holiday, okay.

8 **RE:** This is a note by [REDACTED] in relation to a campaign meeting held on 1st May. Again,
9 [REDACTED] emailing it at 12.07 so when would the meeting have been held? In the
10 morning?

11 **MD:** Yes, but as Neil points out this is a Bank Holiday so we weren't actually paid by the
12 Assembly on Bank Holidays so thank you for pointing that out and I can't—

13 **RE:** So this isn't—

14 **MD:** No, I mean, initially when I printed it out I didn't realise that May 1st was a Bank
15 Holiday but after checking it, yes, it clearly is.

16 **RE:** And you can't say when it was held?

17 **MD:** The only way to find out would be to go back through the transcripts but because
18 that will probably take a long time now if you like I can research it overnight.

19 **RE:** It could have been held in Caerau. There's nothing wrong with it. But if it was held
20 in 321 then you would say it was an inappropriate use of Assembly office.

21 **MD:** Yes.

22 **RE:** Fine. Thank you. 6N.

1 **MD:** This is, at the moment I've just put... at the moment I don't want to talk to... put this
2 on evidence until I've had a conversation with [REDACTED] because this is all stuff post-
3 council election campaign so we could skip to exhibit 6R.

4 **RE:** 6R. Right. Got it.

5 **MD:** Unfortunately we're back to a transcript again now. Okay, so this is the WhatsApp
6 messaging group. Similar to the Signal one only this was the one we used initially
7 before we realised that it wasn't secure. So this message goes back to 29th
8 September. Neil says, "I need you all at council at 4pm. I want to occupy the front
9 row to frustrate Labour's attempts to intimidate [REDACTED]. So this is just an appeal for
10 the Assembly Member staff to go to the Cardiff Council meeting in City Hall and to
11 sit in the front row of the public viewing gallery in order to show basically our
12 presence on that council.

13 **RE:** Who's [REDACTED]?

14 **MD:** [REDACTED] [REDACTED]. [REDACTED] also a councillor in [REDACTED] and there was a Labour
15 supporter that had been intimidating [REDACTED] in previous meetings. So the viewing
16 gallery overlooks where [REDACTED] would sit in the council chamber so he would sort of
17 lean over so the idea was the Assembly staff would go and sit on that front row to...
18 as... to be a... to stop him from [REDACTED].

19 **NM:** She's a councillor. It's not a sister context, it's a councillor context.

20 **RE:** What do I get from this?

21 **MD:** Just further down, then Neil says, "On reflection you guys attending could be badly
22 construed," erm, so, yes, the perception of what it would be if the Assembly staff
23 were all occupying the front row in the council chamber. [REDACTED] agrees, [REDACTED] says,
24 "I'm worried it will come across all guns blazing. It's what we need and I don't
25 condone their attempts to intimidate [REDACTED] but we know they can play dirty in
26 elections." [REDACTED] goes on to say, "Also at five it's the Olympic homecoming. You
27 said you'd be criticised if you didn't go to that. It may look bad if you and your staff
28 are neglecting the Assembly duties and all going to the council meeting instead."

1 **RE:** So what do I get from that?

2 **MD:** I mean, In the end it was decided that the Assembly staff wouldn't be sent to the
3 council but it's showing the intent, I guess—

4 **RE:** The willingness to use?

5 **MD:** Yes, exactly, the Assembly staff for that purpose. So 5th of the 10th. [REDACTED] sends
6 a message to the group, "Sorry Mike, [REDACTED] and I went leafleting. Just logging in
7 now," and when [REDACTED] says logging in there it's in relation to logging into the
8 Assembly computers. I'm again in hospital at this stage after I had issues with a
9 stomach ulcer rupturing. I message [REDACTED] back asking her did they do the 700
10 round? So there was... this was just before the Grangetown by-election. There
11 was, erm, a lot of leafleting that was going on at this stage by all of us. I was sort
12 of ruled out when I ended up in hospital but [REDACTED] and [REDACTED] did a lot of
13 delivering for this particular election and Neil did. And, yes, when I refer to that 700
14 round I was talking about a round of 700 leaflets which is a big leaflet round to do.
15 [REDACTED] confirms then that [REDACTED] is logging into the Assembly computers because [REDACTED]
16 says, "Assembly computers are taking ages," and then at the bottom [REDACTED] says, "We
17 didn't do 700 but I got sunburnt a bit". So, yes, what I'm saying on this... what day
18 is it? So this is a Wednesday and [REDACTED] and Mike... [REDACTED] [REDACTED] [REDACTED] had
19 been out leafleting.

20 **RE:** [REDACTED] [REDACTED] [REDACTED].

21 **MD:** Yes. First line, "[REDACTED] and I went leafleting." The 5^h of the... the next is a
22 message on the same day but it's in a different, erm, messaging channel. The first
23 one was between myself and [REDACTED]. This is to the whole office. Neil says,
24 "Urgent. Tomorrow has to be about Clwb y Ddinas. We need to get money rolling
25 in." So this is referring to the Assembly staff spending a day phoning round
26 supporters, members, trying to drum up numbers to come to one of our fundraising
27 events.

28 **RE:** Okay.

1 **MD:** I think at this stage there was a possibility that the event was going to be cancelled
2 because of lack of numbers so Neil was keen that all of us basically spent the day
3 phoning to try and get people to the fundraiser. And again that's a Wednesday
4 talking about the Thursday. So then 11th October, so [REDACTED] begins by saying, "I'm
5 already on a connection to the base and going to work from there this morning. If
6 you need me to come back this afternoon then let me know," and then a bit further
7 in the conversation [REDACTED] says, "Got loads of Grange leaflets still to do, can you
8 come out in the afternoon [REDACTED]?" and then [REDACTED] says, "Yes, of course. No
9 worries." That is a—

10 **RE:** That's a Monday. No Tuesday.

11 **MD:** Tuesday. And then 18th of the tenth which is, again, a Tuesday, it's the following
12 Tuesday, erm, [REDACTED] says, "Cool, I'm hoping to be ready for 2.30 to canvas but
13 my priorities are expenses, post and sorting out the WTA visit to the Senedd so
14 those are her Assembly jobs that [REDACTED] prioritising that day. Then [REDACTED] says, "I'll get
15 the list sorted for Grangetown," talking about the canvassing lists that need to be
16 put together so volunteers could go and knock doors in Grangetown. So, yes, it's
17 an example of how [REDACTED] was doing Assembly work and then on the side [REDACTED]
18 doing the campaign work. Neil's reply is, "A letter's being delivered then," so talk
19 about direct mails being sent up in Grangetown and [REDACTED] says, [REDACTED], which is a
20 volunteer, is helping to deliver them.

21 **RE:** What is the WTA visit to the Senedd?

22 **MD:** Erm, the Welsh Touch Rugby Association. They had come to visit Neil, I think Neil
23 was the sports representative as part of his portfolio so there was a visit to the
24 Senedd with the Touch Rugby Association so that was an Assembly-related
25 reference. Then on the 19th, so, [REDACTED] says... [REDACTED] says, sorry, [REDACTED]
26 mentioned the fringe leaflets being an important priority. Happy to help in whatever
27 way I can with them today. Let me know what it is you're after/what you want doing
28 and I can crack on with this this morning." So that is talking about, not the fringe
29 leaflet that I provided this morning but the one we talked about on Monday which
30 was exhibit 5L. Which is that one there.

1 **RE:** Yes, hang on.

2 **MD:** Neil says, "Yes. And at Facebook event," and then he says, "We're doing OB this
3 pm." OB is a polling district within, erm, Grangetown I believe. And he just says,
4 "We'll get slaughtered if we don't do it." [REDACTED] says, "I'll be back in the office,"
5 referring to Cowbridge Road East, "Sorting direct mails. We can do it in the
6 morning. We've just got to be in Grange as much as possible tomorrow. I'm
7 planning on being there all day." So this is, I believe, a day or so before the actual
8 election.

9 **RE:** That's a Thursday.

10 **MD:** The 19th is a Wednesday.

11 **RE:** [REDACTED] planning to be there all day.

12 **MD:** All right, yes. So I think that is election day, actually. Erm, no, it's not, it's a few...
13 so the election is a couple of weeks after, 3rd November.

14 **RE:** Yes. Right.

15 **MD:** [REDACTED] just says [REDACTED] invited us all to the drafted Facebook fringe meeting, again
16 referring to the digital correspondence of the, erm, fringe event that's been
17 advertised in the leaflet that was printed. And there's a bit of a chat around a
18 meeting with someone called [REDACTED], erm, and then just at the end of that
19 conversation [REDACTED] says, it's talked about cancelling that meeting and using the
20 time to campaign instead and then [REDACTED] says at the end, "I'm just concerned
21 about maintaining a balance between your Assembly meetings and council
22 canvassing, not just for Grangetown but prior to council elections in May. We need
23 a timetable system in place after the by-election. People may pick up on
24 cancellations etc," so what [REDACTED] saying there is if we're cancelling a lot of
25 meetings just before an election then people might get suspicious as to the reason
26 for those cancellations.

27 **RE:** Right.

1 **MD:** So, 1st November. So [REDACTED] says, "I'll be in today by 11. Going by the regional
2 office first. Also Neil you asked about leaflets. There are still some to do around
3 Channel View although some are still with [REDACTED] and haven't been collected.
4 Neil says, "What areas need doing? We did around Channel View last night."
5 [REDACTED] says, "I need to check the map [REDACTED] sent me in that case." [REDACTED] says,
6 "If there's any inputting that needs doing then bring it over to the Bay and then Neil
7 says that we need to change date and venue on one of the Ely leaflets. He says,
8 I'd sooner just print on ours. I believe what he is alluding to there is rather than
9 having to rely on [REDACTED] to print that amended leaflet to just print it on the
10 Assembly printer, erm.

11 **NM:** Sorry Mike, could you repeat that because I'm just, because it's stock phrase which
12 is coming up so I just wanted to get the quotes, what you just... can you just repeat
13 what you just said please?

14 **MD:** Which part?

15 **NM:** All of it.

16 **MD:** From where?

17 **NM:** So, "What I think is... what I think... what Neil means is."

18 **MD:** When you say, "I'd sooner just print on ours," I believe what you're referring to is
19 printing on our Assembly printer rather than doing the amendment through [REDACTED]
20 [REDACTED] printer.

21 **NM:** Okay, thanks.

22 **MD:** And then he says, "Can you bring OB with you, and any hard," again OB is this
23 polling district in Grangetown that Neil was adamant that we had to canvas that
24 particular polling district because it was a key one that we needed to win in order to
25 win the election so when he refers there to OB, erm, that is the significance of it.

26 **RE:** What is OB?

1 **MD:** OB is a... so every constituency will be split up into a number of wards and then
2 each ward is split up into a number of polling districts, so OB is that polling district
3 within the Butetown ward.

4 **RE:** I see. Right.

5 **MD:** So everyone within that OB would go to, I believe it's one place, to cast their vote.

6 **RE:** Let me just read this to true. So, "I'd sooner print on ours," what do you say "ours"
7 means?

8 **MD:** Erm, the Assembly printer. So some of the leaflets for this particular campaign
9 were printed on [REDACTED]'... erm, I imagine the colour leaflet will have been
10 done on [REDACTED]' because we didn't print, or we printed very little, colour from the
11 Assembly office. It was, erm, it was mainly the black and white leaflets. But there
12 seems to be an issue with the date and the venue on the Ely leaflet and there was
13 a public meeting that we had to change the date for so as I've said to Neil, where
14 he says, "I'd sooner just print on ours," I believe he's referring to making the
15 amendments to that leaflet and print it on the Assembly printer rather than having
16 [REDACTED] print that.

17 **RE:** Right. [REDACTED] says, "Likewise tomorrow. Will be in RO in the morning."
18 What is RO?

19 **MD:** Regional office in the morning.

20 **RE:** Right. Of course. And Assembly security coming to do standard check of the
21 office.

22 **MD:** Yes, so [REDACTED] is in the regional office in the morning where [REDACTED] says that [REDACTED]
23 got to be there for a security visit between 11 and 12 and then that same day that,
24 in the afternoon [REDACTED] goes out delivering leaflets. There's a picture on the... do you
25 want me to bring the picture up?

26 **NM:** It's only [REDACTED]'s hand with ink on, is that right?

1 ■: Yes.

2 **NM:** ■ works at [inaudible 03:36:54]. Do we need to see this? It's just a hand with...
3 Sir Roderick do we need to... do we need to see this because it would be good to
4 make progress.

5 **RE:** I'm sorry, I can't hear you.

6 **NM:** I'm just wondering if we need to see a hand with ink on. We know ■ had ink on
7 ■ hand. It just seems like a waste of time really.

8 **RE:** Well if you don't want to see it, nothing to ask.

9 **NM:** I think we're wasting time; I don't see the point of it. ■ was very proud that ■
10 delivered so many leaflets. That's not up for dispute and ■ had ink on ■ hands.

11 **MD:** I mean, yes, if you're happy to, rather than put it up.

12 **RE:** Unless you think it's particularly important?

13 **MD:** No it just shows that ■ had been out delivering for the afternoon.

14 **NM:** Yes, of course ■ had, yes.

15 **MD:** All right. It's the next day that is the Assembly security meeting. ■ says, "Happy
16 to deliver in the morning. I've got to be in the office at 11.30 for Assembly security
17 visit and that is... so, the day ■ sends the picture with ■ hand covered in ink
18 after a day delivering is Tuesday 1st and then the 2nd when ■ goes out delivering
19 in the morning is the Wednesday, yes.

20 **RE:** Okay.

21 **MD:** And then, yes, following on from that, the rest of the Wednesday, ■ says, "Half
22 the round you wanted doing today has been done ■," and then ■ says,
23 "One more round of deliveries to be done. A box of leaflets and last run rounds to
24 be done are on the table in the back office," so that's the room behind the
25 conference room in Cowbridge Road East. "Email with tomorrow's itinerary has

1 been sent out to supporters in Cardiff South and Penarth so that would be using
2 NationBuilder to send out that email to supporters and [REDACTED] says, "Great, just
3 bring the leaflets." And then there's a discussion then about taking bets on who's
4 going to win the election.

5 **RE:** And that's for the Grangetown by-election.

6 **MD:** Yes.

7 **RE:** As a matter of interest who won it?

8 **MD:** We did. Plaid did. Yes, Labour party weren't very happy about it.

9 **NM:** We.

10 **RE:** What was the majority? I just wondered who won?

11 **NM:** Less than—

12 **MD:** [REDACTED] [REDACTED] had won it. [REDACTED] had, within one vote I think [REDACTED] got it.

13 **NM:** Less than the UKIP votes we won by and then UKIP didn't stand next time and we
14 lost it unfortunately.

15 **RE:** Right.

16 **MD:** [REDACTED] had it by 115 and I think the actual count was 116 so yes, [REDACTED] did very well
17 on that. I was in America at the time so I hope the [REDACTED] bought [REDACTED] a pint for
18 winning the bet.

19 **RE:** Right, page five.

20 **MD:** 22nd November. Neil just saying, "Let's discuss at the next team meeting but I think
21 we all need to turn up to public meetings in the future." Again this was on the same
22 sort of lines as... showing up to these meetings as a show of strength really. There
23 had been a public meeting I believe it was in Caerau where, erm, a candidate and
24 Neil had been on the stage and there'd been very little presence from sort of, office
25 staff, supporters, other candidates. There was a lot of Labour party faithful in the

1 room and shouted down Neil during that public meeting so Neil decided that in
2 future we should have a show of support so we'd get the Assembly staff down
3 there, we'd get candidates down there, we'd get anyone we could into those
4 meetings so that it would neutralise the Labour attack.

5 **RE:** But these were evening meetings, weren't they?

6 **MD:** Yes, so, yes, I mean, this is how we ended up building up flexitime because if we
7 were asked to come to these sort of roles outside of our contracted hours that
8 would build up flexi.

9 **NM:** Sorry.

10 **RE:** Right, okay.

11 **MD:** I mean, for myself, I did a lot of work outside of office hours because I was a
12 candidate but [REDACTED] and [REDACTED], when they did work outside of their office hours
13 which was political in nature, campaign work, they would build up flexitime. We'll
14 talk about flexitime more later on down the line because Neil seems to paint it in a
15 different light but as far as I'm concerned flexitime was when we did campaign
16 activity outside of the office hours that we were being paid for.

17 **RE:** Right, let me just make a note of that so what you're saying about 22nd November
18 is an example of out of hours political activity which for some members of staff
19 were counted as working hours to build up flexitime.

20 **MD:** Yes.

21 **RE:** Okay.

22 **MD:** 29th of the 11th is a really... this is not of significance to this case. Sorry, this is how
23 far I've got up to with the highlighting so I think from now on I'm going to have to
24 read it as we're going along, sorry.

25 **RE:** Well do you want ten minutes to see what you can...?

26 **MD:** I think I'll just try and get through quickly and pick out what I can.

1 **RE:** 29th of the 11th doesn't add much, does it?

2 **MD:** No, Neil's got into an altercation with a Labour politician on [inaudible 03:44:30] but
3 it's nothing to do with the case, I guess.

4 **RE:** Right, we don't need to bother with that. 13th November.

5 **MD:** This is talking about the Ombudsman case that is going to be coming back up,
6 coming up next year. Neil wants to have a petition to get the hearing in public
7 because we're... he'd just found out at this stage I think that they were going to try
8 and have it behind closed doors. He wanted it in public, videoed and he wanted a
9 campaign to sack the Ombudsman. So that was my role to start that petition.
10 [REDACTED] says, "Yes, I like it," Neil sort of pulls back slightly and says, "Resigns, not
11 sacking," and suggests having an Ombudsman bucket challenge and then [REDACTED]
12 sort of brings the tone back in more professional by saying that Neil's had a
13 tremendous amount of support, he doesn't want to... this is a very dangerous
14 situation that we're in and that he... he doesn't want people tipping things on their
15 heads.

16 **RE:** What do I get from this message, or messages, in relation to this complaint?

17 **MD:** I think it's just highlighting the fact that this is now the start of another defence
18 campaign with the Ombudsman. Is that petition political in nature? Maybe, maybe
19 not. I've included it when I was putting this together. You know, looking back on it
20 now maybe it's not a hugely political point.

21 **RE:** Okay.

22 **MD:** Okay so then 14th December, [REDACTED] says, "Got six rounds, 1,700 printed, so more
23 than the 1,000 we'd discussed. Mike and I will continue printing tomorrow morning.
24 Will stroll down the station shortly to [inaudible 03:46:51]." So, this is printing from
25 the regional office in the morning and then [REDACTED]'s going to go down to the bay
26 then in the afternoon and Neil just says, "Nice one." I think this page, I've got it
27 down as.. there's an error on the date. I've got it down at '17 but it's '16. I've
28 altered my one but you've probably still got it showing as 14/12/17.

1 **RE:** I do. So it's 14/12/16. All right, are the ones previously as well marked '17. What
2 should they be?

3 **MD:** '16. Sorry, yes, the mistake starts on page three and then just goes forwards. My
4 apologies for that.

5 **RE:** Do you agree with that Mr McEvoy?

6 **NM:** Yes. The year is wrong, yes.

7 **RE:** Okay. Thank you.

8 **MD:** So then 17th of 12th Neil says, "Interviews for organiser on Monday. So this is
9 talking about interviewing for [REDACTED]'s position. "Will need one of you to
10 herd the applicants to the Assembly. Cancel interviews today. Going to [REDACTED]
11 [REDACTED] funeral. On antibiotics. Amazing how much better I feel." So, yes, this...
12 this is, is just saying that the interviews for the application are going to be held at
13 the Assembly.

14 **RE:** Now it may well be that an interview for a political post shouldn't be held in the
15 Assembly but what is the significance in the bigger picture?

16 **MD:** Because [REDACTED] was the organiser for the campaign so I think it's just in line with the
17 other campaign activity that... I mean it was, it was very little compared to what
18 went on at Cowbridge Road East but there were some meetings in the office in the
19 Assembly that again shouldn't really have happened there. They should have
20 happened on neutral ground really and not on the Assembly Estate simply because
21 the job was so political in nature, it was organising the entire city's campaign so
22 that's why I've included it.

23 **RE:** Okay.

24 **MD:** So this is a... so on the 18th, just before Christmas, Neil saying that we need to get
25 our arses in gear, we need to organise all day canvassing sessions on a Friday
26 which is [REDACTED] so there's no issue with [REDACTED] [REDACTED]
[REDACTED] telephone canvas also, "we've made a good impression so far". Yes,

1 initially we had timetabled these campaign meetings for a Friday but then they were
2 moved to the Monday then. It wouldn't have been as bad having those campaign
3 meetings on a Friday because at least one of the members of staff was not working
4 for the Assembly that day.

5 **RE:** That's [REDACTED] ?

6 **MD:** Yes. But, I mean, still myself and [REDACTED] would have been working that day. So
7 I've said there that, "Be aware during the interviews that we also had a budget for
8 two temporary roles," so to keep that in mind when doing the interviews and I think
9 I say later on that's if we're challenged and you can use that excuse.

10 **RE:** You say [REDACTED] [REDACTED] Was that just [REDACTED] day off which [REDACTED]
11 gave to campaigning or was she paid by Plaid Cymru or what?

12 **MD:** Erm, no, it was volunteer time so, yes, Neil would refer to it as the Lib Dem deal, so
13 when he was in coalition with the Lib Dems in Cardiff Council they would have
14 people that would work Monday to Thursday and then it was a gentleman's
15 agreement, whatever you want to call it, that on the Friday they would dedicate that
16 to campaigning so if you wanted the contract Monday to Thursday you would agree
17 to give a day's worth of volunteering on the Friday and that was [REDACTED]'s
18 agreement.

19 **RE:** Okay, thank you.

20 **MD:** Yes, so Neil then asks how much money that we had left in the pot and he talks
21 about [REDACTED], just researching labour contacts. As it turns out that was
22 never the case. These two temporary positions I was talking about here went to
23 [REDACTED] and [REDACTED], that's how we used the end of the staffing budget up
24 so I don't think [REDACTED] was ever paid to research her Labour contacts.

25 **NM:** Sorry, what page are we on now, Mike?

26 **MD:** Page seven.

27 **NM:** 6R yes?

1 **MD:** Yes. So 19^h December, Neil says complaints have to go tomorrow, I forgot them
2 today," I say, "Okay will get them listed in the team meeting and thrash them out
3 before leafleting." Neil says, "Yes, need them," I say, "No problem, will be done."
4 So this is complaints that Neil had asked us to make about specific opposition
5 members, so a few times we were asked to, erm, write complaints about [REDACTED]
6 [REDACTED] in Fairwater, erm, [REDACTED], there were... there were various
7 times when we were asked to write complaints, a number of complaints, and then
8 he would get people to sign them and submit then either to the Echo or to, erm the,
9 I forget the body in charge with conduct for councillors.

10 **RE:** Complaints about the Labour party?

11 **MD:** Yes, I mean, yes. In theory, so it could be the behaviour of a particular councillor
12 during a council meeting, it could be, erm, about something that they'd said in the
13 media, erm, it could be in response to letters that were written weekly to the Echo.
14 It was, Neil was aware that this was a strategy that the Labour party was using,
15 politics by complaint, erm, and that he wanted to use the same strategies against
16 them so it was something that he tried to instil in us and get us to take on. [REDACTED]
17 was quite good at it; [REDACTED] would thrash out quite a few complaints and then send
18 them off. There are a couple of emails later on with examples of the complaints
19 that [REDACTED] used to write. I wasn't particularly good at it. I just didn't really find the
20 time to write complaints for other people but I'd submit them on my own behalf. So,
21 yes, when he's talking about, "Complaints have to go out tomorrow," that's what
22 he's discussing.

23 **RE:** Right. Okay.

24 **MD:** So 2nd January, I don't know what day this was. So this is the Monday and the first
25 day back in the office after Christmas. Neil says, "Fairwater rounds 458, 11 and 18
26 taken care of. The rest need printing and folding." [REDACTED] ... yes.

27 **RE:** So this is printing and folding in 321?

28 **MD:** Cowbridge Road East, yes.

1 RE: Right.

2 MD: 4th of the 1st, right, okay. So there are a couple of things. The first thing is [REDACTED]'s
3 booked the Bishop of Llandaff for a public meeting and then [REDACTED] asks for, erm,
4 a message to be sent out on NationBuilder and to create an event for it, and then a
5 bit further down talking about the Plaid Cymru [inaudible 03:57:14] not really that
6 important, but then Neil says, "Hi guys, the first priority tomorrow is getting six
7 letters written to counter [REDACTED]," so this is talking about writing six letters to send
8 to the Echo to counter one that's being sent in my [REDACTED]. "This is
9 essential. Can we do that before anything else? We must win the media war. We
10 must get in a load of replies. They will fear attacking us in that way. Plenty of
11 people ready to put names on it."

12 So this is just confirming what I've just told you about. And then [REDACTED]'s reply is "Thumbs up
13 however afterwards I'll have to personally prioritise data input electoral register for
14 EU referendum. I've taken some home with me and have just finished a batch. Tŷ
15 Gwynfor have given me until Monday to sort. A deadline I will meet," and then,
16 "Allows data to be as up to date for canvassing etc on Treeware system when they
17 refresh it. So Tŷ Gwynfor had given us this deadline of the Sunday. They were
18 doing to refresh and update Treeware so [REDACTED] was concerned that [REDACTED] had to
19 get all of that inputted, all of the EU referendum data inputted before Sunday so
20 that we would have that going into... ahead of the council election campaign. So
21 this is 13th January now. Neil says, "Urgent. Need the electoral registers for Ely
22 and Caerau. Can't wait any longer. They must be printed today. First job of the
23 day. Three copies for Ely, two for Caerau."

24 So this is just printing out the, erm, printing out the electoral register so we can then
25 go to the streets and canvas these particular houses. The advantage of having the
26 electoral register is you can see who are regular voters, who are super voters so
27 you can target those particular households rather than going... spending your time
28 going to houses that never vote, so that's why he needs the electoral registers
29 there. [REDACTED] says, "Is your laptop in the office or should I just use one of our
30 Assembly printers?" So, in order to print off the big printer we would have had to
31 use Neil's laptop because that was the only one that could connect to the big

1 printer but what [REDACTED] is saying here is if, erm, [REDACTED] didn't have the laptop [REDACTED]
2 could use the desktop printers.

3 **NM:** Could you clarify what big... which is the big printer, Mike, please?

4 **MD:** Erm the MX2614.

5 **NM:** The Assembly printer, yes?

6 **MD:** Yes.

7 **RE:** So what are you saying this one means? What is Mr McEvoy saying? "No, can we
8 resolve the printer issue?" What does that mean?

9 **MD:** Erm, so at this stage the campaign printer is down.

10 **RE:** You mean it just had it? It was a fortnight old?

11 **NM:** Can I be helpful possibly. These have got to be printed out by Plaid Cymru
12 because it's done through... there're the booklets so it has to be done by them.
13 We haven't got the software to do it.

14 **MD:** We have got the access to it.

15 **RE:** I'm sorry, I can't allow this.

16 **NM:** All right, I'll do it in my evidence, that's fine. But that's what it means.

17 **MD:** It's straight off Treeware, you can take it. Because that's what Treeware is.

18 **RE:** Where are we with 13th January?

19 **MD:** So—

20 **RE:** Mr McEvoy is saying, "I need the electoral register really in Caerau, can't wait any
21 longer. It must be printed today."

22 **MD:** So the printer issue is that we can't connect our, erm, we can't connect our
23 Assembly laptops to the Assembly printer... is that right? At this stage we can only

1 print off that printer using Neil's laptop, so [REDACTED] says, "I've been in the process of
2 resolving it. We can only have one printer connected and agree..." right, no, I'm
3 sorry, what it's talking about is the campaign printer there. We can't connect our
4 Assembly laptops to the campaign printer.

5 **RE:** Just pause a minute.

6 **MD:** Sorry, because I haven't had a chance to read through and highlight it... I'm sort
7 of—

8 **RE:** "Printer issue is that we could not connect our Assembly laptops to the campaign
9 printer," which at this time was in Caerau.

10 **MD:** No, it was in Cowbridge Road East.

11 **RE:** Right.

12 **MD:** January, this is, the 17th. So in order to connect the Assembly laptops, so the three
13 HP laptops like that, you need the driver software.

14 **RE:** Sorry, of course you didn't have the campaign office until March.

15 **MD:** No. So, you need the specific driver software to be installed on those laptops to be
16 able to connect to the campaign printer. Usually you could go onto the internet and
17 download the drivers so you could connect straight to it but the security on those
18 laptops means that you can't download any attachments from untrusted websites.
19 You know, we couldn't go into the Sharp website and just download the software.
20 So the only laptop that was connecting to the campaign printer at that point was
21 Neil's, erm, so [REDACTED]'s in the process now of resolving that we can connect our
22 Assembly laptops to the campaign printer.

23 **RE:** So, Mr McEvoy's private laptop or the Assembly laptop?

24 **MD:** His private laptop was okay because that didn't have the security, erm, software on
25 there to block him from downloading the—

26 **RE:** So it's his private laptop? Okay.

1 **MD:** Mm-hmm.

2 **NM:** So just to be clear, you say that we then installed the Assembly laptops on the
3 campaign printer.

4 **MD:** I believe so.

5 **RE:** I've noted... I don't know if this helps you but this is what I've noted. "The printer
6 issue was that we couldn't connect our Assembly laptops to the campaign printer,
7 and that was in 321. The only laptop which would connect to the campaign printer
8 was your private laptop."

9 **NM:** But then Mike said that we got the Assembly ones installed.

10 **MD:** No, [REDACTED] is trying to do it but it never says whether or not [REDACTED] is able to get those
11 drivers installed.

12 **NM:** Okay, just a few sentences ago you said that we were doing that, we were getting
13 them installed. So you say they weren't installed? I'm just trying to be clear what's
14 been said.

15 **MD:** Yes, that's what this sentence says. [REDACTED] says, "I've been in the process of
16 resolving it. We can only have one printer connected and agreed that [REDACTED]
17 would connect his." So that tells me that the only one that was ever connected was
18 [REDACTED]'s, erm, [REDACTED]'s laptop.

19 **NM:** To the campaign printer.

20 **RE:** Assembly laptop.

21 **MD:** [REDACTED] Assembly laptop, yes.

22 **RE:** To the campaign printer.

23 **NM:** Okay, thanks.

24 **RE:** Okay. So what do I get from that?

1 **MD:** Sorry, I just got... I want to make sure this is right. I'm not sure. I—

2 **RE:** Well it doesn't matter. We can go on to 16th January and come back to that—

3 **MD:** Can I come back to that. I'm going to go and try and access my laptop tonight so it
4 would be useful if I could... there would be some sort of email trail between myself
5 and MBS and ICT as to which printer we are trying to connect to in this
6 conversation. I haven't had access to that until now so can I come back to this.

7 **RE:** Sure, but what do you suggesting is the potential relevant of that in light of the
8 complaint?

9 **MD:** Regardless of which printer is being connected to the laptop, this is assembly
10 member support staff printing out the electoral register in the Cowbridge Road East
11 office for the purpose of canvassing. That is the point.

12 **RE:** So it doesn't matter which laptop—

13 **MD:** Printer it's done on, which laptop is connected to it. The key is that these electoral
14 registers for canvassing are being printed in Cowbridge Road East.

15 **NM:** Sir Roderick, can I just make a very quick point?

16 **RE:** Let me make a note first. "The relevance of this is that electoral registers were
17 being printed in the regional office for the political purpose of canvassing."

18 **MD:** Yes.

19 **NM:** Mr Deem has had the last fifteen months to build a case. He's been building this
20 case since August 2017. I'm finding myself sat here now listening to this. He's
21 going through line after line, changing his mind as he's going through, and in the
22 real world, this week I've not been able to do a child abuse case, there's another
23 case I've not been able to do—

24 **RE:** No, I'm sorry—

25 **NM:** I need to say this.

1 **RE:** No, you don't. You needn't.

2 **NM:** It's outrageous. [REDACTED] and he's being allowed to
3 just... two days and he's still not presented his case.

4 **RE:** You really don't need to say it. This is the information that you've had for months
5 as well. Now in due course you can cross-examine him. Just consider this for a
6 moment. If I were to stop this process—

7 **NM:** I understand. Okay.

8 **RE:** —and then hold against Mr Deem he would come away with a justifiable complaint
9 that he hadn't had a chance to give his account.

10 **NM:** I understand. It's just unfortunate that I've got people relying on me this week for
11 serious cases.

12 **RE:** Well we all have, frankly.

13 **[REDACTED]:** But you're still allowing new evidence to be presented.

14 **NM:** Can we clarify that?

15 **[REDACTED]:** It's never going to end.

16 **NM:** There's got to be a cut off point, right?

17 **RE:** you have an opportunity, [REDACTED], in due course if you want to, to give evidence.
18 Right, Mr Deem.

19 **MD:** So 16th January we're talking about a team meeting and I say that I'm going out
20 with [REDACTED] after team meeting to go out leafleting in Radyr that afternoon. [REDACTED]
21 then sends a picture of a round map and [REDACTED] says, "Any other round you want me
22 to do this for bar Caerau ones. Happy to crack on with this this afternoon." So
23 basically [REDACTED] done a breakdown of the... of how we layout leafleting rounds and
24 suggest that we might want to do it for other rounds.

25 **RE:** So what do I get from that?

1 **MD:** So, again, this was a task that was delegated to [REDACTED]. We had, erm, rounds
2 prior to the council election campaign that were sufficient but not very detailed.
3 They weren't laid out very well, so [REDACTED] reorganised a lot of it, erm to erm—

4 **RE:** It's an example of her being given a political task to do?

5 **MD:** Yes.

6 **RE:** Right.

7 **MD:** And then, yes, Neil says that he wants all the rounds like that. "Need to reorganise
8 each ward first though." So, yes, this is an example of how we're improving the
9 leafleting rounds ready to... ready for the more intense period of leafleting in the
10 run up to the election. I say, "The Ely rounds have been broken down but not by
11 the polling district. Worth doing those maps or holding off," and Neil says to hold
12 off because it was going to be his weekend job to go through the Ely rounds and
13 then we could crack on with that then the following week.

14 **RE:** So what do I get from all that?

15 **MD:** It is just this was one of the political tasks that [REDACTED] was given to break down all
16 these rounds.

17 **RE:** Right.

18 **MD:** So... yes, that's just a continuation of that conversation, so 17th January, Neil is
19 then asking if we had the breakdowns for the Grange rounds and Butetown and
20 Splott. Off them, ordinarily, we wouldn't usually deal with the rounds for Grange,
21 Butetown and Splott because it's not in the Cardiff West constituency so we
22 wouldn't have had the information on that, erm, but in this conversation [REDACTED]
23 said that he's now making, him and [REDACTED] are making the rounds for Grange and
24 Butetown, erm, so we've got a similar process in place for Grange and Butetown
25 like we did for the rest of Cardiff West.

26 **RE:** [REDACTED] and [REDACTED] are doing the political task and that would be in
27 321.

1 **MD:** Yes. And [REDACTED] also says that [REDACTED] sent out the NationBuilder event for Clwb y
2 Ddinas so that's the fundraising event.

3 **RE:** Where was [REDACTED] working at this stage?

4 **MD:** In 321. Yes, [REDACTED] started with us a few days before this, actually. [REDACTED] hadn't been
5 long with the team.

6 **RE:** But she was a purely political animal?

7 **MD:** Yes, and [REDACTED] was based in 321 until we had the Caerau office and then [REDACTED] was
8 back and forth.

9 **RE:** And what was her job title?

10 **MD:** [REDACTED] was the Cardiff campaign organiser. [REDACTED] was appointed by the campaign
11 group which was made up of representatives from the different constituencies
12 across Cardiff. [REDACTED] was accountable to Neil as the head of the campaign.

13 **RE:** Appointed by Plaid Cymru and paid by Plaid Cymru.

14 **MD:** Paid by Plaid. Yes.

15 **RE:** Right. 18th January.

16 **MD:** Just on the other page, [REDACTED]'s saying that, "I'm more than happy to get out and
17 start doing a few rounds when we've got enough people in the office," so this was a
18 Wednesday. [REDACTED] just saying, "Yes, go for it. We've got five, six rounds in
19 Canton do to. They're already bagged up with the newspapers, direct mail and
20 map. Mike hasn't got the maps." So, yes, this is just saying that at this stage at the
21 Cowbridge Road East office we've got rounds made up, we've got the newspapers
22 there and they're ready to be sent out. And then just right at the end [REDACTED] saying
23 that [REDACTED] given [REDACTED] a tutorial on Treeware. Up until then it was [REDACTED] and
24 [REDACTED] that were really the experts on Treeware but we were keen to get other
25 people in the city involved so [REDACTED] given a tutorial to one of the other candidates in
26 order to enable them to input their own data.

1 **RE:** Right, we'll just finish this exhibit.

2 **NM:** [Inaudible 04:17:20]

3 **MD:** Yes, just asking us to print out the telephone numbers for Ely, Caerau and
4 Fairwater. These were telephone canvassing lists for volunteers to ring up and
5 canvas over the phone and Neil's saying to do that on Monday morning, so when
6 we're back in the office to print those out. So, yes, that's telephone canvassing
7 sheets being printed in Cowbridge Road East office on an office day. 22nd was
8 sent on a Sunday, so referring to the Monday, "Could do with [REDACTED] in Ely
9 tomorrow," so that's [REDACTED] going out delivering in Ely the following day, the
10 Monday. So 23rd is again a Monday, so Neil says, "How many are going to the
11 dinner. Have [inaudible 04:18:30] numbers. [REDACTED] says that [REDACTED] got 30
12 names." Neil says, "Everyone needs to phone tomorrow. We haven't got any
13 money otherwise," [REDACTED] says, "I'm trying, honest. [REDACTED] says I'm not being
14 critical we just need to hit the phones. It's my fault for not emphasising it more."
15 So, yes, basically this is another example of how potentially the fundraising events
16 could be polled so Neil flipped the Assembly support staff onto fundraising to phone
17 members, supporters, to try and get them along to this fundraiser. The last one is
18 just to [REDACTED] talking about cracking on with council emails, so again, I don't know
19 if this is classed as a misuse but Neil had [REDACTED] basically go through all his
20 council emails deleting what was not necessary and chasing up anything that was.
21 Whether or not that's a correct use of Assembly time I'm not sure.

22 **RE:** Well, [REDACTED] do it when [REDACTED] gets home, [REDACTED] says.

23 **MD:** Yes, but again that's an example of how [REDACTED] would build flexi. If [REDACTED] doing it at
24 home [REDACTED] building up time.

25 **RE:** We don't know that. So the question is was this done at home in flexitime?

26 **MD:** Yes.

27 **RE:** Or to get flexitime, to build up flexitime. Okay. Well that's the end of 6R and we
28 break off there and we'll start again tomorrow. Now, how much more of this do we

1 have to go through in detail? I'm not being critical, I just want to know so we can
2 try to timetable witnesses.

3 **MD:** Obviously I'll spend tonight getting it into a format that I now know works for this
4 particular setting and obviously helps us get through it quicker. I will attempt to get
5 it done by lunchtime but I'm really not sure whether... whether or not we're going to
6 get through it.

7 **RE:** Then you'll be asked questions by Mr McEvoy. This is question that judges always
8 ask barristers and it's a fair question, and the answer's always the same, "I can't
9 tell you," but do you have any idea how long you're going to be?

10 **NM:** A day. I think I'll need a day to be honest.

11 **RE:** To the end of the day.

12 **NM:** No, I think I'll need a day.

13 **RE:** Oh, a day, sorry, right.

14 **NM:** There's so much been said which I would disagree with and I'd need to explore that
15 really.

16 **RE:** Right. So, what I'm getting at, really, is that Mr Deem needn't get any of his
17 witnesses here tomorrow.

18 **NM:** No.

19 **RE:** Right. After tomorrow we will then, when Mr McEvoy's finished his questions, go
20 on to your witnesses. I know you've told me how many, roughly anyway, but how
21 many do you expect to have to call?

22 **MD:** Erm, so four, plus, do I call [REDACTED] and [REDACTED]?

23 **RE:** No. Well you can call who you like of course but as I understand it [REDACTED]
24 and [REDACTED] are witnesses supporting Mr McEvoy. If you call them and you
25 ask them, for example, "Did you do political work in office time?" and they say,

1 "No," you're stuck with the answer. Ultimately, of course, it's whether I believe
2 them or not but that's the basic rule. You can't cross-examine your own witness.

3 **MD:** Right, okay, I'm with you.

4 **RE:** Okay, is that fair?

5 **MD:** Yes, I understand that.

6 **RE:** Right, so after tomorrow it will be on to a week today. I haven't had a chance
7 today, but [REDACTED] will email to you the emails I had yesterday and my answer.
8 One of the matters he raised I forgot this morning to mention to you I'm afraid was
9 that he invited me to go to 321.

10 **NM:** No, no the Assembly office upstairs.

11 **RE:** I see. What is the relevance of that?

12 **NM:** I didn't call the meetings in the Assembly. There's no evidence of me calling them,
13 I didn't call them and they didn't take place in my office. My office is too small.
14 Mr Deem disagreed yesterday and said that that could easily accommodate eight
15 or nine people which is just not the case. You can establish that by visiting the
16 room.

17 **RE:** Well if we need to do that that's very convenient anyway.

18 **NM:** It's not my present room, it's the room I had at this particular period. It's very small.

19 **RE:** Who's in there now?

20 **NM:** [REDACTED]

21 **RE:** [REDACTED] right.

22 **NM:** I've got [REDACTED] office now and it's about three times the size. It worked out
23 quite well.

1 **RE:** Well I hope he won't mind. Okay. Is there anything else that anybody wants to
2 raise at this stage.

3 **MD:** Yes, definitely I think we're going to try and sort out this Assembly laptop now so I'll
4 have a look into that and see what I can get from that.

5 **RE:** Thank you all very much. I did hear you correctly, didn't I, Mr McEvoy, that [REDACTED]
6 [REDACTED] now doesn't object to being asked questions by Mr Deem?

7 **NM:** No.

8 **RE:** That is, no—

9 **NM:** [REDACTED] doesn't mind, no. Well, [REDACTED] does mind, but [REDACTED] would like to be asked
10 questions now.

11 **RE:** That's fine.

12 [Diwedd y recordiad / End of recording]

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HEARING

held on

23 November 2018

at

Seminar Room, National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
MICHAEL DEEM**

Transcript from 00:00:00 to 04:12:02

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - **Mike Deem (MD)**
 - 
 - **Unidentified Female (UF)**
-

1 **RE:** I received both your emails, Mr McEvoy, thank you for both. [Inaudible
2 00:00:06].

3 **NM:** Fantastic.

4 **RE:** And as for the second, [inaudible 00:00:14] certainly at the end of the evidence
5 in chief of Mr Deem, if you want to make comments—

6 **NM:** Yes.

7 **RE:** —before you cross-examine then I am happy for you to do so. Are those
8 comments you want to make to me?

9 **NM:** Yes, at this stage, yes.

10 **RE:** Yes, and only to me?

11 **NM:** Yes, at this stage.

12 **RE:** Are you content with that?

13 **MD:** Yes, yes, that's fine.

14 **RE:** Right, okay.

15 **MD:** Sir, I think—

16 **RE:** We are on... my last note is 20th January... sorry, 9th February.

17 **MD:** Yes, so onto the next page now, exhibit 6SB, was... this was a message
18 between Neil and myself on 18th June 2016. I believe this is the day after my
19 employment began. I think I began on the 17th, erm, but that can be confirmed
20 when, erm, MBS provide the details of the [inaudible 00:01:20] problem.

1 **RE:** Well, I've got something. It's got you down as starting 20th June and that can't
2 be right because you were in post on the 18th.

3 **MD:** No, like I say, I'm unsure of the exact date but the 20th would have been a
4 Monday. So this message was sent on the Saturday and I started—

5 **NM:** [Inaudible 00:01:37] struck out.

6 **RE:** Sorry?

7 **NM:** Struck out.

8 **MD:** Neil, you'll see in a second why it's paraphrased. I have gone... I [inaudible
9 00:01:44] back on-board, I have gone through everything now up until the end of
10 my evidence in chief. If I don't think it's got teeth in it or... I have taken quite a
11 bit out so, erm, try and get through this as quickly as possible.

12 **RE:** Okay, right, thank you.

13 **MD:** Erm, so, yes, message from Neil on Saturday, "Do you want to deliver at Radyr
14 in that case tomorrow?" referring to the Sunday. Further down I say, "Where are
15 the rounds?" Erm, Neil says, "Not made up. Fuck it. Let's start Monday," so
16 that would be the first day of my employment. "We can bag it and do it
17 organised as a group. We can finish by Tuesday." So, yes, my first day in
18 employment is with Neil. We are bagging Radyr rounds, erm, as a group in the
19 office.

20 **NM:** Which office?

21 **MD:** Erm, I imagine this is the office at the top of, erm, the Cowbridge Road East, the
22 old office which, as you said, is July is before we moved into 321.

23 **NM:** So the allegation's bagging in the office, yes?

24 **MD:** Erm, it's that we are, erm... my first day working for you as your caseworker
25 were bagging rounds, so as Assembly staff doing political work.

1 **NM:** Okay, thank you.

2 **MD:** Erm, 27th June then Neil sends a message to me, "Have we many leaflets
3 printed? Could finish Riverside, [REDACTED] and [REDACTED]" A bit further down I say,
4 "Have any council runs been done?" and then Neil confirms that [REDACTED] and
5 [REDACTED] did one, the rest need doing. We need to bag and get Canton leaflets
6 out." That's just saying that [REDACTED] is delivering leaflets there. 3rd of the 7th, text
7 message from Neil, erm, [REDACTED] can go," it just says, "leaflet," I imagine that's
8 supposed to be "leafleting", "with [REDACTED] from 9.30-ish on." Erm, the 7th of the 7th,
9 erm, "Getting hammered in comments in Wales Online. Could do with some
10 counterbalances. Not in your name. Get an alias on there for future reference."
11 This is just referring back to comments I made previously about, erm, part of our
12 role was to combat, erm, negative publicity we had in Wales Online and we
13 would, erm, have aliases. We would write letters in other people's names, erm,
14 in order to balance it. So we'll skip forward to 3rd January '17 on the bottom of
15 the next page.

16 **RE:** Right.

17 **MD:** Erm, so this is [REDACTED] ? 00:05:11] first day of employment. Erm, Neil... can we
18 just check it against that. Should be 3rd January.

19 **RE:** Well, it's got "2nd January".

20 **MD:** Erm, so Neil sends a message, "[REDACTED] busy? Canton leaflet and Fairwater ones
21 to go," and then I reply, "Yes, he finishes at two. He has done a round already
22 today. Keeping him busy."

23 **RE:** So that's leafleting?

24 **MD:** Yes.

25 **RE:** All right.

26 **MD:** And then onto exhibit 60. Yes, there's nothing to it—

1 RE: Nothing on this one?

2 MD: No.

3 RE: Right. 17th July?

4 MD: Erm, yes, 17th July. So this message is actually on a Sunday, erm, but it's the
5 start of a series of messages, erm, where [REDACTED] is doing, erm, data input, erm,
6 back at [REDACTED] house in [REDACTED] erm. So the first conversation, erm, "Neil said I
7 could crack on with data input back home this week given the travel time, etc."
8 So it was, erm... it was easier for [REDACTED] to stay at home and input. [REDACTED] had so
9 much Treeware data to input at this time it was easier for [REDACTED] to stay back home
10 rather than waste an hour travelling to Cardiff every day and then an hour
11 travelling home. Erm, so I believe... from the 18th until the 29th, I believe, erm,
12 [REDACTED], erm, spends [REDACTED] working week at home entering data and that's what
13 this message shows.

14 So the 19th [REDACTED] says, erm... which I believe is a Tuesday, yes. Erm, so [REDACTED]
15 says, "I'd say it will take me up until next Friday," referring to the length of the
16 task, it's going to take to do this inputting. Done [inaudible 00:08:16] and
17 Pentyrch. Erm, currently three polling stations in Creigiau. Erm, a bit further
18 down [REDACTED] said, "Creigiau is now complete. Erm, over halfway through Caerau in
19 12 polling districts." So this is just, erm, giving an update on where [REDACTED] is with
20 the data input. 21st of the 7th, "Up to 31 now. Ely will be done by mid-afternoon."
21 Erm, "Thanks. Ely is now done. Well happy. I have done just over Cardiff
22 West." Going into the next week now, 28th of the 7th, erm, [inaudible 00:08:55]
23 "I've got one more polling station to do for Riverside and then that's the data
24 input done."

25 Erm, a bit further down, "I will have the inputting finished by mid-morning.
26 Literally two hours max," and then exhibit 6X, it's just the email that's sent to
27 myself and Neil just confirming that on the 20th... 29th July the inputting is now
28 finished. I mean, that email is sent on a Friday which is, erm, [REDACTED]
29 day. What I'm trying to show is the Monday to Thursday for those two weeks
30 [REDACTED] is in [REDACTED] data inputting. Erm, I believe on the Friday in between [REDACTED]

1 did come down to Cardiff to do some delivering on a [REDACTED] day, which [REDACTED] is
2 perfectly entitled to do, erm, just to get a change of scenery because it couldn't
3 have been very nice staring at a laptop constantly for four days now.

4 **NM:** What date was that, Mike, please?

5 **MD:** Erm—

6 **RE:** What are you after?

7 **NM:** The dates when [REDACTED] came down to deliver—

8 **MD:** Friday the 22nd. Erm, because I say when [REDACTED]... we are talking on the 21st, a
9 Thursday, I say, "Fantastic, that's a great effort. Bet you're hating Treeware
10 right now though. Erm, got loads of rounds ready to be delivered tomorrow so
11 by all means come out for a change of scenery. I will be in the office from nine."

12 **NM:** What page was that on, please?

13 **MD:** Erm, page one. Exhibit 60, page one.

14 **RE:** Okay.

15 **MD:** Erm, so then the 3rd of the 8th, erm, [REDACTED] is not feeling very well today so [REDACTED]
16 is not going to come in the office. [REDACTED] says [REDACTED] has been to the doctor's. Erm,
17 [REDACTED] says that [REDACTED] will on NationBuilder and targeting and ward maps at home.
18 That's on a Wednesday and that follows on for the Thursday. [REDACTED] is not feeling
19 well on Thursday, erm, so [REDACTED] is going to work on the Twitter bots and
20 NationBuilder petition.

21 **RE:** Mm-hmm.

22 **NM:** [Inaudible 00:12:00] date on that please, Michael?

23 **MD:** The 3rd and the 4th of the 8th '16. Erm, 30th of the 8^h, erm, [REDACTED] starts by
24 saying, "Will the office on Cowbridge Road East be okay to go today or is it best
25 the Assembly?" Erm, and then in the afternoon then [REDACTED] says, erm, "I will lock

1 up but [REDACTED] has arrived. Going to take a break now from staring at a laptop.
2 Erm, we will get a round in this afternoon.”

3 **RE:** That is leafleting?

4 **MD:** Yes. Erm, 28^h of 9th, erm, erm, [REDACTED] sends a message, erm, “Do you have
5 [REDACTED] number, please? I’m pretty sure the rounds are on [REDACTED] laptop and I need
6 to ask [REDACTED]. There is only very minor changes I need to make but it would save a
7 lot of time. Erm, if not it wouldn’t be an issue.” So just referring to the fact that
8 [REDACTED] is making alterations to the... erm, the rounds. So these are the, erm, the
9 cover sheets that would go along with the leaflets in order to direct people, erm,
10 which streets to go to. Then the 7th of the 12th at the bottom of the page, erm, I
11 say to [REDACTED], “Managed to shift any more tickets?” erm, referring to, erm, the
12 Clwb y Ddinas fund raising event, I believe. Erm, this was on a Wednesday.
13 Erm, and [REDACTED] says, “We are up to like 48. I’ll bump it up to 50 though. I’m
14 confident,” and I say, “Awesome job. Neil will be very happy. Enjoy your trip
15 and take lots of pictures.”

16 **RE:** So what do we get from that?

17 **MD:** Erm, this is, erm, us, erm, Assembly staff selling tickets for the fund raising
18 event.

19 **RE:** Mm-hmm.

20 **MD:** Erm, exhibit 6U. Erm, so 13th of the 12th, erm, just over halfway down the page.

21 **RE:** Mm-hmm.

22 **MD:** Erm, so there is a message from [REDACTED] saying, “Hey, Mike, the first
23 batch of Canton leaflets are arriving today.” Erm, this particular round of
24 leaflets, erm, was printed by [REDACTED]. Erm, “Are you able to start bagging
25 them into rounds?” and then [REDACTED] says, “Also I’m going to send you a Fairwater
26 leaflet that Neil wants us to print.” Erm, referring to the Assembly team. “Erm,
27 could you start that job too, please, and start bagging it too. Thanks,” and I say
28 then, “Yes, no problem.” Erm, he says—

1 **RE:** So the Canton leaflets—

2 **MD:** Was printed by [REDACTED]—

3 **RE:** Yes.

4 **MD:** —and the Fairwater leaflets was printed by the Assembly staff.

5 **RE:** Mm-hmm.

6 **MD:** Erm, “I see, no problem.” [REDACTED] says, “Have you started the Fairwater leaflet
7 yet?” “No, been booked up in meetings this morning. Could start this afternoon
8 but need to get Neil’s laptop. Where is the laptop?” Erm, Neil said, “Just spoke
9 to [REDACTED]. He is going to drop it off at TG.”

10 **RE:** Right.

11 **MD:** Sorry, erm, if you go back, erm, it’s—

12 **RE:** The date?

13 **MD:** Erm, no, sorry, on the same conversation where [REDACTED] says, “Just spoke to
14 [REDACTED]. He is going to drop them off at TG,” he is not referring to the laptop. [REDACTED] is
15 referring to the Canton leaflets that [REDACTED] has printed because the... erm,
16 just before that I say, “What time are the Canton leaflets being delivered? I’ve
17 got a casework meeting in Whitchurch at 6:00,” and [REDACTED] says, “Just spoke
18 to him,” as in [REDACTED]. “[REDACTED] is going to drop them off at TG.

19 **RE:** Mm-hmm. So what do I get from that? Just there where... Fairwater has been
20 printed by Assembly staff?

21 **MD:** Erm, yes, yes.

22 **RE:** Right.

23 **MD:** Yes, I mean, this just shows that they... we are using different places to print.
24 [REDACTED] is doing one which, I mean, it’s fine and [REDACTED] has dropped them off at

1 TG which is fine. Erm, there is also Fairwater leaflets being printed, erm, by the
2 Assembly staff at the office on the Assembly printer.

3 **RE:** Mm-hmm, right.

4 **MD:** Erm, I think it's the 20th of the 3rd, I've got a hole punch right in there.

5 **RE:** Yes.

6 **MD:** Yes, erm, so we're talking about, erm, Creigiau direct mails at this point, erm,
7 that had been, erm, designed by [REDACTED], printed and I had stuffed them into
8 envelopes, erm, and [REDACTED] says for us to, erm, not to fold them. Erm, they
9 have got to be printed again. I say they are already in the envelopes. Erm, [REDACTED]
10 says just going to have to get them out then. There is a weird tense change that
11 [REDACTED] has put in. It's a letter from [inaudible 00:18:44] but then it starts talking
12 about [REDACTED] in the third person. I didn't read it through to check. Erm, I mean,
13 that's just showing that [REDACTED] has designed this particular leaflet. Erm,
14 [REDACTED] should have proofread it but didn't, erm, and as a result these leaflets
15 had to be destroyed.

16 **NM:** So can I be clear, you're saying that they were printed in the office then again?

17 **MD:** I didn't say that.

18 **RE:** No, no—

19 **MD:** I said... I said that [REDACTED] has designed it and [REDACTED] was supposed to be
20 proofreading it and then there is another one later on that's in that same
21 conversation, erm, where I check some of the other leaflets then and I say to
22 them the Llandaff DM has Grangetown addresses and [REDACTED] says, "Oh fuck's
23 sake. That's totally my bad. Will change." So that particular one [REDACTED] did
24 all the designing on.

25 **RE:** So [REDACTED] designed the Llandaff [inaudible 00:19:53]?

1 **MD:** Erm, yes, so [REDACTED] put the... [REDACTED] did the mail merge on that. The mail merge is what
2 would have, erm, put the addresses on for the households that it has got to be
3 delivered to, erm, but the wrong list was used, the Grangetown list was used on
4 the Llandaff DM, so it meant that it was a leaflet going to residents in Llandaff
5 that had the wrong addresses on it. That's the end of the transcripts.

6 **RE:** Okay. So where do we go next?

7 **MD:** Erm, exhibit 6B.

8 **RE:** Mm-hmm.

9 **MD:** So this was businessman, [REDACTED] [inaudible 00:20:37], contacted us regarding a
10 new app that [REDACTED] was launching or [REDACTED] had been working on called "FixMyStreet",
11 erm, and [REDACTED] says that, erm, "FixMyStreet, it's called FixMyStreet and it would
12 enable clients, local campaigners and activists to very quickly target problems in
13 the streets around Wales and use them to highlight the inactivity of other political
14 parties on things that matter to locals, i.e., fly-tipping, dog waste, litter, roads,
15 etc." Erm, [REDACTED] says that he thinks it would massively boost your local
16 campaigning effort. Erm, and then Neil forwards that to, erm, myself, [REDACTED]
17 and [REDACTED] saying, "That sounds really good. Love the sound of it. Copying in
18 the office staff to arrange." So this was, erm, just example of how we as an
19 office use this, erm... we could use this political tool to get an edge during the
20 campaign.

21 **UF:** [That's not right? 00:21:40].

22 **MD:** Shortly after this, I haven't got the date, but, erm, this gentleman, [REDACTED] [REDACTED]?
23 00:21:53], then comes in the office to meet me, [REDACTED] and [REDACTED], erm, to go
24 through the app and try to sell it to us, basically, show us the benefits of using it.

25 **NM:** Sir Roderick, can I just be clear about what the complaint is there?

26 **RE:** Yes. So the example, how the office staff is used to deal with matters to gain a
27 political edge?

1 **MD:** Yes.

2 **NM:** Picking up rubbish more efficiently?

3 **MD:** Well, the wording is... says that, erm, "Highlight the inactivity of other political
4 parties and to boost your local campaign efforts."

5 **NM:** By doing casework better and picking up local issues better, okay.

6 **MD:** Erm, exhibit 6W is, erm, one of the team meetings. This was on a Monday, erm,
7 18th July. Erm, attached to it is the agenda for that meeting and what was
8 discussed. Erm, point one is around rounds and deliveries, erm, of leaflets.
9 Erm, further down campaigning, erm, and what needs to be done on the
10 campaign. Erm, one particular there, data input to be done as soon as possible.
11 Erm—

12 **RE:** So this was a meeting held where?

13 **MD:** Erm, this was, I believe, Cowbridge Road East.

14 **NM:** Cowbridge Road East wasn't open then.

15 **MD:** Yes, so I said I believe it was. I'm just checking if there is any indications on
16 here of where it is.

17 **NM:** Yes, all right.

18 **MD:** Yes, there is no venue on there. Erm, and, like you said, I accept the fact that
19 this is in that crossover point between the old office and the new one on 321.
20 So... but in any case it's a political meeting between Assembly staff.

21 **RE:** 21st July approximately you say the Cowbridge Road East office had opened, so
22 it's about that time?

23 **MD:** It's close, yes. I mean, I am happy just to leave it as this was a political meeting,
24 erm, and I am not going to make issue of the location on this particular meeting.

25 **NM:** We would have to define "open" really because the—

1 **RE:** I'm sorry?

2 **NM:** We would have to define "open" because there were lots of building... there was
3 lots of building work to do.

4 **RE:** Well, I think what was indeed you were saying, "I could ignore where the
5 meeting was held."

6 **NM:** Okay, yes.

7 **RE:** The point that he is making is that this was a Monday morning and that this was
8 a political meeting being attended by office staff.

9 **MD:** Yes. Exhibit 6X we have already dealt with. It's the email with [REDACTED]
10 confirming that the inputting is finished.

11 **RE:** Yes.

12 **MD:** Erm, exhibit 6Y, 1st August, erm, again on a Monday.

13 **RE:** Mm-hmm.

14 **MD:** Erm, and then just the agenda for that meeting. So FixMyStreet app is
15 discussed there, erm.

16 **RE:** So this was a political meeting?

17 **MD:** Yes.

18 **RE:** And it was held, you say, this was after the Cowbridge Road East office was
19 opened?

20 **MD:** Erm, yes. I mean, this is 1st August now so it should be up and running by now.

21 **RE:** Sorry?

22 **MD:** Yes, 1st August so it's up and running by now.

23 **RE:** Right.

1 **MD:** Then, yes, again various things. Erm—

2 **RE:** Was it the same for 8th August?

3 **MD:** Erm, yes, yes, political meeting and—

4 **RE:** 6Z.

5 **MD:** That's on a Monday again, 6Z.

6 **RE:** Right, okay. Mm-hmm.

7 **MD:** Erm, so page one, erm, there's no need to talk about but page two, erm, is from
8 [REDACTED] to [REDACTED], Neil and myself, erm—

9 **RE:** [Inaudible 00:26:58] on page one.

10 **MD:** Yes, yes, so page two.

11 **NM:** 6 double—

12 **RE:** 6 treble E.

13 **MD:** 6 treble E, page two. So, "Hi all. Erm, [REDACTED] and [REDACTED] have helped figure
14 out a way to calculate a closer prediction to the votes needed to win each target
15 ward. I have worked out 53 percent is the average vote... voter turnout and
16 divide it by the number of councillors. I am now going to create a list of target
17 groups for phase one of the campaign. I will save them in Treeware so we have
18 them ready for whenever they are needed," and I think then page four shows the
19 attachment with the piece of work that [REDACTED] is referring to there. So you've
20 got the average voter turnout and then the number of votes that [REDACTED] has
21 calculated we need in order to win that particular seat.

22 **RE:** Mm-hmm.

23 **MD:** Erm, so that's the piece of work [REDACTED] is talking about they are doing with [REDACTED]
24 and [REDACTED]. That's done on the Tuesday, 16th August at 10:42.

1 **RE:** Okay. So that goes on to where?

2 **MD:** Erm, exhibit AB. Erm, there is not a huge amount here but just on the Friday,
3 erm, which is [REDACTED]'s—

4 **RE:** Hang on a minute, we'll just catch up.

5 **MD:** Okay, sorry.

6 **RE:** It's all right. So at 6AB?

7 **MD:** Mm-hmm.

8 **RE:** Right.

9 **MD:** Erm, so, yes, [REDACTED]'s emailed out on a Friday on [REDACTED] day just making
10 a request for volunteers to come into the office to help, erm, with some leaflet
11 jobs, whether that's bagging and folding or going out delivering, erm, just... well,
12 [REDACTED] says, "Just a request into potential leaflet help if you get a chance, please.
13 Even if it's Canton leaflets to go into rounds ready to go out over Canton," and
14 then, erm, [REDACTED] replies saying, "Happy to come over a day next week to help in
15 the office if that's any help." Erm, so it's just an example of we would contact
16 volunteers, erm, to then come into the office at 321 to help, erm, putting leaflets
17 into rounds and—

18 **RE:** What is the relevance "my informal working" there?

19 **MD:** Erm, so that's rather than using the, erm... the Assembly email addresses to do
20 this sort of, erm, request. Erm, we would use our personal emails, erm, to stop
21 any, erm... any paper trail that could leave that to the Assembly.

22 **RE:** Mm-hmm.

23 **MD:** Erm, 6AC I will skip over. 6AD, I think we briefly talked about this in a different
24 piece of evidence, about the labels being printed, erm. "Had a nice tutorial of
25 mail merge from [REDACTED] in the process too. Erm, put the stickers in the
26 background... erm, backroom. They are going to be delivered by paid post.

1 Copying Mike in too just in case I'm not in when you come in to fold. Erm, [REDACTED]
2 is the king of envelopes so..." So, I mean, we briefly touched on it earlier, that
3 these, erm, labels are printed for the envelopes for the direct mail. They were
4 kept in a backroom at the office, erm, ready for, erm, volunteers then to come in
5 and, erm, sticker up the envelopes, erm, ready for them to go out. So I think I've
6 referred to it earlier as, erm, an example of political work being done in the
7 office. Erm, I think I have included it again to show that it was political staff that
8 were doing this... doing this work. Assembly staff that were doing this work.

9 **RE:** At Cowbridge Road East?

10 **MD:** Erm, yes.

11 **RE:** Mm-hmm, right.

12 **MD:** Erm, exhibit 6AD, page two. I mean, there is nothing really to it. There's...
13 [REDACTED] has done an example of how to do a mail merge so we can skip through
14 that.

15 **RE:** Right.

16 **MD:** I mean, it's just a general tips for the future.

17 **RE:** Mm-hmm.

18 **MD:** Erm, exhibit 6AE. There is, erm... this is probably going to need a bit of
19 translation. Erm, so this was sent... this was done on Thursday 20th October.
20 Erm, "Folders include the lists you asked for, Neil, to be saved. I've done LPC,
21 so the last point of contact. Plaid Cymru. Don't know but they have voted for us
22 in the..." "DKY" is someone that doesn't know who they are going to vote for but
23 they have voted for us in the past. Labour—

24 **NM[?]:** 6A?

25 **MD:** AE.

26 **NM[?]:** Some of the numbers are cut off [inaudible 00:33:06].

1 **[?]:** Yes.

2 **MD:** To be safe I have done last point of contact, Plaid Cymru, don't know but yes
3 they have voted for us in the past. Labour then Lib Dem, Green and
4 Conservative. Done this for both a general last point of contact but also a
5 refined search of those last points of contact who vote by postal. This is just an
6 example of how we would, erm, get the targeting list, the data in order to know
7 which voters, erm, to go after during the campaign.

8 **RE:** They are just an example of [REDACTED] doing political work?

9 **MD:** Yes.

10 **RE:** Right.

11 **MD:** Yes, the... these lists are [inaudible 00:33:58] they are who we are targeting in
12 the Grangetown by-election which is... it's coming up shortly after this email was
13 sent. It's 6AF I've, erm, scratched out. I don't think there's a huge deal in there.
14 Erm, same with 6AG and AH and AI. So going to 6AJ.

15 **RE:** Right.

16 **MD:** So this was on the Thursday. At 10:52, erm, [REDACTED] sends, erm, an email to us
17 saying, erm, that [REDACTED] has come up with, erm, this document, erm, "Communities
18 First in the Heart of Splott". It's basically a job that [REDACTED] gave [REDACTED] erm, to
19 write a newspaper article on behalf of the candidate for Splott. Erm, the article
20 is on the next page. Erm, yes, this is just announcing the candidates standing in
21 Splott and sort of giving a bit of background for them.

22 **RE:** So is it [REDACTED] doing political work?

23 **MD:** Yes.

24 **RE:** Mm-hmm.

25 **MD:** And then [REDACTED] just says, "Yes, that's good. Definitely get more of these
26 tasks." Yes, so we were all happy with what [REDACTED] produced. Erm, 6AK I've

1 scratched out, AL I've scratched out, AM I've scratched out, AN I've scratched
2 out. So 6AO. So Neil had seen this, erm, Twitter [inaudible 00:36:02] that the
3 SNP had used. Erm, AO, yes. AO, keep going.

4 **RE:** Yes, it's all here. Right, yes, yes.

5 **MD:** Erm, yes, so Neil had seen this, erm, [inaudible 00:36:36] that SNP were using.
6 Erm, he really liked it and he said, "Let's do the same on the LDP [inaudible
7 00:36:43] councillors," erm, so this—

8 **RE:** What is LDP?

9 **MD:** Local development plan.

10 **RE:** Right.

11 **MD:** Erm, so, yes, this was the start of, erm, the Twitter [inaudible 00:36:57] that
12 [redacted] [inaudible 00:36:58] would later go on to produce.

13 **RE:** Mm-hmm.

14 **MD:** Erm, so this is just highlighting where the idea came from, erm, and how it would
15 then expand to what we produced later down the line.

16 **RE:** Mm-hmm.

17 **MD:** Erm, exhibit 6AP.

18 **RE:** 6AP?

19 **MD:** Yes.

20 **RE:** Right.

21 **MD:** Erm, so this is Neil, a message from Neil to the group saying, erm, "Let's block
22 out next Wednesday. Doing website and fundraising. Will try and raise some
23 serious money in one day." Erm, so this was just a message to say that we

1 weren't going to do any, erm, Assembly work at all that day, just to block it out of
2 the diary so we could do, erm, fundraising and work on the website.

3 **RE:** Right.

4 **MD:** Erm, 6AQ, this is quite a longwinded message from me around the LDP and,
5 erm, specifically the [inaudible 00:38:02] decision. Erm, I'm talking about, erm, a
6 planning meeting that's coming up at Cardiff Council and how we need to, erm...
7 our pledge during the election was to stop, erm, the building companies from
8 building thousands of houses on the Greenfield sites around... it's all part of the
9 local development plan. Erm, the problem was if this, erm, particular planning
10 application had been passed prior to the council election then we wouldn't have
11 been able to overturn it once we were in power after the council election.

12 So I've just, erm, explained the situation to the team. Erm, explained that, erm,
13 this needs to be done pre, erm, erm, pre-election and that it's very important that
14 we stop this decision from, erm, erm, being approved at, erm, the planning
15 meeting. So I just suggested we devote recess to this, erm...to this meeting. So
16 the Assembly is in recess so there is not a huge amount of, erm, work that, erm,
17 Neil and [REDACTED] need to really do there during that week, erm, because you
18 haven't got plenary, you haven't got the committees. Erm, so I suggest that we
19 just spend that time preparing for this meeting and Neil says, "I hundred percent
20 agree."

21 **RE:** So all this is political, you say?

22 **MD:** Erm, yes. I mean, there... there was stuff done on the LDP that Neil would, erm,
23 say that was part of his Assembly role which I do... I do agree. I think there was
24 crossovers between what was Assembly and what was openly political. I think I
25 bring this up because I do actually reference the fact that if we are going to
26 overturn, erm, the local development plan after the election, referring to when
27 we are in power in Cardiff Council, that we need to stop this decision from being
28 made in the first place. So I think this is one of the times where our work on the
29 LDP did cross a line.

1 **RE:** Okay.

2 **MD:** 6AR I've scratched out, 6AF I've scratched out. We've discussed that
3 previously. So 6AT, this is, erm, a plan of attack for our defence of Neil after he
4 was suspended from Cardiff Council. Erm, in the hearing, erm, I said to you our
5 strategy, erm, was to paste positive comments off Facebook. Erm, [REDACTED] would
6 save them into, erm, PDF images or PNG images, erm, and put them in a big
7 file and then we would schedule them or somebody would, erm, post them to
8 Twitter to counteract the negative press we were getting at that time. Erm, so
9 this is just [REDACTED], erm, confirming to [REDACTED] the schedule at which these,
10 erm... these posts are going to be going out so—

11 **RE:** So these are... this is [REDACTED] doing work on messaging to put a positive spin or
12 positive reaction—

13 **MD:** Yes.

14 **RE:** —to Mr McEvoy's suspension?

15 **MD:** Yes.

16 **RE:** Right.

17 **MD:** I think, erm... the consideration is should Assembly staff be spinning Neil's
18 suspension from Cardiff Council? I mean, I'm sure Neil's going to argue that
19 that's a legitimate use of his staff. Erm, what I'm saying is there was again a big
20 crossover between our roles as Assembly Member support staff and Neil's
21 perception that he also had us openly for his disposal when it came to his
22 council work as well. Erm, this is one example of defending, erm, a decision
23 where, erm, he would be suspended as a councillor but I also said in earlier
24 evidence there was... you know, [REDACTED] was responsible for managing Neil's
25 council emails, for example. There was... that's the consideration. [REDACTED] would
26 have been used to do that council work. I don't think so.

27 **RE:** Mm-hmm.

1 **MD:** Erm, 6AU is a series of leaflets sent by [REDACTED]. So it was [REDACTED]'s job really
2 to do the vast majority of designing the leaflets.

3 **RE:** So these were leaflets designed by [REDACTED]?

4 **MD:** Yes. So [REDACTED] designed the leaflets and he would also, erm, between [REDACTED]
5 and [REDACTED] put together the data files that would accompany these leaflets. So,
6 erm, for example, the Fairwater one is a direct mail there from, erm, Neil to
7 residents in Fairwater. Erm, the other attachment, the Excel document that's
8 attached, which I haven't included because it's got all the voters' addresses on
9 and all their personal information, erm, is the list that would be used to merge
10 into this particular direct mail. Erm, the addresses would go up here, erm, and
11 then they would be stuffed into envelopes and delivered across the ward. Erm,
12 yes, so this is sent by [REDACTED] Tuesday, March 21st at 10:37. That's when the
13 Fairwater one was sent. Erm, the Creigiau one was the same day, Tuesday at
14 10:43. The Butetown was 11:09.

15 **RE:** [Inaudible 00:45:27].

16 **MD:** Sorry, [inaudible 00:45:30]. Okay, so page one.

17 **RE:** Yes.

18 **MD:** Erm, so the Fairwater one, the time and date that that was sent was 21st March,
19 which is a Tuesday, at 10:37.

20 **RE:** Yes, right.

21 **MD:** And then if you go to page four.

22 **RE:** Yes.

23 **MD:** This is the Creigiau direct mail. That was sent at 10:43 on the same day.

24 **RE:** Yes.

25 **MD:** Erm, page seven—

1 **RE:** Yes.

2 **MD:** —is the Butetown direct mail. This was, erm, at 11:09 on the same day.

3 **RE:** Mm-hmm.

4 **MD:** Erm, page eight is the Pentyrch.

5 **RE:** Yes.

6 **MD:** 3:27. Page nine is Riverside at 3:47.

7 **RE:** Then 23rd March?

8 **MD:** The Radyr one, that is a Thursday. Erm, that was sent at 1:01.

9 **RE:** Yes.

10 **MD:** And then there's Splott on that same Thursday, 1:21.

11 **RE:** Yes.

12 **MD:** Riverside 2:37. Erm—

13 **RE:** It was 4th April.

14 **MD:** Sorry? Sorry, my mistake. It is still a Tuesday but it's, erm, it's not on
15 23rd March.

16 **RE:** Yes, different day.

17 **MD:** Oh, right.

18 **RE:** Okay.

19 **MD:** Let me just check. Yes, a Tuesday.

20 **RE:** Okay.

1 **MD:** [Inaudible 00:47:41] the date as well of the 14th. I've scratched out page, erm,
2 the 13^h, because that was on Good Friday.

3 **NM[?]:** Which page is that?

4 **MD:** Erm, exhibit 6AU, page 13. Erm, so then, erm, exhibit 6AV, erm, this is an
5 example of, erm, [REDACTED] writing the ratification email for one of the, erm,
6 candidates. So [REDACTED] is, erm, using NationBuilder to send out an email. I think it
7 was NationBuilder but, anyway, the point is there is an email that [REDACTED] is sending
8 out, erm, to, erm, get supporters in... [REDACTED] needs ten signatures of supporters,
9 erm, who live in the Pentyrch ward to ratify this particular candidate. [REDACTED] just...
10 [REDACTED] emails me and [REDACTED] said [REDACTED] is struggling with what to write for the
11 ratification email. "Can you advise?" erm, and then [REDACTED] gives an example of
12 what [REDACTED] has got so far. Erm, I haven't got the follow-up email but I remember
13 sort of saying that was absolutely fine to send out.

14 **RE:** All right.

15 **MD:** And then there's a follow-up then, erm—

16 **RE:** So it's 21st March, this is the same day as [REDACTED] was sending out or [REDACTED]
17 was sending out the documents relating to candidates, 21st March?

18 **MD:** Yes. Yes.

19 **RE:** So it's a Tuesday, right?

20 **MD:** Erm, yes, because I don't think we have got a direct mail [inaudible 00:49:42]
21 and then page two is just, erm, a follow-up then inviting them to the, erm... the
22 selection evening.

23 **RE:** Right.

24 **MD:** So, yes, that was 21st March at 3:01. I scratched out 6AW. Erm, 6AX is
25 Thursday, 30th March. Erm, so this email is sent out quite late at night. Erm, I'm
26 not suggesting that the email was sent out late at night but I wanted to highlight

1 it because, erm, it shows basically what Treeware was used for. Erm, so
2 Treeware runs a likelihood summary filter. It goes A to E, party affiliation and
3 likelihood to vote Plaid and 1 to 5 likelihood to vote. Erm, it's useful from a
4 super voter perspective, finding out those who lean towards Plaid and vote at
5 nearly every election. I've always included A, B and C in this criteria search.
6 This will bring up Plaid Cymru and "don't know but have previously voted for us"
7 and a few "do not knows". Erm—

8 **RE:** This is at 9:38 in the evening?

9 **MD:** Yes, yes. So there was a comment made that Treeware could be used for any
10 number of things. Erm, I tried to show by this, this is what we use Treeware for.
11 This was what it was used for. To us it was finding out these, erm, the lists of
12 voters who we would then target during the campaigns. So everything that we
13 do to feed data into Treeware is to be able to, erm, produce the best possible
14 target lists for who we go after during the campaign.

15 **RE:** Mm-hmm.

16 **MD:** 6AY I scratched out.

17 **RE:** Yes.

18 **MD:** AZ I scratched out. Erm, the next one is Monday 3rd April, exhibit 6BA. This
19 was, erm, another task that [REDACTED] was, erm, assigned with and that was, erm,
20 organising coordinators for each of the... erm, for a group of wards in the
21 particular constituency. So this was, erm... this particular email was sent up to
22 me regarding the coordinator for Radyr, erm, Creigiau and Pentyrch, erm, and
23 similar emails would have gone out to other potential coordinators. Erm, but
24 again it's just showing the organisation of, erm, [REDACTED]'s role in organising the
25 council election campaign. This was one of [REDACTED] roles within that.

26 **NM:** So could I just check when that was sent out?

27 **RE:** That's Monday 3rd April at 2:06.

1 **NM:** Okay.

2 **RE:** Right.

3 **MD:** Next one, 6BB, Tuesday 4th April, 11:26. Erm, “Just for your information for
4 creating list I’m going to create fresh ones today. Super voters and postal voters
5 in this stage. Any other lists please let me know and I can do that. Happy to do
6 Treeware work tonight too.” So this is [REDACTED] saying that, erm, [REDACTED] is going to
7 produce these voter lists, erm, for use during the campaign. So again this is
8 another list that we would have pulled from [inaudible 00:54:20] from Treeware.

9 **RE:** So again you say [REDACTED] doing political work?

10 **MD:** Yes.

11 **RE:** Yes.

12 **NM:** At what time?

13 **RE:** That’s—

14 **MD:** 11:26.

15 **NM:** Okay.

16 **RE:** —in the morning which was a Tuesday.

17 **MD:** 6BC is an example of the coordinating email that went out to Llandaff, Canton
18 and Riverside. So, as I said, I had the Radyr and the surrounding wards. This
19 one was gone to get... sent out to get a coordinator for Llandaff, Canton and
20 Riverside. This particular one went to [REDACTED] which was, erm, erm,... [REDACTED]
21 was a candidate in Canton. Erm, [REDACTED] refuses the, erm... the position of
22 coordinator, [REDACTED] says [REDACTED] has got too much on, erm, and then there is the... during
23 discussions in the email trail, erm, Neil suggests that [REDACTED] has got sort of the
24 wrong end... wrong idea as to what work [REDACTED] asked him to do and then [REDACTED],
25 erm, in the last email in the trail just says, “For... for context we have been
26 organising coordinate... coordinators for different branches/parts of the city.”

1 Erm, just confirming really that that was... that was... the task in hand was to get
2 these coordinators in place.

3 **RE:** Right.

4 **UF:** So that was [inaudible 00:56:00].

5 **MD:** Yes. I mean, I'm not... all I'm doing is just confirming what... what the job was at
6 this stage. I'm not saying that because you've sent that email at half past seven
7 in the morning that this is on political time but the overall task was done during
8 office hours. Erm, 6BD, erm, Wednesday 19th April, ten past ten. Erm, so [REDACTED]
9 initially sends an email to [REDACTED] requesting, erm, a list from Treeware of all
10 Plaid voters and members in Caerau, erm, and anyone that had a board, so a
11 garden board, to go at the end of, you know, driveway to advertise the election.

12 So [REDACTED] emails back, "Hi [REDACTED]. Not a problem at all. Perfect time with the
13 board email. I've set up the following system with placards in target ward. I've
14 copied in the team. Erm, attached are all the target wards in Cardiff West that
15 according to Treeware have requested a board." Erm, and then [REDACTED] has
16 attached the document to there with that information. Erm, again it was another
17 job that [REDACTED] did to track, erm, who had boards, who had requested boards,
18 who still needed boards to be sent out. Erm, that was one of [REDACTED] jobs in the run
19 up to the campaign.

20 **RE:** So one of [REDACTED] jobs was to organise boards?

21 **MD:** Erm, yes, so [REDACTED] would order the boards from the supplier, arrange the
22 payment for them, erm, but then it was [REDACTED]'s job to keep a track of who had
23 requested them, erm, where they were being distributed to, erm, all that side of
24 it. So, erm, [REDACTED] got them in and [REDACTED] ensured that they went out to the
25 right places.

26 **RE:** Okay.

27 **MD:** Erm, I've scratched out 6BE. So 6BF, just a message from [REDACTED] to all the
28 candidates, erm, 27^h April [inaudible 00:58:47].

1 **RE:** It's a Thursday.

2 **MD:** Thursday, yes, erm, at 11:25. Erm, "Dear candidates, nice to speak to a few of
3 you on the phone yesterday. Erm, it's quiet in central HQ and the data is looking
4 good which means the dream team is working hard." Erm, and then just giving
5 reminders about, erm, getting photos in, erm, and using the... wards marked to
6 be used on social media. Erm, this was something that was, erm, erm, [REDACTED] and
7 [REDACTED], the guys from Scotland, were really keen on. Erm, they wanted to get
8 people in the streets, erm, taking [inaudible 00:59:34] photos next to Plaid
9 Cymru signs. They would send us the photo and we would put this watermark
10 on the bottom which just says "Vote Plaid on May 4th", erm, and then we would
11 share that via social media just to increase our presence on social media. Erm,
12 BG is Monday 1st May.

13 **[?]:** Have you already said this is a bank holiday?

14 **RE:** It's a bank holiday, isn't it?

15 **MD:** I'll scratch that one out. Erm, and then 2nd May, Tuesday, exhibit 6BH, is the
16 "Get out to vote" leaflets. Erm, these were, erm, sent to me, erm, from [REDACTED].
17 Erm, initially they were forwarded to [REDACTED] from Neil and then [REDACTED] sent them
18 on to me because at this stage I was in the campaign office, erm, in Caerau
19 doing some printing, erm, and these were what, erm, were designs to be used
20 on the day. Erm, initially we just had, erm, generic leaflets to hand out on the
21 day, erm, but Neil was keen to have the name of the actual, erm, voting station
22 for each of the, erm, polling stations within a ward. Erm, so these, erm, leaflets,
23 erm. The first one is a translation but each of these attachments, so there is a
24 "Get out and vote" leaflet for TA, there's one for TB, there's one for TC, one for
25 TE and TF, TD and TG. So these were all the different places that you could
26 vote. Variations of this leaflet to go to households in those particular polling...
27 erm, polling, erm, districts.

28 **RE:** So this is Tuesday 2nd May, yes.

29 **MD:** The message was actually sent by [REDACTED] at quarter to seven at night.

1 **RE:** Right.

2 **MD:** So I can't... I can't prove when these were created, erm, so, yes, I will scratch
3 that as well, sorry, if you have already made a note.

4 **RE:** Which one is that?

5 **MD:** Erm, this exhibit BH, erm, was sent at quarter to seven at night so I will scratch
6 it.

7 **RE:** Right. Okay, then we go [inaudible 01:03:10] 6B—

8 **MD:** Yes, I think I've scratched a lot of these. Erm, so the next one I'm going to is
9 6BM. So anything in between, I've scratched out.

10 **RE:** Okay.

11 **MD:** [Inaudible 01:03:33].

12 **RE:** All right, yes.

13 **MD:** Erm, this is, erm, email from [REDACTED] to [REDACTED]. So this series is going
14 to be the majority of this series, oh, so this is in the additional evidence
15 submitted.

16 **NM:** [Inaudible 01:03:57].

17 **MD:** Erm, 6BM now, yes. Erm, this is, erm, just some examples, erm, I'm going to go
18 through of, erm, the work that [REDACTED] was asked to do.

19 **NM:** Sir Roderick, can I just check that [REDACTED] will be giving evidence? Because I'm not
20 sure whether... they are questions I would prefer to ask her really rather than
21 Michael. Will [REDACTED] be giving evidence—

22 **MD:** [REDACTED] will be giving evidence, yes.

23 **NM:** Excellent.

1 **RE:** Right.

2 **MD:** Erm, so, yes, what I'm saying here is this is a political translation. This could
3 have never gone through, erm, the Assembly Commission to translate because,
4 erm, it's talking about winning the Grangetown by-election.

5 **RE:** Yes.

6 **MD:** Erm, I've got the next page, 6BM, page two, is, erm... it's a separate email, erm,
7 but again it's, erm... it's a political translation that's been asked for from [REDACTED]
8 to [REDACTED] to do, erm, about, erm, motorbikes in Caerau which was a campaign by
9 the local candidate. Exhibit BM, page one, is, erm—

10 **RE:** I mean, as a member of the Assembly wouldn't illegal motorbike riding be part
11 potentially of members' work?

12 **MD:** Erm, potentially. Erm, I've raised it because this was the candidates in Caerau's
13 big campaign. This is something that he came up with, erm, and then Neil was
14 sort of, erm, endorsing the candidate's campaign at these meetings. Erm, yes, I
15 mean, if you want to argue that he is doing the work as an Assembly Member,
16 because he's perfectly entitled to do that, erm, yes, my position is this was [REDACTED]
17 [REDACTED] project, erm, and Neil was just there as an endorsement.

18 **RE:** Yes, thank you. So it wasn't a matter that you brought to McEvoy's attention, it
19 was a matter that was being pursued by the candidate and endorsed politically
20 by Mr McEvoy?

21 **MD:** Yes, yes.

22 **RE:** Okay.

23 **MD:** I don't know if, erm, Neil wants to potentially provide evidence as to whether that
24 may have been funded by the Assembly. It was a public meeting. Erm, by all
25 means if the Assembly estate has paid for that meeting then I'm prepared to
26 hear that evidence. Erm, some public meetings will be held, erm, in relation to
27 the LDP, erm, the Assembly Commission would pay the costs towards. So,

1 erm, they've paid for the rental of the halls, erm, they've paid for, erm... I mean,
2 that's a good use of Assembly's staff time, erm, when it's been agreed by the
3 Assembly. There was some public meetings that weren't paid for by the
4 Assembly.

5 **RE:** Okay, thank you. 6BM?

6 **MD:** So, yes, this is... this time this is from... no, it's still [REDACTED] has requested
7 the information but [REDACTED] has sent back the [inaudible 01:08:23]. So Neil... erm,
8 [REDACTED] has asked for this, erm, erm, text to be translated, to be included on
9 one of [REDACTED] leaflets to go out in Fairwater by the look of it, and then attached is
10 the translation that [REDACTED] has done and sent back.

11 **RE:** Right. So—

12 **MD:** Again he makes mention there about his election to the Assembly. He also
13 makes mention there's, erm, erm... being elected as councillor for Fairwater.
14 Erm, because this leaflet is to be distributed in Fairwater, erm, to promote his
15 upcoming seat, erm, being up for election in the, erm... in the May, erm, then I
16 would say that this is, erm, promotion of a candidate and a politically motivated
17 leaflet.

18 **RE:** Mm-hmm.

19 **MD:** Erm, this is slightly different, 6BO. Erm, this is a message transcript between
20 [REDACTED], erm, Neil, [REDACTED] [REDACTED], erm, which is... [REDACTED] was the
21 agent for the Canton candidate. [REDACTED], which was one of the Canton
22 candidates, erm, and [REDACTED], which was another Canton
23 candidate. Erm, what to take from that is probably the last part of... last but one,
24 erm, message in the trail which says, "Hello. I have already had a chat with Neil
25 today and have agreed a date for a first campaign meeting with him, [REDACTED],
26 [REDACTED] [inaudible 01:10:42] on Thursday 5th January at Neil's office at 7pm.
27 So this was slightly different to the campaign group. Erm, this was, erm,
28 specifically a Canton campaign group with, as I say, the three candidates, erm,

1 the agent and, erm, Neil and [REDACTED] erm, but again, erm, this suggests that
2 meeting has taken place in Neil's office, erm, on 32... erm, 321.

3 **RE:** Right.

4 **MD:** Erm, another example of a leaflet that was sent out to [REDACTED] for translation. This
5 is, erm... this is in relation to the Waungron Road recycling centre we've talked
6 about a couple of times before. Erm, this is just text for a leaflet that was sent to
7 Elin for translation.

8 **RE:** All right.

9 **MD:** You've got, erm, comments there from, erm, [REDACTED], is the councillor there.
10 Erm, this was a... this was a politically motivated leaflet.

11 **RE:** Mm-hmm.

12 **MD:** Erm, 6BQ is again a message transferred between Neil, [REDACTED] and [REDACTED]
13 [REDACTED], erm, and if we go sort of two-thirds of the way down, erm, Elin
14 says to [REDACTED], "Hi. Apparently rounds have been bagged in the office. Don't
15 know which rounds they have used but sorry up to my eyes now until Christmas
16 so not available until meeting which has been arranged for Thursday
17 5th January. Mike did mention that there are Assembly staff who might deliver
18 next week. Don't want to burden anyone with leafleting now until the New Year.
19 [REDACTED]" So, yes, just confirming that, erm, the Assembly staff there are available
20 to do leafleting.

21 **RE:** Mm-hmm, right.

22 **MD:** Erm, yes, erm, BR is another translation. Erm, "Hi [REDACTED] Can you translate this
23 for the newspaper," erm.

24 **RE:** Yes.

25 **MD:** Again making a little reference to, erm, his, erm... so first of all making reference
26 to the votes he got in the Assembly election. Then talking about the victory in

1 the Grangetown by-election. Erm, then looking forward to May 2017, erm, to big
2 gains in the council election, erm, and then we can really start to change this city
3 for... for the better. So this was sent out—

4 **RE:** So this was the material for [REDACTED] to translate—

5 **MD:** Yes.

6 **RE:** All right. Then a chaser, right?

7 **MD:** Erm, yes, chasing up if this leaflet had been, erm, translated yet. Erm, which
8 again it's a political leaflet.

9 **NM:** Yes.

10 **MD:** Sent out across Fairwater in, erm... in January 2017.

11 **RE:** Right.

12 **MD:** This is sort of a standard layout of what one of our leaflets would look like. You
13 would have messages from candidates, what we were writing about in that
14 particular one. Erm, this one's got, erm, erm, a return slip in which we could
15 collect data to use in Treeware, erm, contact information and then the print, the
16 imprint on the bottom is Neil's home address, erm, on [REDACTED]. Erm,
17 obviously we couldn't use the 321 Cowbridge Road East office imprint because
18 this is a political leaflet going out and if he had used the office address on the
19 imprint he would have been in trouble.

20 **NM:** Sir Roderick, can I just check what is wrong with this?

21 **RE:** If you go back to page one it's [REDACTED] being asked to translate it.

22 **NM:** Yes, yes.

23 **MD:** It's a political leaflet. I mean, this is the job [REDACTED] had, to translate these leaflets.

24 **RE:** Mm-hmm, right. 6BP?

1 **MD:** Erm, this is another translation. This is, erm, trying to get people to donate, erm.
2 So this would have been sent out, I imagine, via NationBuilder. Yes, it's just a...
3 it's an attack against the Labour Party in relation to the LDP and then trying to
4 get them to, erm, donate towards the campaign.

5 **RE:** All right. So this is political... another example, you say, of political material
6 being translated by [REDACTED] who had been paid by public?

7 **MD:** Yes, yes. I mean, the aim of the email is to, erm, raise funds to go towards
8 campaigning.

9 **RE:** Yes. Right.

10 **MD:** Erm, exhibit 6BU, just another... just another, erm, translation, this time in
11 relation to the Caerau candidates. So, I mean, [REDACTED] wasn't just translating stuff
12 for Neil's campaign in Fairwater. [REDACTED] would also translate, erm, stuff for all the
13 candidates basically in Cardiff West. Erm, whatever the particular issue was,
14 whatever the leaflet was, the vast majority of it was sent to [REDACTED] for translation,
15 erm, because [REDACTED] was the one being employed to do it.

16 **RE:** So [REDACTED] translated for numerous candidates?

17 **MD:** Mm-hmm.

18 **RE:** Right. BV is the same, isn't it?

19 **MD:** Yes, yes. Yes, it's just saying what the Plaid Cymru Council do.

20 **RE:** Yes.

21 **MD:** And then page two is just a return with the translation on. Erm, exhibit 6W is an
22 example of an email sent out by [REDACTED] this time to, erm, all the candidates.
23 Erm, just you need to take into account on this one, it's halfway down the page,
24 erm, it just says, "We all... we need all of the data collected so far inputted into
25 Treeware now. If you have any difficulty with this please let me know and I will

1 get the office to help.” Erm, so, yes, if candidates didn’t have the time to input to
2 Treeware they would give it to the office staff then and, erm—

3 **RE:** The office of who?

4 **MD:** Erm, Neil’s office staff.

5 **RE:** Mm-hmm, right. 6BX?

6 **MD:** Yes, another translation. This was, erm, following Neil’s suspension from Cardiff
7 Council, erm, and his, erm, subsequent attack on the Public Service
8 Ombudsman.

9 **RE:** Right.

10 **MD:** Now this is [REDACTED] sending a direct mail to [REDACTED] for translation. This time it’s
11 about the two Caerau candidates. Erm, basically announcing that they are the
12 candidates for the council election on May 4th. Yes, I mean—

13 **RE:** Is it 6BY?

14 **NM:** 6BY.

15 **MD:** 6BY, yes, and page two is just an example of that direct mail.

16 **RE:** Mm-hmm. 6BZ is similar?

17 **MD:** Yes. This is, erm, yes, a message going out from Neil, erm, they need a
18 translator. Erm, just talking about the Plaid campaign. Erm, why it’s important
19 to end Labour’s roll in Cardiff on May 4th. Erm, “Thanks for voting for us.” Erm,
20 yes, it’s just a political email.

21 **RE:** Right.

22 **MD:** Erm, this was, erm, the... the, erm, the manifesto. Erm, this is just from [REDACTED]
23 to the group to say that the manifesto is attached and it’s finished. Erm, there is
24 some discussion about whether amendments could be made to it, erm, but I
25 think it was eventually agreed that, no, this is the final document. Erm, so this

1 was sent on 15th March at five to five, erm, to members of the... the campaign
2 group, erm, for the... for the records. Erm, the manifesto was completely
3 translated by [REDACTED]. [REDACTED] did all of that.

4 **NM:** Right. There were two, weren't there?

5 **MD:** Hmm?

6 **NM:** There were two, remember?

7 **MD:** There was a lot of drafts of that manifesto. It went through various stages.

8 **NM:** Yes, yes, but, I mean, there were two... [REDACTED] went mad at the time. Sorry, the
9 detail. We had got a really large one which [REDACTED] translated. I think it's in the
10 minutes here and the details here and then we get the smaller one as well, like.

11 **RE:** So—

12 **NM:** [REDACTED] translates—

13 **RE:** —[inaudible 01:23:44] translated two manifestos.

14 **NM:** A huge one and then a big one but not as big. Maybe Michael may want to
15 confirm that because [REDACTED] was very angry at the time with me.

16 **MD:** I knew [REDACTED] was angry because [REDACTED] said you didn't say thank you.

17 **NM:** Hmm?

18 **MD:** [REDACTED] said you didn't say thank you.

19 **NM:** I used to buy her a bottle of wine all the time. Well, every time.

20 **MD:** Erm, so exhibit 6CB. This time it's a translation of a Butetown calling card from
21 [inaudible 01:24:25]. Erm, so this is what we would post through the door when
22 canvassing if they're not there just to let people see. Again, I mean, it's a
23 political leaflet. 6CC, erm—

1 **RE:** So CB is another political—

2 **MD:** Yes.

3 **RE:** —material. Looking at the document, the translation. Not here, is it here?
4 Sorry, CC?

5 **MD:** Erm, is, erm, just a short translation that was sent to, erm, [REDACTED] from [REDACTED]
6 and just... I imagine that's not a full leaflet. I imagine that something could go
7 into a leaflet, erm, a small message from the candidates in Caerau, [REDACTED],
8 [REDACTED], but again, I mean, it's political in nature.

9 **RE:** So political material for translation?

10 **MD:** Yes.

11 **RE:** Sent by [REDACTED] this time?

12 **MD:** Yes.

13 **RE:** Right.

14 **MD:** Erm, 6CD, erm, again the pledges were an important part of the campaign.
15 Erm, this was, erm, something we shared a lot on social media, erm, and this
16 short piece again is to—

17 **RE:** So again political material translation?

18 **MD:** Yes. 6CE is the same. This time it's sent from [REDACTED], erm, [REDACTED] for, erm... it's
19 sent via [REDACTED] but it's initially from [REDACTED]

20 **RE:** He is the Scottish gentleman?

21 **MD:** Yes.

22 **RE:** Yes.

1 **MD:** Erm, so he has, erm, sort of dictated this message to go out, erm, and then
2 Bethan's sent it to [REDACTED] for translation.

3 **RE:** So material sent by [REDACTED]?

4 **MD:** Yes.

5 **RE:** To [REDACTED] and then to [REDACTED] for translation?

6 **MD:** Yes.

7 **RE:** And the material was?

8 **MD:** Erm, it's all about Cardiff's pledges, all signed, point to Cardiff Plaid taking
9 control of city council.

10 **RE:** Yes.

11 **MD:** Erm, yes, it says about the polling... when the polls open, how to find your
12 polling station, erm, a website that was set up to direct people to the polling
13 station.

14 **RE:** Yes.

15 **MD:** F is, erm, erm, another translation just after we had launched the manifesto.
16 This was, erm, to do with an email that was sent out, erm, to again get people
17 to... to donate towards the campaign, erm, to get involved, volunteer on the
18 campaign.

19 **RE:** Okay, right.

20 **MD:** That is, erm, that is it with that particular complaint.

21 **RE:** All right, where do we go there?

22 **MD:** So charge six, originally complaint seven. This is not going to take long at all.

23 **RE:** So this is complaint number six?

1 **MD:** Yes.

2 **RE:** Originally complaint number seven, okay. It's 20 to twelve. I would like to break
3 a little early today for lunch, if that's all right?

4 **MD:** Yes.

5 **RE:** Half past twelve, say, until half past one or something like that.

6 **MD:** Mm-hmm.

7 **RE:** Do you want to break now? How much longer do you think you've got? It
8 doesn't look very—

9 **MD:** No, maybe five minutes.

10 **RE:** Right, continue with five minutes.

11 **NM:** Would you like a break for lunch at twelve, then we could come back at one?

12 **RE:** Okay.

13 **NM:** Yes.

14 **RE:** All right. Right, let's finish this first and then we'll go then. Sorry, Mr Deem, to—

15 **MD:** That's fine. So, yes, erm, charge six is around the, erm, ICT systems being
16 used to edit, erm, a political campaign, videos and social media. I've... in
17 previous evidence I've touched upon, erm, the fact that various ICT systems
18 were used, erm, for political purposes. Erm, I'm not going to add a lot of extra
19 evidence in chief. Erm, I will be exploring during cross-examination, erm, but
20 the initial statement I made in relation to this was that ICT systems and
21 equipment have been regularly abused by Mr McEvoy throughout his time in
22 office and I believe are still being used for political purposes to this day. Staff
23 members, most notably [REDACTED], would regularly use the fast internet
24 connection in the office to upload political campaign videos directly to Facebook.

1 [REDACTED] would also use [REDACTED] Assembly Commission laptop to create party
2 political leaflets. [REDACTED] regularly used [REDACTED] laptop to input, erm, canvassing
3 returns data into, erm, a political computer programme called Treeware and
4 [REDACTED] would sometimes support in this. They would also use the Assembly's
5 ICT system to input the data from the electoral register in the weeks following
6 various elections. Although [REDACTED] would usually use [REDACTED] own laptop and design
7 software [REDACTED] would use the Assembly's internet connection to share this work
8 with the team. I have at some point done all of the above at the request of and
9 in full knowledge of Mr McEvoy. I'm aware that Mr McEvoy is currently running,
10 erm... It's my opinion there's no... I can't factually prove that so I will take that
11 paragraph out.

12 **RE:** Okay.

13 **MD:** "I'm not... so following our... I'm not an expert on computer systems and
14 procedures to preserve vital electronic evidence but I would suggest that
15 consideration is given on how the evidence that may still be on the IT systems of
16 Neil, [REDACTED] and [REDACTED], erm, may be extracted successfully." Again this was
17 a request that was made to the Assembly Commission during my, erm, erm,
18 erm, suspension, erm, and when I initially raised these concerns, erm, through
19 those channels, erm, and it was never followed up on. So I imagine any
20 evidence that was on the computers has since been removed.

21 **RE:** And page 7A—

22 **MD:** 7A, erm, so this is, erm, just Neil sending out a draft of, erm, his predicted
23 results for the election. He's just sent it off his Assembly email address. "First
24 draft optimistic. Want to work out more variables. Keep off Assembly email,
25 deleting this once sent."

26 **RE:** So this is the first draft of Cardiff manifesto?

27 **MD:** Erm, this, erm, predictions of who is going to take what seats—

28 **RE:** I see.

1 **MD:** —during the council elections. So he thinks that we're going to Butetown, two in
2 Caerau, three in Canton, one in Creigiau, erm. Goes on, he thinks the Lib Dems
3 are going to take two in Adamstown, Cathays. So, yes, that's basically his
4 prediction for which the elections were. I think he is saying to keep this sort of
5 stuff off his Assembly email address, erm, and that he is going to delete that.
6 When he sent it obviously he has sent it from this Assembly address. I don't
7 know why he just didn't use his, erm... didn't use his personal one. It's just
8 drawing attention to the fact. That's, erm... that's my evidence completed. Erm,
9 if I could have two minutes just go through if there is anything else I want to
10 raise in Neil's submissions.

11 **RE:** I'm sorry?

12 **MD:** If I could just have a couple of minutes to go through.

13 **RE:** Yes. What I was wondering now, it's just gone quarter to twelve, if you are
14 going to break between twelve and one, would you like to leave, see whether
15 you have missed anything and one o'clock add anything briefly—

16 **MD:** Erm, yes, that... yes, that sounds like a good idea.

17 **RE:** Okay?

18 **MD:** Yes.

19 **RE:** As I mentioned earlier, Mr McEvoy said he wants to make comments to me. I
20 don't know [inaudible 01:34:00].

21 **NM:** Yes, I could do it now or I could do it afterwards.

22 **RE:** Well, the sooner the better, I think.

23 **MD:** Yes, okay.

24 **RE:** You indicated that you want to make them to me?

25 **NM:** Erm, or Michael as well. I think they're directed at him really, erm—

1 **RE:** Yes, well, okay. Wait a minute, let me just make a note of that. Okay.

2 **NM:** To attempt to be truly helpful, really and am I able to... I've got one question to
3 address to Mike and that's it.

4 **RE:** Right.

5 **NM:** I've got... I do have one question to address to Mike and that is it really and then
6 I would comment, so you may prefer me to do it later, or not?

7 **RE:** I have no idea [inaudible 01:34:48].

8 **NM:** Okay, but the question really, Mike, and it's a very straightforward one, why are
9 we really here?

10 **RE:** No, no, that's a different—

11 **NM:** Okay, fine. I've got a couple of comments to make on that. Maybe we could
12 chat in private then.

13 **RE:** We are here, I can answer the question, we are here because I received a
14 complaint by Mr Deem about you and that is what we are on about.

15 **NM:** All right, fine.

16 **RE:** Now, why the complaint was made may not be relevant to you but frankly it's
17 only relevant to me if it goes to credibility, yes.

18 **NM:** Sure, okay, but—

19 **RE:** I'm faced by a complaint and I have to deal with it.

20 **NM:** Okay, just—

21 **MD:** I think we have dealt with it in the mediation sessions, haven't we? You know
22 why we are here. I tried to explore and see different ways. It wasn't accepted
23 and that's why we've ended up here.

1 **NM :** Okay, just want to say to try and be helpful, I think the allegations contradict
2 each other, the allegations change. I think the evidence is of low quality and can
3 be interpreted in different ways because this happened two years ago, some of
4 it happened 18 months ago. It's very difficult for anybody to fully record
5 everything. What I do know is that I do work with remarkable individuals who
6 are committed to the public good of making a difference and I do realise that you
7 must feel very hurt by what happened, because one minute you are thinking of...
8 that you were going to become an MP and then suddenly, erm, there was a
9 fallout for various reasons and you were suspended and then—

10 **RE:** [Inaudible 01:36:14] what is the relevance of [inaudible 01:36:15]?

11 **NM:** Well, what I'm saying is that I have admitted minor infractions in the first letter
12 that I sent to you—

13 **RE:** Well, hang on, they were... insofar as they were admissions, and I haven't read
14 it for a couple of days, insofar as they were admissions they were blamed on
15 other people.

16 **NM:** Absolutely, but I'm ultimately responsible. If [REDACTED] was in the office then
17 [inaudible 01:36:39].

18 **RE:** [Inaudible 01:36:39], I'm afraid.

19 **NM:** Okay, fine. Right, so what I'm trying to say, Mike, is more than anything else,
20 that, erm, I think you know where we really are. This is going to be deeply
21 unpleasant for all concerned—

22 **RE:** Well, it will only be unpleasant if people make it unpleasant.

23 **NM:** It has to be—

24 **RE:** No,—

25 **NM:** —but it does have to be.

1 **RE:** No, no, litigation doesn't have to be unpleasant personally. You can put all your
2 questions in a polite and sensible way. If the result of the questions are
3 unpleasant, that's for other people.

4 **NM:** Yes.

5 **RE:** Nothing unpleasant in here.

6 **NM:** Okay, but if somebody... I don't think [REDACTED] is very
7 pleasant.

8 **RE:** Well, nothing you can... I mean, I've spent 40 years telling people that they are
9 making... they are [REDACTED]

10 **NM:** Okay.

11 **RE:** —and I know it can be put politely even though the result of it might be
12 unpleasant.

13 **NM:** Yes, ultimately I'm trying to say, Mike, I think you're making a very big mistake in
14 what you are doing here—

15 **RE:** Well, that's different—

16 **NM:** —and I would ask you to reconsider but if... what you are doing and that's it,
17 otherwise I'm happy to come back and start cross-examination later.

18 **RE:** Right. Well, we can start at one o'clock then and we will go through it then.
19 Fine, thank you. If you have got anything to add, one o'clock.

20 **NM:** Do it at one o'clock.

21 **RE:** [Inaudible 01:37:51].

22 **MD:** No, it would give me a chance, yes, it's a good time to [inaudible 01:37:55]. If
23 there is it's going to be minimal.

24 **RE:** That's fine. Right.

Egwyl / Break

1

2 **NM:** Okay, right, I'm not sure what to call you, first of all, Michael, is it—

3 **RE:** You call him whatever you want—

4 **NM:** Michael—

5 **RE:** —[inaudible 01:42:04].

6 **MD:** Just before we move to it, are you okay if I just make some closing remarks on
7 my evidence in chief?

8 **RE:** Yes, of course.

9 **MD:** Erm, I went through the file that Neil had submitted. I don't think there's
10 anything that I need to raise in it in relation to my evidence in chief but just some
11 closing remarks.

12 **RE:** Mm-hmm.

13 **MD:** Obviously there's quite a lot of information that I have presented over the past
14 two-and-a-half days. Erm, so just in closing, in relation to charge one, erm,
15 three-two... erm, the use of 321 as a political HQ, erm, I believe I've shown
16 emails directing volunteers to collect leaflets from 321. Erm, I've shown
17 transcripts suggesting that printing of political material took place at 321. Erm,
18 I've shown that political meetings took place at 321, which has partially been
19 accepted by Neil. Erm, I've proved that their campaign printer and other political
20 material was stored at 321, erm, and this has been accepted by Neil. I've
21 shown that 321 was a place, erm, the volunteers came to do political work.

22 Erm, in relation to charge two, so the printing on the Assembly printer, I believe
23 that I have shown that the Assembly printer was used to print material that could
24 not be charged to, erm, Members' Business Services. Erm, I've shown that Neil,
25 erm, to have knowledge of this. I've shown Neil to have personally directed the

1 simultaneous use of the Assembly printer and the campaign printer and I've
2 shown Neil to have authorised Cardiff South to print leaflets at 321.

3 In relation to charge three, erm, I've proved that MBS have covered the cost of
4 the rental for the duration of this contract. This is in relation to the Assembly
5 printer. Erm, I've proved that some of the bills were paid for MBS and some
6 were not. I've shown that political material was printed on the Assembly printer
7 during periods where the costs were met by MBS and I've shown that
8 confidential casework documents were printed in Caerau and given an
9 explanation as to why I think it was done there rather than at 321.

10 **RE:** Just one moment.

11 **MD:** Okay.

12 **RE:** Mm-hmm.

13 **MD:** Erm, in relation to charge four, and the, erm... the Beastgrip, I have alleged that
14 the Beastgrip, erm, which was paid for by MBS, was used in the production of
15 political videos.

16 **RE:** Mm-hmm.

17 **MD:** In relation to charge five, erm, so the use of Assembly staff for political
18 purposes, I have shown that Assembly [only? 01:45:29] support staff had
19 extensive responsibilities in relation to campaigning. I've shown that these tasks
20 would regularly take place during office hours and on the Assembly estate. I've
21 alleged that there were no... there was no differentiation between Assembly
22 work and campaign work when it came to what was allowed during office hours
23 and I have alleged that flexitime was only accrued through excessive work done
24 outside of office hours, not covered by our volunteer commitments.

25 **RE:** What is bothering you?

26 **NM:** It's only... flexitime only for political work, did you say?

1 **RE:** The last [inaudible 01:46:20], I'm sorry?

2 **MD:** I alleged that flexitime was only accrued through excessive work done outside of
3 office hours, not covered by our volunteer commitments.

4 **NM:** I don't really understand that.

5 **RE:** Please give me the words again so I will write them down and I will think about
6 it.

7 **MD:** Yes, so I've alleged that flexitime was only accrued through excessive work.

8 **RE:** Through excessive?

9 **MD:** Excessive work.

10 **RE:** Yes.

11 **MD:** Done outside of office hours not covered by our volunteer commitments. So, for
12 example, ██████'s work on Friday is a campaign day, erm, so that would not be
13 a time where ██████ would accrue flexi because ██████ is committed to, erm,
14 ██████ on that day. At the same time I wouldn't accrue flexitime for the
15 campaign work I did in Radyr because as a candidate I was volunteering my
16 time on that campaign.

17 **RE:** Right.

18 **MD:** Charge six, shown the Assembly ICT equipment and network was used
19 extensively for purposes contrary... contrary to those accepted by MBS.

20 **RE:** Exclusive purposes other than?

21 **MD:** What was acceptable to the Assembly Commission.

22 **RE:** Okay.

23 **MD:** And with that I will close my evidence in chief.

1 **RE:** Thank you. Right, Mr... Mr McEvoy.

2 **NM:** Yes, but I'm not sure whether to call you Michael or [REDACTED] because—

3 **RE:** No, no—

4 **NM:** —that's what he called himself on Facebook the other day. You're ready for...
5 you said you were [REDACTED], didn't you, Michael?

6 **RE:** No, let's just start as we mean to go on.

7 **NM:** Okay—

8 **RE:** Any abuse, any rudeness is not allowed.

9 **NM:** Okay. I wouldn't... if you felt that was rude then I apologise but these are the
10 conversations that Michael has been having in public on social media about this
11 process.

12 **RE:** That's nothing to do with me. What I want to do is look at this set of complaints
13 here.

14 **NM:** All right, fine, okay. Can I make a start [inaudible 01:48:53]? I'm just a bit
15 confused really because—

16 **RE:** I'm sorry?

17 **NM:** I'm confused.

18 **RE:** Well, just ask the questions and [inaudible 01:49:01].

19 **NM:** Erm, I'd like to check with you because on... on the first day Michael said
20 specifically that he did not use flexitime and that he—

21 **RE:** You can make submissions in due course.

22 **NM:** Okay.

23 **RE:** Just ask your questions.

1 **NM:** All right, okay, I'll ask my question. On... in the first... deal first of all with
2 flexitime. On the first day, Michael, you said that you didn't use flexitime when
3 you were a candidate?

4 **MD:** I used flexitime during the Westminster campaign where I took, erm, a month
5 off... almost a month off from my, erm, duties in the office to, erm, campaign
6 specifically towards Westminster action. This was accrued through the
7 excessive work that I did on the Cardiff Council campaign in relation to the
8 citywide campaign. So it wouldn't have been accrued on the work I was doing
9 on the ground in Radyr, erm, but where I would spend many nights in the office
10 late at night, erm, printing leaflets, erm, bagging up rounds, sending out direct
11 mails for other candidates across the city, so nothing to do with my personal
12 campaign, that's where the excessive work comes from.

13 **NM:** So did you use flexitime only... only for the Westminster campaign?

14 **MD:** Yes. It was... my Radyr campaign was all to do with... it was all on a volunteer
15 basis—

16 **NM:** Okay.

17 **MD:** —and I think you have accepted this during [REDACTED] where you said that I
18 had taken flexitime off to, erm, campaign for Westminster.

19 **NM:** You took... you took flexitime off to campaign for your council elections as well,
20 that was the—

21 **MD:** No.

22 **NM:** So you are saying you didn't?

23 **MD:** No.

24 **NM:** Did not, okay.

25 **MD:** My personal council election campaign in Radyr was done on my own time. The
26 work that I did for other candidates was—

1 **NM:** How many hours are you contracted to?

2 **RE:** I didn't get the question

3 **NM:** How many hours were you contracted to work?

4 **MD:** 37-and-a-half, I believe.

5 **NM:** 37.5, okay.

6 **MD:** Monday to Friday, nine-to-five.

7 **NM:** I'll come back to this one. Okay, erm, can you tell me where the regional office
8 is located?

9 **MD:** 321 Cowbridge Road East.

10 **NM:** Okay. What kind of area is the office situated in?

11 **MD:** Erm, a busy commercial street.

12 **NM:** Okay. So it's a busy area?

13 **MD:** Yes.

14 **NM:** Lots of people there?

15 **MD:** Erm, yes.

16 **NM:** Okay. What security advice would I have given at the very beginning by the
17 Assembly at the office?

18 **MD:** Erm, in... in what context?

19 **NM:** About the office. Yes, setting up the office. Just a caveat on everything, as I
20 said earlier, because a lot of this was two years/18 months ago, not every
21 memory is going to be clear. So you may not remember some things, which is
22 fine, but there was clear security guidance given to us at the very beginning
23 about how we set up the office. Do you remember any of that?

1 **MD:** Erm, I'm not quite sure what specific advice you're talking about, no.

2 **NM:** Okay.

3 **MD:** Erm, only general security, erm. I mean, we would take care in how we were...
4 would position ourselves in the office, erm, as to keep, erm... you know, be
5 aware that if we needed to, erm, escape for any reason, I know that... I
6 remember that being something. If we felt threatened, erm, by a certain
7 situation. Do you want to carry on?.

8 **NM:** Yes, staff were advised they need to sit facing a window?

9 **MD:** Erm—

10 **NM:** Correct?

11 **MD:** Yes.

12 **NM:** Yes, okay. Erm, what advice was given to us after the break-in?

13 **MD:** Erm, there was a number of recommendations made.

14 **NM:** Yes—

15 **MD:** So we had the security door fitted from the front office to the back office. Erm,
16 we had the CCTV cameras installed. Erm, yes, there was a lot. They came in
17 and did an assessment and we took their recommendations on-board.

18 **NM:** Almost. What advice was given about the window, and maybe you would like to
19 describe to the commissioner, it may be worth looking at the office at some point
20 to get what I'm actually talking about. What advice was given about our window
21 at the front?

22 **MD:** I'm not sure.

23 **NM:** No advice?

24 **MD:** No, I'm not saying there is no advice. I don't know what you're getting at.

1 **NM:** Yes, well, what's... may be clear as we go along, I hope. What was the... what
2 is the office of [REDACTED] like when you walk across there?

3 **MD:** Erm, right, okay. Yes, so, erm, he has got frosting on his glass so you can't see
4 into the office.

5 **NM:** Frosting, yes, okay. What is our office like?

6 **MD:** It's clear glass.

7 **NM:** Straight through. At the very beginning when we were designing the office
8 because we needed a lot of... after 21st July we needed a lot of work doing to the
9 office because it used to be a carpet shop. You know, it just wasn't for purpose.
10 What did I insist upon in the middle?

11 **MD:** Erm, a wall to separate the front part of the office from the back part of the
12 office.

13 **NM:** Mm-hmm, yes. What was important about the wall for me personally?

14 **MD:** That it had a window from the front to the back.

15 **NM:** Correct. So from the front of the shop, I think came unstuck actually with this,
16 the transparency aspect. You can see right the way through to the back
17 entrance, correct?

18 **MD:** Erm, no, you can see to the wall that separates the conference room from the
19 back office.

20 **NM:** If you stand... I'm thinking about when we were burgled there were people
21 standing outside and I think a case in the office a few days before and I think it
22 was Christmas time and I was in the office and they were looking straight
23 through and you can actually see right the way through. You could see...
24 because at one point we did have a back office window, if you recall, which they
25 then broke through. Remember we had steel bars—

26 **MD:** Yes.

1 **NM:** —and the plastic PVC?

2 **MD:** A frosted bathroom window—

3 **NM:** It was board, yes, it was boarded—

4 **MD:** Well, no, it was frosted because otherwise you would be able to see people on
5 the toilet.

6 **NM:** It was boarded as well because there was... that doesn't matter. The point I'm
7 making is from the street you can see right the way through to the back, back
8 office, and you can see through the toilet, obviously close the door when you are
9 in there, if you have all the doors open. That's the first point. So was it
10 important for me to be transparent, let's say?

11 **MD:** Yes, you wanted... you wanted a window from the front to the back.

12 **NM:** Yes, so—

13 **MD:** You wanted people to see you, you were having meetings and stuff in the office.

14 **NM:** What did I feel that I had to hide in that case?

15 **RE:** So while standing on the pavement you could see right through to the back?

16 **MD:** Yes.

17 **NM:** You can see right... you can see through, right the way through the office to the
18 wall.

19 **MD:** Yes, if... if all the doors were open, I mean, there is a wall halfway through.

20 **NM:** Yes, because you can see right the way through, we established that. So—

21 **RE:** If the doors are open?

22 **NM:** Yes.

23 **MD:** If the doors are open. Yes, they would need to be open—

1 **NM:** If the back... yes. So from the very beginning it was important for me to be
2 transparent and to be seen to be transparent. Would you agree with that?

3 **MD:** Erm, yes, that was a consideration when... when making a set-up of the office.

4 **NM:** Okay. What is our appointments... since the very beginning, it's still the same
5 now. What is our policy on appointments, on people seeing me or coming into
6 the office, what is the policy?

7 **MD:** So anyone can walk in off the street and book an appointment.

8 **NM:** We have an open door policy. So does that cause problems?

9 **MD:** Erm, it's how you operated your office. So there would be somebody sat in the
10 very front of the office in the reception area. Erm, yes, if they want to come in
11 and book an appointment they will speak to whichever member of staff is in the
12 front at the time and they would schedule it. I wouldn't say that causes any
13 problems. I mean, if your diary is full then we will fix an appointment in
14 somewhere when it's convenient to yourself.

15 **NM:** Or deal with it there and then. My point is that it's disruptive. I'm trying to
16 establish the flow of the office, what it is actually like to work in that office. Is it
17 disruptive to daily routine?

18 **MD:** Not particularly, it's part of the job.

19 **NM:** Yes. For example, if we have certain... if I have a speech to write, am I able to
20 write it sitting in the office?

21 **MD:** You can go to the back. I mean, constituents haven't got access to the
22 conference room, it's only the very front of it. So, yes, if you want to sit in the
23 conference room and shut the door you're not going to be disturbed by
24 constituents.

25 **NM:** In the conference room you can see... you can see into the conference room,
26 can't you?

1 **MD:** Yes.

2 **NM:** Yes, so—

3 **MD:** You're not going to be disturbed—

4 **NM:** The point that I'm making is if I... if I have work to do or we have set work to do
5 it's impossible to do in that office. The office has been compared to Piccadilly
6 Circus. Does that resonate with you?

7 **MD:** Not particularly, no.

8 **NM:** No. Other people say that it is in fact like a train station, people come and go.
9 Would you agree with that?

10 **MD:** No. Not any more than any other politician, you know. I imagine most regional
11 offices are like that. That's the point of having a regional office in the
12 community, so constituents can come and speak to their elected representative.

13 **NM:** Okay. Do we try to have the door open when we can?

14 **MD:** Which door?

15 **NM:** The front door.

16 **MD:** Erm, no.

17 **NM:** Mm, we were advised by a retail specialist about, erm, what... how people
18 behave, behavioural, erm, patterns of people. If the door is open it's welcoming.
19 If the door is closed then people tend not to come in so much. If the glass is
20 frosted they certainly won't come in. If there is a lock on the door, as we were
21 advised at the very beginning to have an entry system as [REDACTED] has,
22 then you simply will not be bothered. It's like a bit of a fortress then. The whole
23 ethos of our office is openness and it's completely different. So I'm asking you
24 do you remember the emphasis on being welcoming and people be invited in?
25 Sometimes if it's cold clearly the door is closed. Otherwise the door is open in

1 the summer and people can walk straight in and they do wander in. Would you
2 accept that?

3 **MD:** Erm, yes, there was definitely an emphasis on customer service. So if a
4 constituent came in it would be as welcoming as possible, don't turn anyone
5 away, but I can't... I don't see the door being a part of being kept open.

6 **NM:** Okay.

7 **MD:** I mean, there was the odd day in the summer when it was hot in the office we'd
8 keep the door open but it was not a strategy.

9 **NM:** Okay. You may not remember but it's basic behavioural science. Erm, do many
10 people come into the office?

11 **MD:** Erm, again, it varies from day-to-day. Erm, I can't... I can't compare it to another
12 politician's office because I've never worked in another politician's office.

13 **NM:** Would you say... I gave the analogy of a train station. I find it frustrating
14 sometimes to try and work there because it's a bit impossible. Erm, although it's
15 borne out of good frustration because if people ignore me that would be more
16 difficult. Erm, so do you accept that it was a busy office and people did come
17 and go quite often?

18 **MD:** Well, again, it's hard for me to make a comparison. Numbers-wise maybe on a
19 busy day we'd have, erm, five walk-ins. On a quiet day we'd have, you know,
20 none or maybe one—

21 **NM:** Okay.

22 **MD:** —so is that like a train station?

23 **NM:** Busy days—

24 **MD:** I don't think so.

1 **NM:** Okay. So we do have busy days. I'm not asking you to compare with anyone
2 else. I'm asking you to comment on our office. Is it a busy office, do lots of
3 people come and go?

4 **MD:** We were always busy in the office. Whether that was generated by people
5 walking in, I wouldn't say so, but, yes, we were constantly busy in the office.

6 **NM:** It's been established that it was busy enough for me if I had to do a speech I'd
7 got to the Assembly actually because the back room is not conducive to doing
8 work and—

9 **MD:** But it is. That was your committee room. That was where a table was set up,
10 you had a desk in there. That was your—

11 **NM:** Okay.

12 **MD:** That was your room.

13 **NM:** So can... I noticed that the first day. You seem to be getting confused on the
14 room. This is important. The conference facilities were in the second room,
15 would you agree?

16 **MD:** Yes.

17 **NM:** Fine. Using those conference facilities everybody can see in. They can see if
18 I'm in and they can come in and ask—

19 **MD:** But that wouldn't stop you from working in there. Just because people could see
20 you it wouldn't stop you from working there.

21 **NM:** Okay. Would it be rude of me not to speak to people who I knew in that case
22 who had come in to see me?

23 **MD:** Not particularly, no.

24 **NM:** So would you say that I did leave my work and go out and greet people, then go
25 back in and carry on with work?

1 **MD:** Yes, sometimes you would, sometimes you wouldn't. You know, it depends on
2 how busy you were at the time. There's no reason for you not... people
3 understood that they can't always just walk in and you would be there straight
4 away.

5 **NM:** Okay. Okay, you're sort of agreeing but not wholly. It was... it was busy, people
6 would come in and see me. So therefore if I wanted to work you said I could go
7 to the back room. The back room is where people eat and where tea is made—

8 **MD:** No, I'm talking about the committee room.

9 **NM:** Okay.

10 **MD:** The room behind the reception area.

11 **█:** That's where we had the meetings there.

12 **NM:** Yes. That's where we had the meetings, yes, okay. Erm, why do I like CCTV?

13 **RE:** I'm sorry?

14 **NM:** Why do I like CCTV? It's an old story, you must remember.

15 **MD:** I don't think you particularly do like CCTV. I mean, it was more of a hindrance to
16 us.

17 **NM:** Okay. Why was it a hindrance?

18 **MD:** Because it... as I have said in my evidence submission, it was, erm, an
19 opportunity for, erm, evidence to be accrued against you.

20 **NM:** Okay.

21 **RE:** To be what?

22 **MD:** Erm, to be built up, accrued against Neil, evidence of activities that were going
23 on in the office that shouldn't be going on in the office.

1 **NM:** So where were those activities going on then did you say in your evidence
2 earlier?

3 **MD:** Erm, so various places in the office. So the inputting—

4 **NM:** The printing, stick with the printing. Where was the printing carried out?

5 **MD:** The printing, some of it was done in the back room, some of it was done in the
6 conference room. Depends where the printer was situated at that time. It was
7 moved from the back room into the conference room to make more space in the
8 back room at one point.

9 **NM:** When was it moved?

10 **MD:** I'm not sure, to be honest. I just know that it was moved. It started off in the
11 back room. I can't give you a date of when it was exactly moved.

12 **NM:** Okay.

13 **MD:** I think it was around the time that the newspapers were delivered, erm,
14 potentially because that was taking up a lot of space in the very back room. It
15 could have been earlier, again because another reason for moving it was to
16 make room for [REDACTED] and [REDACTED]'s bikes which were up until then being
17 stored in the conference room.

18 **NM:** So other staff, sometimes I can bore people senseless with stories. You have
19 no recollection of my CCTV story and why I will always speak out in favour of
20 CCTV on the basis of civil liberties? You have no recollection of that story?

21 **MD:** No.

22 **NM:** It was the story of when I was arrested.

23 **MD:** No.

24 **NM:** No recollection at all?

25 **MD:** No. Do you want to elaborate? Do you want to elaborate now?

1 **NM:** I would imagine you would know the story because I have talked about it
2 constantly to justify my, erm, like of CCTV, because with CCTV if you have done
3 nothing wrong you've got nothing to worry about and early in my teaching career
4 I was arrested for assault. Generally the way it works with people like me, let's
5 say of a darker complexion, much more likely to be arrested and there was an
6 occasion where I was arrested, roughed up, thrown in the back of a van, driven
7 to the central station, charged with assault. They didn't charge me, it was only a
8 verbal charge, and when they viewed the CCTV they actually saw I was just
9 passing by and actually stopped an assault. So I think CCTV is really important
10 and I think... I'm surprised you forgot that story—

11 **MD:** I mean, if it's so important why didn't you get it from when they opened the
12 office? Why did it take the break in before, erm, it was... it wasn't you who even
13 suggested having it installed. It was the Assembly Commission that insisted on
14 it being installed.

15 **NM:** I seem to remember... I seem... seem to not quite remember it the way you do.
16 So you are saying the CCTV concerned me, did it?

17 **MD:** Erm, in the office it did, yes.

18 **NM:** Okay.

19 **MD:** I mean, this was the result of... I don't think when it was very... when it was first
20 installed you realised the implications. It wasn't until a couple of months
21 afterwards, like I said, we talked about the time we woke up in the middle of the
22 night, realised that we had been filmed but, I mean, the retention period on our
23 CCTV was a month and you were concerned about what was going to be on
24 there, on that CCTV footage and that's why you moved everything out.

25 **NM:** So your evidence is that it took me two months to realise I was on CCTV?

26 **MD:** No, to realise the implications that the Assembly Commission could access that
27 CCTV at any time if they wanted to.

28 **NM:** So why was I not aware of that from day one?

1 **MD:** It wasn't a consideration. I mean, it was installed and you didn't realise—

2 **NM:** Why was... why was it not a consideration?

3 **MD:** You tell me that. I mean, I'm saying that it was a conversation we had, erm,
4 later down the line where you, erm, suddenly got paranoid about the CCTV
5 cameras. It was all around the time that you had had the sanctions for using the
6 room in the Assembly. So you had already, erm, been reprimanded for doing
7 political work on, erm, the Assembly estate. This then led to you being more
8 paranoid about being, erm—

9 **NM:** Okay. You've mentioned "paranoid" quite a few times. You've accused me. Do
10 I have a paranoid personality?

11 **RE:** Well, I'm not sure that even a psychiatrist could really... could say that—

12 **NM:** No, it ties in, it ties into something later, so I'm accused of paranoia. Erm, so
13 your submission is that suddenly after two months I realise I'm on CCTV and I'm
14 concerned, whereas I think most people would probably accept that once CCTV
15 is installed that you are aware of you being on... being on CCTV and I put to you
16 it's perhaps the reason I wasn't concerned about the CCTV and had never been
17 concerned because there's nothing really much going on, was there?

18 **MD:** There was. Now, like I said—

19 **NM:** [Inaudible 02:08:09].

20 **MD:** I mean—

21 **NM:** Okay.

22 **MD:** —the fact that it took you so long to recognise. I mean, I [inaudible 02:08:14] I
23 didn't realise that... or implications and the fact that—

24 **NM:** Okay, all right, fine, fine, fine.

25 **MD:** —they could be remotely logged into—

1 **RE:** No, but hang on, if you ask a question you have to listen to the answer.

2 **NM:** Yes, okay, all right.

3 **MD:** I... I didn't pick it up myself, none of us picked it up in the office. It was... you
4 were the first one to pick up the fact that, erm, we need to think again. The
5 Assembly Commission can actually remotely access this footage and that there
6 is a retention period of a month. I mean, and, yes, there was a good call but no
7 one else spotted it up until now so we're all guilty of that.

8 **NM:** All right, so none of us realised we were on CCTV for... for two months—

9 **MD:** No, no, I didn't say that.

10 **RE:** [Inaudible 02:08:56], Mr McEvoy, (a) it was two months, not three—

11 **NM:** Two months, yes, yes.

12 **RE:** —and wasn't Mr Deem saying that nobody realised they were on CCTV for two
13 or three months? That isn't the point he is making and it's not the point that you
14 are trying to repeat.

15 **NM:** Okay, so the... the point is it took me two months to be concerned about CCTV,
16 according to Michael.

17 **RE:** I think that's nearer the point that he is making.

18 **NM:** Okay, fine, all right. Well, I think that is quite surprising. You mentioned a black
19 bag over the camera at the back.

20 **MD:** Mm-hmm.

21 **NM:** Why was there a black bag over the camera?

22 **MD:** Erm, like I said, I'm not sure because I didn't put it on there. Erm, potentially it
23 was done by the builders when they plastered the ceiling in there to try and
24 protect, erm, the camera, erm, I'm not sure. All I know is that after that building
25 work was finished it was left on there because it was convenient that that

1 particular camera was out of action, because that's where most of the political
2 work happened.

3 **RE:** Which room was that?

4 **MD:** That was in the back office.

5 **NM:** Right, back office, okay.

6 **MD:** Where the folding machine was. Erm, that was where we would put rounds
7 together.

8 **NM:** [REDACTED]. I do recall
9 the... the bag. I do recall the builders did put it there. Your contention is that the
10 bag was left on the camera to put it out of action?

11 **MD:** Yes... no, like I said, it was... it was beneficial to not have that part of the office
12 covered by CCTV.

13 **NM:** Okay, but what would happen with the camera? It wouldn't be out of action, it
14 would be recording—

15 **RE:** [Inaudible 02:10:47].

16 **NM:** —but nothing else.

17 **RE:** Yes.

18 **NM:** Yes.

19 **MD:** Yes.

20 **NM:** Okay. So if the... so you are saying then, you are asserting that I wanted to stop
21 any footage of what was happening in the back room, correct?

22 **MD:** Yes, like I said, it was convenient to not have that area recorded.

1 **NM:** Okay. The most simple... the simplest thing to do in that case was simply to
2 move the mouse on the machinery and turn that camera off. Why wasn't that
3 done?

4 **MD:** Because that would show that we were actively trying to turn off the cameras
5 which again would have raised a red flag. Also I don't think we had the
6 credentials to log in and manually switch a camera off. I think the only people
7 that could do that was the security company—

8 **NM:** No, the... the cameras can be turned on and off at will and I think—

9 **MD:** I don't think so. I don't think they could and I don't think we can even—

10 **NM:** No, can... Mike, can I start again?

11 **MD:** Yes, carry on.

12 **NM:** What I've listened to you over the last three/two-and-a-half days is saying, "I
13 don't think," "I believe." Now—

14 **MD:** Yes, it's been a long time since I've been—

15 **NM:** I am telling you because I've done it myself because sometimes cameras go on
16 the blink and it's black and so you look, "Oh that one is not on." Click the mouse
17 and turn it back on. You don't need any credentials—

18 **MD:** I believe you do and I believe you also need to type in the administrative
19 credentials in order to go back through previous footage already recorded.

20 **NM:** No, you don't.

21 **MD:** There is a lot... it's very little that we could have done to that CCTV system
22 without the authority of the security company.

23 **NM:** Okay. So—

24 **■**: [Inaudible 02:12:44].

1 **NM:** Yes, it is, yes, the other one is you just... you just pull the cable out because that
2 happened as well by accident and that turn the... turn the camera off, erm—

3 **MD:** No, it would turn the monitor off. The cameras are hard wired so it would turn
4 the display monitor off but the cameras are still recording.

5 **NM:** No, it turns the camera off and you don't need any credentials to rewind the
6 footage because when I rewound the footage [REDACTED].
7 Erm, I didn't need any credentials for that. I suspected something was up so I
8 did check.

9 **MD:** Like I said, I don't... I think you need the security. Whether or not you have got
10 the ID from the security company, you are entitled to that—

11 **NM:** These are just matters of fact and I think you're deliberately trying to get away
12 from the issue really. If we wanted to stop the recording all we had to do was
13 turn it off. I'm happy to go to the manufacturer and the people that fitted the
14 camera to confirm that. Maybe that will be helpful but again you're [REDACTED]
15 [REDACTED] and saying, "Oh well, you... we couldn't do that because the system
16 doesn't allow it." The system does allow it and I think you know that really.
17 Erm—

18 **MD:** So even if you could get in and turn the cameras off, erm, that is going to be a
19 massive red flag to the Assembly Commission. Straight away they're going to
20 turn round and say, "Why have you turned your security camera off?"

21 **NM:** How would the... how would that happen?

22 **MD:** So you will be covered on the cameras going into that back office which is right
23 underneath one of the cameras and then logging in and turning the cameras off
24 for the site. So surely that's going to raise a massive like red flag?

25 **NM:** How, how? I'm unsure how that would happen. How would a red flag be
26 raised?

1 **MD:** Well, because they are going to ask the question, “Why have you turned your
2 cameras off?”

3 **NM:** How would they know?

4 **MD:** Because if... if they go back and check the footage, all of a sudden the cameras
5 have been turned off and they’re going to want to know why.

6 **NM:** Why would... why would they check the footage?

7 **MD:** They’ve got... they can... it’s their right to come in and view that footage. So it
8 would have been of no benefit to you to have gone in there.

9 **NM:** Okay.

10 **MD:** That would just raise—

11 **NM:** So you don’t... well, actually I think given everything that is on the CCTV there
12 could be an argument for staff maybe in downtime, to sit at the back and eat
13 food and maybe do so without being on camera. I think that’s reasonable. It
14 hasn’t come up but if somebody did raise it with me then I wouldn’t think that
15 would be a red flag and it would be quite reasonable really. Erm—

16 **MD:** Yes—

17 **NM:** —equally if people want... if people don’t mind being on camera, as they don’t,
18 then that’s fine. It’s not a red flag, it would be reasonable, but the point I’m
19 making is if we want to turn a camera off all we... all we would have had to have
20 done is just simply click the mouse—

21 **MD:** I don’t think you can.

22 **RE:** That’s an issue.

23 **MD:** Yes.

24 **NM:** Okay. We can return to that, it’s a technical issue. Erm, so what I’m saying to
25 you really is that [REDACTED] saying that all

1 the printing was done at the back and there was a black bag around it and it was
2 all cloak and dagger—

3 **MD:** I didn't say all of the printing was done at the back. I said the majority of printing
4 was done at the back. There was some printing done in the... the, erm, the
5 committee room. There as some folding done in the committee room. All I'm
6 saying is the majority of it was done in the back office.

7 **NM:** Okay. If you look at the... but you confirm that the... so where was most of the
8 printing done according to you?

9 **MD:** Erm, I say in my evidence it fluctuated between... there was a lot more printing
10 done before elections. So there was some printing done in the run up to
11 Plasnewydd, there was a lot of printing done in the run up to—

12 **NM:** That's not correct.

13 **RE:** hang on for him to finish the answer.

14 **NM:** Yes.

15 **MD:** —Grangetown. Erm, there was a lot of printing done before Christmas, erm,
16 there was a lot of printing done in the New Year. I mean, it went up and down
17 depending on what phase of the campaign we were in.

18 **NM:** Okay. So with, erm, the Plasnewydd by-election, when was that?

19 **MD:** 20th September.

20 **NM:** Okay. So you allege that we printed for the Plasnewydd by-election?

21 **MD:** We printed some. Not very much because you didn't like the candidate but we
22 printed a little bit.

23 **NM:** Mm, who was the candidate?

24 **MD:** I think it was, erm, erm, [REDACTED] from Plaid Ifanc. Is that his name?

1 **NM:** Mm-hmm.

2 **MD:** [Inaudible 02:17:10] I mean, the two of you didn't get along so we didn't really
3 support his campaign.

4 **NM:** Oh, right, okay, so we didn't support the campaign because we didn't get along,
5 I won't dispute that. The... but you said that we printed, so what—

6 **MD:** Yes, we still have to show a willingness. You know, even though—

7 **NM:** What did we print then?

8 **MD:** I haven't... I haven't got those leaflets, you know, we've printed. It's not part of
9 my evidence submission.

10 **NM:** So, well, you've said... you've said it now. So you're making another allegation
11 without any evidence that printing was done for the Plasnewydd by-election?

12 **MD:** Yes.

13 **NM:** During the election period?

14 **MD:** Yes.

15 **NM:** Okay. So therefore the candidate and the agent made false declarations to the
16 Electoral Commission?

17 **MD:** That's what you're saying.

18 **NM:** No, I'm not saying—

19 **MD:** I haven't seen their electoral declaration so I can't tell you what they were
20 considering when they sign the electoral declarations.

21 **NM:** So hopefully we will have the agent in giving evidence for you actually.

22 **RE:** I know this is difficult and I'm not trying to enforce technical or professional rules
23 but if you ask a question you must listen to the answer, right. Like it or not

1 you're going to get an answer. Secondly, there has been no suggestion at all by
2 Mr Deem that the returns by the election agent and the candidate were false. All
3 he has said to me so far is that prior to the Plasnewydd by-election they did a bit
4 of printing in the regional office, not much because you and the candidate didn't
5 get on very well but you did show willing by doing some printing. That is the
6 evidence. Now, whether you agree with it [inaudible 02:18:51] but that's the
7 evidence.

8 **NM:** Okay, but the fact of the matter is no printing took place.

9 **RE:** Well, you can give that in evidence in due course but that's your answer.

10 **NM:** But if... well, okay. So—

11 **RE:** I'm not saying he is right or not. I'm just saying that's the answer.

12 **NM:** Given that I know that no printing was done and therefore wouldn't have been
13 recorded in the returns—

14 **RE:** Well, you can say that when you give evidence.

15 **NM:** Okay, all right.

16 **RE:** I don't want to block you but just we can get on a more quickly as long as we
17 have question and answer. You can say whether you disagree or not [inaudible
18 02:19:26].

19 **NM:** Yes, okay. Strongly disagree. I think... the reason we didn't do any work in
20 Plasnewydd, what was the reason? I didn't like the candidate, did you say?

21 **MD:** Yes, and you didn't like, erm, Cardiff Central in general, you know—

22 **NM:** That's ridiculous.

23 **MD:** You didn't get along with people in Cardiff Central, erm, so, like you said, we did
24 a little bit. Erm—

25 **NM:** What work did I do in the election? Do you recall?

1 **MD:** You did a little bit of leafleting. I don't think you did canvassing. Erm, but, yes, I
2 remember... because we met [REDACTED] at the end of, erm, a street when we
3 were doing a round of leaflets so I knew that you were there and you were doing
4 some work—

5 **NM:** Okay, I suppose would you accept that the reason we didn't do anything at all
6 other than turn up one day in Plasnewydd was because we had actually no
7 chance of winning the seat and we... we want to have a more nuanced approach
8 to elections?

9 **MD:** Not really because, yes, we didn't have a chance of winning the seat but you
10 were always about developing seats, so we wouldn't not campaign just because
11 we didn't have a chance. We would still show our faces, we would still, you
12 know, do a little bit of campaigning because that was your philosophy.

13 **NM:** Mm-hmm, but can you look at exhibit 5H, 5I next please.

14 **MD:** Yes.

15 **RE:** 5H.

16 **NM:** 5H and 5I, yes. 5H first of all, which room is that?

17 **MD:** Erm, that is the conference room—

18 **NM:** Conference room, okay. So where is the Assembly printer?

19 **MD:** The Assembly one is the one on the extreme left.

20 **NM:** Mm-hmm. So the Assembly printer is in the conference room?

21 **MD:** Yes.

22 **NM:** Okay. The next one is 5I, is the back room?

23 **MD:** Yes.

1 **NM:** Yes. I think, Sir Roderick, Michael as well, you can see there the window and
2 you can see right out in the street. So it gives you an idea of what the office is
3 like there.

4 **RE:** Right. So that's the room that goes into... that's the wall [inaudible 02:21:51], is
5 it?

6 **NM:** That's the... the window there is the window in the middle—

7 **RE:** Right.

8 **NM:** —and beyond there is the street with the big plate glass window.

9 **RE:** Yes, right.

10 **NM:** So everyone can see in—

11 **MD:** Sorry, this is the door that I say needs to be open in order to see into this room.

12 **NM:** Yes.

13 **MD:** It's open in this instance so you can see through.

14 **NM:** The point I'm making on the evidence you gave last time was that you... you
15 said that the black bag was covering the camera in order to stop—

16 **MD:** No, this is pre-break in. These are the pictures [REDACTED] has taken just after the
17 break in with the... with the units are all open.

18 **NM:** Yes.

19 **MD:** This is... [REDACTED] sent these so the cameras haven't been installed then. There
20 is no monitor here. There is no hard drive here.

21 **NM:** So what date was the break in?

22 **MD:** Erm, by the looks of this, 4^h January, because these were sent on the 5th.

23 **NM:** My point is that the printers were situated in the conference room for most—

1 **MD:** Yes.

2 **NM:** —for most of the time, most of the time and any printing therefore would have
3 been carried out in that room.

4 **MD:** I said, Neil, that they can move between the front and the back. This is January.

5 **NM:** Let me put... let me put it another way—

6 **MD:** We've already been in the office now six months.

7 **NM:** Let me put it another way. The only evidence provided by you shows that the
8 printer was in the room where the CCTV was when it was... when it was fitted
9 was able to view everything.

10 **MD:** After this point, yes.

11 **NM:** Yes. So was the black bag on that camera there?

12 **MD:** Say that again—

13 **NM:** Was the black bag on the camera in the middle?

14 **MD:** No, it was on, erm, the camera in this room.

15 **NM:** In the back room?

16 **MD:** Yes.

17 **NM:** Okay. So the only evidence that you have provided about the location of the
18 printer puts the printer in the room where it was fully viewable from the outside
19 and fully viewable from the camera.

20 **RE:** No, that simply isn't right and I'm sorry, I really don't want to—

21 **NM:** Well, why isn't it right? I'm confused now.

22 **RE:** Because he said the printers were moved. He hasn't said it's only in one room.

1 **NM:** No, I didn't say that. What I said was the only... the evidence presented here,
2 the physical evidence, the photograph, only places the printer—

3 **RE:** Right, what you said was, "The evidence you have given."

4 **NM:** Okay, I'll rephrase that. The... I should have said exhibits, it's my lack of legal
5 training, the only exhibits you have given show that the printer was in the middle
6 room.

7 **MD:** The only... in relation to these pictures then, yes, the pictures only show it in that
8 room. In relation to my overall evidence, erm, I've submitted quite a lot. I'm
9 sure there are times in there where I've referred to printing in the back room. I
10 mean, that springs to mind. Erm, whether or not you're going to find it now but,
11 so the message transcripts, when we're discussing where we're doing stuff, so I
12 can't say all of my evidence puts it in the committee room but this picture shows
13 it.

14 **NM:** [Inaudible 02:24:54] photograph again, please.

15 **MD:** Yes, yes.

16 **NM:** Thank you. Erm, am I successful in politics?

17 **MD:** Big question. Erm, you've been... you have been successful, erm, in getting
18 elected to the Assembly. That's a big step going from a local councillor.

19 **NM:** Do people vote for me?

20 **MD:** Of course they do.

21 **NM:** Do people for vote for Plaid Cymru as a result?

22 **MD:** Yes, of course they do.

23 **NM:** Okay. So we've been successful in electoral terms. Why... why do people vote
24 for me and why did they vote for Plaid in Cardiff West and now more across
25 Cardiff?

1 **MD:** There's... there's a thousand reasons why someone could vote for you. Erm, I...
2 I don't know what you want me to say. I mean, that's such an open question.

3 **NM:** Would you agree that Cardiff, especially Cardiff West, has bucked the trend for
4 Plaid Cymru across Wales? We've seen some huge advances in votes whereas
5 across the rest of Wales we've massively fallen back—

6 **MD:** What, just speaking during your time as being a Plaid Cymru candidate?

7 **NM:** From 1999. I'm talking 1999 to 2016 so before I was elected to the Assembly.

8 **MD:** I... I joined Plaid Cymru in 2015. Erm, I'm really not... I didn't pay that much
9 attention to what was going on [inaudible 02:26:23]. I'm told that there has been
10 times in our past where we have had more councillors than we do now. Erm,
11 we've gone through phases where, you know, there's years where we were
12 heavily represented on Cardiff Council. We're obviously down to two councillors
13 now which is not a good place to be. So, you know, it's a rollercoaster.

14 **NM:** Well, there were three and we had the biggest vote ever in 2017. These—

15 **MD:** Sorry, the?

16 **NM:** The biggest vote across the city in 2017.

17 **MD:** Yes, but you're not a Plaid Cymru councillor now, are you?

18 **NM:** I was elected as one. The... the... what I'm trying to establish really is the
19 bucking of the trend. I think you do... I think you... you know a lot more than
20 you're letting on, Mike, because I think it's pretty clear that Cardiff West has
21 bucked the trend and you would be aware we've trebled the vote in that
22 constituency whereas across the rest of Wales we've fallen back. Would you
23 agree to that?

24 **MD:** I think... again, I mean, I haven't done a lot of research into how we were in the
25 past. Erm, we expected to do well in the council elections and we had a really
26 poor show, you know. I mean, you were talking about taking over the city and,

1 yes, we were elected with three councillors. I mean, we were a bit of a laughing
2 stock after that election, to be honest.

3 **NM:** Okay. Erm, I'm not going to say anything point-scoring because we came
4 second in 20 seats but the... but just focus on 2016. The vote there before I was
5 elected to the Assembly trebled in the constituency. I think you're aware of that
6 because you know it doubled in 2015 and you know it doubled again then in
7 2016. I'm just trying to get to the idea... and the reason why people tend to vote
8 for us in that part of the city. Would you say... would you say [inaudible
9 02:28:10]?

10 **MD:** So there is... there is... okay, so there is a couple of main reasons why we did
11 well in that Assembly election. Erm, the first one was, erm, money. We spent a
12 huge amount of money on that campaign, the likes of which we have never
13 come close to spending, erm, before in Cardiff West, erm, and the second
14 reason was again you got through to, erm, a certain demographic that hadn't
15 always voted for us.

16 **NM:** Yes, so there is—

17 **MD:** Erm, so it's just opening a brand new vote.

18 **NM:** I think Facebook was useful and so on.

19 **MD:** Yes.

20 **NM:** So there is a reputational benefit. There is a reputational reason we can... why
21 people vote for me, would you say that's fair?

22 **MD:** You were known as... you were known as the... the "Facebook guy". That was
23 your thing. You shot videos on Facebook.

24 **NM:** What kind of interviews were they?

25 **MD:** All sorts. Anything from, you know, potholes to dog poo. I mean, that's what
26 you were... that's what you were known for.

1 **NM:** Yes. Would you say therefore you... would you say I known for solving people's
2 problems, be that dogs' poo, be that rubbish—

3 **MD:** You were known for highlighting them, whether or not resolving them, because
4 very rarely you would go back to shoot afterwards. I mean, if you... if you could
5 identify when then you would go back and do it but you were more known as the
6 person that's bringing these issues to people's attention.

7 **NM:** Okay. So the point being... because we could always go back and maybe
8 you've forgotten some of the results we had but the point that I'm making is that
9 there is a reputation there. Would you agree?

10 **MD:** Reputation for what?

11 **NM:** Well, what... what is my reputation out there?

12 **MD:** Like I said, you're the "Facebook guy". You're the guy that makes social media
13 videos.

14 **NM:** Which it entails, which it entails.

15 **MD:** Shooting videos on... having a big social media presence.

16 **NM:** So you don't appreciate that my reputation is for being hardworking, first of all?

17 **MD:** Erm, yes, yes, definitely.

18 **NM:** Taking on... whether or not... leave the result to one side because we can
19 disagree on that. Let's just agree hopefully on taking on cases of people, for
20 people, would you agree with that?

21 **MD:** Yes, you take on casework.

22 **NM:** Okay. So the... do I do that substantially casework? Am I known for getting lots
23 of cases?

24 **MD:** Again it's hard to compare to any other office. I mean, this is my first job in a
25 political climate but, yes, I mean, we did a lot of casework.

1 **NM:** Yes. So we did a lot of casework. I'm not looking for comparisons. I'm just
2 trying to establish what, erm... what I'm known for, if you like. Erm, you're aware
3 of the set up of the office currently? You're probably not.

4 **MD:** Erm, the last time I saw the office, which room?

5 **NM:** Set up in terms of personnel really. You're aware of where we are with
6 personnel?

7 **MD:** Erm, not really. I think it's the same but with [REDACTED] does a few days.

8 **NM:** Okay.

9 **MD:** Erm, case... is it [REDACTED] is the caseworker?

10 **NM:** Yes. One of the benefits of being independent is I have got a different budget
11 now. So I've actually got four caseworkers. Do you appreciate why I've got four
12 caseworkers?

13 **MD:** I imagine you've got the budget to do it.

14 **NM:** Yes and why... why would I invest in caseworkers and may not invest in a PR
15 person, is there any particular reason why?

16 **MD:** To do casework.

17 **NM:** To do casework. So is that an important part of a role?

18 **MD:** Erm, yes, it's an important part of any Assembly Member's role to do casework.

19 **NM:** So what is my bread-and-butter then? If you look at me as an Assembly
20 Member, what is my bread-and-butter?

21 **MD:** Your actual bread-and-butter is campaigning. So I would say currently your
22 bread-and-butter is nuclear mud.

23 **NM:** Mm-hmm.

1 **MD:** Like that... that is what you get your headlines off and that's what drives your
2 social media.

3 **NM:** Do I use my casework to... because that is a case actually [inaudible 02:32:26]
4 case. Do I use my casework to campaign off?

5 **MD:** Erm, it depends on the... the case involved. So, yes, you could treat nuclear
6 mud... if you say it's casework, I don't really see it but that's turned into a
7 campaign. If it was a child protection case then, erm, no, that wouldn't turn into
8 a campaign at all because—

9 **NM:** Do we get lots of... do we get lots of child protection cases?

10 **MD:** Erm, you've got a few, yes.

11 **NM:** Yes, lots of access cases for children as well?

12 **MD:** Erm, yes.

13 **NM:** Yes. Would you say that was a specialism?

14 **MD:** Erm, again, I don't... I don't know.

15 **NM:** For me personally?

16 **MD:** You like taking them on, definitely. Whether that makes you a specialist, I don't
17 know.

18 **NM:** Do people get referred to me for those cases?

19 **MD:** Erm, no.

20 **RE:** This is very interesting.

21 **MD:** Yes—

22 **NM:** I'm trying to establish what—

23 **RE:** [Inaudible 02:33:18].

1 **NM:** I'm trying to establish what my office is about really because I've been sat here
2 for two-and-a-half days listening to Michael make the allegation that my office is
3 a purely political campaigning office when actually—

4 **MD:** I don't say it's a purely political campaigning office.

5 **RE:** He has never said that. I'm sorry, he has never said that, but this case, this
6 hearing is about political work being done.

7 **NM:** Okay, all right. How... in that case, I'm confused in that because you've
8 alleging... you allege for me and the election or sometime after the election until
9 31st August I produced 114,000 leaflets on the printer, 200-and... or 113,000,
10 226,000 copies, correct?

11 **MD:** Yes.

12 **NM:** Okay. You also said that the printer is fairly slow.

13 **MD:** Yes.

14 **NM:** Okay. So how many copies a minute did you say?

15 **MD:** Erm, I can't remember off the top of my head. I think it was two...

16 **NM:** So how many copies per minute [inaudible 02:34:25] would you get from that
17 printer?

18 **RE:** Which printer?

19 **NM:** The Assembly printer. Do you remember what you said the other day?

20 **MD:** Erm, I can't remember the figure—

21 **NM:** Can you have a guess what it was?

22 **MD:** Sorry?

23 **NM:** Can you guess what the figure was?

1 **MD:** Erm, no, I'm not going to guess, you know. What was the figure I gave? All I
2 know is that the campaign printer was a lot faster than the Assembly printer.

3 **NM:** Okay. So how—

4 **MD:** I don't think I gave an exact figure. Earlier on in the week I said I think that—

5 **NM:** Okay. So how many copies per minute do you think that it does?

6 **MD:** I don't know, ten to... ten to 20 copies a minute?

7 **NM:** There's a bit of a difference between ten and 20. You just said ten the other
8 day.

9 **MD:** It's not—

10 **NM:** It is a slow printer which means five leaflets and the reason I reached the
11 conclusion that my whole office is driven towards campaigning that case and not
12 the casework as we do really in reality is because on that basis my office would
13 have taken 800 hours to print those leaflets. So actually he is saying that the
14 whole focus of that office is political activity because we wouldn't have had time
15 to do anything else. That would take 800 hours to print on that printer—

16 **MD:** Neil—

17 **RE:** Is it a dispute on the number of items printed?

18 **NM:** Yes, yes, it is, yes, of course it is, we have got to deal with that later. It was
19 alleged by Michael that there were 113,000 leaflets produced—

20 **MD:** No, sorry, I didn't allege that, that is what is on the invoice that we were sent
21 from Clarity. I mean, if there is a dispute then—

22 **NM:** Yes, of course there is, [inaudible 02:36:00] again but you're... so I think in
23 alleging that and alleging this industrial scale of printing on such a slow printer
24 you're basically saying that our office has no time to do anything else.

1 **MD:** No, because you... you would sent the printer up. We wouldn't actually have to
2 stand in front of the printer while all those leaflets were done. We would come in
3 in the morning and... put a job like 3,000/4,000, whatever it was, through the
4 printer and just let it crack on for the day.

5 **NM:** That printer doesn't take anywhere near that and—

6 **MD:** It would take however much you tell it to. Whether or not it would need a lot of
7 parts replacing or, erm, every now and again going out the back to fill up the
8 paper, I mean, that's—

9 **NM:** Okay. So how many parts were replaced on this new printer?

10 **MD:** I have... I haven't got the parts replacement bills that we were sent to—

11 **NM:** There were none, none. So—

12 **MD:** Well, there were. We had engineer visits to come out and service that printer.
13 That was part of the service contract.

14 **NM:** There were no parts replaced on that Assembly printer, that will be on the
15 record. That's verifiable so—

16 **MD:** No, it wouldn't because that is part of the rental agreement. That's what we are
17 paying Clarity for the rental, that they come out and they service that machine.
18 The campaign printer was different. Because we didn't have the same
19 agreement with Clarity over the campaign printer we would have to pay for the
20 parts that were changed. The Assembly printer, they picked up the costs of that.

21 **NM:** There seems to be a dispute which can be resolved but part replacements, so
22 what I'm saying is that if we were printing, as you allege, hundreds of thousands
23 of copies on that printer then there would probably be some, erm, parts that
24 need... would need to be fitted as they were on the campaign printer.

25 **RE:** Are you asserting positively that parts were replaced or were not replaced on the
26 Assembly printer?

1 **NM:** Were not.

2 **RE:** Right.

3 **NM:** Erm, what I am disputing is the industrial scale of printing, that it's been
4 unlimited, because the... the whole focus in the office, the whole focus of the two
5 people sat here with me is providing a service to the public and I think you know
6 that. So I'm rejecting the allegation of, erm, the amount of printing you say was
7 done there, erm—

8 **RE:** Just pause a moment please. Now, are you—

9 **NM:** I'm making progress now. Is that okay?

10 **RE:** All right, no, no, no, I'm not hurrying you along. I just want to know what you
11 were saying about this document. You're saying that you challenge the 114,000
12 copies?

13 **NM:** Yes, I'll come to that later in evidence, if that's okay.

14 **RE:** Yes, that's fine.

15 **NM:** Michael, have you... [REDACTED] ?

16 **MD:** [REDACTED]
17 [REDACTED]

18 **NM:** [REDACTED]
19 [REDACTED]

20 **MD:** [REDACTED]
21 [REDACTED]
22 [REDACTED]

23 **NM:** What date was that?

24 **RE:** Is this relevant?

1 **NM:** It is, yes, yes.

2 **MD:** — when I had [inaudible 02:39:48].

3 **RE:** How is it relevant?

4 **NM:** Because I'm trying to establish credibility of a witness. My next question
5 actually, so as not to be personal, is do I [REDACTED] and
6 have you ever alleged that?

7 **MD:** We've had... we've had conversations in the past about, erm, [REDACTED]
8 [REDACTED]—

9 **NM:** It's pretty straightforward. Do I have... [REDACTED]
10 [REDACTED]?

11 **MD:** Erm, I don't know, Neil. As I said, we've had discussions about [REDACTED]
12 [REDACTED].

13 **NM:** Have you... have you alleged that I have a [REDACTED]?

14 **MD:** Erm, no, I don't think so.

15 **NM:** No, okay, right. So you have never alleged that?

16 **MD:** I don't know. I don't... I don't know what you are getting at, Neil. I don't... I don't
17 believe that I have alleged you [REDACTED] [inaudible 02:40:39]. Whether you
18 want to say... because I mentioned earlier on that you had a paranoid tendency
19 [inaudible 02:40:45]. What are you getting at?

20 **NM:** Yes, yes, yes, okay. The answer then that I have gained from you is that you
21 have never alleged—

22 **MD:** I didn't say that. I said I can't recall, erm, ever... every saying that. Like I said
23 earlier on, if you want... I did use the word "paranoia" earlier. Maybe I shouldn't
24 have used that term—

1 **NM:** Can we just be clear then because you have gone from saying that you haven't
2 alleged that I [REDACTED] to saying you don't recall alleging that.
3 So which is it?

4 **MD:** No, I had said I don't recall all along. I mean, that's... and what... what
5 conversations are we talking about here?

6 **NM:** Okay. No, I'm just trying to establish that—

7 **RE:** Establish what?

8 **NM:** Whether the allegation... truthfulness, to be frank, truthfulness. That's the...
9 that's what I'm trying to establish. So you have no recollection of me having...
10 you having accused me of [REDACTED] ?

11 **MD:** No.

12 **NM:** Okay. I know you have. If we move on... [REDACTED].
13 Erm, did you declare to me at any time before or during your employment, prior
14 to your suspension, [REDACTED] ?

15 **MD:** Erm, yes, I said I was [REDACTED]
16 [REDACTED] I don't think we sat down. We
17 had a conversation on the phone shortly after I was released.

18 **NM:** So when did you... [REDACTED]. When did we actually see each
19 other?

20 **RE:** [Inaudible 02:42:13].

21 **MD:** [Inaudible 02:42:13] I don't know—

22 **RE:** [Inaudible 02:42:16] explained that the kind of [REDACTED]
23 [REDACTED]
24 [REDACTED].

1 **NM:** I think it does because what I'm asking is a very simple question, have you
2 alleged [REDACTED]? You... you don't recall having
3 done that. I know you have alleged that.

4 **RE:** Right, well, that's fine. Okay, well, where do we go from there?

5 **NM:** Erm, just wonder... you say that you... in terms of... are you taking me to an
6 employment tribunal?

7 **RE:** I'm sorry?

8 **NM:** Are you taking me to an employment tribunal? Did you get your papers in on
9 time?

10 **MD:** Erm, yes, I sent my papers in on time.

11 **NM:** Okay, fine.

12 **MD:** Erm—

13 **NM:** So what is [REDACTED] in that case to allow you to be able to
14 lodge—

15 **MD:** Well, I put my papers in but the union had decided that they wouldn't be able to
16 support it. Erm, I was concerned that if I pursued it that I... well, I knew if I was
17 to lose that case you would have just whacked me with a huge, erm, bill for legal
18 costs. So, erm, I decided at that point not to pursue it.

19 **NM:** Okay.

20 **MD:** Erm, additional evidence has come to light since then which, erm, I need to take
21 advice as to whether that would warrant reopening the case but, I mean, as it
22 stands, no, I'm not taking you to the employment tribunal.

23 **NM:** Okay, so again we are back to [REDACTED] here. Did you formally allege that,
24 erm, [REDACTED]?

1 **MD:** Erm, I didn't allege it, I proved it. It was in [REDACTED] report that
2 was, erm, done by the Assembly.

3 **NM:** Erm, do you have [REDACTED]?

4 **MD:** Erm, I have a [REDACTED] —

5 **NM:** Okay, did you declare that before working for me?

6 **MD:** Erm, yes.

7 **NM:** Okay. Do you think you got on with the people you worked with?

8 **MD:** Erm, yes.

9 **NM:** Okay. What do you think [inaudible 02:44:37]?

10 **MD:** Sorry?

11 **RE:** Sorry?

12 **NM:** What do you think they think of you now?

13 **RE:** Well, that's completely irrelevant. You are going to have to stick to facts,
14 Mr McEvoy.

15 **NM:** Okay.

16 **RE:** I'm being as generous as I can. This isn't a formal court and you don't have
17 legal training.

18 **NM:** Okay.

19 **RE:** You have to keep questions that are relevant.

20 **NM:** In terms of the... the file, the evidence file, why is "[REDACTED]" written all over it?

21 **MD:** What do you mean?

1 **NM:** "█"?

2 **MD:** What do you mean, "Written all over it"?

3 **NM:** Written all over your file.

4 **MD:** Erm, the pencil marks at the bottom?

5 **NM:** Yes.

6 **MD:** Because when I was preparing the cross-examination questions, erm, I was
7 making at note of which complaint that that particular, erm, exhibit referred to.
8 So it would have been "DP1-2-3-4-5-6" in a circle. Erm, so it was just a cross-
9 reference for me.

10 **NM:** So what is "█" then?

11 **MD:** █.

12 **NM:** Okay. So was "█"—

13 **MD:** Erm, no, because I didn't get to the stage of doing █'s cross-examination.

14 **NM:** No, and "NM"?

15 **MD:** No, because I hadn't got to you. At that stage I hadn't got to your cross-
16 examination. I mean, the... this file was submitted an awfully long time ago.
17 Since then I have done the cross-examination questions but at the time of
18 submission I had only done █'s.

19 **NM:** How would you describe your working relationship with █?

20 **MD:** It used to be really good.

21 **NM:** Was there any confusion in your mind over that relationship?

1 **MD:** No, like I said, when... when I left the office on 19th June we had a fantastic
2 relationship. It was only months and months after, erm, that I had any inclination
3 that there was anything at all wrong with our relationship.

4 **NM:** Did you say that [REDACTED] was an incredible worker?

5 **MD:** Erm, yes.

6 **NM:** Did you say [REDACTED] was dedicated?

7 **MD:** Yes.

8 **NM:** Did you say [REDACTED] was passionate?

9 **MD:** Yes.

10 **NM:** Okay. Why did you used to call [REDACTED] "[REDACTED]"?

11 **MD:** It was just a word that I use. I... I saw that in the evidence and I thought that
12 was a really random thing to include in there, but, yes, I call a lot of people
13 "chick". It's "mate" and "[REDACTED]" is how I call people.

14 **NM:** Okay. Did you ever shout at [REDACTED]?

15 **MD:** Erm, no.

16 **NM:** Okay. Did you ever throw things at [REDACTED]?

17 **MD:** No.

18 **NM:** Did you ever swear at [REDACTED]?

19 **MD:** Erm, no.

20 **NM:** Okay. Can you go to 6A, page 14, please.

21 **RE:** Sorry, page again?

22 **NM:** 6A, page 14.

1 **RE:** Right.

2 **NM:** Right, so you have got [REDACTED] here. We'll come to the rest of it later but just the
3 swearing part. "Thought so, fucking piss take".

4 **MD:** Mm-hmm.

5 **NM:** Is that a swear word or...?

6 **MD:** Yes, it is but I'm referring to [REDACTED]'s decision. I'm not swearing at [REDACTED]

7 **NM:** Okay. So in the... so [REDACTED] was wrong to take that as her being—

8 **RE:** Hang on—

9 **MD:** No, I'm not.

10 **RE:** Can you just point that out to me again?

11 **NM:** Yes, it's one-two-three, it's the fourth line down and [REDACTED] says, "[REDACTED] I
12 have been [inaudible 02:48:00] but no luck. Will continue to ring," and then you
13 say, "Thought so, fucking piss take. Don't need this stress. I'll message him
14 now," which I suppose you are referring to me because [REDACTED] wanted to get on
15 with Assembly work, I think, erm, under direction from me. So saying that you
16 have never sworn at [REDACTED] isn't strictly correct, is it?

17 **MD:** No, you didn't ask me if I had used, erm, swearing around [REDACTED] You asked
18 me if I had sworn at [REDACTED] and I am not swearing at [REDACTED]

19 **NM:** Again, we're back to [REDACTED] I've witnessed you throwing stuff at [REDACTED]
20 and I bit my tongue because—

21 **MD:** This is you, Neil. We have been through this throughout the disciplinary
22 hearing, throughout the investigation, erm—

23 **NM:** [Inaudible 02:48:42] so I'm telling lies, that's all you have got to say. So am I
24 telling lies?

1 **MD:** Yes, I have never thrown anything at [REDACTED].

2 **NM:** Has the constituents ever witnessed you throwing things at [REDACTED]?

3 **MD:** No, and, Neil, I have seen the statement in there. I do... it's untruthful. I have
4 never thrown anything at [REDACTED].

5 **NM:** So why has [REDACTED] said that you used to throw things at her in the office?

6 **MD:** There's a lot of questions that... that I would love to ask as to why, erm, [REDACTED]
7 relationship with myself had broke down to such an extent at the time of making
8 those statements. I have my suspicions that they were highly influenced by
9 yourself. Erm, I can't prove that, erm, but I look at the wording on some of the
10 statements produced by [REDACTED], [REDACTED] and your other constituents that
11 you've got and it's all your... your words, Neil.

12 **NM:** Okay. So do you think it's all the constituent would complain about you, about
13 casework, about what you witnessed in the office or is he just doing it because—

14 **RE:** No, hang on. We have to stop this, I'm afraid.

15 **NM:** Right, erm—

16 **RE:** No, just listen. I really am giving you as much leeway as I possibly can, but
17 none of this at the moment deals with any issue that I have to decide.

18 **NM:** But the issue is honesty and—

19 **RE:** Well, look at the documents then, prove the documents. if you say to Mr Deem,
20 "Did you have a good relationship with [REDACTED]?" and he says, "Yes," you
21 say, "No," how is that going to prove it? "Do you have [REDACTED]?"
22 "Yes, I do." How does that go to honesty and truthfulness? I don't follow it.

23 **NM:** All right, you will do later, I would hope. Did you ever blame [REDACTED] for
24 anything?

25 **RE:** Do what?

1 **NM:** Did you ever blame [REDACTED] for anything? This is relevant.

2 **MD:** So I guess you are referring to, erm, again what we discussed in our
3 disciplinary.

4 **NM:** [Inaudible 02:50:45]—

5 **RE:** Well, let him answer the question.

6 **NM:** Can I have some water, please?

7 **MD:** Now, in, erm, one of the documents included within, erm, my disciplinary papers,
8 erm, you, erm... [REDACTED] has provided a statement saying that I had blamed [REDACTED]
9 for certain things. My contention, why I argued with you during the disciplinary
10 hearing, is that I hadn't said that to you but you had relayed that message to
11 [REDACTED]. So you had told [REDACTED] that I blamed [REDACTED] for certain casework tasks
12 not being done. The evidence that I have provided throughout my disciplinary,
13 erm, and I'm sure it's included somewhere within your file of evidence, is in
14 relation to those casework matters then I wasn't blaming [REDACTED] for anything. I
15 said that I needed to check with [REDACTED]. The fact that you didn't relay that
16 message back to [REDACTED] correctly is part of the reason why she now has this
17 perception of me. You would feed [REDACTED] these comments that I blamed [REDACTED] for
18 different things, which I never did. I said... if I didn't know a certain answer to a
19 case I would say, "I'll check with [REDACTED]." I don't know whose case it was, erm, I
20 will get more details, but you fed that back to [REDACTED] saying that I had said, erm, it
21 was [REDACTED]'s fault. There may have been over the year that we worked there,
22 there may have been things that I actually knew were... were not done by
23 [REDACTED], erm, but that may be one/two times over the entire year that I was
24 working with [REDACTED]

25 **NM:** So whilst [REDACTED] was... whilst I am stood in the doorway... this is a particular
26 incident and this is about truthfulness. Whilst I am stood in the doorway and you
27 were in the middle room and [REDACTED] was in the front room you deny telling me
28 that certain cases were [REDACTED] fault?

1 **MD:** No, I said that I had said I would... I said I would check with [REDACTED]

2 **NM:** Okay, so why.... why not then call [REDACTED] in and go through these with [REDACTED]

3 **RE:** I'm sorry, I'm sorry, this—

4 **NM:** Right.

5 **RE:** —what you have to understand, Mr McEvoy, this is not a rehearing of any
6 disciplinary proceedings against Michael Deem.

7 **NM:** Okay.

8 **RE:** This is an inquiry as to the information that's been put before me on paper.
9 Now, almost all of what Mr Deem has said is based on documents so the issue
10 of honesty is not irrelevant but it plays a minor part in this.

11 **NM:** Right, okay.

12 **RE:** Now, if you want to attack what he has told me you need to attack the
13 documents.

14 **NM:** Okay, I'll go through that when I can. The more factual stuff, was [REDACTED] on a
15 permanent contract?

16 **RE:** Well, either [REDACTED] was or [REDACTED] wasn't. Just say—

17 **NM:** Well, when did [REDACTED] start, when did [REDACTED] start the contract?

18 **RE:** Well, yes, you just... I've just been given the information about that by [REDACTED].

19 **NM:** Yes.

20 **RE:** [REDACTED] started 23rd May, ended 11th September according to this—

21 **NM:** Yes, yes.

22 **RE:** —and then later on, 12th September [REDACTED] was taken on in a different role perhaps
23 and [REDACTED] still—

1 **NM:** Yes, [REDACTED] okay, so what... and this is absolutely relevant, what holidays was
2 [REDACTED] entitled to?

3 **MD:** I'm not sure. It's in [REDACTED] contract, whatever it says in [REDACTED] contract.

4 **NM:** Okay, it was four-fifths of 31 days.

5 **RE:** How many, 31?

6 **NM:** Four-fifths of 31 days. Next question is what holidays did [REDACTED] take?

7 **MD:** How am I supposed to remember that? I knew [REDACTED] took holidays. I don't know
8 where [REDACTED] went and what [REDACTED] did, [REDACTED] took off to.

9 **NM:** So when did [REDACTED] take the holidays?

10 **MD:** I don't know, Neil. A bit of warning and I could have potentially provided you
11 with that information but to just turn round and tell me on the spot, "When did
12 [REDACTED] take—

13 **NM:** I'll tell you how many holidays [REDACTED] took—

14 **RE:** Hang on now. You're asking questions, not presenting evidence.

15 **NM:** Okay.

16 **RE:** If you want to deal with [REDACTED]'s holidays then you should give evidence or
17 you can give me a document which could be agreed. If you are saying, for
18 example, that what [REDACTED] is alleged to have said in this message [REDACTED] didn't say
19 because [REDACTED] is on holiday, then fine.

20 **NM:** [REDACTED] didn't take any holidays, that's the point really.

21 **RE:** Well, right, okay.

22 **NM:** [REDACTED] took—

1 **MD:** [REDACTED] did take holiday and there is actually... one of the messages I have already
2 read through when I say, erm, "Have a great time. Take lots of... lots of pics,"
3 and that was... I think it was, "We're going to Prague," potentially and brought
4 me back—

5 **NM:** [REDACTED]—.

6 **RE:** Thank you.

7 **NM:** [REDACTED] would have taken... it was two days. [REDACTED] went on long weekends with
8 her partner and that was it. It was... and yet...

9 **MD:** Thank you.

10 **NM:** The point I'm making is that do you not appreciate that [REDACTED] saved up all her
11 holidays, worked hours and hours of flexitime, as you should know, and that was
12 the time that [REDACTED] was using when [REDACTED] was acting politically.

13 **MD:** No, no.

14 **NM:** What time did—

15 **RE:** I'm sorry, you are putting what?

16 **NM:** I'm saying that [REDACTED] took two days I'm aware of holiday out of the time that
17 [REDACTED] was entitled to before June and the holidays and the immense amount of
18 flexitime that [REDACTED] built up, would you not agree that [REDACTED] would use that
19 politically?

20 **MD:** No, and how do you say [REDACTED] built this flexitime up, just out of curiosity?

21 **NM:** I'm asking the questions—

22 **MD:** Well, I can raise it later on. I mean, you did it to me, I'm doing it to you—

23 **NM:** Fine, right, ask me. So [REDACTED] would routinely start work at 7.40 in the morning.

1 **MD:** Evidence. [REDACTED] would travel and [REDACTED] would go on the train but we started when
2 we got to the office.

3 **NM:** So what was [REDACTED]'s usual routine?

4 **MD:** [REDACTED] would get a train from [REDACTED] in the morning, get to the office about sort of
5 nine/quarter past nine.

6 **NM:** Would you say that we had a flexible working arrangement in the office? Is the
7 office nine to five? There we go, it's an easy one.

8 **MD:** Again it depends what period. I mean, that's when we were, erm... we had to
9 keep the office open between nine to five, Monday to Friday. Erm, it was open
10 beyond that, erm, usually because there was some sort of, you know, campaign
11 that we had on, something that we had to do. Erm, yes, it... it wasn't structured.
12 There were some days where people came down, the shutter was down and the
13 office should have been open. So it wasn't—

14 **NM:** So there was no structure. So you can... you can see therefore that we don't
15 have a normal nine to five working arrangement, still—

16 **MD:** Yes, no, we did. As far as having to keep the office open for a set amount of
17 time we do but then we do a lot of stuff outside of our contracted times as well.

18 **NM:** Well, I could... you... I'm surprised you're not aware that [REDACTED] would... the first
19 thing [REDACTED] would do first thing in the morning would be to message me, catch
20 up with tasks, catch up from a whole host of emails that I would generally send
21 through. Do you accept that I would send emails at very odd hours of the
22 morning—

23 **MD:** Yes.

24 **NM:** —and there would be a load of work to do immediately, first thing?

25 **MD:** Yes.

1 **NM:** Yes, okay. Erm, so do you accept that [REDACTED] would switch on, fire up the
2 laptop, fire up the phone at 7.40 and would spend the entire journey from Neath
3 to Cardiff working on the train as a general rule?

4 **MD:** I... I hope [REDACTED] wouldn't. Because you're the public face of this... you can't be
5 doing Assembly work like that in... on a train to Cardiff. You know, when we got
6 into the office as far as I'm concerned that is when the working day would start.

7 **NM:** So you don't recall that what we have in the office, we still have it now because
8 it does work, is a very flexible working arrangement. The whole... do you not
9 remember that the... what I want as an employer is to bend over backwards
10 really and just fit... as long as we provide the service that we need to provide for
11 the public then [inaudible 02:59:22] flexible and amenable for you, as you used
12 to, to work as many hours as you wish almost and to fit things around that. Are
13 we flexible? Am I a flexible employer?

14 **MD:** What, did I do a lot of work outside nine to five? Yes, I did but the vast majority
15 of it was campaign work.

16 **NM:** Volunteer—

17 **MD:** Radyr was volunteer time but the rest was campaign time and that's how I would
18 build up my flexitime to have a month off for Westminster, because I did so
19 many extra hours.

20 **NM:** What campaigns did we run?

21 **MD:** We ran the Grangetown by-election, we ran the, erm, the full Cardiff Council
22 election.

23 **NM:** You refer to Butetown in the documents and direct mail. What did we do in
24 Butetown?

25 **MD:** Erm, supported the candidate, exactly in the same way we worked in Splott,
26 worked outside of Cardiff West, Grangetown.

1 **NM:** As an Assembly Member what was my interest in Butetown? What was I
2 campaigning on?

3 **MD:** Erm, I don't know. Erm, what was in Butetown?

4 **NM:** Drugs.

5 **MD:** Wasn't really LDP... yes, you would go for—

6 **NM:** Meetings, did we hold public... did we hold public meetings on needles, drug
7 abuse and prostitution and crime?

8 **MD:** I remember you... potentially you raised questions in the Senedd. I don't think
9 the Assembly Commission ever paid for public meetings. I mean, again feel free
10 to provide that evidence if it's wrong but, I mean, you ask questions in the
11 Senedd chamber about a lot of different things. It doesn't mean that that then
12 excludes that from being non-political.

13 **NM:** Do you concede that, for example, the Butetown issue, the... there was a lot... I
14 know this one. There was a lot of direct mail connected to a public meeting
15 which was about drug abuse and needle. Because we... sometimes there is an
16 overlap between council... do you concede there is an overlap between council
17 and Assembly work sometimes?

18 **MD:** Erm, I think I have already conceded that earlier on.

19 **NM:** Yes. What did I do... do you remember what I did with the needles, the needle
20 campaign... on Cardiff Council?

21 **MD:** No.

22 **NM:** I raised in the Assembly as well.

23 **MD:** No.

24 **NM:** It was the idea of safe injection areas, do you recall that?

1 **MD:** Erm, I didn't... I didn't know that that was your idea. I think that has been
2 proposed and has been trialled by the SNP, erm, but... so we have got safe
3 injecting rooms in Cardiff.

4 **NM:** No, that was... that was the campaign. So the direct mail and the leaflets
5 [inaudible 03:02:06] and the work down there was... do you not remember there
6 was legitimate Assembly work connected to the issue of needles?

7 **MD:** Not particularly... like I said, you can raise a question in the Senedd chamber to
8 promote, erm, a particular campaign a candidate was doing and that was a
9 service you offered candidates, you know. Erm, the fact that you were running
10 the Cardiff Council election that day and it was very useful that you were also an
11 Assembly Member because it gave us footage then of you raising these
12 concerns in the Assembly but it doesn't make them non-political.

13 **NM:** So you don't recall... so raising the issue... this comes up a lot as well. So me
14 taking up the... it was my idea actually. Me taking up the... not my idea globally
15 but I had read about things in Scotland and Portugal and the safe injection
16 areas. How is that political, how is that party political and how is it not part of my
17 role as an Assembly Member to run campaigns about those things?

18 **MD:** Yes, it was [REDACTED] that was fronting the campaign. He was the candidate.

19 **NM:** Right, and do you recall the meeting that I had at Butetown Community Centre
20 in 2016?

21 **MD:** Erm, no.

22 **NM:** No. About the drugs issue and needles, I invited [REDACTED], the local
23 AM?

24 **MD:** No.

25 **NM:** No.

1 **MD:** Like I say, I mean, you had lots of different meetings. I didn't know where you
2 were all the time. [REDACTED] was the one that scheduled your diary.

3 **NM:** Okay.

4 **MD:** Erm, if you say you were in a meeting then, I mean, by all means, erm, provide
5 evidence to that but, no, I don't remember you having a meeting with [REDACTED]
6 [REDACTED] there.

7 **NM:** Okay. [REDACTED] attending a meeting with me, erm, and [REDACTED] attending and so
8 on or you sometimes [inaudible 03:03:50] Radyr, for example, was that a way of
9 building up flexitime?

10 **MD:** Erm, it all depends when it was done, whether it was done on office time.

11 **NM:** Okay. I'm just surprised you don't recall that the needles campaign was a very
12 big part of what we did in that part of the city—

13 **MD:** I know, I know [REDACTED] was keen about it but we had a lot of candidates, Neil, there
14 was a lot of different campaigns—

15 **NM:** So you're saying that every campaign I conducted was party political?

16 **MD:** Erm, no, we have already established that... so the LDP had, erm, elements
17 within that that was legitimate Assembly work and in order to substantiate that I
18 told you that the Assembly Commission paid for the room in Radyr
19 Comprehensive School. Erm, I believe they paid for a room in Bishop of
20 Llandaff. Erm, so what I'm saying is with those public meetings the Assembly
21 Commission were in the loop but there was a lot of other public meetings that
22 they weren't involved and they didn't pay for. So if you are telling me you're
23 having this public meeting, you should just tell me who paid for it and that... that
24 would suggest whether it was a political meeting or a non-political meeting.

25 **NM:** Do you concede that [REDACTED] as part of [REDACTED] role did a lot of work on the local
26 development plan?

1 **MD:** ■... yes, it was the... it was our campaign strategy for winning Cardiff Council.

2 **NM:** How... how do you know that I have worked on the local development plan
3 issue? When did I start working on the issue?

4 **MD:** I think as long as I've known you.

5 **NM:** Mm.

6 **MD:** I can't say before that but it seems to be since I have known you you've been
7 raising it.

8 **NM:** Would it surprise you to be told that I've been working on it since 2010?

9 **MD:** Erm, no. I mean, if that's when you say you started work on it.

10 **NM:** So we did, we put a lot into that, didn't we?

11 **MD:** Yes.

12 **NM:** Yes.

13 **MD:** Yes, I spent a lot of time. We all spent a lot of time.

14 **NM:** Yes, so ■ as well?

15 **MD:** Erm, not so much ■ Erm, there... there is... I mean, ■ raised it as
16 part of ■ own campaign. Erm, I mean, ■ role was generally
17 organising printing, doing that sort of material. The stuff that we spent a lot of
18 time on with the LDP was all the research [inaudible 03:06:16]. So it was—

19 **NM:** Did we produce much documentation for the local development plan? Did we
20 create lots of things for the LDP?

21 **MD:** No, not a huge amount. We'd print the odd few papers. Erm, the actual LDP,
22 which is a huge document, erm, that was provided by the council. Erm—

1 **NM:** So is your evidence that we did not print thousands and thousands upon
2 thousands of documents related to the local development plan?

3 **MD:** Are you talking about documents relating to the local development plan or are
4 you talking about leaflets attacking the Labour Party because of the local
5 development plan?

6 **NM:** Both.

7 **MD:** Yes, we printed thousands of leaflets, politically motivated leaflets for the
8 promotion of a Plaid Cymru candidate but as far as the documents, you know, I
9 don't know, maybe a few hundred, you know, a few hundred pages. There
10 wasn't a huge amount printed.

11 **NM:** How big is the LDP in terms of... just to give an idea, really just that thick?

12 **MD:** Yes, that's probably about right.

13 **NM:** Yes. Erm, four inches thick in terms of... so it's that thick. So there is a lot...
14 that's more than that actually. That's just the first part of it. So you're talking a
15 document with tens of thousands of copies really, the local development plan?

16 **MD:** The local development plan has got thousands of pages.

17 **NM:** Tens of thousands.

18 **MD:** Tens of thousands of pages, as you say, but we didn't ever print the local
19 development plan.

20 **NM:** Okay. So you don't recall lots of, for example, information packs relating to the
21 local development plan?

22 **MD:** Yes, we produced information but that... compared to the size of the actual
23 document it was a fraction of... of what the actual document was made—

24 **NM:** Where did we print those documents?

1 **MD:** Various places. I mean, some of it was printed in the office, in the Senedd.
2 Some of it was printed in Cowbridge Road East. I mean, we're talking about
3 quite a period of time and again, I mean, there is different documents associated
4 with the LDP campaign.

5 **NM:** Yes.

6 **MD:** Some of them, the leaflets, I'd say are political in nature. Some of the, erm,
7 information packs for, erm, candidates were political in nature. Erm, some of the
8 interpretation work that we would produce for you to then go into the, erm... go
9 into various planning meetings and other meetings were, erm, not so political
10 but, you know, there was a lot done for it.

11 **NM:** All right. Erm, so where are the places we have printed stuff for the LDP?

12 **MD:** I've said the Assembly... Assembly office.

13 **NM:** Cowbridge Road East?

14 **MD:** Cowbridge Road East and Caerau. The leaflets were printed in Caerau Lane,
15 yes.

16 **NM:** Okay. Erm, did you print at home at all?

17 **MD:** Yes, I printed some stuff at home.

18 **NM:** So you printed... so you had a printing studio in your house?

19 **MD:** I wouldn't say a printing studio. I had a little, erm, desktop printer where I could
20 do... I mean, this... these sort of pages I printed at home.

21 **NM:** So you printed there. Erm, what was happening in Canton at that time, around
22 the autumn of 2016?

23 **RE:** Which part of 2016?

24 **NM:** The autumn of 2016.

1 **RE:** Autumn—

2 **NM:** What was happening in Canton?

3 **MD:** Autumn 2016. Erm, Grangetown by-election.

4 **RE:** [Inaudible 03:09:55] generally?

5 **NM:** Canton generally.

6 **MD:** Erm, I'd have to ask—

7 **NM:** What was the attraction... it is mentioned in the pack. What was the attraction of

8 [REDACTED] as a candidate?

9 **MD:** That he had a, erm... a Riso and a folding machine.

10 **NM:** Yes. So at that point what was he in Canton?

11 **MD:** Erm, he was a candidate for the election.

12 **NM:** [Inaudible 03:10:18]. So the candidate in Canton had a Risograph, he had a

13 folder.

14 **MD:** Mm-hmm.

15 **NM:** Did he have an office?

16 **MD:** Erm—

17 **RE:** Give me his name again—

18 **NM:** [REDACTED].

19 **RE:** Right.

20 **MD:** Erm, I don't know what he does in his spare time, why he has an office, but his

21 Riso and his folding machine were stored at Cowbridge Road East and that's

22 evidenced by the picture that I have provided earlier on. When you've got the

1 three printers, you've got the Assembly printer, the campaign printer and then
2 the Risograph next to it.

3 **NM:** I think you're confusing that Risograph with the original Risograph in the very
4 first office, we never used it because the quality—

5 **MD:** No, no, this was [REDACTED] Risograph in a picture.

6 **RE:** This was, is it 6H?

7 **MD:** 6H was it in?

8 **RE:** I'm not sure.

9 **NM:** So when did that come into the office?

10 **MD:** Erm, I can't remember, erm, before whenever this picture was taken. We never
11 used it so it was never—

12 **NM:** So why didn't you use it?

13 **MD:** Because it was rubbish. The quality on it was just not very good. The folding
14 machine we used all the time but the Risograph—

15 **RE:** It's 5H.

16 **NM:** So you don't recall the Canton leaflets being done by [REDACTED] in
17 his property before [REDACTED] fell out with [inaudible 03:11:44]. I'm just surprised you're
18 not aware of [REDACTED] office in Canton where everybody used to collect everything
19 from in Canton.

20 **MD:** Not really. No, Neil.

21 **NM:** Okay.

22 **MD:** No.

23 **NM:** Why was [REDACTED] no longer a candidate?

1 **MD:** All right—

2 **NM:** Why was he no longer a candidate.

3 **MD:** Erm, because [REDACTED] fell out with, erm, [REDACTED]

4 **NM:** Okay. So when did [REDACTED] fall out with [REDACTED]?

5 **MD:** Erm, again I would have to go back through the email trails. It was before the
6 election.

7 **NM:** How did we end up with, I would say, only [REDACTED] folder? Because the Risograph
8 was the one purchased by [REDACTED] [inaudible 03:12:20] that was purchased—

9 **MD:** The Risograph, the Risograph wasn't purchased by [REDACTED], it was [REDACTED]
10 [REDACTED] took it back from the office. Erm, turned up one day and just took it with
11 [REDACTED]. Shortly after we moved the campaign printer, erm, but we purchased a
12 folding machine because that was a good piece of equipment.

13 **NM:** Okay. So that was purchased in January 2017, I believe.

14 **MD:** [Inaudible 03:12:46].

15 **NM:** To make it easier, did you... do we purchase another Risograph before the
16 election in 2016 which we never actually used?

17 **MD:** I don't think so, no. I don't ever remember purchasing... no, where is it?
18 Where—

19 **NM:** So you don't... it was in the office in the photographs. So you don't actually—

20 **MD:** No, it's not, Neil. Sorry, two seconds, let me just—

21 **RE:** [Inaudible 03:13:09].

22 **MD:** That Risograph in the corner is [REDACTED] that he brought to
23 Cowbridge Road East shortly after [REDACTED] was selected as a candidate. [REDACTED] also

1 brought his folding machine. We tried using it but it just wasn't very good. So it
2 just stayed there in the corner collecting dust and then when—

3 **RE:** The folding machine or the Riso?

4 **MD:** Erm, the Risograph. We used the folding machine all the time. That was kept in
5 the back office for the majority of the time, erm, and then when we moved the...
6 erm, the campaign printer out of here, erm, then you also told [REDACTED]
7 [REDACTED] to come and get this Riso out. There was never two.

8 **NM:** So your evidence is that we have never... [REDACTED] never printed
9 anything for us?

10 **MD:** Erm, no, again I didn't see it. I... candidates are free to print their own leaflets in
11 their own time, that is their business. What I said is we have printed a lot of
12 leaflets on—

13 **NM:** It's funny you should say that because did [REDACTED] have a printing
14 business?

15 **MD:** I said to you I don't know what [REDACTED] did in spare time. I had very little to do with
16 [REDACTED]. I maybe met [REDACTED] three or four times. [REDACTED] was never a
17 regular at the office.

18 **RE:** I think we should have a break.

19 **NM:** Okay.

20 **RE:** We'll have a 15-minute break.

21 *Egwyl / Break*

22 **NM:** That's better, yes. Okay, right. Erm, I just want to recap, Michael, on a few
23 things. Erm, you admitted the... or you agreed the office is open and
24 transparent?

25 **MD:** Erm, yes, as much as possible.

1 **NM:** Whose office is nearby?

2 **MD:** You've got further down Cowbridge Road East, erm, [REDACTED] office and
3 [REDACTED] office.

4 **NM:** Do they keep an eye on us?

5 **MD:** I don't know. Erm, I imagine they probably keep an eye on us as much as, erm,
6 we keep an eye on them, which was, I mean, not a great deal. I don't think they
7 really, erm, pay that much attention to... to us.

8 **NM:** Are we able to... I think [inaudible 03:16:28] do. Are we able to keep... how are
9 we able to keep an eye on them with their frosted glass? Back to this
10 transparency. We're not, are we?

11 **MD:** No, when we keep an eye on them we keep an eye on what activities they are
12 doing.

13 **NM:** Okay. Erm—

14 **MD:** What campaigns they are fighting, what the—

15 **NM:** Have they ever made complaints about us?

16 **MD:** I don't think [REDACTED] and [REDACTED] personally made complaints
17 about you. I know, erm, [REDACTED] in Fairwater made complaints about
18 you. Erm, [REDACTED], [REDACTED] makes complaints about you.

19 **NM:** You mentioned the complaints culture earlier that we suffered from. Yes, that
20 exists?

21 **MD:** Erm, it's a style of politics.

22 **NM:** So whatever I do quite often gets complained about in some way?

23 **MD:** Erm , I think, erm, there's been times where Labour politicians have looked at
24 things you have done and used that and put complaints in against you.

1 **NM:** Do you recall any—

2 **RE:** Thank you, thank you very much.

3 **NM:** Do you recall any particular complaints about our office, the Assembly office?

4 **MD:** Erm, there was a complaint about the fact that the Assembly office had been,
5 erm, put on the legal imprint at the bottom of one of the leaflets—

6 **NM:** Yes.

7 **MD:** —and ██████ admitted that that was a sort of a mistake on his behalf.

8 **NM:** Do you remember the fuss over the signage?

9 **MD:** Fuss over signage.

10 **NM:** The name and party logo? [Inaudible 03:18:22] I think... was it you or ██████
11 that, erm... there is a point to this. Was that you or ██████ had worked out the
12 dimensions for the size of the logo. Do you remember that complaint?

13 **MD:** Erm, I remember, erm, concerns had been raised over the fact that Plaid Cymru
14 logo was on the regional office. Erm, I don't think we were ever told who
15 submitted that complaint but MBS asked the question. So we submitted the,
16 erm... the proof that was sent to the printers for the Assembly Commission
17 and—

18 **NM:** Yes, who submitted that?

19 **MD:** Erm, probably myself.

20 **NM:** Yes, I think maybe you did, yes. Because I remember you being proud that you
21 had checked the size, the dimensions of it, so they couldn't actually complain.
22 Do you remember any of the complaints from Labour sources?

23 **MD:** Erm, obviously the complaint from the ██████ that meant that you
24 had to face the tribunal against a council official, that was a big one. Erm, there

1 was, you know, regular articles that were printed, erm, criticising yourself and we
2 were named by Labour councillors.

3 **NM:** Okay. Signage, do you remember the first sign with my name on in Canton?

4 **MD:** Erm, yes, there was, erm, a complaint about, erm, the fact that you had left one
5 of your election boards up at the end of... the other end of Cowbridge Road East
6 on a wall. Erm, I think... I'm not sure which department within the council
7 contacted us but they said that outside of election periods then you needed,
8 erm, planning permission in order to put those boards up.

9 **NM:** Yes. It wasn't a political sign, was it? It was just my name, do you remember?

10 **MD:** It was... yes, it was a "Neil McEvoy" board. It was the one that's in this picture.
11 There's a big ten-foot "Neil McEvoy" board here with your name and "Plaid
12 Cymru" on it.

13 **NM:** So it was as political as my office frontage? It's the same "Neil McEvoy, Plaid
14 Cymru" logo?

15 **MD:** Erm, yes, there was no... erm, other messages on it. It was the boards that we
16 had put for election time.

17 **NM:** Yes. So it was allowable in that case, it wasn't party political. It was just a "Neil
18 McEvoy" logo like outside the office? "Neil McEvoy, Assembly Member"?

19 **MD:** Well, no, because the council refused it. Because it was... so the sign on the
20 front, you're allowed to have a sign on the front of your office but you can't just
21 put up big billboards on the end of a street promoting yourself. You would need
22 planning permission. There's, erm... there's specific laws in relation to
23 advertising in this country and anything over a certain size, erm, then you need
24 permission from the authorities to have that sign put up.

25 **NM:** Yes. [Inaudible 03:21:24] because I remember discussing it with the owner.
26 The owner got upset because he was having so much hassle because my name

1 was on his wall, even though we had agreed it. So he took it down. Do you
2 remember—

3 **MD:** Yes, it's the council that [inaudible 03:21:37]. I mean, there's... there's laws in
4 place that govern advertising and then the council then enforce those laws.

5 **NM:** The point I'm making, erm, the complaint about the size of the logo, sign... they
6 complained about a sign on the wall. Do you remember the fuss about the
7 poster in the window?

8 **MD:** Erm, which poster?

9 **NM:** ■■■'s.

10 **MD:** Erm, yes, they didn't agree with the fact that you had... during the Grangetown
11 by-election you were promoting one of the candidates from the office window.

12 **NM:** Yes. Do you remember how long the poster was up for?

13 **MD:** Erm, no.

14 **NM:** I don't think I was in the office actually. Erm, do you remember?

15 ■■■: 30 minutes.

16 **NM:** 30 minutes, it was up for 30 minutes.

17 **MD:** Okay.

18 **NM:** Would you agree there was a short space of time that it was up?

19 **MD:** Whether or not it was 30 minutes or not or whether it was a couple of days, like
20 it wasn't up for weeks.

21 **NM:** Okay. It wasn't up... so the point I'm making is that—

22 ■■■: A compliant arrived within 30 minutes, that was the point.

1 **NM:** Yes. The point that I'm making is that as soon as I do something in Cowbridge
2 Road East with an office you can see right through there is a complaint if there is
3 anything untoward. So—

4 **MD:** You're talking about the frontage. I mean, everything you have raised is
5 something that's on street level. It's not inside the office, you know.

6 **NM:** Okay. So all I'm saying is in terms of logical thought is that given that they have
7 complained about my sign, after 30 minutes they complain about a very small
8 poster going up on the window, which shouldn't have gone up, then we took it
9 down, and a complaint about the size of my logo, do you think it would be very
10 rash of me to routinely industrially print tens of thousands of leaflets in a space
11 that people could see into?

12 **MD:** Erm, well, first of all people can't see what's being printed on those machines
13 from the street. Erm, they get collected in the out tray of the printer so I would
14 dispute that people can see what you're actually printing. Erm, as I said, the
15 majority of the folding and stuffing was done in the back office which isn't visible
16 from the street when the door is shut. Erm, there were times when it was, erm,
17 done on the, erm... the meeting table in the committee room but again unless
18 someone was actually stood with their face against the glass on the street, erm,
19 they wouldn't have been able... even then they would struggle to see what the
20 documents we were folding were.

21 **NM:** Did that ever happen when people were faces pressed against the glass?

22 **MD:** Erm, no.

23 **NM:** Okay.

24 **MD:** Not to observe us. You know, I think people often sort of as they are walking
25 past the shop window are looking.

26 **NM:** Okay.

1 **MD:** I think they call it “window shopping”, erm, but, yes, I think we would have
2 noticed if there was someone there for an extended period of time making notes
3 about what was going at the office.

4 **NM:** But I’m just exploring the idea of this hive of activity constantly about producing
5 leaflets, dishing out leaflets just yards away from a rival AM’s office. Doesn’t
6 really make too much sense to me really.

7 **MD:** It happened. I mean, like I say, the majority of it was in the back room in the
8 office. Erm, we would have noticed straight away if someone was standing
9 there looking in on what we were doing but, erm, whether or not that was a
10 rational thing to do is a different story.

11 **NM:** But when I said, “What was the attraction of [REDACTED] coming in in
12 terms of, erm, [REDACTED] being a candidate?” you said that he had a Risograph and [REDACTED]
13 had a printer.

14 **MD:** Yes, yes. No, he had a Risograph and a folder.

15 **NM:** Folder, yes, Risograph and something, yes, Risograph and a folder. Erm, I’m
16 surprised you don’t recall [REDACTED] had his own printing firm?

17 **MD:** I don’t... I don’t recall [REDACTED] had a printing firm. Erm, I recall that, erm, [REDACTED] had a
18 hobby to do with printing and that’s where we first acquired the Risograph but I
19 didn’t know that’s what [REDACTED] day job was, that [REDACTED] had a printing company. So I
20 don’t—

21 **NM:** It may not be part of a hobby but was just a commercial hobby because [REDACTED] was
22 Llandaff... [REDACTED].co.uk. Erm, so as part of what [REDACTED] did was it was an
23 income stream—

24 **MD:** So, sorry, was this office that you see that... in Canton or Llandaff?

25 **NM:** Canton.

26 **MD:** Okay.

1 **NM:** The company is called... it was at llandaff.co.uk because he... do you remember
2 ■ was a candidate in Canton?

3 **MD:** Erm, yes, ■ was a candidate for a short amount of time, obviously ■ wasn't—

4 **NM:** Do you remember what ■ said originally?

5 **MD:** Erm, no, I only remember him being a candidate in Canton.

6 **NM:** ■ stayed... ■ was a candidate in Llandaff North. ■ was trying to work out
7 why [inaudible 03:26:30] as an income stream uses the Risograph to print and
8 did us some favours even when ■ wasn't in Plaid, why ■ would give us ■
9 Riso?

10 **MD:** To help in the campaign. I mean, that was the reason ■ left versus the reason
11 why he lent us the folding machine. Like I say, I mean, I dispute the fact that
12 there was two Risographs. I only ever have knowledge of one Risograph. Erm,
13 at the time when it was first donated to us we were talking about getting a Riso
14 to help out with the campaign. Erm, potentially you have then approached ■
15 to ask ■ for a Riso but when we got it we realised it wasn't very good.

16 **NM:** Okay. So ■ you can see we did have a Risograph?

17 **MD:** I have always said that.

18 **NM:** Okay.

19 **MD:** The Risograph was from ■

20 **NM:** ■ had his own company which you are aware of now?

21 **MD:** Yes, if you're telling me.

22 **NM:** Okay.

23 **MD:** Like I said, I thought it was a hobby. Erm, if you are telling me ■ has got a... ■
24 has got a business printing—

1 **NM:** So what was a hobby?

2 **MD:** Something that you do in your spare time.

3 **NM:** No, what was [REDACTED] hobby? You said [REDACTED]—

4 **MD:** Printing. I mean, that's my understanding of [REDACTED] as a person, [REDACTED] did printing.

5 **NM:** Okay, so—

6 **MD:** That's why [REDACTED] had the Risograph.

7 **NM:** [REDACTED] did printing because it was [REDACTED] hobby and [REDACTED] had a Risograph. So [REDACTED]
8 printed... where did [REDACTED] print in that case?

9 **MD:** Erm, I'm not sure but, like I said, I don't... I don't know a huge deal about [REDACTED]
10 [REDACTED]. I've maybe met [REDACTED] on four or five occasions. I've had more
11 communications with people, erm, telling me about [REDACTED] than actual... actually
12 having conversations with [REDACTED]

13 **NM:** But we have established that [REDACTED] did live in Canton. You say—

14 **MD:** Well, I don't know, you tell me [REDACTED] lives in Canton. Like I say, I knew [REDACTED] was a
15 candidate in Canton. Erm, I don't know where [REDACTED] lived, I don't know where this
16 office is that you are saying [REDACTED] has, erm—

17 **NM:** Had.

18 **MD:** Had.

19 **NM:** I think [REDACTED] has moved now but you can see that this individual called [REDACTED]
20 [REDACTED] had a hobby of printing?

21 **MD:** Mm-hmm.

22 **NM:** So you're aware of that?

23 **MD:** Yes.

1 **NM:** ■ had a Risograph?

2 **MD:** Yes.

3 **NM:** ■ had a printer?

4 **MD:** [Inaudible 03:28:43]—

5 **NM:** Sorry, I keep on saying “printer”. Folder, folder, and ■, despite the income
6 stream that ■ got from that, decided to give us those things for our office—

7 **MD:** But I... I don't think there is an income stream, that's what I'm saying.

8 **NM:** Well, I'm disputing that, you see, because—

9 **RE:** There is no dispute, we just don't know.

10 **NM:** Okay, erm—

11 **RE:** There is no evidence yet. I mean, if you say that you can produce evidence of
12 income stream from it, so be it, but currently at least there is no evidence.

13 **NM:** What did people say about ■, and I assume it was ■?

14 **MD:** Erm, ■ is difficult to work with.

15 **NM:** Okay. So ■ said that?

16 **MD:** Erm, quite a few people said that.

17 **NM:** Okay. Erm, [inaudible 03:29:31] all right. How long has ■ translated for Plaid
18 Cymru?

19 **RE:** Sorry?

20 **NM:** How long has ■ translated for Plaid Cymru?

21 **MD:** Since before I joined the party. ■ would... ■ has been doing translation on
22 a voluntary basis for, as I understand it, decades.

1 **NM:** Decades, yes. So [REDACTED] was the regular translator, the go-to translator for
2 leaflets?

3 **MD:** No, [REDACTED] was one of a group of people that, erm... that would do various bits of
4 translation over the years.

5 **NM:** Who did the other translations?

6 **MD:** Erm, [REDACTED] did some, [REDACTED] did some, erm—

7 **NM:** [REDACTED].

8 **MD:** [REDACTED].

9 **RE:** [REDACTED]?

10 **MD:** [REDACTED]. Erm, [REDACTED] did some translating, erm, who else?
11 [Inaudible 03:30:25] maybe, I don't know.

12 **NM:** [Inaudible 03:30:28], no, no.

13 **MD:** There was a group—

14 **NM:** [REDACTED] would fill in on occasion, very rarely. Erm, I'm surprised that... would you
15 have... so you don't agree that [REDACTED] was the go-to person for translation and
16 always was?

17 **MD:** Erm, no, because it was always [inaudible 03:30:42]. The translating prior to
18 her, erm... her employment in the Assembly was, erm, because it was on a
19 voluntary basis we wouldn't send everything to [REDACTED] to, erm... to translate. It
20 would have been shared around the constituency. It would be unfair to send
21 everything to one person for translation. [REDACTED] did so much other work with
22 regards to delivering leaflets and knocking doors, you just couldn't send it all to
23 [REDACTED] to be done.

24 **NM:** [REDACTED] never delivered leaflets.

25 **MD:** She did. Neil, she knocked so many doors, delivered the leaflets—

1 **NM:** It doesn't matter. Knocked doors [inaudible 03:31:20] doing leaflets, [REDACTED] would
2 never do leaflets [inaudible 03:31:23]—

3 **MD:** Yes, but you... you hated knocking doors but you still did it, you know.

4 **NM:** I love knocking on doors, one of my favourite hobbies—

5 **MD:** Oh, okay.

6 **NM:** —and leafleting.

7 **RE:** So you say [REDACTED] never delivered—

8 **NM:** [REDACTED] would hate leafleting. [REDACTED] would refuse.

9 **RE:** Well, it's different hating it.

10 **NM:** No, [REDACTED] never... no,

11 **MF:** [REDACTED] couldn't

12 **NM:** No, [REDACTED] so... but [REDACTED] would... but [REDACTED] would canvas. For
13 some reason [REDACTED] would canvas but [REDACTED] wouldn't leaflet. Just an anomaly really.
14 I think because of the [REDACTED] would find, erm, leafleting too difficult
15 because [REDACTED] would go from door-to-door without a break, whereas when you
16 canvas you can walk up the door, have a chat to somebody and it's a lot less
17 intensive. Erm—

18 **MD:** Sorry, and we're talking about her career volunteering for Plaid Cymru now,
19 so—

20 **NM:** Since roughly 2012 it's always been the same. Since you joined anyway it's
21 been like that. In terms of—

22 **MD:** I've known [REDACTED] deliver leaflets since I joined, yes.

23 **NM:** Okay. Just wanted to touch on [REDACTED]'s role because, erm, [REDACTED] was paid £1,500
24 from me, correct?

1 **MD:** Erm, I haven't got the figures—

2 **NM:** Yes, £1,500, I can verify. Erm, so your contention, I assume [inaudible
3 03:32:41] ■■■'s contention is that I paid... that £1,500 was paid for translating
4 stuff for Plaid Cymru?

5 **MD:** Erm, yes.

6 **NM:** Everything, all of that money was for that?

7 **MD:** Erm—

8 ■■■: It was £1,100.

9 **NM:** Oh, one thousand—

10 ■■■: £1,107.28.

11 **NM:** £1,107.28.

12 **MD:** I can't think of any other job that ■■■ did. Erm, yes, no, I think, yes, it was all
13 translating.

14 **NM:** £1,107. Erm, we'll come to ■■■ role later but I just want to pick up on this
15 because you admit that ■■■ was a volunteer for decades. The evidence file that
16 you presented shows that ■■■ translated after ■■■ term of employment ended
17 with me. Would you concede that?

18 **MD:** Erm, yes, but again... after, erm, ■■■ term of employment we went back to the
19 old routine of spreading the translation out. So during ■■■ employment anything
20 that we had to translate we would send to ■■■. Erm, before that and after that it
21 would be spread around the group.

22 **NM:** Certainly not my recollection. Erm, but the key point is that ■■■ did translate
23 before being employed by me a lot. Did ■■■ work hard at it?

24 **MD:** Not more... with relation to the translating, not more than the other people that
25 were tasked with doing it. I mean, ■■■ would do it. Erm, I think if you say did

1 ■■■■ work hard? Yes, ■■■■ worked incredibly hard because she knocks on
2 doors—

3 **NM:** Translation I mean. Erm—

4 **MD:** Okay then, ■■■■ did about the same as everyone else.

5 **NM:** Is ■■■■ a professional translator?

6 **MD:** Yes.

7 **NM:** Yes. Is ■■■■■■ a professional translator?

8 **MD:** Erm, I don't think so, no.

9 **NM:** ■■■■ isn't, no. Who is the other person, ■■■■. Is ■■■■ a professional translator?

10 **MD:** Erm, no, not—

11 **NM:** So I think... I'm surprised you don't accept that they are stopgaps if ■■■■ for some
12 reason couldn't do something.

13 **MD:** Well, and ■■■■, in fairness, ■■■■ has a translating business that ■■■■ has to keep...
14 ■■■■... that is the reason why we couldn't send everything to ■■■■, because ■■■■
15 has a business to run. ■■■■ has got to pay the bills so it would be unfair sending
16 everything. That's why after you were elected, erm, ■■■■, erm, started working
17 for you because you had a budget then to be able to start paying for some extra
18 translation work through ■■■■ rather than always relying on the volunteers.

19 **NM:** How did ■■■■ react to me giving her just four hours a week, do you recall?

20 **MD:** ■■■■ accepted the hours that you had available in your budget.

21 **NM:** Was ■■■■ happy?

22 **MD:** I believe so.

23 **NM:** Okay.

1 **MD:** I mean, you had approached [REDACTED] with an offer to do some translating work that
2 could be paid for. Erm, the fact that [REDACTED] was now going to get paid, even if it
3 was a small amount for some translation work, I mean, it's good business, you
4 know.

5 **NM:** Would it surprise you that [REDACTED] told me that the £1,000 that [REDACTED] had off me over a
6 period of November, December, January, February, March, April, six months,
7 was, erm, barely worth anything to [REDACTED]?

8 **MD:** Well, it's something, you know.

9 **NM:** Okay.

10 **MD:** I mean, it's probably not the money that [REDACTED] would make, erm, elsewhere but it's
11 better than nothing.

12 **NM:** Do we agree that [REDACTED] can be frank?

13 **MD:** Erm, yes, [REDACTED] speaks [REDACTED] mind.

14 **NM:** Okay. Would it surprise you that [REDACTED], after a few wines one night, was pretty...
15 let me know that [REDACTED] was pretty displeased about the arrangements?

16 **MD:** If you say that you've had that conversation with [REDACTED], I mean, you can raise it
17 with [REDACTED] when I call [REDACTED] as a witness but, no, as far as I'm concerned, erm, I
18 mean, this was a better arrangement than [REDACTED] had previously.

19 **NM:** How often was the... how often was the office open?

20 **MD:** Erm—

21 **NM:** How often was the office open?

22 **MD:** Mostly nine to five, Monday to Friday. Erm, some days we'd, erm, go in there on
23 the weekends if we were meeting there to go out and canvas or deliver leaflets.
24 Erm, sometimes I'd go in there after. I'd stay on after hours to do printing. Erm,
25 the majority of the Assembly work was, erm, within the nine to five period. I

1 can't think of anything Assembly related bar maybe the odd occasion where that
2 would fall outside of—

3 **NM:** [Inaudible 03:37:40] Saturday mornings?

4 **MD:** Yes. I mean, Saturday mornings was usually to do with campaign activity. We
5 wouldn't like book in case work meetings for a Saturday morning, for example.

6 **NM:** Was [REDACTED] happy about opening up on a Saturday?

7 **MD:** [REDACTED]?

8 **NM:** [REDACTED].

9 **MD:** No, what do you mean "opening up on a Saturday" morning?

10 **NM:** Was [REDACTED] happy about... for the pittance that [REDACTED] was paid, was [REDACTED] happy about
11 opening the office on a Saturday?

12 **MD:** [REDACTED] didn't open the office.

13 **NM:** So it's not your recollection that [REDACTED] opened the office?

14 **MD:** No, [REDACTED] didn't, that wasn't part of [REDACTED] role. [REDACTED] role was try and... [REDACTED] was
15 a freelance translator.

16 **NM:** Who opened the office in that case on a Saturday? Because it was open on a
17 Saturday.

18 **MD:** More often than not myself, because [REDACTED] has got a family, [REDACTED] wouldn't work
19 weekends. [REDACTED] was back in [REDACTED]. So between me, you, maybe [REDACTED] on a
20 few times. Erm, definitely not [REDACTED]. I mean, [REDACTED] might turn up later on in the
21 morning and go off for a canvassing session for the day but it was never... I
22 don't think [REDACTED] didn't even have keys to the office.

23 **NM:** There were councillors doing canvassing sessions in Fairwater, surgeries and
24 so on, so they would have been [affected? 03:38:49] by that.

1 **MD:** So [REDACTED] never came to the office, so [REDACTED] would never come to the office—

2 **NM:** [REDACTED] would do the surgeries, [REDACTED], and, erm—

3 **MD:** The surgeries would start at eleven o'clock in the morning.

4 **NM:** Yes, yes. Yes, yes. [REDACTED] wouldn't open up, [REDACTED] is far too busy to do anything
5 like that. In terms of... what's the going rate for translation?

6 **MD:** I have no idea.

7 **NM:** A mate's rate, £75 for a thousand words and the going rate would be £100 or
8 more. So if I paid [REDACTED] £1,000 and it was only for translation then... and when
9 you say that it was everything for Plaid Cymru and that everything she translated
10 was paid for by me, but [inaudible 03:39:36] money if that was the case after the
11 first manifesto.

12 **MD:** Yes, but regardless of whether or not [REDACTED] was getting a good deal for... a good
13 return on the amount of translating [REDACTED] was doing during that time is irrelevant.
14 There was a budget available of however much it was, £1,100. Erm, there was
15 no more in the budget to pay. [REDACTED] understood that and as far as I am
16 concerned [REDACTED] was happy with it.

17 **NM:** I wasn't going to go into this now but we may as well since we're dealing with it.
18 There is one translation in here from [REDACTED]. I just wondered what was wrong with
19 it really. Erm, [inaudible 03:40:17]. Do you have the page?

20 **MD:** It would be towards the end somewhere. It's in your initial evidence [inaudible
21 03:40:24].

22 **NM:** Okay. Public meeting, motorbikes—

23 **MD:** Which exhibit?

24 **NM:** Sorry, yes, erm, 6BM.

25 **MD:** Page 2, yes.

1 **NM:** Erm, right, "Public meeting. Motorbikes, have your say. Monday
2 21st November, 7.30, Western Leisure Centre." Erm, I just wonder what was
3 wrong with that really?

4 **RE:** 6BM?

5 **NM:** Yes.

6 **MD:** BM, page two.

7 **NM:** Sorry, yes, I should say—

8 **RE:** Page 2, right.

9 **NM:** Yes. Erm, "Public meeting. Motorbikes, have your say. Monday
10 21st November, 7.30, Western Leisure Centre." I wonder what was wrong with
11 that?

12 **MD:** Well, so this is an example of one of the campaigns that was led by, erm, a
13 particular candidate, in this case it's [REDACTED] erm, in Caerau. This
14 was... erm, this was one of [REDACTED] big, erm, campaign ideas. Erm, I am not aware
15 that the Assembly Commission paid for this particular public meeting. I mean,
16 you're wrong, I didn't attend the meeting myself, erm—

17 **RE:** Sorry, what is the name of the candidate again?

18 **MD:** [REDACTED].

19 **RE:** [REDACTED] and the ward?

20 **MD:** Caerau. Did the Assembly Commission pay for it?

21 **NM:** I don't know.

22 **MD:** Well, that would seem to be quite a big piece of evidence because if they did
23 pay for it then it was non-political. If they didn't pay for it then it was political.

24 **NM:** Right, okay. Well, why is that? I don't really understand that.

1 **MD:** So, as I explained earlier, some of the LDP meetings were paid for by the
2 Assembly Commission because you had made a case of why, erm, you were
3 doing this meeting in your role as an Assembly Member and then other public
4 meetings were called for political purposes and you never made that case to the
5 Assembly Commission to pay for the rental of the room. I imagine... because
6 this is sent to ■■■ for translating I imagine this is one of the public meetings that
7 the Assembly Commission didn't pay for.

8 **NM:** I don't know. I don't see the relevance of them paying. Did I used to claim
9 much on expenses?

10 **RE:** Hang on, it might be relevant, I don't know, but it might be relevant.

11 **NM:** Okay.

12 **RE:** Is this part of your job as—

13 **NM:** Of course it is.

14 **RE:** —as an Assembly Member or are you supporting the campaign of another ward
15 candidate?

16 **NM:** Is there a difference?

17 **RE:** I'm sorry?

18 **NM:** Is there a difference? Because actually we, if I look back at the very beginning, I
19 have been campaigning... I have been campaigning on this since roughly 2008
20 when I was... started as a councillor in Fairwater. [Inaudible 03:44:12] lovely
21 woods, nice houses next to the woods, horrendous problems with motorbikes,
22 horrendous. Ruins bank holidays, ruins weekends because of the noise.
23 Similar problem in Caerau so it's a big issue there. Of course these issues were
24 raised by Plaid Cymru candidates. They weren't candidates at this point. We
25 were hoping to get some actually. We were trying to, erm—

1 **MD:** [REDACTED] was a candidate for only the day [REDACTED] first arrived at the office
2 really. You can tell the quality of a candidate—

3 **NM:** We were... we were... we were campaigning... what I do is I campaign on issues
4 like this because it's a way of engaging with people and this is... this is a matter
5 which is of real concern because there are people driving round the estates
6 putting people's lives at risk and as an Assembly Member I would say what I'm
7 saying here is legitimate. "Public meeting. Motorbikes, have your say. Monday
8 21st November, 7.30, Western Leisure Centre. I'm writing to invite you to a
9 public meeting I have organised on the growing issue of illegal motorbike riding
10 in Cardiff West. Many people love riding but there is no good facilities so never
11 do it, fact. So too often they are riding illegally through the streets of Cardiff
12 causing serious danger. This public meeting is to find out the scale of the
13 problem and to seek solutions so that motorbike riders can do the sport they
14 love without putting people in danger. I wrote that as an Assembly Member,
15 "Hope to see you there. Neil McEvoy, AM, South Wales Central." My question
16 to you there is what is wrong with that?

17 **MD:** Like I said, if this was not a, erm, political meeting, a campaign meeting, erm,
18 there would have been resources, erm, available to not only pay for the room,
19 erm, but also promote it. Erm, knowing you if there was any chance of using a
20 budget to, erm, pay for, erm, one of these type of events you would have
21 squeezed every single penny out of that budget.

22 **NM:** So knowing me... you seem to be implying there that I, as you say, squeeze
23 every penny out of the budget?

24 **MD:** Yes.

25 **NM:** But that's not what you used to say to Members' Business Support, is it?

26 **MD:** We would use as much of the budget as possible, erm, for, erm, obtaining
27 resources to do campaigning. So whether that's the staffing budget, whether
28 that's using the office cost allowance to buy paper, to buy, erm, printer
29 cartridges, to buy, erm, the Beastgrip, we would use as much as possible. In

1 relations to... in order to maximise that we would not, for example, submit
2 expense claims for mileage or travel expenses. We didn't do... we didn't submit
3 that sort of claim but when it came to using, as I say, the staffing budget and the
4 stationery budget and all the rest of it, yes, and the reason... was because you
5 reprimanded me during the, erm, investigation because of it. Because I didn't
6 use all of the budget one year and you... you have used that as a reason to
7 discipline me during the investigation, because you were... you want to make
8 sure that every single penny that was available to you... like I say, whether it
9 was staffing, whether it was the research and comms budget, you were angry at
10 me because all of that budget hadn't been used.

11 **NM:** First of all, the... we're going to get too far down the disciplinary route on that in
12 particular. How much money—

13 **MD:** Only because the investigation was put on hold when you realised that there
14 wasn't grounds to proceed the original investigation. The only reason we didn't
15 go into it any further was because a separate complaint was submitted by
16 [REDACTED] in September. You decided that that took precedence over the original,
17 erm, investigation. Erm, you decided to then bypass the investigation route on
18 the secondary complaint and skip straight to disciplinary so there wasn't an
19 independent officer looking at my case.

20 **NM:** I think, well, I don't want to go into too much detail. I think we can both accept
21 that there was a loss of confidence between us both and that resulted in
22 termination. How much money was left over from the budgets? Because if I
23 squeeze every penny, how much was left over?

24 **MD:** Erm, so the research and comms budget, erm, I think most of that budget wasn't
25 used.

26 **NM:** No, no, it was used, £2,500.

27 **MD:** Yes.

28 **NM:** Why was I angry about that? Because I was angry, I was very angry.

1 **MD:** Because you... like I say, you want to use every part of the budget.

2 **NM:** What did I want to use that budget for? It was really crucial.

3 **MD:** Erm, I think you say in one of the conversations earlier on you wanted to give
4 [REDACTED] some of it to... it's already been gone over in evidence. Erm,
5 [REDACTED] to research, erm, [REDACTED] Labour contacts. Erm, you wanted to give
6 something to [REDACTED], erm, to research, erm, how you would, erm,
7 apply the law surrounding the LDP post, Cardiff Council election.

8 **NM:** So was that party political?

9 **MD:** So [REDACTED] attempted to make the case... erm, it was never, erm, submitted to the
10 Assembly Commission to, erm, decide whether that was party political. So, I
11 mean, on reading it, you know, it could have gone either way.

12 **NM:** Okay. So why was it never submitted? Probably it doesn't matter. It wasn't
13 submitted. I was unhappy because I wanted to know more about the law. Do
14 you remember... do you remember the... the [REDACTED] thing we considered. Do
15 remember me not wanting to go forward with that? It wasn't just Labour. What
16 we are looking at is a Labour state, in effect, that we wanted to explore but we
17 thought... it would be best to employ [REDACTED] to do a good piece of research,
18 very cheaply, in fact. We'd have got a lot more than £2,500 and look at the
19 Future Generations Act and how that could be applied with local development
20 plans. Do you recall?

21 **MD:** Yes, yes.

22 **NM:** Okay. Erm, go back to the [inaudible 03:51:03] meeting. So even though you
23 say that I wanted to squeeze every penny out of every budget there was £2,500
24 we didn't use there. Unhappy, I did want to squeeze that budge for the research
25 clearly. It was also... how much was left over in the end, the budget?

26 **MD:** Erm—

27 **RE:** [Inaudible 03:51:16].

1 **NM:** It was £3,000.

2 **RE:** Yes, but how does this help me?

3 **NM:** Because the point about who paid for the meeting, you said it was relevant. I
4 may pay the bill myself because quite often I would do that. Other times I
5 wouldn't. So I would contradict your statement that I squeezed every penny and
6 the proof is in the pudding. There was £3,000—

7 **MD:** Well, it's not because... yes, the proof is in the pudding. You were extremely
8 angry at the fact that I hadn't used all of the budget.

9 **NM:** So the fact that people who went on to be candidates and other members of the
10 community, erm, wanted to engage on motorbikes, how is that political, party
11 political? How have I contravened rules in holding a meeting, asking residents,
12 "What's your view of these people tearing through the neighbourhood almost
13 knocking children over and making lots of noise pollution?" How is that—

14 **MD:** And it's outside the run up to an election then, you know, that could be
15 perceived as a very worthy use of your time as an Assembly Member. What I'm
16 saying is this was the campaign of ██████████ in Caerau. Erm, I believe
17 actually, like I said, I didn't go to this meeting but was this the one where, erm,
18 ██████████ turned up with the Labour Party and berated you on stage
19 and afterwards you sent a message saying, "From now on all Assembly support
20 staff are to go to public meetings and show support." It was a political meeting.

21 **NM:** It wasn't a great meeting for us but I wasn't shouted down. It was, erm... there
22 wasn't a stage, it was just a room. When did that meeting take place according
23 to your evidence?

24 **RE:** Where?

25 **NM:** Yes, when, I'm sorry.

26 **RE:** When. Well, 21st November—

1 **MD:** Yes, [inaudible 03:53:06].

2 **NM:** Okay. You just... so when did the council election campaign start?

3 **MD:** Erm, council election campaign started back in... for me personally, 2015.

4 **NM:** Okay.

5 **MD:** Erm, I put two years—

6 **RE:** Well, we've had conversations dealing with it certainly in August and September
7 2016.

8 **NM:** Mm-hmm, planning the campaign, not the campaign.

9 **RE:** Well, planning the campaign, yes.

10 **NM:** So—

11 **MD:** Yes, I mean, it started at various times for different wards.

12 **NM:** So... because... so when were the candidates selected for Caerau? It's in your
13 evidence.

14 **MD:** Erm, erm, sometime in 2017. I'm not sure when but—

15 **NM:** Approximately... I think was it 21st March or maybe 7th April, very late. So how
16 on earth is 21st November political?

17 **MD:** Yes—

18 **NM:** [Inaudible 03:54:00] campaign—

19 **MD:** —I wasn't... I wasn't selected as a candidate in Radyr until March 2017. There
20 was no way that anyone else was going to be standing for that seat in Radyr.
21 Regardless of whether anyone was being selected or not, we knew [REDACTED]
22 [REDACTED] was going to be standing in Caerau from the first day [REDACTED] walked through
23 the office because [REDACTED] was such a quality candidate.

1 **NM:** So just to... ■ was an excellent candidate actually. Erm, but so what you're
2 saying is that this is political work because somebody who then went on to be a
3 candidate supported what I was saying?

4 **MD:** Yes. I mean, ■ was an activist then if you want to use that terminology but
5 regardless it was a politically motivated meeting.

6 **NM:** Everything... in... we deal with politics, we deal with policies, so clearly things
7 are politically motivated but I'm allowed to engage with the public, it's in the
8 rules. So I don't understand what... why this is in there. I don't understand why
9 it's being raised in relation to ■.

10 **RE:** Okay.

11 **NM:** The local development plan—

12 **RE:** You may have a very good point on this. I just don't know, but would it help if
13 we were to identify, for example, whether this was something that was paid for
14 by the Assembly—

15 **NM:** Could do.

16 **RE:** —and whether you were paid—

17 **NM:** Yes, we could find out.

18 **RE:** —travelling expenses or whatever you get. I don't know what the advances
19 are—

20 **NM:** I don't... I didn't have a car at the time.

21 **RE:** Well, [inaudible 03:55:34].

22 **NM:** Erm, tried to walk, it was pretty impractical.

23 **RE:** Yes but that was a joke actually.

24 **NM:** I used to walk—

1 **RE:** A bad one but it would help maybe if we knew whether this was paid for.

2 **NM:** I would say though that that's not relevant because, erm, it was a community
3 engagement meeting.

4 **RE:** Right. Well, explain to me then because I need to know this.

5 **NM:** Yes.

6 **RE:** If you are holding a meeting which is entirely political you won't be allowed to
7 use any Assembly resources for it, is that right?

8 **NM:** Yes, yes.

9 **RE:** Right. If you are holding a meeting which is to do with your work as Assembly
10 Member you would be entitled to use Assembly resources?

11 **NM:** Yes, if I chose to.

12 **RE:** Sorry?

13 **NM:** If I chose to.

14 **RE:** But you are entitled to?

15 **NM:** Mm.

16 **RE:** Whether choose to is another matter—

17 **NM:** Yes, yes.

18 **RE:** —but you are entitled to.

19 **NM:** Mm.

20 **RE:** So you would be entitled to use your staff to arrange this, to do the translation
21 and you would be entitled to ask the Assembly Commission to pay for hiring the
22 room?

1 **NM:** Yes.

2 **RE:** Right, and anything else, whatever—

3 **NM:** Yes. With this, as with many of the issues, we have highlighted the needles
4 earlier, what I'm actually doing is engaging as an Assembly Member. I'm just
5 doing my job—

6 **RE:** Are you?

7 **NM:** Yes.

8 **RE:** Yes, I'll accept that for the moment, for the sake of argument. What the ultimate
9 decision will be is another matter but let's just for the sake of argument accept
10 this was your work as an Assembly Member with huge engagement.

11 **NM:** Of course.

12 **RE:** Therefore you would be entitled to have the bill for the room paid for and
13 whatever else.

14 **NM:** Yes.

15 **RE:** Would it help, I mean, if you come back to me and say, "Well, actually the
16 Assembly paid for this"?

17 **NM:** But then this was my meeting. Erm, what I do is I publicise myself around
18 areas. I have my surgeries, I have my street surgeries. I produce leaflets. I get
19 them translated. We get them delivered by volunteers who come into the office
20 otherwise we would never get them delivered. I do direct mail with mail merges
21 which [REDACTED] is now trained on, as you kindly indicated in the bundle, and that is
22 the bread and butter of me as an Assembly Member.

23 **RE:** Yes, and all that is perfectly legitimate for which you are entitled to use your
24 staff—

25 **NM:** Yes, yes.

1 **RE:** —entitled to claim whatever expenses you are entitled to claim.

2 **NM:** Yes. If it would have been—

3 **RE:** Well, hang on.

4 **NM:** Yes.

5 **RE:** This... if you are saying this is your work as Assembly Member, it will simply
6 assist you and me directly of course if you were to say, “Well, here is a bill that I
7 put it into the Assembly Commission for hiring this room and they paid it,”
8 because that will put it beyond [inaudible 03:58:17], wouldn't it?

9 **NM:** But if... yes, it would, yes. If a meeting is billed as Plaid Cymru candidates'
10 meeting, a Plaid Cymru... then that would be political. So, for example, if we...
11 we used to hire the Church of the Resurrection sometimes, we'd pay that.
12 Those would be Cardiff... Cardiff Plaid public meeting. It wouldn't be a Neil
13 McEvoy meeting. These were Neil McEvoy meetings and I'm entitled to do that,
14 otherwise we would never have used direct mail.

15 **RE:** [Inaudible 03:58:49].

16 **NM:** Yes.

17 **RE:** If you come back to me next week and say—

18 **NM:** How is the [inaudible 03:58:57] where is the link to [inaudible 03:58:59].

19 **RE:** [Inaudible 03:59:00].

20 **NM:** Sorry.

21 **RE:** If you come back to me next week and say, “This was a Neil McEvoy meeting.
22 This was me as an Assembly Member. Here is the bill paid by me, [inaudible
23 03:59:12],” that's it, isn't it?

24 **NM:** Yes, but then I really don't understand the point about [REDACTED].

1 **RE:** No, forget about [REDACTED]. If, on the other hand, you are saying to me,
2 "This was a Plaid Cymru banner meeting"—

3 **NM:** Yes, yes, it wasn't.

4 **RE:** —then if it was then you aren't entitled to have any expenses, are you?

5 **NM:** No, no.

6 **RE:** And that you aren't entitled to use your staff, you aren't entitled to use [REDACTED]
7 [REDACTED]. That's the line, isn't it?

8 **NM:** Yes, yes.

9 **RE:** So which side of this line do you say it falls?

10 **NM:** This was a Neil McEvoy meeting.

11 **RE:** Right, so are you able to tell me then on Thursday next week whether you put
12 the bill in?

13 **NM:** Erm, possibly but, to be honest, it wouldn't matter whether it was put in or not
14 because there is nothing there which is party political, nothing. I'm signing off as
15 South Wales Central Area.

16 **RE:** Yes.

17 **NM:** I'm not signing off Plaid Cymru Cardiff West, Plaid Cymru, even though I think I
18 could probably do that really because if you look at the literature we send out
19 there's always a Plaid logo on it and that's allowable. I'm allowed to have a
20 Plaid Cymru logo outside the office, but really this ties into lots of the stuff with
21 the local development plan which I wanted, erm, [REDACTED] to research for me.
22 He wasn't able to do that because we didn't get the claim in. Erm, and you
23 spoke earlier about lots of documentation that we did, we had a public meeting,
24 if you recall, with [REDACTED].

1 **MD:** Yes, that was, erm... that was one, erm, by, erm... I was the chief organiser for,
2 yes, it was really successful, yes, and the Assembly Commission paid for that,
3 so it's a good example.

4 **NM:** Okay, so why wasn't that... why wasn't that party political? Because you said
5 you were going to be the candidates. So why wasn't that meeting party
6 political?

7 **RE:** Erm, did I say, I don't think I did, that I was going to be the candidate in that
8 meeting. It was [inaudible 04:01:00] I was chairing that meeting and it was you
9 and [REDACTED] that were—

10 **NM:** But at this point, erm, at this point back in, erm, November we were a long way
11 off [REDACTED] becoming a candidate. I was hoping he wouldn't, yes, erm, but... so
12 you allege it was political but when you did it, it wasn't political. Where is the
13 difference between the Radyr meeting and the Caerau meeting which you say
14 was political?

15 **MD:** So I organised the, erm... that particular public meeting like I did with, erm, a
16 number of public meetings that we held in Radyr. Erm, some of them I was
17 openly attacking the Tory councillor there, [REDACTED]. Erm, I would
18 say that those were political in nature. Erm, the LDP meeting that we had with
19 you and [REDACTED] in Radyr Comp, erm, was not one of those occasions. If
20 you remember, I chaired the meeting. I introduced you, I introduced, erm, [REDACTED]
21 [REDACTED]. So, erm, that was the purpose of that.

22 **NM:** Yes, okay—

23 **MD:** I then sent out the packs afterwards and again I was using Assembly resources.

24 **NM:** Okay. So what I'm putting to you is that because it was billed as an Assembly
25 Member consultation meeting about the local development plan it was allowed.
26 Would you agree?

27 **MD:** Erm, yes.

1 **NM:** Okay, fine. Erm, and do you also agree that lots of the work therefore that we
2 were doing at that time was about the local development plan, and that was a
3 huge amount of work for us back then.

4 **MD:** Erm, yes, I've said numerous times we have done a lot of work on the LDP.

5 **NM:** So was that work legitimate?

6 **MD:** As I've said, there is a big crossover in what is legitimate and what is not
7 legitimate. Sending the leaflets is not legitimate whereas, you know, raising
8 questions, then it is.

9 **NM:** When does it become illegitimate then? Because I'm confused about the local
10 development plan because that was... I've been campaigning on it for ten years.
11 First person to call me a liar in 2012 and then what I said was going to happen
12 did happen which I think gave us a lot of credibility. Erm, and I just don't see
13 what is political about it in any way, shape or form.

14 **MD:** Sending out thousands of leaflets with candidates' faces on saying, erm, "This is
15 what we are... we as councillors will do. When we are elected to Cardiff Council
16 we will overturn the local development plan." That is the political angle.

17 **NM:** Yes, that's a political angle in the campaign but that... that doesn't explain all the
18 material we have produced for those meetings, the packs that you then did as
19 well, which... some of them which you produced at home?

20 **MD:** Yes.

21 **NM:** Okay. Erm, so—

22 **MD:** But I'm not saying that that material is [inaudible 04:03:49].

23 **NM:** Really I think the nub of the matter as well a lot of this is about the local
24 development plan which do you agree there was a massive amount of work we
25 did on the LDP?

26 **MD:** Yes.

1 **NM:** And I worked on it, we all worked on it, do you agree?

2 **MD:** Yes.

3 **NM:** Did [REDACTED] work on it?

4 **MD:** Erm, yes, [REDACTED] did the leafleting side of it, the political side of it. [REDACTED] didn't do,
5 erm, the research element.

6 **NM:** Did [REDACTED] attend our public meetings on the LDP?

7 **MD:** Erm, some of them, not all of them.

8 **NM:** Did [REDACTED] help organise them?

9 **MD:** Erm, again, some and not all.

10 **NM:** So was [REDACTED] assisting me in my role as an Assembly Member with the LDP?

11 **MD:** Erm, no, not in your role as an Assembly Member. [REDACTED] was assisting you in
12 your role as a candidate.

13 **NM:** Right. So me holding a public meeting in, erm, Radyr or Llandaff as an
14 Assembly Member and [REDACTED] assisted me on that, how is [REDACTED] not assisting
15 me as an Assembly Member?

16 **MD:** Because [REDACTED] was a candidate for the election. Like I said, there were many
17 public meetings held throughout the year. Erm, some of them were billed as
18 consultation when you are Assembly Member, some of them were billed as
19 opportunities to promote the local candidates. So, as I said, there's a fine line to
20 tread and we know which side we had to stay on in each particular meeting.

21 **NM:** So we know which side we had to stay on?

22 **MD:** Erm, yes, definitely. The ones that were paid for by the Assembly Commission,
23 they... we were not to be openly politically attacking anyone in those meetings.
24 They were more, "Come along. This is what is happening. What's your say?
25 Listen to the audience," whereas—

1 **NM:** Okay. Do you... are you seriously saying that [REDACTED] when [REDACTED] came to
2 the public meeting in Radyr did not hammer the Labour Party's policy on LDPs?

3 **MD:** Erm, no. Hammer, "[REDACTED]" and "hammer" just don't go in the same
4 sentence together, I think. Half of the audience went to sleep when [REDACTED]
5 [REDACTED] started talking.

6 **NM:** That's very unkind.

7 **MD:** Well, it may be unkind but it's the truth is how we all remember it. We all know
8 what happened—

9 **NM:** I was really grateful at the time for a colleague—

10 **MD:** I was grateful, yes, don't get me wrong, but to say that [REDACTED] hammered the
11 Labour Party is a bit extreme.

12 **NM:** Erm, was [REDACTED] critical of the Labour government's policy on the LDP?

13 **MD:** Erm, potentially. I will go back over and I will... I will check the footage on it
14 but—

15 **NM:** [Inaudible 04:06:22] was I critical of the Labour government's policy on the LDP?

16 **MD:** Yes, yes, and you are entitled to do that.

17 **NM:** Did I hammer them—

18 **MD:** Erm, yes, you hammered some policy, yes, that's absolutely right.

19 **NM:** All right. I'm trying to establish... I'm trying to tease out of you why is it that
20 [REDACTED] helping me with that was not [REDACTED] assisting me in my role as an
21 Assembly Member—

22 **MD:** I'm differentiating—

23 **NM:** I don't think [REDACTED] deliver leaflets for [REDACTED] campaign which began in April.

1 **MD:** Yes, I get that, okay—

2 **NM:** [Inaudible 04:06:57] April. Why wasn't [REDACTED]

3 **MD:** I'm differentiating between public meetings where candidates were there to
4 attack the opposition party versus where an Assembly Member can raise
5 concerns over—

6 **NM:** But isn't that how politics works? You call a public meeting. It's a consultation
7 meeting. You invite candidates to turn up and they will put their point of view?

8 **MD:** No, no, not at all. I mean, you can do that in a public meeting but you can't
9 charge the Assembly Commission for that. If you want to hold a meeting as an
10 Assembly Member and invite another Assembly Member, erm, to talk about a
11 particular subject you can have your views on that, that's absolutely fine. What
12 you can't do is invite candidates to weigh in because then that is turned into a
13 political operation rather than an opportunity to [inaudible 04:07:50].

14 **NM:** Did you weigh in in the Radyr meeting or criticise the LDP?

15 **MD:** Not particularly. I made some opening remarks, erm, just on, erm, what my role
16 as I think your office manager—

17 **NM:** It may be worth possibly... because I have got to do an interview shortly, erm, if
18 we tie all this together you should know that planning is not a political issue.

19 **MD:** Well, any—

20 **NM:** Planning is not a political issue.

21 **RE:** Planning?

22 **MD:** Politics pretty much permeates everything. If you want to make a political issue
23 out of something you can.

24 **NM:** It's quite a key point actually, the LDP. Every planning issue is taken up on its
25 own merits. It's not party political in that sense.

1 **RE:** Well, it depends... well, hang on. Anything can be party political. Some things
2 that shouldn't be party political became party political, like the Welsh language,
3 for example.

4 **NM:** Yes.

5 **RE:** So anything can be party political. It's the way you deal with it. Some you can
6 deal with one side, like the LDP, in the party political way and in the non-party
7 political way. So it's the way you deal with it.

8 **NM:** Mm, okay. Erm, I think we've gone through that. Erm, shall we call it a day
9 there until next week, because I've got to do an interview shortly.

10 **RE:** Well, how much longer have you got to go, do you think?

11 **NM:** Erm, I've got... I'd like a full day with you on the file. That will probably be a lot
12 more relevant than what I was saying earlier. I probably did go off script before.

13 **RE:** Just a bit.

14 **NM:** Yes. So [inaudible 04:09:27] on this and so that's what I would like to do next
15 then, possibly.

16 **RE:** All right.

17 **NM:** We will check on those meetings.

18 **MD:** Please do.

19 **RE:** I'm not saying that it's decisive but it would... it could be in one direction, might
20 not be in the other.

21 **NM:** I don't think it is though because I could call one now, you know, just—

22 **RE:** Well, you could call a non-political meeting as an AM and charge it through the
23 Assembly and if they pay it, that is, I don't think, decisive. You can call it as an
24 AM and not charge through the Assembly. That might mean we could prove it a
25 bit more.

1 **NM:** Mm, because in the context we have looked at there is nothing party political
2 [inaudible 04:10:14].

3 **RE:** Well, you will have to wait and see. Very well, next Thursday at ten o'clock and I
4 hope [inaudible 04:10:23]. I hope you all have a restful and restorative
5 weekend.

6 **NM:** [Inaudible 04:10:36].

7 **MD:** Right, have a nice weekend all.

8 **RE:** Iawn, thank you.

9 **NM:** Thanks, bye—

10 **RE:** Yes, bye.

11 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

29 November 2018

at

Seminar Room, National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
MICHAEL DEEM**

Transcript from 00:01:25 to 04:46:42

PRESENT:

- **Sir Roderick Evans, then Standards Commissioner (RE)**
- **Neil McEvoy AM (NM)**
- **Mike Deem (MD)**
- [REDACTED]
- [REDACTED]

1 **RE:** Before we continue with evidence this morning, I want to say something. We were
2 due to start at half past nine today and we're starting at just gone five past ten. The
3 reason that we are late is that yesterday, I think it was, I was made aware that
4 [REDACTED], a member of Mr McEvoy's staff, had asked [REDACTED] to
5 contact a potential witness in this case and to pass on a message to [REDACTED] that in
6 effect was intended to persuade [REDACTED] not to give evidence. I haven't yet got all the
7 information I require but the information I do have is this.

8 The person that [REDACTED] contacted was [REDACTED]. [REDACTED] then
9 sent a message to [REDACTED] who was due to be called on behalf of Michael
10 Deem. The neges that [REDACTED] sent reads as follows. "I have received a
11 message from [REDACTED] which says..." and then [REDACTED] quotes, "I can't speak to [REDACTED] as
12 I'm part of the process. Could you please text [REDACTED] to make it clear that it is
13 voluntary. There is no obligation on [REDACTED] to give evidence at all. The only benefit to
14 [REDACTED] is not to do it as to do so raises questions about [REDACTED] employment and whether
15 Plaid as a party was using Assembly resources. [REDACTED] can have no involvement and
16 then there is no question about her role. I am very grateful to you and won't speak
17 to you again about it." And then [REDACTED]'s message continues, "Dyna fo, dim
18 mwy ynhygylch hyn gan finna chwaith / That's it. No more from me about this
19 either."

20 I have spoken to Mr [REDACTED]. He is going to send me the full message that he
21 received from [REDACTED]. I have spoken to [REDACTED]. [REDACTED] admits sending
22 this message. I had allowed potential witnesses to sit in during this inquiry. One of
23 those people I allowed to sit in was [REDACTED] even though [REDACTED] is going to be a
24 witness in due course on behalf of Mr McEvoy. I have now told [REDACTED] that I am not
25 prepared to have [REDACTED] in this inquiry. I have banned [REDACTED] from it. [REDACTED] is, of course,
26 welcome to come back to give evidence in due course if [REDACTED] wishes to do so.

1 I should point out for the record that this is not the first time that [REDACTED] has
2 interfered or sought to interfere with a potential witness in this inquiry. I wrote to
3 [REDACTED] on, I think, the 10th of July of this year after [REDACTED] had sent unpleasant emails to
4 another potential witness. On the 6th of August [REDACTED] sent me a very, very long letter
5 seeking to explain why [REDACTED] had sent the messages to that witness, [REDACTED].

6 At the end of his letter to me, [REDACTED] says, "On this occasion the stress got the better of
7 me. I will ensure it doesn't happen again." Well, it has happened again. I will take
8 such action in respect of [REDACTED] as I think appropriate. I have told [REDACTED] that I
9 am going to consider whether this is a criminal offence. Having looked at the
10 relevant section, I don't think it is but it is something which I will take further, not in
11 the criminal sense perhaps but in the employment sense. I have reported the
12 matter, of course, to Mr McEvoy and have now repeated at some length what I said
13 to [REDACTED] more shortly.

14 Right. We carry on with the evidence.

15 **NM:** Okay. Thank you, Sir Roderick. I will try and be a lot more focused today than I
16 was on Friday.

17 **RE:** That's all right. Thank you.

18 **NM:** First of all what I want to do, Michael, is establish what I think has already been
19 stated. First of all that there were many officers doing printing. You have already
20 admitted that we have [REDACTED]. Correct?

21 **MD:** Yes.

22 **NM:** We have the Plaid Central Office.

23 **MD:** Yes.

24 **NM:** We have—

25 **RE:** Sorry, printing. The first one you mentioned?

26 **NM:** [REDACTED].

1 **RE:** [REDACTED] yes.

2 **NM:** He has a Risograph which is capable of doing mass printing.

3 **RE:** Yes.

4 **NM:** Plaid Central Office whose printer there is also capable of—

5 **RE:** That's Tŷ Gwynfor.

6 **NM:** Yes. Plaid Central is capable of mass printing. We also have Minuteman.

7 **MD:** Yes, we've printed—

8 **RE:** What is Minuteman?

9 **NM:** Minuteman is a printing firm that we use. Do you accept also that Trinity Mirror
10 printed?

11 **MD:** Yes, they've printed a newspaper.

12 **NM:** Okay, thank you. There were 60,000 copies in total with Trinity Mirror.

13 **MD:** Yes.

14 **NM:** We also have [REDACTED] who was a candidate in Canton and in the
15 words of Michael Deem it was his hobby to print leaflets.

16 **MD:** [REDACTED] didn't print anything for the campaigns.

17 **NM:** Okay. I'll just refer you to your words last week. You said that [REDACTED]
18 [REDACTED]'s hobby was to print. Is that correct?

19 **MD:** Yes.

20 **NM:** Okay, thank you. So we have a candidate in Canton. Do you accept [REDACTED] was a
21 candidate?

22 **MD:** Yes, for a short while.

1 **NM:** Whose hobby it was to print. So we've got all those places printing. You also
2 accept clearly that there was printing Venox at Caerau Lane.

3 **MD:** Yes.

4 **NM:** Okay. Of course, there was printing then in your office.

5 **MD:** Yes.

6 **NM:** Okay. There also was printing then in your garage.

7 **MD:** That is my office. It's my garage.

8 **NM:** Okay. The other place where things were printed was in my personal office as
9 well.

10 **MD:** Which personal office?

11 **NM:** In my house.

12 **MD:** I wasn't aware of any in your house but if you say so.

13 **NM:** Okay, fine. Well, I think it's pretty evident to members of staff that I do print at
14 home so do you concede that printing also took place at my property?

15 **MD:** Yes, I mean, you've got one of these desktop printers which is capable of printing,
16 you know, very small quantities very similar to the one I've got in my house. I
17 mean, I couldn't print a leaflet round from my house. It's a desktop printer.

18 **NM:** How do you know I have a desktop printer?

19 **MD:** Because I've been to your house many times.

20 **NM:** When was the last time you went to my house?

21 **MD:** Erm, around the Council election campaign time. It's been quite a while since I've
22 been to your house.

1 **NM:** I wasn't going to go down this track of questioning but you've flagged something up
2 there. I don't really understand why, as an office manager for my Assembly office,
3 for the person who spent a lot of time in Caerau Lane, for the person who was a
4 candidate in Radyr, I don't understand why you would come to my house very
5 often.

6 **MD:** I came to your house very often, yes, I mean, usually to pick you up to go to work.
7 I'd give you a lift to work and I'd come in for a coffee and we'd socialise.

8 **NM:** So how did that occasion you to go up to my office which is next door to my
9 bedroom?

10 **MD:** It's not. It's in the back room next to your kitchen. That's your office in my eyes or
11 it was when I was there.

12 **NM:** That was the dining room, not the office.

13 **MD:** The office has a printer.

14 **NM:** We have a difference of opinion here. My office has always been upstairs. I
15 suppose my wife could probably confirm that. I don't know whether that would be
16 appropriate, Sir Roderick. Okay. So we've established—

17 **RE:** Was that a question to me?

18 **NM:** Yes, I suppose, because the office has always been upstairs.

19 **RE:** This is probably a matter in which there is very little between you, I'd have thought.
20 It's more likely that if you were to describe what was in the various rooms, you'd
21 probably agree on it.

22 **NM:** I'm just alluding to the fact that Mr Deem has no idea what kind of printer that I
23 have in my house. None, because you've not been in my office which is next door
24 to my bedroom.

25 **RE:** Will you suggest to Mr Deem what you have and he could agree or disagree.

1 **NM:** Do you confirm that you've never been into my office which is next door to my
2 bedroom?

3 **MD:** I've never been into the room next door to your bedroom. I've been to the toilet
4 upstairs and that's it but I've been into the room off the kitchen behind your living
5 room where you've had your printer set up in the past.

6 **NM:** Okay.

7 **MD:** I mean, I've seen you printing off there.

8 **NM:** So you confirm that you've never been into my office next door to my bedroom.

9 **RE:** No, hang on now. He says that, absolutely right, but it isn't the full measure of what
10 he said so you need to pursue that.

11 **NM:** Thanks. So you say that my office was downstairs—

12 **RE:** No, he's not saying that either. What he is saying is that there was a room
13 downstairs, which you say is your dining room, which had a printer set up in it and
14 he says that that was a—

15 **MD:** A desktop.

16 **RE:** A desktop printer. That's all. I mean, do you agree with that or not?

17 **NM:** Where is it situated?

18 **MD:** Erm, on the dining table in the back right-hand corner of the room.

19 **NM:** On the right-hand side as you go in?

20 **MD:** No, as in if you're looking at the house, it's the back right-hand corner.

21 **NM:** So as you—

22 **MD:** So as you come into the house this way, it's that far corner of the room.

23 **NM:** Just to be clear, as you go through the door from the kitchen—

1 **MD:** As you go through the door off the kitchen, it would be the back left-hand corner.

2 **NM:** The back left, okay. So, have you ever been into the room...? You confirm you've
3 never been into the room next door to the bedroom which I say is my personal
4 office.

5 **MD:** No.

6 **NM:** Okay, thanks. Right. Moving on to offices in use, there was the first office in
7 Cowbridge Road East, correct?

8 **MD:** Er, the one closer to the hospital end?

9 **NM:** Yes.

10 **MD:** Yes.

11 **NM:** Yes. There was 321 Cowbridge Road East.

12 **MD:** Yes.

13 **NM:** Yes. Can you confirm when Cowbridge Road East, the present office, was opened
14 and ready for business?

15 **MD:** 13th of June.

16 **NM:** So it was ready for business on the 13th of June.

17 **MD:** It was open on the 13th of June.

18 **NM:** Okay. Can you define "open"?

19 **MD:** We had the keys to it. We had access to it.

20 **NM:** When was it a truly functional office?

21 **MD:** We worked out of there from day one. I mean, it wasn't a professional set-up for,
22 you know, months afterwards. Yes, we worked out of it from pretty much day one.

1 **NM:** Would you agree there was a building site for a long time?

2 **MD:** Erm, not for a long time. For a period of about maybe two weeks—

3 **NM:** Two weeks? Okay.

4 **MD:** —when they were doing the dividing wall when, er, [REDACTED] came in.

5 **NM:** Okay.

6 **MD:** I mean, like I said, it wasn't a professional set-up but I would say... I would
7 describe it as a building site when the builders were in there.

8 **NM:** Okay, so that was the first two weeks according to you.

9 **MD:** No, I didn't say that. I said—

10 **NM:** When...? How long was it...?

11 **MD:** So, the builders didn't come in for a couple of months after.

12 **NM:** Can I just be clear and say I thought you said it was two weeks that it was a
13 building site.

14 **MD:** I said I'd class it as a building site—

15 **NM:** Yes.

16 **MD:** —for the two weeks that the builders were in there.

17 **NM:** So when were the builders in there?

18 **MD:** Erm, when we got authorisation for the funding to have all the work done. It wasn't
19 immediately. It was, I believe... I'm guessing maybe late July/early August.

20 **NM:** So the work was carried out late July/early August.

21 **MD:** Yes, I'm saying I think so. You know, I can't... I haven't got the exact dates of
22 when the builders were in there.

1 **RE:** Can you just help me at the moment?

2 **NM:** Yes.

3 **RE:** There were two offices in Cowbridge Road East.

4 **NM:** Mm.

5 **RE:** The first one, do you have the address for that just so I can...?

6 **NM:** I think it was 56.

7 **RE:** 56.

8 **NM:** Yes.

9 **RE:** Closed when?

10 **NM:** 50-something. From memory, June or July time I believe. I'm not—

11 **RE:** 2016?

12 **NM:** Yes, yes.

13 **RE:** So closed June/July 2016.

14 **NM:** I think it was... I think it was July. I would need to check that.

15 **RE:** Now, in the earlier hearings, well, earlier days last week—

16 **NM:** Yes.

17 **RE:** —I was told that you took over the Cowbridge Road East office, 321, on about the
18 21st of July 2016.

19 **NM:** Yes, that's what it said in the file.

20 **RE:** Is that about right?

21 **MD:** No.

1 **RE:** No?

2 **MD:** The 13th of June.

3 **RE:** You took it over on the 13th of June.

4 **MD:** Yes.

5 **RE:** Was there an opening ceremony?

6 **MD:** The office didn't officially open until months later but that was when the contract
7 began there and we had access to the... We would... As I say, it wasn't set up. It
8 is now but it was... it served a purpose in that we could move all of the materials
9 from 52 Cowbridge Road into 321. We could print there. We had not a huge
10 amount but we did hold casework meetings there prior to the official opening. It
11 wasn't something that we were actively, erm, promoting but if circumstances were
12 such that we couldn't have a meeting in a different location, then there was a desk
13 in the middle room, what would eventually become the committee room where we
14 could have casework meetings in the office.

15 **NM:** Did you check the...? In the last hearings, looking at the files, we all thought last
16 week that we were talking of the 21st of July, I believe. That was pretty clear so
17 have you checked the date that the office was opened?

18 **MD:** Yes.

19 **NM:** Okay, thank you.

20 **MD:** So, yes, I've got the 13th of June.

21 **NM:** So on memory last week we were all of the view that it was roughly in July, weren't
22 we? 21st of July.

23 **MD:** Like, I took your word for it , erm, last week. I've done my own research since then.

24 **NM:** I have as well. It arose out of the files, didn't it, the evidence you provided.

1 **MD:** No, I went on your guidance on that. I mean, yes, you told me that it was later on
2 in July. I took your word for it. I've checked it since and it was 13th of June.

3 **NM:** Last week, we relied upon the evidence you provided with the dates so the point
4 that I'm making is you're here now. Even though you have had the opportunity to
5 check dates since last Friday, when we were sat in here last week neither of us
6 across this table really knew what date we actually moved in and what date it was
7 operational. What do you think? Would you say that's correct?

8 **MD:** Yes. I mean, I definitely didn't, erm, didn't know. I was [inaudible 00:17:18].

9 **RE:** We are agreeing, are we, that it became available on the 13th of June and was
10 officially opened end of July—

11 **NM:** No.

12 **RE:** —early August.

13 **NM:** No. My recollection is completely different to Michael's. At the very beginning,
14 what I recall around the 21st of July we essentially had a desk and a couple of
15 chairs and that enabled some things to be done from that office whilst work was
16 going on around us. Do you remember that?

17 **MD:** Yes, as I said—

18 **NM:** Okay.

19 **MD:** —there was a desk and a chair but I've got the dates different to you. You're
20 saying July, I'm saying June.

21 **NM:** Okay. The email that we looked at last time, the message we looked at last time, it
22 said that the office was up and running on the 21st of July, I think it said, because...
23 Do you not remember when we took over the office there were a lot of things we
24 had to take out and dispose of?

25 **MD:** That was done in a matter of hours.

1 **NM:** Okay. So we have a different recollection there. Erm, okay, we'll make progress
2 because I think what is clear from this is that we have different recollections. It may
3 not be that any one of us is seeking to mislead anybody. It's simply that this was
4 over two years ago and, therefore, unless we check dates outside these hearings,
5 it's pretty difficult to say what exactly was correct because it's my understanding
6 that the office wasn't open properly until September.

7 **MD:** No. It was open before then. Like I said, it wasn't... So, the official opening was
8 September but we were working up there long before that.

9 **NM:** In fairness to you, this was certainly... this certainly played a role in building up my
10 trust at the beginning was that I recall that you did a tremendous amount of work in
11 the early days to make sure that the office was able to be used by the middle of
12 September. Do you recall that?

13 **MD:** Yes, of course.

14 **NM:** Yes, so you've worked Saturday, Sunday and at one point I actually told you to not
15 do so many hours. Do you remember that?

16 **MD:** I remember you telling me quite regularly not to do so many hours. I mean, that
17 was just... it's how I worked.

18 **NM:** Yes, okay. So you've no recollection of the September dates because it was
19 actually September.

20 **MD:** Yes. I mean, that was the official opening where we invited people down. Erm,
21 you know, we'd had a launch, a couple of drinks in there but what I'm saying is, you
22 know, we were using it from day one.

23 **NM:** Do you not recall the panic in September that we may not have an office that we
24 could actually open for the opening because there was still so much work to do in
25 there, it was such a mess for a long time?

26 **MD:** Whatever happened, we would have been... you know, we would have had an
27 office opening. Would it have been to the standard that I would have wanted? You

1 know, there were potential worries to get it how I wanted but I'm a perfectionist. I
2 wanted it to be exactly how I wanted it.

3 **NM:** Okay. Do you recall that some of the state of the office in Cowbridge Road East
4 was so bad that you had to be based in the Assembly a lot of the time?

5 **MD:** There was a two-week period, I believe when, erm, builders were in there when we
6 had to actually leave there because it was very dusty. This was around the time
7 when they were doing their plastering work, the stud wall and the ceiling in the very
8 back room but, I mean, that was only a short period of time. It was just while the
9 builders were in there.

10 **NM:** So you say that, to fit a narrative, there was a functioning office which I don't think it
11 was other than the bare minimum. I recall a chair and a table, a couple of chairs
12 and a table to just make a joke about the state of the office to constituents. So you
13 contend that all the work was done in two weeks quickly, whenever that was, be it
14 in June, July.

15 **MD:** All the work that meant we had to vacate the office was done over that period.

16 **NM:** All right. Okay.

17 **MD:** I mean, yes, there were bits and pieces done before and after then but that didn't
18 stop us from being able to use the office. It was still in a functional state even
19 though there was, you know, odd jobs going on around us.

20 **NM:** Okay, fine. I'll make progress. So we've got Cowbridge Road East, the first
21 office – it was 56 actually – we have got the 321 where we are now, the Plaid office
22 in the Bay as in party headquarters, there was your office at home which was
23 operational as well. I'm just trying to understand the number of offices we worked
24 from.

25 **MD:** Yes.

26 **NM:** Yes?

1 **MD:** Yes, my garage.

2 **NM:** The Assembly offices, not just my office but work was done in those offices.

3 **MD:** In the Senedd?

4 **NM:** Yes.

5 **MD:** Erm, yes. We could work out of there.

6 **NM:** Caerau Lane was another office.

7 **MD:** Yes.

8 **NM:** Yes. My home office was an office, obviously because I work from there usually.

9 **MD:** Yes, if you say so.

10 **NM:** Okay. And the final office that we relied on was [REDACTED] office for a
11 short time.

12 **MD:** No.

13 **NM:** Okay, we disagree there. Fine.

14 **MD:** Not at all.

15 **NM:** Okay. What kind of...? How do you know that no work was carried out from [REDACTED]
16 [REDACTED] office?

17 **MD:** Because I'd only... To be honest, I can't even find evidence of this office that you
18 say he has in Canton even exists.

19 **NM:** Mm-hmm.

20 **MD:** Neil, this was a complete shock to me when you brought it up last week. I've done
21 a lot of research between now and then, erm, and all... *[pause while goes through*
22 *papers]*. Sorry about this. Okay, so I've had a look. I've scoured the internet for
23 this business that you say [REDACTED] had.

1 **NM:** Yes.

2 **MD:** I found, you know, a bit of a background on [REDACTED] on the Lib Dem
3 website.

4 **NM:** Yes, yes. Okay.

5 **MD:** Shall I just read what I've been able to find on this person?

6 **NM:** Erm, I'm not sure it's relevant really because I'm saying that there was an office in
7 [REDACTED], which was used. You say there
8 wasn't. If you say it wasn't, we'll disagree on that.

9 **MD:** Okay, so just skipping to that, I've checked Companies House. There's nothing at
10 all for [REDACTED] apart from [REDACTED] the Director of [REDACTED]
11 [REDACTED] Limited which was incorporated on [REDACTED] 2011. Accounts are
12 available until [REDACTED] 2017. It is now dissolved but it's listed as a
13 performing arts company based in Mold, North Wales. I did find links to... on the
14 Llandaff North Independent site. I could find evidence that there were ties with...
15 from [REDACTED] with some... with the [REDACTED] Society,
16 erm, and the reason I say there's links of this printing society is promoted on the
17 Llandaff [REDACTED] website which [REDACTED] stood as a
18 candidate but the Society has no standalone website, no records on Companies
19 House, no office address listed and no evidence linking the Society to Canton in
20 any way. Canton and Llandaff North are quite a distance away from each other.

21 **NM:** So you can see, therefore, that he was connected to what was called, clearly
22 informally, [REDACTED] Society.

23 **MD:** Yes. I mean—

24 **NM:** Okay, thanks.

25 **MD:** —[REDACTED] is a candidate with Llandaff North Independent and on the Independent's
26 website there is a section which promotes [REDACTED] Society. I mean,

1 that's not evidence that [REDACTED] ran that Society. I am just saying that it's being
2 advertised on the same website where [REDACTED] also listed as a candidate.

3 **NM:** I think where we're at here, and this is quite common throughout your evidence, is
4 that you want to assert something to fit your narrative and when it doesn't actually
5 fit in you say that it's not the case.

6 **MD:** No, no—

7 **NM:** So, it's a bit—

8 **MD:** No, in fairness, you know, I didn't have to provide this. You know, I am saying to
9 you that this is the only shred of a link on the internet that I can find in relation to
10 this. I am not... For me, that's not even a hard link between [REDACTED]
11 and this Society. All I am saying is they are talked about on the same websites as
12 each other. There's nothing further there.

13 **NM:** Where did [REDACTED] live?

14 **MD:** I'm not sure. I've never been to [REDACTED] house.

15 **NM:** I find it extraordinary, given our interaction with [REDACTED] that you have no idea that he
16 lived in [REDACTED], you have no idea that [REDACTED] did printing and I put it to you
17 that at this point [REDACTED].

18 **MD:** No, not at all, Neil. Like I said, I've met this [REDACTED] maybe four, five, six times.
19 It was very, very rare that I actually met [REDACTED].

20 **NM:** There's nothing more to add other than how do you know for certain that he did not
21 carry out work for us in his office? How do you know?

22 **MD:** It's something that I would have known, you know. I was your office manager.
23 Erm, I was so active in the campaign. If [REDACTED] done printing for us, I would have
24 known.

25 **NM:** Well, that is my point actually. You do know and yet you are just refusing to accept
26 it. Rather like with [REDACTED] last week you said that you know that [REDACTED] didn't do work

1 on the train and you know that [REDACTED] didn't start at 7.40 every morning [REDACTED]
2 [REDACTED].

3 **MD:** Not at all, Neil.

4 **NM:** Okay. In terms of the... We agree with all those offices but we'll disagree on the
5 [REDACTED] one. I want to establish, I think you did last week, what kind
6 of work is carried out in all those offices. Casework? Yes?

7 **MD:** In which offices are you referring to now?

8 **NM:** Casework is carried out in several offices, isn't it? It will be carried out in my office.
9 It'll be carried out in the Assembly office. It'll be carried out at 321. It was carried
10 out at Caerau Lane a lot.

11 **MD:** I'm trying to think if we actually had any casework meetings in Caerau. We had
12 walk-ins in Caerau Lane. They weren't official casework meetings. We would refer
13 them to 321.

14 **NM:** Were there a lot of walk-ins in Caerau Lane?

15 **MD:** Erm, there was a number. Probably not as many as 321 but, yes, people would
16 walk in and sort of have a chat with us. They'd want to know what we're doing.

17 **NM:** All I'm trying to establish is what kind of work is carried out in those offices.

18 **MD:** The majority of casework meetings were 321, very rarely your Assembly office,
19 erm, nothing from your home office. I think that would have been highly
20 inappropriate to have casework meetings from your home office.

21 **NM:** I'm not talking about meetings. I'm talking about just casework per se. It's a very
22 simple point. Do you accept that casework was carried out there?

23 **MD:** Erm, yes. Casework—

24 **NM:** Fine. That's it. That's it. It's fine. That's it. That's it.

25 **MD:** I thought you were talking about meetings with constituents and having meetings.

1 **NM:** No, casework. For example, if somebody knocks on my door at home, clearly I'll
2 deal with the case in my office. Do you accept that case files were kept in... mainly
3 in Cowbridge Road East but some in Caerau Lane?

4 **MD:** The majority—

5 **NM:** No, no. Just yes or no really.

6 **MD:** No, I'm giving you an answer.

7 **RE:** No, no, no, no, no. Just give an answer.

8 **MD:** The majority were in Cowbridge Road East.

9 **NM:** Yes.

10 **MD:** I was aware that there were casework files at your home address. There were
11 casework files moved to Caerau Lane to be copied but they weren't usually stored
12 there.

13 **NM:** Mm-hmm, okay.

14 **MD:** That was the only time, I believe, that there were casework files in Caerau.

15 **NM:** Okay, thanks. Do you accept that...? I was on the Public Accounts Committee.
16 Do you accept that the printing of the material for the Public Accounts Committee,
17 which was a lot actually, was done in the office at 321 usually.

18 **MD:** Yes.

19 **NM:** Okay. The Petitions Committee, do you accept that all the printouts were done at
20 321 for the Petitions Committee as well.

21 **MD:** The majority.

22 **NM:** Yes, okay. Do you accept that direct mail was sent from 321? Assembly-related
23 direct mail.

1 **MD:** What do you mean “sent from 321”?

2 **NM:** We would process the letters there. For example, when we wrote to everybody
3 about the LDP, which was a hell of a lot of people, we would process the letters
4 from 321 and send them out.

5 **MD:** Erm, yes. I was just trying to think when we’ve used direct mail for Assembly work.
6 I mean, we wouldn’t use it for that purpose.

7 **NM:** Okay. So, what is direct mail in that case?

8 **MD:** Direct mail is a form of campaigning. It’s what we would use to target specific
9 voters. I mean, it can be used for non-campaigning activity and I am not saying
10 that you haven’t used it for non-campaigning activity. I just can’t think of a time
11 where we’ve used it in your Assembly work.

12 **NM:** Okay. We’re going to another matter so you accept that some direct mail was sent.
13 How—

14 **MD:** Perhaps you should go back again because you’re putting words in my mouth
15 again, Neil. I didn’t say that. I can’t think of a direct mail that you’ve sent out in
16 relation to your Assembly work.

17 **NM:** All right. I put it to you that you’re well aware that we do it all the time.

18 **MD:** No, Neil. No.

19 **NM:** It’s standard.

20 **MD:** No, definitely not.

21 **NM:** Right, okay. So in terms of the Local Development Plan meeting, how did we notify
22 people of that meeting? You’ve already accepted it was an Assembly meeting by
23 the way so how did we notify people about that meeting?

24 **MD:** Which LDP meeting are you talking...? The one in Radyr?

25 **NM:** In terms of which LDP meetings, there were lots, weren’t there?

1 **MD:** Yes, there were—

2 **NM:** Let's focus on one of them.

3 **MD:** —many different LDP meetings.

4 **NM:** So there were many LDP meetings.

5 **MD:** Yes.

6 **NM:** Let's focus on the one in Radyr.

7 **MD:** Yes.

8 **NM:** So we would have been in communication because there were so many LDP
9 meetings with thousands of people across Cardiff actually. Would you agree with
10 that?

11 **MD:** No, I wouldn't say thousands.

12 **NM:** Okay.

13 **MD:** Attending at our public meetings specifically towards the LDP that were Assembly-
14 related, you're talking a couple of hundred.

15 **NM:** A couple of hundred, okay.

16 **MD:** Yes.

17 **NM:** So, how would we communicate with those couple of hundred people? You say a
18 couple of hundred.

19 **MD:** Erm, email. [REDACTED] would usually sit at the front of the room, take people's details
20 as they came in and we'd contact them via NationBuilder.

21 **NM:** So you don't recall that we would... Because nowadays... Do you think there's a
22 problem that people don't open emails nowadays?

23 **MD:** Erm, it's a fact. I mean, not everyone opens every email that they get.

1 **NM:** We get so many, don't we?

2 **MD:** Yes.

3 **NM:** Yes. So do you think, therefore, that a diligent politician would wish to
4 communicate with people as effectively as possible and would, therefore, write to
5 them?

6 **MD:** No. I mean, we would write to people about individual cases or individual
7 correspondence but en masse there was no need. It was extra work to do.

8 **NM:** Okay. So even though you concede there were lots of meetings like the one in
9 Radyr, there were a few hundred people there, correct? The studio was packed.

10 **MD:** No, there were 92 people, I think. That was the number I seem to remember that
11 was given. It was definitely less than a hundred but I am sure it was 92 because I
12 was gutted that we didn't get over a hundred people.

13 **NM:** We can disagree on the amount of direct mail. I put it to you that direct mail was
14 sent from the office to get people to meetings and to inform people because if we
15 have a list of... We have a list of people, for example, who are interested in the
16 LDP. Why would we not write to them? It seems quite strange.

17 **MD:** We did write to them but, like I said, we did it all via NationBuilder. The idea was if
18 you send via NationalBuilder you can track responses, you can input that data into
19 a number of different platforms. The data you get back off NationBuilder is rich
20 whereas just writing a letter to someone is not going to get the information that you
21 want to get from them.

22 **NM:** I would put it to you that you are well aware that we use direct mail as well as
23 NationBuilder as well as telephone calls as well as leaflets. I would put it to you
24 that you're well aware that we would use a lot of direct mail to communicate with
25 constituents.

26 **MD:** No. Not for Assembly-related business. I'm well aware that we use loads of direct
27 mail but it was for political purposes, for campaigning purposes. I mean, if you

1 want to show me a direct mail that we've sent out that the Assembly has agreed
2 and paid for the printing and paid for the postage, then do it but I'm saying I can't
3 think of anything that we've sent out.

4 **NM:** Can I just clarify something here because I think we strayed into this last week,
5 Sir Roderick. Am I guilty till proved innocent here or am I innocent until proven
6 guilty or is it not that way... or is it not dealt like that?

7 **RE:** Before I come to any conclusion adverse to you, I have to be satisfied so that I am
8 sure.

9 **NM:** Mm-hmm. Because once again I'm being asked to provide evidence of something
10 that I've done.

11 **RE:** Well, that isn't inconsistent with being innocent or proven guilty. If you are
12 submitting something—

13 **NM:** Yes.

14 **RE:** —it isn't unnatural for somebody to say, "Well, right. If this is what you're saying,
15 show us a document to prove it."

16 **NM:** All right, okay. So you accept—

17 **RE:** You're not obliged to do it.

18 **NM:** Yes, okay. You accept that some direct mail was sent.

19 **RE:** No, he said a lot of direct mail was sent. What he is saying is direct mail was not
20 used for Assembly business. Now, what he's suggesting is that if you say that it
21 was, give an example, show us a document which was used for Assembly
22 business, was paid for by the Assembly, et cetera.

23 **NM:** Mm-hmm. Okay. So, needles. We didn't send anything out about needles to
24 residents in Butetown.

25 **RE:** Sorry, what?

1 **NM:** Needles. The drug problem in Butetown. That wasn't sent out to people, was it?

2 **MD:** Again, we've sent out direct mails and it was for campaigning purposes. I mean,
3 like I say, I can't think of the Assembly permitting us to write to residents in
4 Butetown about that because I just—

5 **NM:** Okay. Okay. Can I just...? You need to... I want to emphasise this. So you're
6 saying that I was behaving... and we're back to the motorbike scenario really. In
7 tackling a really major issue which I've raised in the Assembly more than anybody
8 else, I'm the first Assembly Member to raise it as part of my role because of the
9 strong links we have with the community there, you are saying that by me writing to
10 people about the issue or drugs and the issue of needles in particular around
11 playing fields, that's political campaigning.

12 **MD:** The communications that went out about the needles in Butetown, this was a
13 campaign that was fronted by the candidate in Butetown.

14 **NM:** When did we have a candidate in Butetown?

15 **MD:** ■■■ was on board 2016 sometime. I'm not sure of the exact date when ■■■ came
16 on board but ■■■ has been around a long time.

17 **NM:** Okay. Not particularly really because—

18 **MD:** When do you say that ■■■ would stand there?

19 **NM:** Well, again, I think... You came to this party very late and what you're doing here
20 is really exposing, I think, your lack of knowledge.

21 **MD:** Well, Neil, there's a lot of people in and out, you know.

22 **RE:** Let us just pause a moment. What I want is facts.

23 **NM:** Yes, [inaudible 00:38:41].

24 **RE:** You can comment on the facts later if you wish but at the moment I think we'd get
25 on more quickly if there were less comments, fewer comments and more facts.

1 **NM:** Okay. When did ■■■ become a candidate?

2 **MD:** When ■■■ was... Officially when ■■■ was selected as a candidate but, as I've said
3 previously, you know, that isn't... It's not as cut and dry as that. I was a candidate
4 for Radyr in two years before I was actually selected as the official Plaid Cymru
5 candidate. You know, we campaigned long before we were ever selected.

6 **NM:** At that point we hadn't had a... okay, rather than comment. Do you accept that
7 people like ■■■ would join Plaid Cymru - from the Labour Party actually in ■■■'s
8 case - and would be inspired to get involved with us because ■■■ would see
9 politicians like me taking on issues and trying to change our communities?

10 **MD:** People have a million different reasons why they want to get into politics, you know.
11 I don't know what specifically motivates ■■■ but, you know, ■■■ a good
12 campaigner, ■■■ well known in the community and ■■■ make a fantastic politician
13 one day when ■■■ gets elected.

14 **NM:** I'm just confused as to why you... Why is campaigning on needles party political?

15 **MD:** Because that was the issue that he was attacking the Labour Party on during the
16 election campaign.

17 **NM:** When was the election campaign?

18 **MD:** As we've already gone through, things can be political, things can be non-political.
19 It's how you present them to the public. That's the issue.

20 **NM:** We're really bogged down there. Micro leaflets, were they sent out from the office?

21 **RE:** What leaflets?

22 **NM:** Micro leaflets.

23 **RE:** Micro leaflets?

24 **MD:** Erm—

1 **NM:** To let them know that I've done something in Canton Walks, for example. We'd
2 been on to the police about anti-social behaviour and dishing them out to the
3 residents to let them know that as their Assembly Member I've done something. A
4 simple yes or no really.

5 **MD:** No, I was just trying to think then. So you're saying leaflets that are paid for by
6 the... approved by the Assembly and distributed en masse.

7 **NM:** Micro would be less masse because it usually—

8 **MD:** Sorry, just going through every door letterbox.

9 **NM:** Yes. Would you agree that that's a way that I would use to enhance my local
10 reputation as a politician?

11 **MD:** No.

12 **NM:** Okay.

13 **MD:** I wouldn't.

14 **NM:** All right.

15 **MD:** And the reason is because... No, you did a lot of leafleting, don't get me wrong,
16 and there were micro leaflets. I think you're talking about sort of the specific
17 targeted, you know, erm, polling districts within ward. We did an awful lot of that
18 but again I'm struggling to think of a time when the Assembly has paid for that.

19 **NM:** So I don't try to promote myself. Would you agree I'm usually accused of being a
20 self-promoter and an opportunist?

21 **MD:** Yes.

22 **NM:** Okay, thanks. It's a compliment actually. How do I promote myself then if I don't
23 use the Assembly's [voice? 00:42:19] to say, "Hey"? How do I do that? I just... I
24 don't... I fail to understand.

25 **MD:** Like I said, you send out a lot of leaflets, you know. Your face gets around but—

1 **NM:** Okay—

2 **MD:** —all I'm saying is I can't see how... where the Assembly have paid for that.

3 **NM:** Do we print surgery leaflets? Do we print our surgery leaflets? Did we print out,
4 that's better, in your time?

5 **MD:** No.

6 **NM:** Okay. Did we print out or do we print out street surgery leaflets?

7 **MD:** No.

8 **NM:** Okay. Are you saying that we've never done the street surgeries?

9 **MD:** No, I didn't say that but do we print out leaflets through the Assembly to promote
10 street surgeries? I mean, that's what we're getting at, isn't it? It's whether or not
11 the Assembly provide it—

12 **NM:** Yes. Yes, yes.

13 **MD:** —and, again, no, I can't see the Assembly paying for that. The guidance is so, so
14 strict on what you can print.

15 **NM:** Okay. Okay, I think this is part of the problem. So what you're saying is I am
16 unable to print out surgery notices en masse.

17 **MD:** No, I didn't say that either.

18 **NM:** What are you saying then because I'm missing this? You said they won't pay for it
19 because—

20 **MD:** I can't think of leaflets that we've printed in the office that Assembly has paid for
21 and they've given us the all clear. The majority of leaflets or, as you say, your
22 street surgery notifications all had the imprint of Plaid Cymru on the bottom. The
23 thing that defines whether or not it's being paid for by the Assembly is whether
24 you've got your office address imprinted on the bottom because that would signify
25 that it's an official document that's been authorised by the Assembly.

1 **NM:** Try and make progress. So you now admit that... because I thought you said last
2 week that there wasn't much traffic in Caerau but you now admit that a lot of people
3 came into the Caerau office albeit a little bit less than Cowbridge Road East, you
4 say.

5 **RE:** I think the words that Mr Deem used were that—

6 **NM:** Last week.

7 **RE:** Last week but he said that, "We had some walk-ins in Caerau."

8 **NM:** Okay.

9 **RE:** The majority of casework was done in 321. That's the context of what he's saying.

10 **NM:** Okay. What's the busiest road in Wales?

11 **MD:** I don't know.

12 **NM:** It's Cowbridge Road West.

13 **MD:** Okay.

14 **NM:** Where was our office situated in Caerau?

15 **MD:** Caerau Lane.

16 **NM:** Yes. Where is Caerau Lane in relation to Cowbridge Road West?

17 **MD:** Erm, behind it.

18 **NM:** Yes. Next door.

19 **MD:** Yes, it goes off and circles back round to re-join it.

20 **NM:** So it would take probably a minute to get from the busiest road in Wales to where
21 our office was.

22 **MD:** Yes.

1 **NM:** Yes, okay. I just want to pick up on what I would say has characterised your
2 evidence right the way through and that supposition where you're looking at things
3 retrospectively and making them fit into the boxes you want them to fit into. There
4 was an incidence through the file about [REDACTED] and you were pretty sure on this
5 particular date - I don't even remember when it was, 18 months ago, two years ago
6 - that [REDACTED] was... on that particular day [REDACTED] was based when my message was sent
7 in Cowbridge Road East. Do you remember that?

8 **MD:** Yes.

9 **RE:** Sorry, which reference is that?

10 **NM:** We'll come to it later.

11 **MD:** I can guess, erm, because I've looked into the Tesco so I'll tell you the exact
12 document now.

13 **NM:** Yes.

14 **MD:** So—

15 **NM:** I'm interested in the reason you gave—

16 **MD:** Exhibit 6A, page 6.

17 **RE:** Exhibit 6A, page 6.

18 **MD:** Yes.

19 **RE:** Right.

20 **MD:** And it's the 22nd of March.

21 **RE:** Right.

22 **MD:** I drove down Cowbridge Road West yesterday and I could see there is a little
23 Tesco Extra. So, when I was told about Tesco I really thought that it was the
24 Culverhouse Cross one at the top of Cowbridge Road West, erm, and having now

1 driven past, I can see there is a little Tesco Extra on Cowbridge Road West. I still
2 maintain though that, erm, this signifies that [REDACTED] in the regional office so [REDACTED]
3 says, "Dim probs, just popping to Tesco or we'll leave shutter up but we'll lock door
4 and put the alarm on," so we didn't ever use an alarm in the Caerau Lane office.

5 **NM:** There was an alarm.

6 **MD:** There was an alarm. We never used it. We didn't have the code for it. There was
7 an alarm panel on the wall but we never used it. So we constantly used the alarm
8 in Cowbridge Road East.

9 **NM:** Why did we use the alarm in Cowbridge Road East?

10 **MD:** Because we had the break-in there.

11 **NM:** Okay.

12 **MD:** I mean, that was... It was there from day one actually. We've always used that
13 alarm. They upgraded it after the break-in, I believe, but there's always been an
14 alarm there.

15 **NM:** Is Caerau a salubrious area?

16 **MD:** Yes, it's not the nicest part of the world.

17 **NM:** So it's not salubrious. So, given that we were given an excellent office, it was huge
18 actually, I don't understand why we would not use the alarm because there was an
19 alarm there.

20 **MD:** We never had the... I don't know what the reason was, whether it didn't work or we
21 didn't have the code, but we never used the alarm in that office.

22 **NM:** Well, again, I think... I would put it to you that what we have here is a retrospective
23 fitting in the fact around what you want to establish because your reason last week
24 for [REDACTED] being situated... All I'm trying to make... All I'm trying to establish here
25 is the fact that very often the assumptions you are making are probably wrong.
26 With some of them, we just don't know because it was such a long time ago and

1 with these basic messages it's all about context really between people saying
2 they'd send messages to each other. Do you accept that last week your
3 supposition was that [REDACTED] on the 26th... or 22nd of March 2017, it was in
4 Cowbridge Road East because of [REDACTED] popping into Tesco's. The alarm wasn't
5 mentioned last week. It was pop into Tesco's.

6 **MD:** Yes.

7 **NM:** Okay. Since then, you now realise that the Tesco's... there is a Tesco's closer to
8 the Caerau Lane office than the Tesco's is to the office—

9 **MD:** No, I didn't say that. I said it was closer than the huge Tesco Extra on Culverhouse
10 Cross roundabout. I didn't say that it was closer than that one and, Neil—

11 **NM:** Do you accept—?

12 **MD:** —we never use it. We had a shop next door to the office in Caerau Lane and that's
13 where we went to buy sandwiches and buy drinks and stuff. There was no reason
14 to walk to Tesco because our next-door neighbour was a shop and we had a
15 takeaway next door to that.

16 **NM:** This has characterised your evidence as well because I think rather than saying,
17 "Yes, last week I was wrong," you're trying to justify being wrong so, therefore,
18 because of the outlets selling food around the Caerau Lane office, you're saying
19 that [REDACTED] would be unlikely to go to Tesco's.

20 **MD:** I'm saying we always use our shop next door. You know, they had our posters in
21 the windows. That's where we went to get our food. We used the shop next door
22 and we used the takeaway two doors up from that. I mean, that was just... Why
23 would you walk, you know, five or ten minutes to Tesco's when you had a perfectly
24 good shop next door?

25 **NM:** It's not five or ten minutes. It's literally two minutes through the—

26 **MD:** It's not.

1 **NM:** You just said that Cowbridge Road East... sorry, Cowbridge Road West, so the
2 Caerau... This is important because again you've moving things as you wish.
3 You're actually changing positions. You've just accepted that the busiest road in
4 Wales was less than a minute or a minute, let's say, from Caerau Lane.

5 **MD:** In a car, by car. Not by walking. [REDACTED] walks.

6 **NM:** Okay. Are you aware of the cut-through? I don't see how you cannot be aware of
7 it behind the office directly through to Cowbridge Road West?

8 **MD:** Yes.

9 **NM:** Fine. So how long would that take to walk?

10 **MD:** To where?

11 **NM:** Cowbridge Road West.

12 **MD:** Erm, probably between three and five minutes to walk to Cowbridge Road West
13 and then a little bit further down to get to Tesco's.

14 **NM:** So it's a small amount. What time?

15 **MD:** Yes, between five and ten minutes to walk to Tesco's.

16 **NM:** How can you...? Deal with two points. First of all, the first thing is that your
17 justification for [REDACTED] being in Cowbridge Road East is because in Caerau we
18 were surrounded by food outlets, yes? Correct?

19 **MD:** I said there was a shop next door and a takeaway two doors up.

20 **NM:** Okay. So in Cowbridge Road East, our everyday office, what are we surrounded
21 by next door, two doors away, three doors away, across the road?

22 **MD:** Restaurants, cafes, shops, pubs. Everything.

23 **NM:** So literally next door there's a shop where we could shop?

1 **MD:** No. Next door is a... it's like a... It is a shop but it's not where you could buy lunch
2 in there. It's... You know, they sell alcohol, cigarettes and a few packets of crisps.
3 There's not much more that you can buy in that store. It's not... It's not a
4 convenience store.

5 **NM:** I think there is a convenience store but I wouldn't—

6 **MD:** It's not a convenience—

7 **NM:** I wouldn't buy food but I think we bought coffee and drinks mainly. So what is next
8 to that?

9 **MD:** Erm—

10 **NM:** Janata Palace, Indian.

11 **MD:** Janata Palace, yes, Indian restaurant.

12 **NM:** Restaurant. Next to that.

13 **MD:** Erm, baguette shop.

14 **NM:** Baguette shop, yes. Next to that.

15 **MD:** Erm—

16 **NM:** Big supermarket.

17 **MD:** Coop.

18 **NM:** Coop. Across the road from the office immediately. Think [inaudible 00:53:08].

19 **MD:** Chip shop.

20 **NM:** Chip shop. Next to the chip shop.

21 **MD:** Peacocks.

22 **NM:** The other way.

1 **MD:** Er, vape shop.

2 **NM:** Mm, what bakers are there?

3 **MD:** Erm, there's a Brutons a bit further down the road.

4 **NM:** The ones just opposite. You can literally almost touch it from the office. I've
5 probably bought some meat pasties from there over the last couple of years
6 although I've stopped doing that now.

7 **MD:** Erm, I don't know.

8 **NM:** Greggs. I like Greggs pasties.

9 **MD:** There's not a Greggs there, is there?

10 **NM:** Yes.

11 **MD:** Greggs is over at the other end.

12 **NM:** On the left-hand side.

13 **MD:** There's no Greggs close to the office.

14 **NM:** Okay, so it's Brutons, yes? Okay, there we go. Perfect example of how our
15 memories... You're right, Greggs is further down. All I'm trying to demonstrate is
16 that a lot of the things you're asserting as facts are actually not facts. You're just
17 weaving them into narratives so the reason you gave for [REDACTED] definitely being...
18 you know, die in a ditch, [REDACTED] in Cowbridge Road East, to be honest with you, I
19 don't know. It's not clear. But your evidence, first of all, last week was because of
20 Tesco's, then you realise you're wrong on that now so you've said, "Well, there
21 were other food outlets in Caerau. We obviously go there." Actually, those food
22 outlets in Caerau weren't great to be honest. The sandwiches were very nice next
23 door. There was—

24 **MD:** I went in there every... I went in there every day, that's why.

1 **NM:** The point I'm making is do you accept that the reason given for [REDACTED] being
2 situated in Cowbridge Road East here isn't valid?

3 **MD:** I'm confident that [REDACTED] there. You know, by looking at that message I'm confident
4 [REDACTED] in Cowbridge Road East.

5 **NM:** Okay. On your justification, you justified it was Tesco's. That was wrong. You
6 justified it by food outlets. There are actually more food outlets around the Canton
7 office—

8 **MD:** No, Neil, in fairness by the time we got to this, you know, we've gone through it.
9 I'm not going into a huge amount of detail in every sentence in these transcripts.
10 I'm trying to pick out in order to save time during the process, yes.? All I'm saying
11 is that message still suggests to me... I accept that there's a Tesco Extra. I never
12 used it while I was at the Caerau office. It's only after driving past it to try and see
13 where [REDACTED] was talking about. I can see one. I've never been in there. I don't
14 know if [REDACTED]'s ever been in there but I know for sure I didn't use it day to day but
15 still that message is screaming to me that [REDACTED] in Cowbridge Road East.

16 **NM:** Well, I think my point is a lot of the message is [screen VC? 00:55:47] which may or
17 may not be the case because I don't see how you can, with any knowledge,
18 comment on [REDACTED]'s routine.

19 **MD:** Because, like I said, we never used the alarm in Caerau Lane. We just didn't... I
20 mean, it was never... We didn't have the code for everyone to use it.

21 **NM:** There was an alarm and Mr [REDACTED] ? 00:56:06] certainly gave us the key.

22 **MD:** [Inaudible 00:56:08].

23 **NM:** Okay. So again we disagree on that but the main point I've made there is that you
24 are trying to fit your narrative around facts—

25 **RE:** Yes, we've got that.

1 **NM:** —which doesn't... They don't stack up. Moving on then, just recap on flexitime.
2 Can you tell me what the deal was with flexitime with you?

3 **MD:** As I said, anything that we did excessively outside of office hours we would build
4 up flexitime so—

5 **NM:** Did you all carry out excessive hours of Assembly work outside of what would be,
6 you say, office...? I dispute that fact. I put it to you that you know we didn't have a
7 nine to five office, Monday and Friday.

8 **MD:** We did. That was the office set-up.

9 **NM:** Okay.

10 **MD:** Look, [REDACTED], for example, didn't work any other hours apart from nine to five. It
11 was very, very rarely that you could even get hold of [REDACTED] outside of office
12 hours because [REDACTED] and [REDACTED] would... [REDACTED] leave the office at five
13 o'clock on the dot and we wouldn't see [REDACTED] again till the next morning. I mean,
14 there's the odd occasions, maybe election week, the week before an election [REDACTED]
15 might do a few extra sessions but, erm, very rarely did [REDACTED] do any. I mean, I'd
16 never say any of it was excessive. The same with [REDACTED]. I mean, [REDACTED] had the
17 campaign day on the Friday. [REDACTED] did a lot of work on that campaign day but that
18 was... that wasn't flexible because that was the agreement that [REDACTED] had with you
19 when [REDACTED] got the job.

20 **NM:** How were you able to justify your comments about other individuals not having
21 done work in flexitime when you would have absolutely no idea? How can you
22 justify your comments there?

23 **MD:** Because I [inaudible 00:58:07]. I mean, we were all very close. We were all talking
24 all the time, you know. We all knew what each other was doing.

25 **NM:** What is [REDACTED]'s role?

26 **MD:** [REDACTED].

1 **NM:** Okay, I probably could advise [REDACTED] actually on some things now but... So how
2 would you know that we're not working late into the night very often many nights a
3 week in relation to the Assembly work?

4 **MD:** Because you were... Quite often you were frustrated with [REDACTED] because you
5 couldn't get hold of [REDACTED] for certain things or you'd message the group saying that
6 the three of us needed to have a meeting early and you couldn't get hold of
7 [REDACTED]

8 **NM:** The simple question is how do you know that [REDACTED] wasn't building up flexitime
9 in [REDACTED] working relationship with me, working some quite extraordinary hours, in fact,
10 as [REDACTED] still does.

11 **MD:** Because there's nothing that showed me during that time that [REDACTED] was doing
12 anything other than nine to five, you know. I was in that office a lot. Erm, I was
13 quite often included in, you know, some of the discussions around advising you on
14 different strategies which the majority of it is [REDACTED]'s role but I was always sort of
15 included in that. You know, I was at the heart of your operation so I know what
16 staff were doing at what time.

17 **NM:** I think you overestimate your input there. Where was [REDACTED] then in the week?
18 Where would you place him generally? What does he do?

19 **MD:** It depends what day it is. Erm, Monday, Thursday and Friday [REDACTED] usually in
20 Cowbridge Road East. Tuesday, Wednesday [REDACTED] is usually at the Senedd.

21 **NM:** When I was at the Public Accounts Committee, where would [REDACTED] be?

22 **MD:** Erm, don't ask me. It was a Monday, was it?

23 **NM:** Yes.

24 **MD:** Usually in Cowbridge Road East.

1 **NM:** So on... So you don't accept that when I was working in the Assembly, which
2 would have been Monday, Tuesday, Wednesday, that my adviser wasn't with me.
3 You don't accept that my adviser was with me.

4 **MD:** Erm, no. I mean, like I say, Tuesday/Wednesday, [REDACTED] was in a lot but Monday [REDACTED]
5 would usually be down at 321 and work out of there. That's where we'd have our
6 Monday meetings from. I'm not saying [REDACTED] never worked up at the Assembly on a
7 Monday. You know, there are circumstances, I'm sure, when [REDACTED] been required to
8 but the majority of the time [REDACTED] was at 321 on a Monday.

9 **NM:** Even though [REDACTED].

10 **MD:** Yes. I mean, [REDACTED] can't come in and sit on a Public Accounts Committee with you,
11 can he? [REDACTED] can't come in and sit in the Tŷ Hywel.

12 **NM:** What about [REDACTED]? Where was [REDACTED] based Tuesday/Wednesday?

13 **MD:** Erm, Tuesday/Wednesday mostly, I would say, the Senedd.

14 **NM:** Okay, good. I'd accept that so you don't accept that we still have quite a different
15 regime. I don't do things... Do you accept that I don't do things like other AMs or
16 am I just the same as anybody else really?

17 **MD:** No, you like to think that definitely.

18 **NM:** Not think but the way I operate is exactly the same as any other AM.

19 **MD:** No, the 59 AMs are... I mean, I'm sure there are characters similar to yourself and
20 very different to yourself.

21 **NM:** Just the work timetable because you say we were very fixed on nine to five,
22 Monday to Friday. I put it to you that you know that's not the case.

23 **MD:** No, I didn't say that. I said that was our office hours. You know, I've already said
24 that outside of that I've done a lot of work campaigning. Like I said, [REDACTED] does a
25 lot of work campaigning [REDACTED] but, yes, as far as Assembly work, you know, it
26 was classed nine to five. Anything outside of that was for campaigning.

1 **NM:** Okay. So your evidence is that we were restricted to Assembly work nine to five.
2 Anything out of that was campaigning.

3 **MD:** Have you been in meetings where it's run over past five o'clock? Yes, I'm sure you
4 have but the vast majority of the meetings we had, of the Assembly work we've
5 had, we'd plan it to fit in within that timescale in a week within office hours.

6 **NM:** What was my usual *modus operandi* in the mornings? It's still the same now.
7 What would happen every day when people would wake up?

8 **MD:** Nothing happens the same every day with you. I mean, you know, it changes.

9 **NM:** As a general rule would you agree that it wasn't uncommon, let's say, to find a list
10 of messages from me sent at ridiculous hours?

11 **MD:** Yes. Yes, you'd email at all sorts of times.

12 **NM:** Did I tell people that...? I would check that their phones were on silent, for
13 example, because I didn't want to disturb people

14 **MD:** Yes.

15 **NM:** Yes, but I wanted, once we started the day, that we would hit the ground running
16 early. Last week you gave evidence to say that, I think, [REDACTED] didn't start work at
17 7.40 every day and then you said you would hope not. How do you know that
18 [REDACTED] didn't start work at 7.40?

19 **MD:** Because again I know what [REDACTED]'s workload was. [REDACTED] was... I was responsible
20 for managing [REDACTED]. As far as I was concerned, [REDACTED] started work when [REDACTED]
21 arrived at the office at nine o'clock.

22 **NM:** What is my background in terms of trade unionism? Am I an old trade unionist, I
23 would say? Yes or no?

24 **MD:** I've only known you a few years.

1 **NM:** Okay. I put it to you that you've known that I'm an old trade unionist and you know
2 that my ethos is that—

3 **MD:** I know you used to be in the Labour Party so I guess.

4 **NM:** Yes.

5 **MD:** I mean, they are closely affiliated with trade unions.

6 **NM:** We know that. Are you aware that I was a chair of a trade union at one point?

7 **MD:** No.

8 **NM:** I think you probably do. So would you accept that I'm pretty keen on workers'
9 rights and people not being exploited?

10 **MD:** Erm, no. I mean, it's not... it's nothing you've openly discussed with me in the past.
11 Whether or not... what your opinion is on it, I don't know—

12 **NM:** Let me—

13 **MD:** —but I've never heard you talk about workers' rights.

14 **NM:** Let me put it another way. Do you think I treat staff fairly in terms of hours?

15 **MD:** Erm, you're definitely... you're open in what you expect, you know.

16 **NM:** Am I flexible?

17 **MD:** In what—?

18 **NM:** Am I a flexible employer? The point I'm making is if [REDACTED] carries work out at
19 7.40 every morning religiously and answers my messages or acts upon the
20 messages in [REDACTED] inbox, would I be the kind of employer that would recognise that in
21 allowing flexitime to be built up?

1 **MD:** Like I said, Neil, I've never known you give flexitime being accrued in that way.
2 You know, it was never something that was even, you know, a consideration before
3 you've raised it last week.

4 **NM:** How was flexitime accrued?

5 **MD:** I've told you so many times. It's excessive work outside of office hours but I don't
6 accept that [REDACTED], as soon as [REDACTED] got up in the morning, [REDACTED] was working.

7 **NM:** Okay, fine.

8 **MD:** Now, we can all say that, you know. We all get emails at all sorts of different times
9 to do with our work. It doesn't mean that we're classed as being in work at that
10 time, you know. I just can't accept that [REDACTED]'s day started when [REDACTED] left [REDACTED]
11 house. There is a commute there.

12 **NM:** Okay. What time do [we finish? 01:06:27]?

13 **MD:** For example, right, so I work in HMRC now, okay, so we wouldn't pay anyone's
14 travel expenses from their home to their regular place of work. That is classed as
15 your commute to work and you wouldn't get tax relief on that. In the same way - I
16 mean, I haven't looked into this - but I can't see how the Assembly Commission
17 would pay for staff to be travelling to work.

18 **NM:** Who is the employer?

19 **MD:** You are.

20 **NM:** Yes.

21 **RE:** Could you just help me? Is there a record of accrued flexitime so at the end of a
22 week, for example, would an employee be able to say, "Well, I worked my 37 hours
23 but I also worked an extra ten or an extra 20," and it's logged and kept.

24 **NM:** What did I give to you, Mike, for staff—?

25 **RE:** Can you answer my question?

1 **NM:** Well, there should have been, yes.

2 **RE:** We have those records?

3 **NM:** We have flexi sheets. We had timesheets, yes.

4 **MD:** No one ever filled them out. I mean, it was done... we... The only one that usually
5 accrued flexi was me and I didn't fill out my flexi sheet because I wasn't really that
6 bothered about have time off. I would just work a lot of hours. No one else really
7 built it up so—

8 **NM:** Okay.

9 **MD:** —it sort of just went off the agenda.

10 **NM:** Again, I'm at fault here as the employer. What was your role like as office
11 manager?

12 **RE:** No, hang on. I still haven't the answer to my question.

13 **NM:** No, erm, the—

14 **RE:** I am told that there were flexi sheets but no one filled them in.

15 **NM:** They will have filled in [often now? 01:08:06].

16 **MD:** I think maybe three sheets were filled in—

17 **NM:** Did I ever ask for them to be filled in, Mike?

18 **MD:** Yes. You asked us to.

19 **NM:** Yes, I did, yes. Yes. So it was probably... Was it your job to ensure that those
20 were filled in?

21 **MD:** Yes, it probably is.

22 **NM:** So it wasn't done.

1 **MD:** No. Like I said, it was never part of the agenda, Neil. You've mentioned it in a
2 meeting. We kept up with it for a couple of weeks and then it just went off the
3 agenda again. It was just never—

4 **NM:** So what we have here is an over-relaxed management style on the filling in of
5 those forms.

6 **MD:** No, I just think that we had better things on our minds than, you know, going back.
7 Like I said, it was only really me that built it up. I didn't really care about the hours
8 that I was doing. I took a month after the Westminster election. I was that beat.
9 You know, no one else really built it up so there was no need for me to just fill that
10 out every week for myself.

11 **NM:** I'm confused that only you built the time up because I would put it to you that it's
12 my recollection, and it should be your recollection, that you, [REDACTED] [REDACTED] [REDACTED]
13 would go above and beyond, build up lots of hours, work irregular hours.

14 **MD:** No, none at all.

15 **NM:** So you dispute that.

16 **MD:** No, none at all.

17 **NM:** All right.

18 **MD:** Yes, all right, so you're saying that we did all this extra Assembly work.

19 **NM:** Yes, of course. I would say... Do you not accept that?

20 **MD:** What work were we doing?

21 **NM:** Okay. Do you not accept that?

22 **MD:** I accept that we were doing a lot of work but it was campaign work, Neil. It
23 wasn't—

24 **NM:** Okay.

1 **MD:** That's what was taking up all of our time.

2 **NM:** Do you accept that I was a...? Do you think I was a demanding employer?

3 **MD:** Yes.

4 **NM:** In some ways. In what way was I demanding?

5 **MD:** All sorts of different ways. I mean, you, erm, expect a lot, you know. You were
6 quite difficult at times to work with, erm, quite... you know.

7 **NM:** Why was I difficult and what aspect was difficult in working with me?

8 **MD:** Erm, like, we never knew what you were going to do from day to day, you know.
9 Quite unpredictable.

10 **NM:** Did I demand a high level of effort and work off people?

11 **MD:** Er, yes.

12 **NM:** Okay. But only you came up to the mark, you said earlier.

13 **MD:** No, not at all. I said it was only me that did a lot of extra work outside of office
14 hours. During office hours, everyone busted a gut.

15 **NM:** So I think... We've established that. So your evidence is that only you did
16 Assembly work outside of office hours.

17 **MD:** No, I didn't do any Assembly work outside of office hours.

18 **NM:** Okay, fine. So you say... You're shaking your head there, Sir Roderick. I'm
19 confused because I thought you were saying... So you just did your nine to five
20 and then all the other work outside was campaign political work.

21 **RE:** No.

22 **MD:** No.

23 **NM:** What are we saying?

1 **RE:** To the contrary in fact.

2 **NM:** What—

3 **MD:** So, I fitted in my Assembly work at some point within the nine to five weekdays.
4 The rest of the time, erm, so there was a proportion of campaign work that was
5 done during office hours and then there was a lot of campaign work done outside of
6 office hours and that's where I would build my flexitime.

7 **NM:** We'll accept the term "office hours." We'll take that as the nine to five. What
8 Assembly work did you do outside of those office hours? What Assembly work?

9 **MD:** Assembly work outside of office hours?

10 **NM:** Yes.

11 **MD:** Minimal.

12 **NM:** Minimal, okay. So what work did [REDACTED] do for the Assembly and for me outside of
13 those office hours?

14 **MD:** Like I say, [REDACTED] didn't do [inaudible 01:11:51].

15 **NM:** [REDACTED] was [REDACTED], by the way. So [REDACTED], so [REDACTED] didn't do
16 any. Is that what you're saying?

17 **MD:** No, minimal.

18 **NM:** Minimal, okay. Now, [REDACTED], the same. Did [REDACTED] do minimal Assembly work
19 outside of hours?

20 **MD:** We're talking maybe, you know, once every three months maybe [REDACTED] have to stay
21 on if something had gone on late maybe one night in the Senedd, like, but the vast
22 majority of times [REDACTED] was out of there on the dot.

23 **NM:** Okay.

24 **MD:** And you knew when [REDACTED] went home [REDACTED] wouldn't—

1 **NM:** Okay, so you say that—

2 **MD:** [REDACTED].

3 **NM:** You say that [REDACTED] was out of there on the dot. Where were you on those days
4 because the Assembly sits—?

5 **MD:** What [REDACTED]—

6 **NM:** The Assembly sits till seven usually so where were you at that time?

7 **MD:** Which day? I'd be bouncing between 321, between Tŷ Hywel, between the
8 Senedd.

9 **NM:** Routinely on a Tuesday/Wednesday, where were you?

10 **MD:** Most of the time I was in the, erm, regional office.

11 **NM:** Were you ever in the Assembly?

12 **MD:** Yes.

13 **NM:** Until what time?

14 **MD:** Erm, the majority of times was, you know, five o'clock/six o'clock in the Assembly.
15 There's no reason for me to have to stay later there. You know, if I was in
16 Cowbridge Road East, there were reasons for me to stay later there. There were
17 things I could be cracking on doing.

18 **NM:** I'm a bit confused now. Were you in the Cowbridge Road East or were you in the
19 Assembly?

20 **MD:** Neil, you're talking about a year.

21 **NM:** On the Tuesday/Wednesday.

22 **MD:** I mean, I was all over the place during that time.

23 **NM:** Okay, so—

1 **MD:** Give me a specific day and I'll try and tell you where I was that day but there was
2 no fixed routine as to where I'd be.

3 **NM:** I would contend that you were not in the Assembly on the Tuesday/Wednesday
4 because it wasn't your job, Michael.

5 **MD:** Yes. No, there were times where you would call me to the Assembly and I would
6 need to be in the Assembly for whatever reason and even my Welsh lesson was on
7 a Tuesday.

8 **NM:** How often did that happen?

9 **MD:** Quite regularly. I was based all over the place. I was—

10 **NM:** So what time—?

11 **MD:** I was the one that was driving so—

12 **NM:** So what time—?

13 **MD:** —it was usually me that ended up having to ferry stuff between one or the other,
14 you know. I was the only one that had that luxury.

15 **NM:** I'm confused about your role really because you say that you're an office manager
16 nine to five and yet you also claim that you're in the Assembly. You couldn't do
17 both.

18 **MD:** Neil, it's—

19 **RE:** We're getting a long way from the nub of this.

20 **NM:** It is important because what has been alleged is that my staff only did nine till five.
21 Michael has said that they would be out on the dot.

22 **RE:** No, he hasn't.

23 **NM:** Yes, he did.

1 **RE:** He said that [REDACTED] [REDACTED] would be out on the dot.

2 **NM:** [REDACTED].

3 **RE:** [REDACTED], sorry.

4 **NM:** Okay. So was [REDACTED] out on the dot?

5 **MD:** The vast majority of times. In fact, you know, quite often she'd leave a little bit
6 early just to walk and get the train on time.

7 **NM:** So what time did you finish in Cowbridge Road East on a nine to five?

8 **MD:** Neil, I've said this. My working pattern was all over the place. There were times
9 when I'd stay very late in Cowbridge Road East—

10 **NM:** Yes.

11 **MD:** —and there were times when I'd leave early. There were times when I'd go off on
12 casework meetings and there were times I'd go to the Senedd so what are you
13 trying to get at? We're just going round and round in circles.

14 **NM:** So what you're saying is the office wasn't open then in Cowbridge Road East.

15 **MD:** No. You're trying to get me to say over the course of a year, however long it was,
16 that the office was open at this specific time. Give me a date and I'll try and tell you
17 what time it shut, where I was, where I left but at the moment—

18 **NM:** I'm putting it to you that [REDACTED] [REDACTED]
19 [REDACTED] [REDACTED] it was your job to be in the regional office until 5pm. On rare
20 occasions perhaps you were asked to come to the Assembly but the reality is
21 you—

22 **MD:** Neil, I had a weekly Welsh lesson in the Assembly.

23 **NM:** What time was that?

1 **MD:** I can't remember the day. I think it was a Tuesday. I think it was eleven o'clock but
2 I'd have to go... but I can't get into my Assembly [inaudible 01:16:11] notes.

3 **NM:** How often do you attend?

4 **MD:** Erm, every week.

5 **NM:** [Inaudible 01:16:15] five o'clock because you've made a statement that they were
6 out on the dot and I'm putting it to you that you have no idea what time they left this
7 building.

8 **MD:** Neil, I do. We've got a message group chat that we were constantly talking to each
9 other about. We all knew where each other was at every point in the day.

10 **NM:** Please help me because I'm looking through there and I'm struggling to find any
11 evidence to support your assertion that they left on the dot.

12 **MD:** It's noted here—

13 **NM:** It's your file of evidence.

14 **MD:** Yes, so included here is everything of relevance to this case, so everything to do
15 with campaigning activity. I've said that this isn't the entire transcript of the
16 conversations we had. To do that would have taken... would have been a huge
17 amount of—

18 **NM:** With respect, it is the nub of the matter.

19 **MD:** It's not, Neil—

20 **NM:** Do you not accept—?

21 **MD:** —because—

22 **NM:** Do you not accept that people's hours are the nub of this matter—

1 **RE:** No, they're not. They're not. It's important, I agree. The nub of the matter - and
2 we are going a long way from it - is what work was being carried out in the office by
3 your employees? Was it Assembly work or political work? That's the nub of it.

4 **NM:** So what about outside of the office?

5 **RE:** What do you mean?

6 **NM:** Outside of the office. The office is not nine to five. It never has been. It's seven
7 days a week. We run a seven-day-a-week operation and it's—

8 **MD:** We don't, no. Not for Assembly—

9 **RE:** That is different [inaudible 01:17:39] complaint. The nub of the complaint is that
10 Assembly resources were being used for political purposes, right?

11 **NM:** Yes.

12 **RE:** Now, that includes the office, the staff—

13 **NM:** Mm-hmm.

14 **RE:** —the equipment.

15 **NM:** Yes.

16 **RE:** Now, that is what I want to get at.

17 **NM:** Yes, but how were the staff employed? How was [REDACTED] employed?

18 **RE:** I'm not answering your questions. I'm just telling you what—

19 **NM:** [REDACTED] employed for [REDACTED] hours a week and what Mr Deem is saying is that [REDACTED]
20 did not work [REDACTED] hours a week or more for Assembly work. That's what's being
21 established. Well, that's what's being alleged, I'm sorry.

22 **RE:** That might well have relevance.

23 **NM:** It is... That is the point.

1 **RE:** What I'm more interested in is was any member of your staff doing political work
2 during office hours in the Assembly regional office on Assembly equipment with
3 Assembly paper, for example.

4 **NM:** Define office hours. We don't... I've just... I've repeated ad nauseam we do not
5 have office hours. No—

6 **MD:** We are contracted.

7 **NM:** We do not have... We do not have—

8 **MD:** You know, if you want to go back and pull out our contracts, that is what [inaudible
9 01:18:52].

10 **NM:** We'll come to that now because what we have, like every other Assembly Member,
11 are flexible working arrangements. Right.

12 **MD:** Neil, all right, [REDACTED] did an entire day's volunteering on the Friday. [REDACTED] would
13 then go [REDACTED] for the weekend so [REDACTED] not doing any Assembly work on
14 Fridays, not doing it on a weekend—

15 **NM:** All right. Okay, fine.

16 **MD:** Erm, and [REDACTED] got to get a train back. [REDACTED] not going to stay late in Cardiff and
17 [REDACTED], as I've already said, [REDACTED]. [REDACTED] leave the
18 office to go home. There's no Assembly work, excessive Assembly work that
19 needs doing outside of nine till five, Monday to Friday. There's just nothing—

20 **NM:** Okay, all right.

21 **MD:** —that needs doing.

22 **NM:** That's a really important point, Sir Roderick. What Michael has said is that there is
23 no Assembly work which needs doing outside of nine to five.

24 **MD:** No excessive work needs doing.

25 **NM:** Excessive.

1 **MD:** As I've said, there may have been the odd occasion where a meeting's overrun or,
2 you know, but the vast majority of Assembly work can be covered in our nine to
3 five.

4 **NM:** Sir Roderick, with respect also to you, if you're saying to me that am I seriously
5 saying that my staff did not during any day undertake political work, that would be
6 an absolute nonsense for me to maintain that. It would be a nonsense for any of
7 the 60 Assembly Members. What I am saying is that my staff every single week
8 work above and beyond on Assembly work the hours that they should work.

9 **MD:** You keep saying "Assembly work," Neil. It wasn't.

10 **NM:** Okay, fine.

11 **MD:** We worked above and beyond, yes, but it was campaigning.

12 **NM:** All right. Sir Roderick, the key point is that Michael... So I am clear, I hope to be
13 clear, you don't accept that [REDACTED], you and [REDACTED] would do more than the
14 allotted hours every week on Assembly work?

15 **MD:** No.

16 **NM:** You don't accept that.

17 **MD:** No.

18 **NM:** Fine. That's it. We disagree. Can we look at the evidence file, please? The
19 screenshots. I'd like to say thank you to [REDACTED] for providing the screenshots
20 because I wasn't able to. I did try several times to download them but I wasn't able
21 to. Not all of them anyway. This is the file in front of us. We've got to go through
22 it, every one unfortunately almost. What I hope to do here is establish—

23 **MD:** Sorry, can I have a five-minute break.

24 **[REDACTED]:** Yes, that would be good.

25 **NM:** Yes.

1 **RE:** Yes, certainly. We'll have a 15-minute break.

2 **MD:** Okay, thank you.

3 **RE:** We shall begin quarter to twelve.

4 **MD:** Thank you.

5 *Egwyl / Break*

6 **NM:** We'll be going through the file that [REDACTED] provided for me on Monday. Just to
7 backtrack slightly, you being placed at the Assembly in your evidence. So you
8 relied upon your Welsh lessons to place you at the Assembly.

9 **MD:** No, I said that I had Welsh lessons at the Assembly. That's not the only reason I
10 would go there. There's a lot of different reasons that I would go there.

11 **NM:** But your Welsh lessons didn't last very long, did they? You didn't attend many.

12 **MD:** Erm, I attended a fair few. I stopped going because there was too much campaign
13 work to do.

14 **NM:** How many would a fair few be?

15 **MD:** Erm, I'm not sure.

16 **NM:** So your evidence is you attended a fair few Welsh lessons at the Assembly?

17 **MD:** Erm, yes. They were in the, erm... yes, they were the Assembly of Tŷ Hywel.

18 **NM:** Okay, so your lessons were a reason for you to be at the Assembly.

19 **MD:** Erm, I mean, you couldn't schedule them anywhere else. I'd go and meet [REDACTED] in
20 one of the rooms, the room next door to where we held the hearing last week.

21 **NM:** Okay. So to be clear they were a reason for you to be in the Assembly.

22 **MD:** They were a reason.

1 **NM:** Yes. What did you do after those meetings or after the lessons?

2 **MD:** Erm, it depends on the day, it depends on the workloads. I'd usually go to the Plaid
3 office for about, erm... to see if there's any tasks you needed me to do from there.
4 Erm, like I say, it really depends on the day and what was on at the time.

5 **NM:** Okay. Just returning finally to a point about the others' routines. You said that they
6 were out on the dot. How could you physically witness them being out on the dot
7 when you weren't in the Assembly on a Tuesday and Wednesday?

8 **MD:** Like I said, we were in constant communication with each other. Erm, I was aware
9 of when people were in work and when they weren't in work.

10 **NM:** How were you aware of them being in work or not in work?

11 **MD:** As I said, because we were constantly communicating with each other.

12 **NM:** So did they check in with you before they left the Assembly?

13 **MD:** No.

14 **NM:** So how would you know?

15 **MD:** Because, you know, we'd stop having communications. There would be... I mean,
16 we just wouldn't be... talk about work. You know, when people go home they go
17 home, you know.

18 **NM:** So when people go home, they go home.

19 **MD:** They go home, yes, so I wouldn't be contacting them.

20 **NM:** Is that in your evidence?

21 **MD:** What do you mean?

22 **NM:** Or the screenshots you provided. The screenshots which you're going to have to
23 look through now, do they establish that when they went home, they went home
24 and just got on with their family lives?

1 **MD:** No. Like I said, there were times when we'd communicate after but the vast
2 majority of communications were, you know, done during the day.

3 **NM:** Okay. But outside they would communicate about campaign stuff.

4 **MD:** Neil, these are massive transcripts of... you know, it's our channel of
5 communicating with each other. I don't understand what you're trying to say.

6 **NM:** Earlier you said that the team would build up flexitime by doing campaign work and
7 I thought that you were saying that they did campaign work outside the nine to five.

8 **MD:** I did a lot of campaign work outside of nine to five. I mean, they may have done a
9 little bit but not a huge deal.

10 **NM:** So they didn't do... What your evidence is, that you think that they didn't... Or
11 you're saying you think - I mean, you'd never [inaudible 01:25:40] - but you think
12 that they didn't do Assembly work outside of the nine till five, Monday to Friday.

13 **MD:** If they did it was very minimal, you know.

14 **NM:** Okay. How do you know that?

15 **MD:** Because, as I said, it was... we all knew what each other's workloads were. We
16 were all aware of what each other had to do.

17 **NM:** How were you aware of [REDACTED] communicating with me early in the morning?

18 **MD:** Obviously I can't... I can't see messages between yourselves, just the two of you.
19 All I can see is the group chat but, you know, I was aware of how we
20 communicated as a team, you know. We were a close bunch that knew what each
21 other were doing.

22 **NM:** So you can't say with any evidence or with any, I suppose the word would be...
23 What is the word when you know something? Of any...

24 **[REDACTED]:** Clarity.

25 **RE:** Shall we go on now to the screenshots?

1 **NM:** There's a particular adjective I've forgotten in English. Erm, certainty. Certainty
2 that [REDACTED] [REDACTED] [REDACTED] were not conducting Assembly duties outside of those
3 hours. You cannot say with any certainty that wasn't happening.

4 **MD:** No, I've already said that there were times when meetings would run on and we'd
5 be doing Assembly work but, yes, no, the vast majority of Assembly work was done
6 nine to five. Erm, anything outside of that was, erm, usually campaign related.

7 **NM:** Do you accept - and we've got the file now - do you accept that all my staff worked
8 and still work very hard and build up flexitime which was used with holidays to
9 enable them to campaign without falling foul of the code of conduct?

10 **MD:** No.

11 **NM:** Okay.

12 **RE:** Was there any question you typed out?

13 **NM:** Yes.

14 **RE:** Could I just copy it? Do you mind?

15 **NM:** Sure, yes. Of course not.

16 **RE:** Thank you.

17 **NM:** Can I have a spare copy?

18 **RE:** It's all right. I can copy it.

19 **NM:** Yes.

20 **RE:** Thank you. Right.

21 **NM:** Okay. Just to be clear as well, you stated in your evidence that you built up your
22 flexitime through campaign activity, not Assembly work.

23 **MD:** Yes.

1 **NM:** Thank you.

2 **MD:** I mean, that was the vast majority of it.

3 **NM:** Okay, right. This is 5A.

4 **RE:** 5...?

5 **NM:** 5A of the screenshots.

6 **RE:** Right.

7 **NM:** And, erm, is this... can we get the transcript as well? 5A. Oh, no. "Call me when
8 you get up. This is very serious." It's got 5A on here? [REDACTED], it says 5A.

9 [REDACTED]: Yes.

10 **NM:** Erm, 3A... 5A.

11 **RE:** Which page?

12 **NM:** That must be it there. Page two. Have I got...? Am I missing page one? Is 5A,
13 page one there?

14 **RE:** 5A, page one. Right. Which message?

15 **NM:** Erm, it's a different one not in the file.

16 [REDACTED]: That's yours, isn't it?

17 **NM:** I've got the actual screenshots here in front of me.

18 **MD:** Maybe the dates would help and then go to that date.

19 [REDACTED]: Do you want to look at the screenshots up on there?

20 **NM:** Yes, please.

21 [REDACTED]: Because that's everything then, isn't it?

1 **NM:** Yes.

2 **█:** That's all the screenshots in there.

3 **MD:** I think so, yes.

4 **█:** Erm—

5 **NM:** Yes.

6 **█:** How would that tie in, Mike, with...? Do you know? I mean—

7 **NM:** 5th of March.

8 **█:** —[inaudible 01:31:01] on the screen.

9 **MD:** Yes, page three.

10 **NM:** Right, okay. Sir Roderick, can I use your red pen?

11 **RE:** Yes, of course.

12 **NM:** I'm just going to mark up exactly what we've covered here. So, "Call me when you
13 get up. This is very serious." Erm, who is that to?

14 **MD:** That's a Signal direct message from you to me.

15 **NM:** Okay. Could be anything, of course. What time is that?

16 **MD:** I haven't got the time on here.

17 **NM:** It's 8am. What day is it? I can tell you.

18 **MD:** Yes.

19 **NM:** It is a Sunday. So I'm messaging you at 8am on a Sunday. "Can you call me
20 when you get up? This is very serious." Do you recall what it was about? Do you
21 recall what—?

1 **MD:** I'm trying to go through the conversations to see.

2 **NM:** I don't recall at all, to be frank. It would seem that you don't recall what it's about,
3 Mike. I don't either. There's no issue there. I'm not making any point other than
4 you don't recall it.

5 **MD:** Erm, I can come back to it. I can go through the the rest of the messages.

6 **NM:** You either recall it now or you don't. I don't recall it.

7 **MD:** Yes, I know but if I went through all the messages on that day then it might give me
8 more of an idea of what it was about. At this point in time, I can't think because it's
9 a couple of weeks later when we had our meeting in the Coop car park about the
10 CCTV cameras. I'm just trying to think what happened in the run-up to that.
11 Maybe it was the, erm, [REDACTED] incident. I'm not sure. You know, when he
12 came to the office. I don't know.

13 **NM:** Do you know what day was the [REDACTED] incident?

14 **MD:** I don't know. Are we under cross-examination now because I haven't had a
15 chance to prepare for that. I'll come back to that—

16 **NM:** You can come back to it but—

17 **MD:** —if you want me to.

18 **NM:** —at this moment in time.

19 **MD:** At this moment in time, I can't think off the top of my head.

20 **NM:** Fine. I don't either. So you say it could be the [REDACTED] possibly. When
21 could it be? The car park you mentioned?

22 **MD:** Yes, about the CCTV cameras.

23 **NM:** Okay. So it could be the car park.

24 **MD:** I'm pretty sure the car park incident was further along.

1 **NM:** Is there anything else that it could be? What was serious? This is very serious.
2 It's eight o'clock on a Sunday. Okay, you don't know. I don't know, erm, so
3 therefore, I can't actually tell you whether or not it was political.

4 **RE:** Right. Well, it's on a Sunday anyway so—

5 **NM:** Maybe it was Assembly but what I'm trying to do is establish the way we used to
6 work and still work now actually in the office.

7 **RE:** So this was on a Sunday, yes.

8 **NM:** Yes, yes.

9 **RE:** Right.

10 **NM:** Okay. 5A, 4... sorry.

11 **RE:** Thank you.

12 **NM:** I could do with another coloured pen actually just to make sure.

13 **RE:** Okay. Where do we go next?

14 **NM:** Erm, 5A, two. So this will be two.

15 **RE:** Sorry?

16 **NM:** 5A, two. It's the next page so it's the next screenshot.

17 **RE:** Right. "Number one priority sought sub-let to Plaid."

18 **NM:** Sub-let. What was the sub-let like?

19 **MD:** Erm, you wanted to rent off the back room in the office.

20 **NM:** What other Assembly Members did that?

21 **MD:** You gave a name of the last one.

1 **NM:** Do you recall me quoting the way Llanelli used to operate and that [REDACTED]
2 had his office in the Plaid Cymru campaign office?

3 **MD:** Yes, I remember you saying that.

4 **NM:** And he rented a room from the Assembly in the campaign office.

5 **MD:** Yes.

6 **NM:** Yes, so I thought we could do the same, yes? Okay. 5A, two, 17th of March. That
7 would be Friday, I think. Can you just check? I've not written that one down.

8 **RE:** The 17th would be a Saturday, wouldn't it?

9 **NM:** Yes, Saturday. This is what I mean by I'm demanding [of my staff? 01:37:31] So
10 I'm messaging you on a Saturday, the 17th, erm, but I want to speak to you. It's five
11 past ten on a Saturday... sorry, ten past five am on a Saturday. What I should
12 have said to you earlier, because I know I do go to these extremes with Assembly
13 work, that I, therefore, am very flexible about how staff then operate in other times.
14 So, for example, on the face of it I would say do you think that this would seem
15 unreasonable for me as an employer messaging you at this time of a morning on a
16 Saturday about a work matter?

17 **MD:** Erm, which day are we on, sorry?

18 **NM:** It's on the screen there. Saturday the 17th of March. It's ten past five in the
19 morning.

20 **MD:** Saturday the 17th of March first of all is a Friday.

21 **NM:** Was it?

22 **MD:** 17th of March is a Friday.

23 **NM:** Oh, we're looking at 2018. Correct, yes. I do apologise. So on a Friday before we
24 get to work, I'm messaging you at five o'clock in the morning, ASAP. So on the
25 face of it do you think that's unreasonable as an employer for me to do that?

1 **MD:** This is when you woke up in a cold sweat when you realised that the CCTV
2 cameras were recording everything we were doing in the office. This is when we
3 went to meet in a car park.

4 **NM:** So just to be clear then, page before which is, "This is very serious," is over a week
5 before that and it's got nothing to do with that matter so there's another very
6 serious matter which has cropped up first thing that I'm contacting you about.

7 **MD:** Yes.

8 **NM:** Yes, okay. Again, I'm trying to establish the way that we still work. On the face of
9 it, it could be seen by outsiders for me to be unreasonable to expect my employees
10 to pick up messages early. I didn't expect you to message back so early but would
11 you agree that it's not uncommon for such messages to be in boxes, be a text, be a
12 Signal, be an email?

13 **MD:** Not at all. I struggle to see how this is Assembly related though.

14 **NM:** Okay. I'm not getting to that yet. I'm trying to establish the way that we used to
15 work together. Where did you go for two weeks at the end of October and
16 November in 2016?

17 **MD:** To, erm, Florida.

18 **NM:** So in terms of the flexibility, did you welcome the fact that you could build up a lot
19 of hours, as you did and beyond actually, and then I would allow you to take two
20 weeks off in term time to go and work on [REDACTED] campaign? Did you
21 appreciate that?

22 **MD:** Yes.

23 **NM:** Did you appreciate that [REDACTED], [REDACTED] and me would work extremely hard in
24 your absence to cover the work that you would otherwise do.

25 **MD:** Yes.

1 **NM:** Okay. All I am establishing there, Sir Roderick, is the idea of flexibility and the idea
2 that you'd be hard pushed to find another Assembly Member who would allow a
3 staff to take time off in term time. What they tend to do is give staff time off in the
4 recesses. Would you agree with that, Mike?

5 **MD:** Yes, people... I mean—

6 **NM:** Are you aware of any other AMs who give their staff time off during the Assembly?

7 **MD:** Yes, but you've got to fit in holidays, you know. I mean, that is... You wouldn't be
8 able to... I don't think there's enough recess to cover every member of staff, you
9 know. You've got to have some sort of flexibility. I mean, as long as there's not
10 more than one person off, that's when it becomes an issue. To have one person
11 off for two weeks isn't a big problem.

12 **NM:** Well, [inaudible 01:41:49] agree or not. In the summer, for example, the recess
13 starts roughly at the end of the second week in July. We're not back in till the
14 second week of September. Staff are routinely expected to take their summer
15 holidays during that time.

16 **RE:** Can we just go back a little?

17 **NM:** Yes.

18 **RE:** The Signal of the 15th of March.

19 **NM:** 15th?

20 **RE:** Sorry, the 5^h of March 2017.

21 **NM:** Yes.

22 **RE:** What day do you say that is?

23 **NM:** Sunday.

24 **RE:** Well, I may be getting it completely wrong but I think according to this it's a
25 Saturday.

1 **NM:** No, it's a Sunday. That's this year, 2018. This is 2017.

2 **█:** According to the Assembly calendar for March 2017, it was Friday the 3rd. Sorry to
3 interrupt.

4 **NM:** Yes, this is 2017. It would be—

5 **█:** It's a Sunday.

6 **RE:** Sorry, you're right, yes.

7 **NM:** Okay.

8 **RE:** I was looking at 16, I am sorry.

9 **NM:** All right. So the 17th was a Friday so I've messaged you, erm... The next one,
10 **█**.

11 **█:** Sorry.

12 **NM:** So I've messaged you really... It's the one after that, sorry.

13 **█:** The one after that.

14 **NM:** Yes, so it was early in the morning. Erm—

15 **RE:** The 17th of March—

16 **NM:** Yes.

17 **RE:** —you said you woke up in a cold sweat because—

18 **NM:** No, I didn't say that.

19 **RE:** No, no.

20 **MD:** No, I said that—

21 **RE:** You that said that.

1 **NM:** Yes.

2 **MD:** —you did because you'd realised the CCTV cameras in the office were covering...
3 They had full view of the political activities that were going on in the office.

4 **RE:** Sorry, the next one you were talking about? Which was the next message?

5 **NM:** Erm, I'm just checking whether this ties in with what was said last time. So on the
6 transcript of the 17th it's got, "Urgent chat."

7 **RE:** Yes.

8 **NM:** Erm, "Ring me. Head to office. Chat there. Coffee? Meeting with [REDACTED]
9 today in 15. Did you speak to [REDACTED]?" Ah, sorry, that's my confusion. The first
10 one is the 7^h. It was on the right-hand side. There, sorry. Okay. So my
11 contention is that Assembly work was done at all hours and is done at all hours
12 because that's what it takes to do this kind of job if we are to offer best service.
13 Nine to five just doesn't cut it. At what time—?

14 **MD:** I'm saying this has nothing to do with the Assembly though. This is the fact that
15 you're potentially going to get caught out for doing political activity so that's where
16 the urgency was.

17 **NM:** We'll come to that. Just to reiterate, you did take two weeks off during term time [REDACTED]
18 [REDACTED].

19 **MD:** Mm-hmm.

20 **NM:** Okay. Flexitime?

21 **MD:** I believe so, yes. I can't remember. It was [inaudible 01:45:35] holiday but I know I
22 took it [inaudible 01:45:36].

23 **NM:** Would you agree that because of the quite superb timekeeping that you did
24 demonstrate in the early days, that I felt that that was extremely fair and just to
25 enable you to further your political career?

1 **MD:** Yes.

2 **NM:** Yes, okay. You say that it wasn't Assembly related and yet the 6.48 message,
3 what is your meeting at 7.30? Would that be am?

4 **MD:** Yes.

5 **NM:** Okay. Who are you meeting?

6 **MD:** Erm, [REDACTED] to try to... we had a solicitors meeting in Bristol.

7 **NM:** Yes, a really involved case. A horrendous case actually. So at 7.30 in the morning
8 you're doing Assembly work.

9 **MD:** Yes, in this instance, yes.

10 **NM:** Okay, fine.

11 **MD:** We had to be in Bristol by nine so there is no way of going round there.

12 **NM:** So in your evidence, you're presenting your own evidence that you were working at
13 least on this day from 7.30am on Assembly work.

14 **MD:** Yes.

15 **NM:** Okay, good. I think the... The messages there, 6.47, 6.48. So, in fact, you're
16 already discussing, it would seem, Assembly work there. You say not. I say
17 possibly. "I'll be there in 15." That's me, yes?

18 **MD:** Yes.

19 **NM:** Erm, then later in the day, a message. To me it would seem that we're moving off
20 topic now. "Did you speak to [REDACTED]? Print and folding machine need to go." That
21 was 11.38. Yes?

22 **MD:** Sorry, what was the question?

23 **NM:** It's 11.38. I'm saying that the printer and the folding machine need to go.

1 **RE:** Mr Deem, did you say that?

2 **MD:** Yes, I said that.

3 **NM:** Okay, fine. You're saying it, yes. Why was that?

4 **MD:** Because they were in the Assembly office.

5 **NM:** And what was coming up then? What was imminent? What was imminent, the
6 17th? The wall's closing in almost. What is happening? What are we just about to
7 embark on?

8 **MD:** What do you mean?

9 **NM:** That was our historic Plaid campaign where we run the Council. We did the best
10 we ever did actually.

11 **MD:** Yes. No, we.... We'd been doing that a long time before this message.

12 **NM:** Okay, okay. Were there any other Assembly Members that you're aware of who
13 acquired a campaign office?

14 **MD:** Not that I'm aware of. I don't think any other Assembly Members were standing for
15 the Council elections. I think you were the only one.

16 **NM:** Would you agree that, for example, [REDACTED] was intimately involved in the
17 Council campaign in Rhondda, for example?

18 **MD:** Erm, I imagine [REDACTED] turned up and did canvassing or leafleting. It was never really a
19 focus as we were involved in Cardiff. I mean, [REDACTED] definitely didn't do anything like
20 what you did for that election.

21 **NM:** Okay. You've made a statement there. "[REDACTED] definitely didn't do anything like what
22 you did for that election."

23 **MD:** Yes.

1 **NM:** I'm not commenting on what I did. I'm not commenting on what [REDACTED] did. I'm
2 simply asking you how do you know what [REDACTED] did or [REDACTED] didn't do?

3 **MD:** Because [REDACTED] didn't stand for election. You were a candidate.

4 **NM:** Okay. So my question to you is that it's your opinion—

5 **MD:** It's not my opinion. It's a fact. You were a candidate. [REDACTED] wasn't.

6 **NM:** I'm not asking that. I'm asking you... Go back to the question a couple of
7 sentences ago. Do you imagine that [REDACTED] was intimately involved in the Rhondda
8 Council campaign?

9 **MD:** Erm, knowing [REDACTED], I imagine [REDACTED] did support whatever candidates were there.
10 I don't know what [REDACTED] did in it.

11 **NM:** Okay. I would imagine that [REDACTED] was intimately involved in the Rhondda
12 campaign. Did [REDACTED] obtain a campaign office?

13 **MD:** I don't know. I don't know.

14 **NM:** No. No. So you're not aware of [REDACTED] obtaining a campaign office.

15 **MD:** No.

16 **NM:** Okay. 5A, I think we'll come back to that one later. So moving on 5A, 4, this is the
17 one... I think it's my numbering here. If we click on not the next one, not the next
18 one, the next one, next one... right. 5A, 4 in my file. What day is the 5th of March?

19 **MD:** We've already established this.

20 **NM:** Sunday, yes?

21 **MD:** Sunday.

22 **NM:** Yes, okay. So we're having a discussion on people coming and going in the office
23 on a Sunday.

1 **MD:** Mm-hmm.

2 **NM:** You would say that it's campaign work, yes?

3 **MD:** Mm-hmm.

4 **NM:** I would say probably not actually. Do you remember the real reason why—?

5 **MD:** You say, "I would prefer if [REDACTED] and [REDACTED] no longer come to the office. The
6 political office needs to be one of their homes."

7 **NM:** Yes.

8 **MD:** So how is that anything to do with Assembly work?

9 **NM:** May you don't recall but how often do you recall them just wandering into the
10 office?

11 **MD:** [REDACTED] would come in and stuff envelopes. [REDACTED] ... probably [REDACTED] more than
12 [REDACTED] but, yes, they were regular drop-ins.

13 **NM:** Okay, yes. That's my point really because the message there is Sunday, ten past
14 five, there's one at 6.47 where I sound particularly frustrated. Would you agree?
15 With [REDACTED] and [REDACTED]?

16 **MD:** I can't see the time. Do you want to tell me the...?

17 **NM:** The time is not too relevant. It's a Sunday—

18 **MD:** I can't locate the sentence you're talking about.

19 **NM:** Okay. We've established that we messaged on a Sunday. It's about [REDACTED] and
20 [REDACTED]. You said they wandered in the office quite often. You say they were
21 doing campaign work. I would disagree there. Erm, do you remember any
22 frustration on my part, the fact that he was coming...? How often was I in the office
23 in Cowbridge Road East?

24 **MD:** Quite regularly. Probably—

1 **RE:** Are you saying that [REDACTED] and [REDACTED] would do campaign work in the office?

2 **MD:** Yes. They'd come in and stuff envelopes or fold leaflets or—

3 **NM:** How often was I in the office, Mike?

4 **MD:** It would vary. Probably at least once a day.

5 **NM:** Every day?

6 **MD:** Pretty much, yes.

7 **NM:** That's not my recollection. So you don't recall that I actually wouldn't be in the
8 office in Cowbridge Road East that often.

9 **MD:** It was your office, Neil. You were in there all the time.

10 **NM:** We've already established that there were several offices.

11 **MD:** That was your base. That was the one that was closest to your house. That was
12 where we did all of our operations.

13 **NM:** In terms of [REDACTED] and [REDACTED], do you recall or not my main frustration of the fact
14 that he was coming and was completely wasting my time.

15 **MD:** No. No, not at all.

16 **NM:** Okay. I would put it to you that a lot of my frustration with those individuals, I
17 wasn't in the office that often and when I was in the office there were things to do
18 and they were coming and would completely waste my time by wanting to discuss
19 things like the manifesto and I really had better things to do.

20 **MD:** No.

21 **NM:** Okay. So we don't have the same recollection there. Erm—

22 **RE:** The next one?

23 **NM:** I'm just pointing out the times of the messages. 20.36, 20.37—

1 **RE:** Which one is that?

2 **NM:** "I like your mentality." It's the next one—

3 **RE:** Which page is it?

4 **NM:** It's not actually numbered.

5 **█:** Yes, it's page five.

6 **NM:** I've numbered it 5A. It is 5A. It's the fifth page along in 5A.

7 **RE:** Right. Which one are we talking about?

8 **NM:** Receiving some messages. It's 20.36, 20.37—

9 **RE:** Yes, which ones? 21.3.17? "Need a serious word." Is that the one?

10 **NM:** "As you said, █ we stick together which is good. Let's not ban █,"

11 and the next one as well. So I'm saying, "Let's not ban them." Next one, yes, erm,

12 "█ [inaudible 01:55:26]. Very good point." Okay. Erm, the point that I want

13 to make here only are the times of the messages which is 20.47, 20.53, 21.01.

14 Right, next one is the—

15 **RE:** No, I'm sorry. I just don't follow this as far as the messages are concerned. Which

16 ones are you referring to?

17 **NM:** I'm referring to the batch.

18 **RE:** Exhibit 5A, page five.

19 **NM:** Yes.

20 **RE:** Right, I've got that. 18.3.17, you say, "Councillor who? You have a new office,

21 [inaudible 01:56:00]."

22 **MD:** It's page 4.

23 **RE:** Page 4?

1 **NM:** Have you got the one before that, [REDACTED]? The one before that?

2 **RE:** We've just done that, the 5th of March.

3 **NM:** Yes. All I'm doing is flagging up the time we're communicating because in my mind
4 this is certainly Assembly work because... well, it's Assembly related because I'm
5 fed up with these people coming in the office all the time. Just [all nonsense?
6 01:56:32] frankly. That was my feeling at the time but all I want to do there, and we
7 may disagree on whether or not it was political or Assembly, but all I'm doing is
8 pointing out that it is the norm to have a discussion at 20.36, 20.37, 20.47, 20.53
9 and 21.01. That's the only point I'm making.

10 **MD:** But how is any of that Assembly related? You know, that's all political, those items.

11 **RE:** *[Mobile phone ringing]*. I'm sorry. Right.

12 **NM:** The only point I'm making are the timings of the message. Again, irregular hours.
13 If we go forward another two pages. Erm, not that. The next one, [REDACTED]. The
14 next one. Next one. Okay.

15 **MD:** Erm, what date are we on?

16 **NM:** This is the 8th of April.

17 **RE:** Right.

18 [REDACTED]: It's a Saturday.

19 **NM:** What date is that, Michael?

20 **RE:** The 8th of April?

21 **NM:** Yes.

22 **RE:** Right.

23 **MD:** A Saturday.

1 **NM:** Yes. What file did I have with me?

2 **MD:** What—

3 **NM:** It says, “Neil has the file. He’s in Barry.”

4 **MD:** Erm, I haven’t got that. I’ve got, “We really must get up to date with the printing
5 tomorrow. We must use both printers.”

6 **NM:** The sentences before that.

7 **RE:** 8th of April, “You really must get up to date with the printing.” That’s from you and
8 it’s 7.32.

9 **NM:** The point I’m making, it’s actually the 8th of May on the other side of the sheet that I
10 have in front of me, the screenshot. The 8th of May and [REDACTED] is messaging me at
11 what time, Mike?

12 **MD:** I’m completely confused. What day are we on?

13 **NM:** These are this... Can we go to the next screenshot? This is the point I’m making
14 here.

15 **RE:** Well, you said earlier the 8th of April.

16 **NM:** Yes, sorry. That should be—

17 **RE:** Yes, that’s at 17.32.

18 **NM:** Yes, on a Saturday.

19 **RE:** Right.

20 **NM:** On the 8th of April was a Saturday. I’ve got a file. What file was it, Mike?

21 **RE:** Where’s the reference to the file?

22 **NM:** “Neil has the file. He’s in Barry.”

1 ■: I think the transcript—

2 MD: It's on the screenshot, yes.

3 ■: The screenshots give the messages before and after, I think, whereas the
4 transcript might not.

5 RE: I'm sorry, I'm completely lost.

6 NM: The point is—

7 MD: When I've provided the transcripts, I've taken out the stuff that I thought was
8 relevant to the case. Before and after, there will be other messages sent back and
9 forth.

10 RE: Right, okay. So ■ is saying you had the file, he's in Barry and that is,
11 what, 8th of April.

12 NM: Saturday.

13 RE: Right.

14 NM: 3pm. 3.02. So I've got a file. What file did I have, Michael?

15 MD: Erm, I imagine the blue file with all the round sheets, cover sheets in because I
16 knew you'd taken it to redo the Ely rounds.

17 NM: Okay. Do you want to explain what the blue file is?

18 MD: It's a, erm, master.

19 RE: Blue file.

20 MD: Yes. So, erm, a blue ring binder like this with a master copy of all the rounds,
21 breakdown of wards, et cetera, numbers of houses in each round. Latterly, it had
22 maps as well included in there.

23 NM: What was the point of the blue file which you seem to think is highly critical?

1 **MD:** Erm, we would... When a leafleting round was completed, we'd print... we'd take
2 the master cover sheets for that particular round, photocopy it and then include that
3 in with the bundle of leaflets so the deliverers would know where they were going to
4 deliver the leaflets.

5 **NM:** So what the file was was an organised way of enabling us to communicate with the
6 public. Would you agree?

7 **MD:** It was a file of... yes, it was used to distribute leaflets.

8 **NM:** And—

9 **MD:** And what?

10 **NM:** Letters?

11 **MD:** Erm, no, because direct mails wouldn't have one of those cover sheets on.

12 **NM:** Okay.

13 **MD:** We'd still split them down by rounds but there's no need to have the cover sheet
14 because you're just delivering to specific addresses.

15 **NM:** If we're going to make much more progress quickly, if [REDACTED]
16 [REDACTED].

17 **MD:** [REDACTED].

18 **NM:** The blue file is the rubric of our organisation in communicating with the public at
19 street level. Would you agree with that?

20 **MD:** Yes.

21 **NM:** Fine. So, therefore, as I said earlier, clearly they would be used for delivering
22 some leaflets and when we have direct mail to deliver, wherever it may be, we
23 would also rely upon that blue file. We agree.

1 **MD:** Erm, no, there's not really any need because the direct mails were... had the
2 addresses on them, you're not... you wouldn't go to every street. Potentially the
3 maps but other than that because you're not... you're going to select houses.
4 You're not going to every street in that ward.

5 **NM:** For example, with the direct mail in Butetown we would need... If we don't have
6 this level of organisation, we simply can't function. We would need... You say it
7 was party political. I say I was doing my job as an Assembly Member. I had
8 letters. Sometimes the letters did deliver to a number of constituents. It's not
9 blanket delivery because (a) there may be certain issues we're looking at to be only
10 communicated with them but nevertheless we have to give for... We can't send
11 anything by post those because that would just cost too too much.

12 **MD:** No, you did. Any Assembly letters that went out would go by post.

13 **NM:** Okay.

14 **MD:** I mean, that was the point of having those envelopes available. So you're saying
15 that Assembly communications we would deliver by hand. Your staff would go out
16 and deliver? That's ridiculous.

17 **NM:** You're welcome to cross-examine me when you wish. What I'm establishing is that
18 sometimes clearly we deliver letters by hand.

19 **MD:** Yes, for campaigning purposes. There's no...

20 **NM:** Okay. You say that every letter that I sent out, you seem to be saying... Are you
21 really saying that every letter I sent out which is not by post is about a campaign, a
22 political campaign, a party political campaign?

23 **MD:** Say that again, sorry? Every—

24 **NM:** You seem to be saying that every letter... Can we establish first of all that I do
25 send out letters?

26 **MD:** Yes.

1 **NM:** Can we establish, therefore, that the blue file would be useful - we disagreed earlier
2 on but maybe we can agree now - the blue file is useful, more than useful,
3 fundamental to getting those letters to constituents?

4 **MD:** Are we talking about in respect of Assembly work or campaign work?

5 **NM:** Just talking letters generally.

6 **RE:** I'm not interested in letters generally. I'm interested in political letters. How did
7 they go out?

8 **MD:** Political letters were delivered by hand because the Assembly wouldn't pay for the
9 postage on that.

10 **NM:** Okay. So, therefore, this is the point, what you're saying is that no Assembly mail
11 in that case is delivered by hand. It's all through the post.

12 **RE:** That's what Mr Deem said.

13 **MD:** Yes. Yes.

14 **RE:** Any Assembly letters which went out would go out by post.

15 **NM:** Okay. Which I say, given the volume, is unrealistic because the blue file is
16 fundamental, I would say, to organisation. Do you not remember that, say, for
17 example, LDP letter, Radyr, okay? Some would go by post. Other times... We'd
18 be in an impossible situation if we sent everything by post. It would cost far too
19 much.

20 **MD:** No, no, because I've already said that the vast majority of communications went via
21 NationBuilder. I said we did write to individual constituents on specific matters.
22 That went out in the post and any other Assembly correspondence that we're
23 writing directly to a specific constituent would go out via post so I don't see where
24 you're getting this volume of Assembly correspondence being sent out.

25 **NM:** Yes, okay. So what you say is anything we do with the Assembly goes out via
26 post.

1 **MD:** Yes.

2 **NM:** Fine, okay. On the sheets in front of me which I have, I've labelled number seven,
3 and on the other side of this sheet is the 8th of May is the next one, I believe. Yes.
4 Erm, this is [REDACTED] on the 8th of May. What time is [REDACTED] messaging you?

5 **RE:** Where do I get the 8th of May in the exhibit bundles?

6 [REDACTED]: The transcript might not—

7 **NM:** It probably won't be in there. What would be better is the file that I've been given, if
8 each one of us has a copy of it, I think that will be better because we can go
9 through things much more quickly then.

10 [REDACTED]: Or you could just look at this.

11 **NM:** Or we can look at that. It is up there.

12 **RE:** Well, I need a document. I can't take that home.

13 **NM:** It wouldn't be in the transcript.

14 [REDACTED]: I can get a copy of that by this afternoon.

15 **NM:** Yes.

16 **RE:** Righto.

17 **NM:** Which is part of the problem.

18 **RE:** Okay. So the 8th of May.

19 **NM:** 8th of May, four minutes past eight in the morning, which Mike said [REDACTED] didn't do
20 Assembly working. [REDACTED] messaged me, "You've got petitions tomorrow morning.
21 Happy to reschedule. Want me to leave papers in Canton or bring them to the
22 Bay?" So would you agree at 8.04 on that morning out of office hours that you
23 claim we used to work [REDACTED] is communicating with me about Assembly work?

1 **MD:** Yes, [REDACTED] sent you a text message.

2 **NM:** About Assembly work.

3 **MD:** Yes, in this instance Assembly work.

4 **NM:** Okay. Erm, so do you accept that all my staff were—

5 **RE:** We've got the point. You've made the point.

6 **NM:** Fine. Right. That's that one. Erm, one, two... If we skip the next two, [REDACTED].
7 Skip. Just check that is... skip that one. The next one, skip it. Skip the next one.
8 Skip the next one. Skip the next one. Skip the next one. On the 15th of March, "Hi
9 [REDACTED]. " Where would that be in the file? Skip it maybe and again and again
10 and again. It starts off, "Hi [REDACTED]." In my file, it's the ninth one, the ninth page.
11 It's the 15th of March.

12 **MD:** Page 4.

13 **NM:** My fault. I do apologise. Yes, I was looking at the wrong sheet. On my one, it's
14 the ninth one so if you go back, 23rd of Feb.

15 **MD:** Yes, that's the start of it, yes.

16 **NM:** Yes, "Need printing for tomorrow," and the next one? Okay, right. So [REDACTED]
17 here has stated that he's not involved in the Caerau leaflets.

18 **RE:** Hang on. You'll have to point me to a document.

19 **NM:** "I'm not involved in the Caerau leaflets. Can you just put it together?"

20 **RE:** What date is that?

21 **NM:** This is the 24th of February.

22 **RE:** And is that in the documents we have?

23 **MD:** Yes, exhibit 5A, page two.

1 **RE:** So it's the 24th of February, right.

2 **MD:** Which is a Friday.

3 **RE:** Exhibit 5A.

4 **NM:** I'll tell you what, Sir Roderick. Could we maybe adjourn and get this copied? That
5 would be so much easier.

6 **RE:** Let's just go through this one first then.

7 **NM:** Yes. All I'm doing here is just—

8 **RE:** I've got a copy of this in front of me.

9 **NM:** Yes, all I'm doing there is establishing the time again. People would discuss things
10 out of hours. [REDACTED] stating that he wasn't involved here.

11 **RE:** And that's at 6.13.

12 **NM:** Yes, 6.14pm. If we go over the page—

13 **MD:** So are you saying we're discussing Assembly work here?

14 **NM:** All I'm doing is establishing hours generally. If we look at the next one, 5A, 13.

15 **RE:** So the purpose of looking at this now is that it's [REDACTED] sending you a
16 message at 6.14 which would be outside the standard office hours.

17 **NM:** Yes.

18 **RE:** That's the point.

19 **NM:** That's the point, yes.

20 **RE:** Hang on. Let me make a note of that.

21 **NM:** Well, my point is that there were no standard office hours in the way that we
22 worked and there still aren't actually.

1 **RE:** So [REDACTED] messaging McEvoy—

2 **MD:** About a Caerau leaflet.

3 **NM:** Which [REDACTED] says [REDACTED] wasn't involved in.

4 **RE:** At 6.14pm on a Friday.

5 **NM:** Mm-hmm, which [REDACTED] says [REDACTED] wasn't involved with.

6 **RE:** Yes.

7 **NM:** Erm, if we go forwards—

8 **MD:** Can I just, so I'm clear, are you saying then this is...? Are you talking about
9 Assembly work here or campaigning work?

10 **NM:** I'm not. I'm establishing.

11 **MD:** Because obviously all this conversation is about a political leaflet.

12 **NM:** I'm establishing how we work generally because—

13 **RE:** Well, right.

14 **NM:** Okay.

15 **RE:** The point made against you, so that you can concentrate on it, is that whatever
16 time this was, this is a discussion about political work—

17 **NM:** Yes.

18 **RE:** —in the context, it is said, of printing them in 321.

19 **NM:** Erm, where does it say that?

20 **RE:** That is the context of the evidences so far.

21 **NM:** Okay, so where is the evidence there for stating that any of this is printed in 321?

1 **RE:** If you look at page five, for example, 11th of April 2017, [REDACTED], “Any
2 printing for me to do from Cowbridge Road?”

3 **NM:** Yes. So where does it state that that...? Where is the evidence there because I
4 demonstrated earlier when we first started that all the printing that we do, [REDACTED]
5 was responsible for Public Accounts Committee, which was a horrendous amount
6 of documents. I’m pretty old fashioned. I like to write on files. Where does it state
7 there, going back, Sir Roderick, where does it state that [REDACTED] was enquiring
8 about party political—?

9 **RE:** What I am saying is this is the evidence so far. I am not saying that I accept it or
10 not.

11 **NM:** Okay, question—

12 **RE:** I am just saying this is the evidence.

13 **NM:** Michael, where does it state there that [REDACTED] was enquiring about printing party
14 political documents? Tell me what point you’re picking up on.

15 **MD:** On this particular day?

16 **NM:** Mm. [REDACTED] says, “Any printing to catch up on.” What page are we on? You
17 dragged me back a day there, Sir Roderick. I am glad you did because I wasn’t
18 clear.

19 **MD:** Right. Can we just deal with the 24th of February first of all?

20 **RE:** Right.

21 **MD:** So the evidence is, which I have provided in my—

22 **NM:** What page is this, 24th of Feb?

23 **RE:** This is page two. Exhibit 5A, page two.

24 **MD:** This is the 24th of February. We haven’t got a campaign office yet. Erm, it’s my
25 evidence that this Caerau [out? 02:16:11] is printed in 321. I’ll obviously ask

1 [REDACTED] about this when [REDACTED] comes to give evidence and [REDACTED] can substantiate
2 that. Yes, this is talking about printing that's done in 321.

3 **NM:** I think there was a phrase, it was a particular one that you mentioned to
4 Sir Roderick, which was... because I'm unaware of what [inaudible 02:16:41] but
5 this was a part about [REDACTED] and [REDACTED] enquiring about printing. Where does it
6 say in your evidence that [REDACTED] is enquiring about any party political?

7 **MD:** Which page are we on? What date?

8 **NM:** Which is the date you referred me to, Sir Roderick?

9 **RE:** 11th of April, so exhibit 5A, page five.

10 **NM:** Where does it say that [REDACTED] is enquiring about party political?

11 **MD:** It doesn't that day. This is my evidence that this discussion is—

12 **NM:** Okay, so what you've provided does not—

13 **MD:** But actually I think if we go back to when I first presented this in chief, the point I
14 made was then [REDACTED] said that [REDACTED] be inputting Treeware today so we establish
15 location from Cowbridge Road in the regional office and later in the conversation
16 [REDACTED] saying, "Awesome. I'll be inputting Treeware today."

17 **NM:** We can come to Treeware later because you can see [inaudible 02:17:56]
18 Treeware anyway. You gave me the right answer actually so I'll ask you about the
19 evidence you presented. Where does it say in writing that [REDACTED]'s enquiring
20 about party political material? Where does it say?

21 **MD:** It doesn't. This is my submission to the hearing.

22 **NM:** I'm aware of what your allegations are but the evidence that you've submitted does
23 not substantiate your allegation. It simply says that [REDACTED] is enquiring about
24 doing printing. We've already established that [REDACTED] printed petitions, she printed
25 the Public Accounts Committee, [REDACTED] would print files. [REDACTED] was [REDACTED]. Of

1 course [REDACTED] had printing to do and it's quite an incredible assertion, I would say,
2 to—

3 **RE:** Well, that's a comment.

4 **NM:** Yes, okay. Does Assembly work stop in election campaigns?

5 **RE:** Does...?

6 **NM:** Does Assembly work stop during election campaigns?

7 **RE:** No, of course it doesn't.

8 **NM:** What happens?

9 **MD:** It's always ongoing.

10 **NM:** So the work was always ongoing. So, therefore, would [REDACTED] have printing to do?

11 **MD:** Erm, yes. I mean, there's still... Outside of recess there are still papers that need
12 to be printed but [REDACTED] knew what [REDACTED] needed to print every week. There was
13 one day, I believe it was a Friday, all the paperwork would come down. [REDACTED] print
14 it all off in one job lot. [REDACTED] doesn't need to ask us what needs printing. [REDACTED] knows
15 what needs printing and [REDACTED] talking about leaflets there.

16 **NM:** You say she's talking about leaflets.

17 **MD:** [REDACTED] knows her job, you know. [REDACTED] knows what she had to print out. [REDACTED] doesn't
18 need to ask the office how to do [REDACTED] job, you know. That's just not how it worked.
19 This doesn't make sense.

20 **NM:** Okay. To go back to the nub of the matter, what evidence have you produced in
21 your file to say that [REDACTED] was [inaudible 02:19:46] party political activity there and
22 party political material?

23 **MD:** Neil, I took two and a half days presenting my evidence in chief, you know.

24 **NM:** But you've already admitted, Michael, that there is no evidence.

1 **RE:** No, he hasn't.

2 **MD:** No, I haven't. I haven't said that.

3 **RE:** He hasn't said that. You really must be careful, Mr—

4 **NM:** Well, where does it say? Help me then, Sir Roderick. Where does it say in the
5 file—?

6 **RE:** It doesn't say in the file.

7 **NM:** Right, that's my point.

8 **RE:** Right, okay. That's a good point. You know, that is a good factual point but you
9 can't ignore the fact that what Mr Deem is saying is that—

10 **NM:** [Inaudible 02:20:18].

11 **RE:** Yes.

12 **NM:** His evidence, yes. Of course, yes, yes. I do need to watch my language more.

13 **RE:** That's all right.

14 **NM:** Right. We've already established that some time ago that [REDACTED] has a whole load
15 of things to do. You said [REDACTED] didn't need to ask. I think that's part of the problem
16 really because do you not realise that you had [REDACTED]
17 [REDACTED] [REDACTED]

18 **MD:** Yes.

19 **NM:** So you think that somebody who was [REDACTED] ... Was [REDACTED]?

20 **MD:** Yes.

21 **NM:** So [REDACTED] would do menial tasks, you would say, sometimes.

22 **MD:** [REDACTED] do a lot of different tasks.

1 **NM:** If you needed something printing, would you stand by the printer for hours or would
2 you get ██████ to do it?

3 **MD:** You'd send the job to the printer and let the printer do it. I mean—

4 **NM:** Okay, but if we're looking at case files. ██████, for example, is mentioned later.
5 A huge case. Who would print those files?

6 **MD:** It depends whose case it was really. I mean, I did a lot of printing; ██████ did a lot
7 of printing.

8 **NM:** Okay. All right. So we establish that ██████ did have printing to do and in your
9 words ██████ didn't need to check how to do ██████ job.

10 **MD:** No, I'm talking about this conversation. I mean, ██████ been in post nearly a year
11 now. ██████ had routines. ██████ knew what ██████ had to do in relation to printing after
12 Public Accounts Committee documentation. I mean, it's my evidence that the only
13 reason ██████ asking if there's any printing to do there is because ██████ wants to
14 know from the organiser who is in that group chat if there's any leaflets that need
15 printing.

16 **NM:** It's also your evidence that ██████ the organiser, did no Assembly work for me,
17 did ██████? Or did ██████?

18 **MD:** No.

19 **NM:** ██████ did no Assembly work for me.

20 **MD:** I can't think of any Assembly work ██████ did.

21 **NM:** Okay. So ██████ didn't help with the Local Development Plan.

22 **MD:** Neil, we've already been through this. There's so many different elements to the
23 LDP, you can't just label the LDP as Assembly work because there were elements
24 that were political and there were elements that were non-political so can we just
25 get that point?

1 **NM:** Do you not feel that it would be reasonable for somebody, just on a message,
2 there's only the one message there, for [REDACTED] to enquire as to what [REDACTED] should be
3 doing at any given time? I think it would be fairly typical of [REDACTED] to be honest.
4 Do you still accept that [REDACTED] conscientious?

5 **MD:** Yes.

6 **NM:** Okay. Passionate, hardworking?

7 **MD:** Yes.

8 **NM:** Okay. So would it be in character for [REDACTED] to seek work?

9 **MD:** Erm, yes.

10 **NM:** Fine, okay. Erm, we're on page 15 now which is the 27th of February and it's the
11 [REDACTED] meeting.

12 **RE:** 27th of February in my bundle is exhibit 5A, page two.

13 **NM:** 5A, page two.

14 [REDACTED]: Can I just check which slide this is as well?

15 **NM:** Yes, it's [REDACTED].

16 [REDACTED]: Yes, but just which one?

17 **NM:** 17.31. Next one. Next one. This one, here. Where is that, [REDACTED], in the
18 bundle?

19 [REDACTED]: In the first bundle, is it?

20 **NM:** Yes.

21 [REDACTED]: It's not just the—

22 **NM:** It's confusing because some of the stuff is taken out.

1 **MD:** 5A, page two is the start of the conversation.

2 **NM:** Erm, this is in February so it's not 5A, page two.

3 **RE:** On page three you've got the bit about [REDACTED] in there.

4 **NM:** [REDACTED]. Yes, okay. So it's the next one after that. Yes, that's it. 60 shares
5 already. What happened with [REDACTED]?

6 **MD:** [REDACTED] came to the office to shoot a video about the LDP.

7 **NM:** Okay. Was it a political meeting?

8 **MD:** Erm, no. [REDACTED] was keen not for it to be political. [REDACTED]. [REDACTED] didn't
9 want to be affiliated to a party political campaign. [REDACTED] just wanted to raise the issue
10 of the environmental impact of the LDP.

11 **NM:** Okay. So we have a BBC TV personality coming to the office and [REDACTED] doesn't want
12 to get involved in the politics. Correct?

13 **MD:** Yes.

14 **NM:** [REDACTED] there to highlight the issue of the Local Development Plan.

15 **MD:** Yes.

16 **NM:** And its environmental destruction?

17 **MD:** Yes.

18 **NM:** Because [REDACTED] an environmentalist. So you agree that that visit and everything
19 connected to that, including the video, was not party political.

20 **MD:** Yes.

21 **NM:** Okay. Did [REDACTED] assist with that visit?

22 **MD:** Yes, I think [REDACTED] contacted [REDACTED] in the first place.

1 **NM:** Okay. So, therefore, to take you back to what you said some moments ago, you
2 said ██████ did not assist with any Assembly work.

3 **MD:** It wasn't Assembly work. I didn't say that. I said it's non-political work. It wasn't
4 campaigning work but equally it wasn't anything to do with the Assembly role.

5 **NM:** Sir Roderick, can I enquire why you're shaking your head there because this is
6 clearly not political work. It's clearly Assembly work.

7 **RE:** That's right.

8 **NM:** And you just said a few sentences ago that ██████ did not assist me with my
9 Assembly work but now you're saying two seconds later ██████ did because ██████ in
10 fact organised the visit, didn't ██████?

11 **MD:** Mm, but it was nothing... So ██████'s come and he's given an interview. You're not in
12 that interview at all. You're not promoting it. It was something that I shot and I
13 shared on my Facebook page.

14 **NM:** I was there. I met him. I'm not going to miss out on—

15 **MD:** So you weren't in the video, you weren't involved in it in any way.

16 **NM:** The context of what we did doesn't really concern me.

17 **MD:** Well, it does because the video is just of ██████ sat in a chair talking about the LDP.
18 How is that Assembly work?

19 **NM:** I've shot thousands of videos. I don't actually recall whether or not I was in the
20 video. It would be really strange for me not to be in the video to be honest but
21 that's another point.

22 **MD:** Do you want me to get the video up?

23 **NM:** I don't care. It's not relevant. The point I'm making is that ██████ was intimately
24 involved with this event, shall we say.

25 **MD:** Yes, ██████ organised ██████ coming in.

1 **NM:** Thank you. So do you now concede that [REDACTED] in fact was involved in
2 Assembly work?

3 **MD:** No, because I can't see how this is related to the Assembly. I mean, your name
4 isn't mentioned in there. We don't talk about you at all. This is just [REDACTED] giving his
5 opinion. Let me get the video up.

6 **NM:** There's no need to get the video up.

7 **MD:** Yes, there is, Neil, because if you're pushing this point saying this is to do with your
8 Assembly role.

9 **NM:** Of course it was to do with the Assembly role.

10 **MD:** But, no. [REDACTED], when [REDACTED] said that [REDACTED] was giving the interview, [REDACTED] didn't want any
11 politicians' names included in there, [REDACTED] didn't want Plaid Cymru included in there.
12 This was just [REDACTED] giving his opinion of the LDP.

13 **NM:** Was I at the meeting?

14 **MD:** Erm, no, I don't even know if you were.

15 **NM:** Did I meet...? Okay, so what you're saying is that a TV personality comes to my
16 office and I'm not there.

17 **MD:** No, I'm not. I can't remember. I know [REDACTED] was there because [REDACTED] had [REDACTED]
18 picture taken with [REDACTED]

19 **NM:** I think the substantive point really is that as you've just stated, contrary to the
20 evidence you gave a few sentences ago, [REDACTED] did in fact also undertake
21 Assembly work.

22 **MD:** No, because I don't think that's Assembly work.

23 **NM:** But it took place in my Assembly office and it wasn't political. Do you admit that it
24 was work?

1 **RE:** Just pause there. Would it help you if I were to give a preliminary opinion on this
2 one issue of Assembly working and political working? It seems to me that the
3 Assembly is inevitably a political organisation so that anything that an Assembly
4 Member is involved in has to be political. That's the way of life. There are issues
5 which are entirely your work as an Assembly Member, for example, casework.
6 Casework has no political content, it seems to me. On the other hand, there are
7 issues like campaigning which are entirely political. In the middle, there is bound to
8 be some no man's land where one crosses over to the other. Now, it seems to me
9 that if - and it isn't a final view; it's just being put out there to try and help and
10 people can persuade me from it if they want to - but if there's a crossover
11 occasionally that there are political things done in a particular location which would
12 not be entirely approved of but if it's a crossover which is carrying on from some
13 other issue, then it doesn't really matter. What I'm after is whether there is a purely
14 political use intended, freestanding political use of Assembly resources for political
15 purposes. Does that make sense? Mr McEvoy?

16 **NM:** Up to a point, erm, but in a sense everything we do is political but it's not party
17 political. This wasn't party political. This was a political [inaudible 02:31:41] issue
18 of policy being the LDP.

19 **RE:** So what you're suggesting is that I should ignore this use of the office and perhaps
20 the video camera or whatever to video [REDACTED] because it wasn't party
21 political.

22 **NM:** I don't think you should not ignore it. You should certainly take it on board that that
23 is what we do in the office.

24 **RE:** I am sorry, did I say ignore it? Ignore it as against you.

25 **NM:** Yes. Also with this visit... Where did you say it, [REDACTED], because I'm coming to
26 this. For some reason I've not marked it down.

27 **[REDACTED]:** It's just there. Just the top message.

1 **NM:** Oh, yes. When we're doing these things, if you look at what [REDACTED] has said on
2 the 27th of February at 5.28, again outside of the five o'clock window.

3 **RE:** Where was that?

4 **NM:** Just above the—

5 **RE:** Right. So the time there is—

6 **NM:** 17—

7 **RE:** [inaudible 02:32:49]—

8 **NM:** 17.27.

9 **RE:** "See you tomorrow." 5.27.

10 **NM:** Yes. This was 17.28, yes, so that is on the 27th of February which was a Monday
11 so [REDACTED] is discussing work stuff after hours, as [REDACTED] always does, and [REDACTED]
12 drafted something so [REDACTED] been writing plus researching but I can't say for sure.
13 It's the slide before, [REDACTED], I'm sorry. Okay, "Drafted something of [REDACTED]'s visit and
14 have emailed to you all. Thought we could link well with online petition on Cardiff
15 Plaid site. Just a small idea." So [REDACTED] has drafted something about the visit,
16 probably on the train. The next page—

17 **RE:** So this actually shares—

18 **NM:** The video.

19 **RE:** Is what?

20 **NM:** The video has been shared 60 times.

21 **RE:** By people on social media?

22 **NM:** Yes.

23 **RE:** Yes.

1 **NM:** So it's worked but on the next page [REDACTED] says, and what I'm saying is that at
2 5.28pm on the 27th, it shows that we are aware of how politicised we should be or
3 not be because [REDACTED] says, "As I noted, unsure on how politicised he wanted to be.
4 See you tomorrow." So [REDACTED] drafted something.

5 **MD:** Yes, to use as an online petition on the Cardiff Plaid site so [REDACTED] drafted
6 something that is openly political, then retracted and then says, "I noted how
7 unsure on how politicised he wanted to be."

8 **NM:** This could be the grey area, I would suggest, because we're not sure what [REDACTED]
9 done at this stage. I don't know whether it's appropriate or not appropriate
10 because [REDACTED] has said that [REDACTED] didn't know how politicised I wanted it to be or
11 he wanted it to be. So I put it to you there, Mike, that, therefore, [REDACTED] is policing
12 [REDACTED] really at this time?

13 **MD:** Yes, and then [REDACTED] comes back and says, "Looks good. Need to engage
14 people, though, with an action for them to do at the end, eg vote Plaid, signed
15 petition," so then [REDACTED] is going back to the political side of it, yes, so, Neil, it's
16 back and forth.

17 **NM:** No, but then the upshot probably was that given [REDACTED]'s position we wouldn't have
18 politicised it but okay, move on.

19 **RE:** One o'clock. Move on at two o'clock?

20 **NM:** Oh, right. Yes, sure. If we could print this it would be a lot easier.

21 **RE:** Yes, that's right.

22 *Egwyl / Break*

23 **NM:** Hi, [REDACTED]. Are the files ready?

24 **RE:** No.

25 [REDACTED]: No, sorry, it's not ready yet but they're working on it. It is quite a hefty job but
26 they're doing it as quick as they can.

1 **NM:** Okay. We did say [inaudible 02:35:43] we'd take a bit longer to [inaudible
2 02:35:44] files.

3 **█:** Yes, I think I misunderstood, sorry. I think I was saying I'll text you if we were going
4 to be late but I think it was a misunderstanding, sorry. That was partly my fault,
5 sorry.

6 **RE:** Right, we'll just crack on.

7 **NM:** Yes, okay.

8 **RE:** Right.

9 **NM:** Okay, the next one is on exhibit 5A, page 16.

10 **MD:** What's the date?

11 **NM:** 20th of February 2017.

12 **MD:** Did you say the 20th?

13 **NM:** 27th of February.

14 **RE:** Back on 5A, page two.

15 **NM:** It starts off with, "Good idea." Yes, erm, again this is a late conversation, work
16 related, 21.05, 21.06 actually, I think. It's a Freedom of Information Request on
17 Freshwater and it's about the Welsh Government funding that.

18 **RE:** Funding what?

19 **NM:** Freshwater. It's a company.

20 **RE:** Right.

21 **NM:** So again what I'm flagging up here on the 27th at gone nine o'clock is a work
22 related conversation.

23 **MD:** Well, there's no response. You just sent the message.

1 **NM:** Okay. [REDACTED] is replying at five to six, so six minutes to six, again outside the
2 imaginary window which doesn't exist with our kind of work.

3 **MD:** Where are you to, sorry?

4 **NM:** Just above FOI, Freshwater. "Sounds great. Good idea." If we move on to 5A—

5 **RE:** This isn't in our bundle.

6 **NM:** It is, yes.

7 **MD:** So, the "Sounds great" is talking about the [REDACTED] video.

8 **NM:** Fine, okay. The point I'm making is, okay, I'm sending a work related message, am
9 I not, at six minutes past nine in the evening on the 27^h which is a Monday.

10 **MD:** Yes, and I'm saying, like, no one's responded to you.

11 **RE:** "It sounds great," is 27^h of February—

12 **NM:** At six minutes to six but I'm messaging in about Freshwater which is something
13 which is a FOI, a Freedom of Information Request what I'll do on this company with
14 relation to stuff going on with the Welsh Government, alleged stuff going on with
15 the Welsh Government. So at six minutes past nine I'm messaging about that. If
16 we move on to—

17 **RE:** What does that show me?

18 **NM:** It shows that at six minutes past nine in the evening I'm messaging work
19 colleagues about a Freedom of Information Request which we need to do on
20 Freshwater. We haven't done it yet. It's question about FOI Freshwater so it may
21 have meant that should we do one? It may have meant how is it coming along if
22 we have done one? I don't recall the actual details but the issue is that it's five past
23 nine at night. If we move on to—

24 **MD:** I mean, yes, we've already established that you send messages at all sorts of times
25 but all I'm saying is that no one's responded.

1 **RE:** No, no. If we go on there's an answer coming.

2 **NM:** Yes.

3 **RE:** So after the message was 17.54, you email about an FOI at—

4 **NM:** 21.06. It wasn't an email. It was a group conversation on the app that we use.
5 Was that WhatsApp or was it...?

6 **MD:** Signal.

7 **NM:** Signal. It was a Signal conversation at 21.06 from me.

8 **RE:** Well, where's the conversation?

9 **NM:** Well, there's a message from me at 21.06.

10 **RE:** Yes, I see that.

11 **NM:** Yes. The context is of me messaging late. There's no reply on that occasion but
12 quite often there were. I think you forgot there is actually.

13 **RE:** I'm trying to outline what I'm concerned with.

14 **NM:** Yes.

15 **RE:** That doesn't tell me anything.

16 **NM:** Other than my messaging late.

17 **RE:** You've emailed me at quarter to five in the morning.

18 **NM:** Yes.

19 **RE:** It doesn't mean that I'm awake and working at quarter to five.

20 **NM:** I'm just trying to establish the general—

1 **RE:** I don't think there's any dispute at all that you were emailing people and sometimes
2 getting a reply out of strict office hours.

3 **NM:** Okay.

4 **RE:** It's the content. It's the work that's being done.

5 **NM:** That's totally work related but I mean to reiterate the point that we don't have nine
6 to five because most of the people that want to see us and deal with us are busy at
7 nine to five so we have to accommodate them professionally outside of those
8 hours. The next one is 5A, 19.

9 **RE:** What is it?

10 **NM:** It's the 17th of December 2006.

11 **RE:** 17th of December 2016.

12 **NM:** 2016, I'm sorry.

13 **RE:** 27th of December—

14 **NM:** 17th of December.

15 **RE:** 17th. Where do I find that?

16 **MD:** What type of message is it? We wouldn't have had Signal then so is that
17 WhatsApp?

18 **NM:** It's a WhatsApp message.

19 **█:** Is that in 5E or 5G?

20 **NM:** This is in 5G.

21 **█:** 5G.

22 **RE:** Right.

1 **MD:** Exhibit 5G, page one.

2 **RE:** Good. Thank you. 17.12.16. That was one that Mr Deem abandoned.

3 **NM:** Oh, right. Okay. Could I submit it as evidence?

4 **RE:** Of course you can, yes.

5 **NM:** Erm, the other point I want to make here is on the 17th of December, and this is a
6 political message, right, I would imagine. It is certainly a political message. The
7 time is irrelevant, I can't see the time of it. What I'm saying here is, "Really need to
8 get our arses in gear," which is a political message because clearly at that point
9 we're not in gear which runs counter to what Mr Deem is telling you. I'm sorry, you
10 have a process here. I should submit this with my evidence, shouldn't I, rather than
11 cover it now.

12 **RE:** Well, that would be the better process.

13 **NM:** Yes.

14 **RE:** But as we are on it, do you mind just telling me what it's all about.

15 **NM:** Erm, just that we weren't... Would you agree, Michael, that given that you've
16 talked about this great campaign and how the office was a campaign HQ at this
17 time, that in reality we just were not campaigning and I'm saying there to
18 everybody, "We really need to get our arses in gear because this is getting really
19 serious now. It's the 17th of December and we're just not at the races." Would you
20 agree that was the context?

21 **MD:** Sorry, I thought 17th of December is interviews for organiser on Monday.

22 **NM:** I'll come to that afterwards, yes.

23 **MD:** So which...?

24 **NM:** I'm dealing with the phrase, "Really need to get our arses in gear," and your
25 evidence is that we were running some huge campaign by that point where we

1 were dropping the whole city, the hub was supposedly our office and yet on a
2 message to us all I'm saying, "Look, we really need to start here."

3 **MD:** I'm not saying the campaign is anywhere near in full swing by December. There
4 was a lull after the Grangetown by-election. You know, there was a huge amount
5 of work done for that and then sort of everyone took a bit of a breather in the
6 immediate aftermath of that but I think you were always of the opinion that we need
7 to be doing more, we need to get our arses into gear. That's not to say that we
8 weren't doing a lot of work but it was your usual opinion that we could be doing
9 more.

10 **NM:** So you'd agree, therefore, as you said, that the campaign was not in full swing at
11 that point.

12 **MD:** No, not in full swing. Not as it was, you know, a week before the election. You
13 know, we're building. We're doing stuff but the campaign picks up momentum the
14 closer to the date of election, yes?

15 **NM:** With the message above, I don't think there's any dispute that we interviewed
16 [REDACTED] and others in the Assembly. That's admitted. The only mitigation I
17 would add there is do you agree or can you repeat your agreement that [REDACTED]
18 did conduct Assembly work for me?

19 **MD:** [REDACTED] didn't. This is what we disputed earlier. There is that grey area with regards
20 to [REDACTED]. Erm, I mean, there's going to be grey areas all over the place when it
21 comes to the LDP because, you know, they were concurrent campaigns. One was
22 political; one was non-political.

23 **NM:** Okay, but I thought earlier, Sir Roderick, can I check, I thought we had established
24 that [REDACTED] did do at least some work for me as an Assembly Member.

25 **MD:** But my position is that the [REDACTED] interview was not in relation to any work that you did
26 as an Assembly Member but, I mean, [REDACTED] categorically said that [REDACTED] didn't want to be
27 affiliated with any particular politicians, any particular political party, so I'm
28 struggling to see how you can justify that as Assembly work. Yes, it was filmed on

1 the Assembly estate but you wouldn't know that from the video. It's just him in a
2 chair talking about the LDP so I just can't... Obviously, there were discussions
3 around could it be made political, how it could be used, how it could be interpreted
4 but I just don't... The fact that ■ didn't want to be associated with you in regards
5 to in a political sense, the fact that ■ didn't... I mean, you weren't in the video.
6 Like you say, the vast majority of videos you're in and you're at the forefront but
7 this particular video you're not in any way associated with it so I can't see how that
8 is Assembly work.

9 **NM:** So just to be clear, a BBC TV personality, ■ doesn't want to be involved in party
10 politics—

11 **MD:** Yes.

12 **NM:** —but is happy to get involved in politics with a small p, because this is what we do
13 in Assembly. The place where the policy on Local Development Plans is decided is
14 actually the Assembly. Many of us took the view that the present policies are quite
15 bad. ■ would agree so, therefore, ■ comes to my office to talk with me, to
16 meet with staff, to do a video, to boost the campaign to highlight exactly what is
17 happening with the environment and Local Development Plans but in your view
18 that's got nothing to do with my role as an Assembly Member.

19 **MD:** No, because ■ said from the very beginning that it couldn't be anything to do with
20 the Assembly. ■ was giving his opinion on the matters at hand but, I mean, ■
21 made that clear that it wasn't about you, it wasn't about Plaid Cymru. It was just ■
22 own view on this development and destruction of the environment.

23 **RE:** We've gone [inaudible 02:49:43] round this point.

24 **NM:** Fine, yes. Okay. The other thing about the interviews, there were other people
25 interviewed. What was the upshot of them being interviewed, ■ in particular?

26 **MD:** Erm, I didn't think ■ was interviewed for the organiser.

27 **NM:** Yes, ■ was.

1 **MD:** I mean, ■ was given a position as staff.

2 **NM:** Would you agree that the interview was primarily for the organiser but we were also
3 aware that we could employ some people on a temporary basis and that's how
4 ■ was therefore assessed in that process?

5 **MD:** Yes, I gave that excuse. Erm, I wouldn't say that we were interviewing for
6 temporary staff but I told ■, when ■ was going to go and round up the
7 interviewees for the organiser position, if you were challenged on it just say that we
8 were interviewing for temporary roles.

9 **NM:** Is it common in the Assembly for those kind of meetings to take place?

10 **MD:** Interview for an organiser of a political campaign?

11 **NM:** Political meetings in the Assembly. Is it common for those to take place with
12 various different groups in the Assembly on your experience?

13 **MD:** I mean, what... Not having worked for another Assembly Member, I mean, it's
14 tricky to comment. I mean, I would imagine that political meetings take place but I
15 have never sat in on anyone else's. You know, I can't really comment either way.

16 **NM:** Do we often see political people meeting other politicians on the Assembly
17 premises?

18 **RE:** Well, of course.

19 **NM:** My point is that political meetings do take place. The upshot of this, which is why
20 I'm enquiring about the interview for this position, was what was the result for
21 ■ of having attended that interview? What happened then after that?

22 **MD:** Well, ■ eventually was given a position in the office. I don't think that was
23 particularly off the back of the interviews for the organiser because I think your
24 understanding is of how ■ interviewed ■ didn't have a huge amount of strength
25 there, erm, but ■ was a good leafleter so we gave ■ the role because he could
26 leaflet.

1 **NM:** Are you aware of any contact between [REDACTED]'s mother and myself?

2 **MD:** No.

3 **NM:** Okay, right. Erm, but, yes, would you agree, therefore, that within days really,
4 within certainly two weeks of [REDACTED] coming to the Assembly to be interviewed -
5 however [REDACTED] performs is not really relevant here for this question - would you agree
6 that [REDACTED] was appointed as a member of staff fairly quickly afterwards?

7 **MD:** Yes, [REDACTED] was appointed four weeks afterwards.

8 **NM:** Thanks. Erm, the following slide is the top one. It's the 19th of December.

9 **RE:** 2016?

10 **NM:** Yes.

11 **RE:** Right.

12 **NM:** 19th of December 2016. I'll just get the date, so that is a Monday and [REDACTED] is
13 messaging everyone here. "Would it be a problem if I went to the Bay? I want to
14 chase up a few things before Assembly closes. Would rather keep out of the way
15 with interviews." So [REDACTED] wants to go to the Bay so there's a work context
16 conversation there at ten to eight in the morning. Correct?

17 **MD:** Yes, [REDACTED] checking which office to go to which I imagine you would do before you
18 started your day.

19 **NM:** Okay, so it's a work-based conversation there at 7.49.

20 **MD:** Okay.

21 **NM:** It's not the next slide. We've got the next one.

22 **RE:** Date? Time?

23 **NM:** This is, I think, at 7.20, 24, 21, 22.

1 **MD:** The date?

2 **NM:** Yes, this is the—

3 **RE:** 6th of January?

4 **NM:** It would have been the 6^h, I think, yes.

5 **RE:** Yes.

6 **NM:** 18.24. What is [REDACTED] commenting on there?

7 **MD:** So I sent the messages as [REDACTED] was concerned [inaudible 02:54:58] so [REDACTED] didn't
8 think of the fact that bringing a senior member of MBS to the office when all the
9 newspapers were—

10 **NM:** What time is that message sent?

11 **MD:** You've got it in front of you. I haven't got it on mine.

12 **NM:** It was 18.24, again which is outside the nine to five window which doesn't really
13 exist. [REDACTED] then asked me would I like to rearrange. What do I reply there?

14 **MD:** "No, we'll move the newspapers tomorrow."

15 **NM:** Okay, thanks.

16 **MD:** But, I mean, this is a conversation about a cock-up at the fact that all these political
17 newspapers are in the regional office and there's a senior member of the security
18 team coming round there so—

19 **NM:** Who took the newspapers to the office?

20 **MD:** I did.

21 **NM:** Okay.

22 **MD:** I was [doing all the cars? 02:55:54]. We've already established this but, I mean,
23 how is this—

1 **NM:** At the time, how many cars—

2 **MD:** —work related? This is covering up the mess of the political work that we were
3 doing.

4 **NM:** It is a mess but it's clearly related to the office and it's at 18.24. Just for clarity, how
5 many cars did I have access to at that time?

6 **MD:** Erm, your wife's and [REDACTED]'s but you never used them.

7 **NM:** I had access to four cars. [REDACTED]'s, I'm not sure because—

8 **MD:** You just didn't like driving.

9 **NM:** I don't like driving. What [REDACTED] used to do for context is when he used to go to
10 America for a period of months he would leave the car with me and I would look
11 after the car because it was a [REDACTED] that he didn't want to leave on the street
12 so he bizarrely trusted me to drive it which I used to but also would you confirm that
13 I had access to three other vehicles?

14 **MD:** What vehicles?

15 **NM:** A grey one which I use because that's my wife's car, a black one which is my
16 father's car and a red one which is my sister's car.

17 **MD:** There's having access to vehicles and then there's using them. Yes, I suppose if
18 your dad or your sister wanted to lend you a car then... The fact is you very rarely
19 drove. You didn't like driving and you liked to have a drink so—

20 **NM:** First thing in the morning?

21 **MD:** No, at the end of the day but if you had the car with you, then you couldn't go to the
22 pub afterwards.

23 **NM:** This is a new line of questioning that I didn't really expect. Are you saying that I
24 used to go to the pub after every—

25 **RE:** Let's just stick to the issues that I have to decide.

1 **NM:** All right.

2 **RE:** This is going to cost the country more than it's costing—

3 **NM:** To put the point I'm making, Sir Roderick, is that there was nothing prohibiting me
4 from using the car to do anything. I think that was the implication there because
5 I've got access to four cars. I just don't own one myself. If we look at the next
6 page, which is 23.

7 **RE:** Yes, it's exhibit 5G, page two again.

8 **NM:** Yes, and what we have here is just the evidence of a volunteer. First of all we have
9 evidence there of [REDACTED] helping me on Excel and then at 9.11 we have [Erof?
10 02:58:46] and his task there was research so I want to point out that to have
11 volunteers in the office working on Assembly matters was not uncommon. I
12 emailed research through to him and he would carry that out in the office. We
13 have—

14 **MD:** Are you saying [REDACTED]'s volunteering at this stage?

15 **NM:** No. I'm talking about [REDACTED], which is the fourth one down.

16 **MD:** What research was he doing?

17 **NM:** I don't quite recall but there was research being undertaken. Erm, the next page—

18 **RE:** What do I get from that?

19 **NM:** Just that it's not uncommon for us to have volunteers in the office working on
20 Assembly matters.

21 **MD:** You say Assembly matters but then you said you don't know what [REDACTED] research is
22 so how do you know it's Assembly matters?

23 **NM:** The arrangement we had with [REDACTED] was that [REDACTED] would use [REDACTED] specialist research to
24 research matters for us and at the time there were many things that we were
25 researching. I don't recall—

1 **MD:** Local politicians.

2 **NM:** Yes. Yes, yes. Yes.

3 **MD:** On Cardiff Council to use as ammunition against [REDACTED] in the campaign.

4 **NM:** Mike, you can cross-examine me later but I'm happy to explain. A major concern
5 that a lot of people have are the political connections in the jobs which are given
6 out by the Government without people being necessarily qualified for them. That's
7 a reasonable Assembly task to carry out in terms of research.

8 **RE:** What's the next one?

9 **NM:** 24. Yes, I think I wanted to deal with this because quite often... First of all the
10 message is at 6.53 so you would be building up flexitime here. Would you agree?

11 **RE:** Let me just identify first of all where we are.

12 **NM:** 11th of January 2017. PR, public relations, yes? Engagement, engaging with
13 people—

14 **RE:** Right, I've got it.

15 **NM:** Timetable to advertise a cup of tea in the office with me. We're just chatting about
16 presenting that later. Maybe get three people in a week to aim for so it's basic
17 community engagement. Michael then says... Where is this in the bundle, Mike?

18 **RE:** Exhibit 5G, page three, the second entry.

19 **NM:** Exhibit 5G, page three. Okay, so you say it's a great idea and the point I wanted to
20 make is how do we...? First of all, it's seven minutes to seven and you reply at six
21 minutes past seven so that reinforces the idea of flexibility.

22 **MD:** Well, it's not. All along I've said, Neil, that flexi is excessive work outside of the
23 office. Do I think sending you a message that's taken me probably ten seconds to
24 write, do I think I'm accruing flexi for that? No, not at all. If I was... you know, there
25 was an action that came out of this and... So what's this question? Timetable. So

1 if I had then written an advert for this cup of tea in the office immediately after
2 sending you this message then yes, it's a different story but to just drop you a
3 message back to say, "Yes, good idea," no, I don't think... That's not excessive. I
4 mean, that's just a message I've sent.

5 **NM:** Just follow this through then. So what you're saying is that the sending of the
6 message or an email isn't evidence of work.

7 **RE:** Well, it's evidence of activity.

8 **MD:** Yes. It's not excessive, you know.

9 **RE:** You've shown—

10 **NM:** First of all, flexitime—

11 **RE:** Hang on.

12 **NM:** Yes.

13 **RE:** You've shown time and time again that you sent messages to people and
14 sometimes got a reply outside nine to five. Well, that's—

15 **NM:** We don't have a nine to five. That's the point.

16 **RE:** No, I know. I know. That's what you're showing and I've seen it.

17 **NM:** Okay, but the point is that Michael seems to be wanting to have his cake and eat it
18 because with his submission he's relying upon [REDACTED] [REDACTED] [REDACTED] sending
19 messages during the day and yet somehow that is evidence of them engaging
20 wholly in political activity.

21 **MD:** No, I've never said "wholly in political activity," but I've said that there's political
22 activity that's gone on when it shouldn't have gone on.

23 **NM:** You're relying upon messages which we can actually... I've worked with [REDACTED]
24 for probably ten years. We used to do the jobs with RSPB and so on and [REDACTED]
25 volunteer time has not changed in any way, shape or form over those years. The

1 difference is now that [REDACTED] does an Assembly job with me. Usually good, a very
2 good job other than what we spoke about earlier so [REDACTED] role has not changed other
3 than he works for the Assembly instead of for the RSPB. It's just I'm just a bit
4 unsure what you're really alleging then with the evidence because—

5 **MD:** Okay, so the evidence shows probably in the hundreds of hours of political activity
6 done by [REDACTED] [REDACTED] [REDACTED] during office hours. You're trying to say that they've
7 accrued flexitime by doing all of this Assembly work outside of nine to five. Does
8 the odd message here and there add up to hundreds of hours' worth of flexi being
9 accrued because I don't think so. I've said all along the only time flexi was ever
10 mentioned was in relation to me and in relation to excessive workloads outside of
11 office hours.

12 **NM:** First of all, I would say—

13 **RE:** We're debating now. We aren't getting evidence.

14 **NM:** Yes, okay. All right.

15 **RE:** You needn't demonstrate—

16 **NM:** These are not—

17 **RE:** —any more that there were messages sent outside office hours.

18 **NM:** Yes, these are not the odd message. It's not the odd message. Just one other
19 thing I want to touch on, did we used to send lots of messages to each other?

20 **MD:** Yes, we—

21 **NM:** Sometimes excessively so, yes?

22 **MD:** We'd message you a lot.

23 **NM:** Did you ever speed read messages?

24 **MD:** What do you mean "speed read messages"?

1 **NM:** Just glance at them and form an immediate opinion and then message back
2 without maybe reading every single word for word and every single conversation of
3 that message.

4 **MD:** Potentially.

5 **NM:** Yes, okay. Because you mentioned earlier in the evidence that the 7.06 message,
6 “I think we should minimise other people we invite to the office this side of the
7 election due to potential campaign activity.” You mention the Senedd and for me
8 that was a bit of a... Would you understand if I said that was a bit of a lightbulb
9 moment because I realised then that of course if we’re going to invite people in for
10 a cup of tea to meet their Assembly Member, they would far much prefer to go to
11 the Assembly rather than the constituency office.

12 **MD:** Yes.

13 **NM:** Okay, fine. That was the only point I wanted to make because we didn’t actually...

14 **RE:** You’re giving evidence again now. Just ask some questions so we can—

15 **NM:** Okay. Did you think that was a good idea?

16 **RE:** Well, he said it is.

17 **MD:** Yes.

18 **NM:** Did we actually do it?

19 **MD:** Erm, I don’t think so.

20 **NM:** No. Do you agree that lots of things that I would say, having these bright ideas,
21 never actually materialised? We didn’t actually do this? Quite often didn’t do
22 things?

23 **MD:** Yes.

24 **NM:** Do you agree that this forum of messaging was quite often just us thinking out
25 loud?

1 **MD:** No.

2 **NM:** Okay.

3 **MD:** I mean, the majority of it was [inaudible 03:07:17] communication—

4 **NM:** Fine. Turn the page which is the... 5A, 26. Okay, this was the 23rd of June 2016.

5 **RE:** Yes. Exhibit 5J, page one.

6 **NM:** Again, just more evidence of, I would say, work being done outside of normal
7 hours.

8 **RE:** We've done that. We accept that you were texting people and some people
9 responded.

10 **NM:** Okay. Well, also there we have a meeting with a constituent, 8.30, because we
11 have a call from Clive Road, 8.45.

12 **RE:** Now, where do I find that?

13 **NM:** It's at the bottom of the page. It's the last bit.

14 **RE:** Which page?

15 **NM:** 26.

16 **MD:** The date?

17 **NM:** 23rd of June 2016. So, again, there's another concrete stat there, whichever way
18 you want to look at it, before nine o'clock which you and others will have been
19 accruing time for. 5K.

20 **RE:** You may be entirely right about that but I just can't see it on the papers.

21 **NM:** Oh, sorry.

22 **RE:** I can see that you are up and active and are going to see somebody at quarter to
23 nine in [REDACTED].

1 **NM:** We have a call.

2 **RE:** Sorry?

3 **NM:** We.

4 **RE:** Yes.

5 **NM:** I wouldn't go alone.

6 **RE:** So who is with you?

7 **NM:** I imagine it was Mike.

8 **RE:** Righto. That's fine.

9 **NM:** Okay.

10 **RE:** You've proved time and time again that people were working outside what you call
11 office hours.

12 **NM:** Fine. So we were talking of micro leaflet. I don't recall actually what the micro
13 leaflet was in this context. Probably something that we had done around that area,
14 probably Clive Road. In the evidence that you presented there, where does it say
15 that anything is party political?

16 **RE:** That was put aside as come through by Mr Deem.

17 **NM:** Oh, was it? Okay. Right. I think we've dealt with the office up and running. 5K.
18 Right, 5K which is the fourth one along. I think there's a couple after that, I think,
19 yes. Erm, it's the one with the ferry [inaudible 03:10:48] ferries.

20 **MD:** What's the date?

21 **NM:** It's a link. It's, erm, 25th of... Yes, okay. Was that work related, 25th of June?

22 **RE:** Where do I find that?

23 **NM:** It's at the bottom of the page.

1 **RE:** Yes, I know but where in the bundle?

2 **MD:** I doubt it's going to be there because there's nothing to—

3 **NM:** It's not in the bundle. It's part of a conversation.

4 **RE:** 25th of June 2017.

5 **NM:** Yes.

6 **RE:** Which was—?

7 **NM:** 2016.

8 **RE:** 2016, sorry. I'm sorry.

9 **NM:** It's a Saturday conversation.

10 **RE:** Yes, right.

11 **NM:** Was that work related?

12 **MD:** No, but he's talking about us going to the football.

13 **NM:** Yes.

14 **MD:** Us going to the Euros so, no, it's not work related.

15 **NM:** So we didn't use that as a team building experience?

16 **MD:** No, we went to the Euros. Me and [REDACTED] went to the Euros with [REDACTED]. It's
17 not...

18 **NM:** Why didn't I go?

19 **MD:** Erm, I think you were ill.

20 **NM:** I was ill. I was quite bad, very unwell. What we planned to do and this is a
21 conversation—

1 **RE:** But this is evidence again—

2 **NM:** Okay, yes. I'll flag that.

3 **RE:** I'm sorry to interrupt you.

4 **NM:** No, no, you're right.

5 **RE:** Do you just want to push on?

6 **NM:** Yes, I agree. If we go forward to, I think, [REDACTED] ... and we're discussing work
7 matters, meetings with those people.

8 **MD:** Date?

9 **NM:** It's the—

10 **RE:** This is the 11th, is it, of September?

11 **NM:** It doesn't actually... September. The 11th of September.

12 **RE:** Yes.

13 **NM:** And again it's the time, 17.29, 17.41, 17.54, 8.40. The second and third message
14 there relate... Do they relate to work activity?

15 **MD:** "Appointment times tomorrow..." yes.

16 **NM:** Okay. So again we're working... Do you agree we're working outside of hours
17 there?

18 **MD:** Yes, so this is text messages between us two, yes?

19 **NM:** Yes.

20 **MD:** So, yes, there's stuff you put in the back office is the, erm, badges and stuff, all the
21 boxes that came from... of all the rubbish that was in your house that you moved.
22 [REDACTED] wanted it moved, the Plaid Cymru badges and all that stuff, so that's not
23 really—

1 **NM:** Okay.

2 **MD:** I mean, yes, as far as the appointments—

3 **NM:** Link from Plaid Radyr... Radyr accessibility sports, so—

4 **MD:** Yes.

5 **NM:** Okay. That's outside of hours, it's established. If we flick over, Saturday the 17th of
6 September, what am I doing now?

7 **MD:** Going to a rally.

8 **NM:** I've been invited to a rally. Do I get invited to rallies as an Assembly Member quite
9 often?

10 **MD:** Erm, I don't think you were invited there.

11 **NM:** Okay. Do I get invited to rallies quite often as an Assembly Member? Am I
12 introduced as Neil McEvoy, the Assembly Member for South Wales Central?

13 **MD:** It depends whether you're a speaker. There's nothing on here that says you're
14 speaking at the rally. I don't even know which particular rally this was about.

15 **RE:** The point you're making is—

16 **NM:** The point I'm making is this is evidence of me on a Saturday being invited
17 somewhere as an Assembly Member. I was asking Michael to confirm that that
18 happens. Does that happen?

19 **RE:** How does that help you with what I have to decide?

20 **NM:** Because when I go to those events I have to take a member of staff with me.

21 **RE:** Right. So?

22 **NM:** So, therefore, it's more evidence of not a nine to five existence. Okay, so this is
23 Tuesday.

1 ■: Which one is it?

2 **NM:** Number nine. It's the next one, ■. Just check. Yes, this one, 20th of
3 September.

4 **RE:** What kind of rally was it?

5 **NM:** I don't recall but it's just I get invited to these things constantly. Last week, there
6 was a rally for puppies, for example. I was invited to attend to stop puppy farming.

7 **RE:** Sure. I just want to... I'm not being [inaudible 03:16:31]. I just want to understand.
8 If you've been invited to a rally as Neil McEvoy AM, you have to take a member of
9 staff with you.

10 **NM:** It depends on the rally. Generally, yes.

11 **RE:** So what rallies would you be required to take a member of staff with you?

12 **NM:** For example, the puppy farming one. I take staff to that.

13 **RE:** But why?

14 **NM:** We may do PR work, photo opportunities with people. We may video the event.

15 **RE:** Where was the puppy farming rally held?

16 **NM:** Erm, outside the Assembly, the last one, but the point I'm making is that again what
17 has been denied is the extent to which staff have to work outside of nine to five.
18 Also, I don't particularly want to go to any events alone really. If it's a purely Plaid
19 Cymru event clearly then I would have taken just a partner or a party member with
20 me but very often there are events to attend which are not part of party political in
21 nature but I get invited to as an Assembly Member as part of the role really outside
22 the nine to five.

23 **MD:** So this particular rally, I'm obviously not going to it with you. I say I can't go to it.

24 **NM:** Yes.

1 **MD:** Erm, I'm just dropping off Plaid Cymru badges. I mean, if you were invited as a
2 speaker then it wouldn't be the sort of place that you'd distribute Plaid Cymru
3 badges, you know. This sounds like more of a campaigning type of rally if you're
4 dishing out badges.

5 **RE:** Whatever it was, it was on a Saturday and you took somebody with you.

6 **NM:** Yes. Probably.

7 **RE:** Probably.

8 **NM:** Because this is the norm. I was using that as an example. Erm, 20th September.
9 Is this you again, Michael, outside of hours, 7.47, "What time are you getting in?"

10 **RE:** This is the 20th?

11 **NM:** 20th September, yes. Tuesday.

12 **RE:** Right.

13 **NM:** Erm, where is it in the bundle to assist?

14 **RE:** It's at 5J, page two. "If you're going to the office will you [inaudible 03:18:49] need
15 your laptop." Right.

16 **NM:** Okay.

17 **RE:** And the point on this one?

18 **NM:** We seem to be printing a mail merge there which would be we disagree on the
19 purpose. Michael says that we... Why would we [inaudible 03:19:08] mention
20 NationBuilder. I didn't pick up on it earlier. Why could we not use NationBuilder for
21 everything when we send letters to people?

22 **MD:** Say that again?

23 **NM:** Why could we not use...? I'll come back to it, okay. I'll come back. The
24 substantive point there is again it's more evidence of—

1 **RE:** Early morning activity.

2 **NM:** Yes.

3 **RE:** Yes.

4 **NM:** But also responded to because it would seem at this point I'm driving. "Leaving my
5 house in five minutes, depends on traffic, 8.30," so I'll be in for 8.30. Erm, okay.
6 12.43, "Are you still meeting [REDACTED] tonight? [REDACTED] suggests 6pm at the [REDACTED]
7 [REDACTED]." So again there is a meeting out of hours there at six o'clock.
8 It's [REDACTED]. It's going to go on probably for at least an hour. I
9 would need a member of staff with me.

10 **MD:** Where is this, sorry?

11 **NM:** It's not in the bundle, I don't think, but it is on the screenshot you sent through. So,
12 "Are you still meeting [REDACTED] tonight? [REDACTED] suggests 6pm, [REDACTED]
13 [REDACTED]."

14 **MD:** So how is that in any way to do with Assembly work?

15 **NM:** It's in [REDACTED].

16 **MD:** And [REDACTED] is the candidate for [REDACTED].

17 **NM:** We would meet... It is a process. What I'm trying to do here is just answer
18 questions and I think Mike can be pretty evasive by throwing questions back at me.
19 I'd just like you to answer.

20 **MD:** No, not at all, no.

21 **RE:** No, no, no, no.

22 **NM:** Isn't it how this works?

23 **RE:** No, it isn't how it works.

1 **NM:** Okay. Right. At this particular time we were dealing, and we have done over the
2 period, with the needles issue in [REDACTED] and, therefore, meeting [REDACTED] at the
3 [REDACTED] with residents to discuss that issue at six o'clock and I wouldn't
4 go alone.

5 **MD:** It doesn't say that, does it?

6 **NM:** Okay.

7 **MD:** I mean, [REDACTED] is the candidate, you know. [REDACTED] needs to hold regular meetings to try
8 and get support.

9 **NM:** Do you accept that six o'clock is out of hours?

10 **MD:** Yes, I do but—

11 **NM:** Yes. Do you accept that routinely somebody would come with me?

12 **MD:** No. No. Neil, like I said—

13 **NM:** Okay, fine. All right. Okay.

14 **MD:** I mean, for me this is a political campaign type of meeting unless you can convince
15 me otherwise. If you're going to meet [REDACTED] at [REDACTED], it's to
16 do with [REDACTED] campaign in [REDACTED] and, no, we wouldn't have gone with you.

17 **NM:** When was [REDACTED] a candidate?

18 **MD:** We've already dealt with this question today. Like, this is the second time you've
19 asked me this question. We decided that [REDACTED] was going to be a candidate when
20 pretty soon after [REDACTED] came on board with us at some point in 2016. [REDACTED] was officially
21 selected a lot close to the election.

22 **NM:** Where does it say on that message that this is a party political meeting?

23 **MD:** That's what I'm saying. It doesn't say either way but that's what I would get from
24 this. If you're going to [REDACTED] with [REDACTED], then it's for political
25 reasons. It's nothing to do with your job as an Assembly Member.

1 **NM:** So going to—

2 **RE:** Just ask the question on the document. We won't get through them.

3 **NM:** Is it not a fact that I attend such events as an Assembly Member and it may be
4 particularly helpful for [REDACTED] if I'm there because people see me talking to [REDACTED] that's
5 the way politics works, but I'm there as [REDACTED] would be, as [REDACTED]
6 [REDACTED] would be. I'm there as an Assembly Member.

7 **MD:** No, I'm saying what I get from this is that you're promoting [REDACTED] as a candidate. I
8 mean, that was the reason for going to these meetings. Are there other meetings
9 that you go to as an Assembly Member? Yes, of course there are but that's what
10 I'm saying is happening in this conversation. That's what I'm getting from the
11 reading of it.

12 **NM:** So how is it that...? Is it the job for an Assembly...? Am I doing my Assembly...?
13 This is one of the nub of the matters really. Am I doing my job as an Assembly
14 Member by taking up issues such as the drug abuse and the...?

15 **RE:** Yes, you are. You are but it all depends how that is manifested, whether you are
16 as an Assembly Member or as a Plaid Cymru candidate supporting another Plaid
17 Cymru candidate. The same topic can be political or party political depending
18 upon the forum.

19 **NM:** Okay. Do you accept that every single Assembly Member will attend such
20 functions and anyone who wishes to be a player in the community, if you like, at
21 some point, do you not see that they will automatically gravitate towards an
22 Assembly Member of whatever party and the Assembly Member is doing his or her
23 job by going to those events.

24 **RE:** Mr McEvoy, sorry, that's got nothing at all to do with what I've got to decide. It's a
25 very interesting point and a very good debating point.

26 **NM:** But we seem to be... I feel that my democratic right as an elected Member to
27 attend events in the community like [REDACTED] as an elected
28 Member, as an Assembly Member, is being questioned.

1 **RE:** No, it's—

2 **NM:** I've got to worry about whether or not I'm being perceived to support—

3 **RE:** No, no, no, no. No, no. Your democratic rights are not being affected at all, not
4 even being questioned. The only question here is whether you have been
5 misusing Assembly resources.

6 **NM:** Okay. So, therefore, it's almost academic because you don't accept that
7 somebody would come with me to that meeting, no?

8 **MD:** Erm, no, I can't see any evidence of anyone going there.

9 **NM:** Is it normal, as we said earlier, for me to be accompanied to different meetings?

10 **MD:** It depends on the meeting, Neil. It depends.

11 **NM:** Do you not accept that it's normal for a staff member to come with me simply to
12 take a photograph, to possibly Tweet and say that Neil McEvoy, AM, is wherever
13 he is at that particular time?

14 **MD:** Again, it depends on the type of meeting, you know. If it's something that you're
15 actively promoting as part of your role as an Assembly Member then, yes, of
16 course, someone would go along and take pictures, whatever, but if the reason
17 you're actually going somewhere is nothing to do with your job as an Assembly
18 Member, it is simply to progress the political career of another candidate, then no,
19 you wouldn't be actively promoting that.

20 **NM:** I think it's pretty clear that you think that me taking up issues with needles in the
21 Community is party political. Fine.

22 **RE:** No, he hasn't said that and I don't accept that.

23 **NM:** I'm confused why I'm having to justify going to a community meeting as an
24 Assembly Member.

1 **RE:** You're trying to justify, Mr McEvoy, if I may say so, what you want to justify. What
2 you're not doing at the moment is helping me by giving me information on the
3 content of these documents.

4 **NM:** Staff routinely come to meetings with me .

5 **RE:** Right.

6 **NM:** That's a misuse of Assembly resource.

7 **RE:** How you deal with your staff is entirely for you. The issue that I have to decide is
8 whether you have misused Assembly resources. Now, it seems to me that - as I've
9 tried to say several times - there are jobs that you do because you're an Assembly
10 Member. Casework, for example. No doubt at all. Casework would be entirely
11 your work as an Assembly Member. Party political work is not your work as an
12 Assembly Member although in the middle there is a very fine line between the two
13 and I see that and I've got every sympathy with you but what I need is help on
14 these documents.

15 **NM:** All right, sir. If we can look at number ten, this one here. It's the next one with the
16 letters put into rounds. Yes, okay.

17 **RE:** So 17.10?

18 **NM:** Mm-hmm.

19 **RE:** Right.

20 **NM:** So 20.14, this is political. "Were the letters put in rounds?" Yes? Six minutes past
21 eight, you reply, "Yes, we took them over to [REDACTED]." Okay, yes, correct?

22 **MD:** Mm-hmm.

23 **NM:** The problem that I have with that point is that you've not done that because [REDACTED]
24 has been complaining to me.

25 **RE:** Because what, sorry?

1 **NM:** [REDACTED] has been complaining to me. [REDACTED] said he hasn't had them. He said they're
2 not finished. He just texted... so [REDACTED] was complaining to me about the matter so
3 again I think there's a trust issue there when you say you've done something that
4 you haven't completed.

5 **MD:** No, I took them over. I say later on in the conversation that he wasn't there.

6 **NM:** Yes, but you said you took them over to [REDACTED] and you give the impression that you
7 had given them to him when you hadn't.

8 **MD:** No, I said I took them over. I explained to you that no one answered the door.

9 **NM:** The point is where is that material?

10 **MD:** It's, like, in 321.

11 **RE:** What material?

12 **NM:** We're talking about party political material, I would imagine, here but where is that
13 material?

14 **MD:** So we started off from the office, then—

15 **NM:** Which office?

16 **MD:** 321. Then took them round to [REDACTED]'s. Erm, he wasn't there so they stayed in my
17 boot and then I brought them back to the office in the morning.

18 **NM:** Where's the evidence that it was produced in 321 Cowbridge Road East?

19 **MD:** It's my evidence that that's where it was printed.

20 **NM:** It's your oral testimony.

21 **RE:** Yes.

22 **MD:** Yes.

23 **NM:** It's your oral evidence. Where's the written evidence that it was in 321.

1 **MD:** Well, it's not that. That is my testimony.

2 **NM:** Would you agree that there is no written evidence that it was ever at 321?

3 **MD:** Well, I would argue the fact that what other office could you have been referring to?
4 You've only got one office so, I mean, there's not—

5 **NM:** At the very beginning we established a number of offices.

6 **MD:** Okay. So where were you telling...? When you say, "Just bring to the office. I'm
7 in early," so where are you saying I'm telling you to take the leaflets?

8 **NM:** We'll come to that now. What I'm after from you is agreement that there's no
9 written evidence at all there to suggest the leaflets were done at 321.

10 **RE:** Well, you put it to Mr Deem what you mean by "office" in the bottom entry but one.
11 If you're saying that that is an office somewhere else, suggest it and we can have
12 an answer. That can help.

13 **NM:** I've already established, I thought we'd established that there were five or six
14 offices.

15 **RE:** No, no, no. You don't seem—

16 **NM:** I don't want to argue the point about that.

17 **RE:** Well, I do. I do want to help. I don't want to argue a point. I want to help.

18 **NM:** The leaflets in the boot.

19 **RE:** Listen.

20 **NM:** Yes.

21 **RE:** Just listen. I agree you've established there were four or five offices. Here, your
22 words are, "Just bring to the office. "

23 **NM:** Yes.

1 **RE:** Right?

2 **NM:** Yes.

3 **RE:** Now, I want you to put to Mr McEvoy *[sic]* which office you have in mind there when
4 you were saying.

5 **NM:** I'm not sure to be honest but the point I'm making is – and this is an important
6 point – where are the leaflets at that point?

7 **MD:** In the boot of my car.

8 **NM:** Okay.

9 **RE:** They were in the boot of your car.

10 **MD:** Yes, I took them from the office at 321, put them into the boot of my car, tried to
11 deliver them to ■■■■■, there was no answer at ■■■■■'s house so they stayed in the
12 boot of my car and then Neil tells me, "Just bring them back to the office."

13 **NM:** Okay. I think what I did on this occasion was I took them to ■■■■■ but the point is
14 that they're in the boot of your car and if you said to me which office did I mean, it
15 would depend which office I was at the next day so Tuesday, would that be the
16 Assembly? I don't know. But the point I'm making about transfer, very often in
17 campaigns do you accept that a mobile office is also the car.

18 **RE:** Okay.

19 **NM:** No, this is important because if I'm saying to you... We'll take the supposition that
20 maybe we're talking about 321 there, "Bring them back to the office. I'll meet you in
21 the office in the morning." How would we transfer those leaflets from car to car as
22 a matter of practicality?

23 **MD:** Take the boxes out.

24 **NM:** Yes.

25 **MD:** Put them wherever they need to go.

1 **NM:** Yes, so I would arrive.

2 **MD:** In this instance—

3 **NM:** You park next to my car, I park next to yours, we do the transfer outside of the
4 office.

5 **MD:** No.

6 **NM:** Do you accept that?

7 **MD:** No, I don't. I don't accept that they went into your car. As I remember, I brought
8 them back to the office, put them into 321 and from what I can remember [REDACTED]
9 collected them from there.

10 **NM:** Okay. What I'm trying to say is that even if you do say, "Bring them to the office,"
11 then what would be eminently sensible would be the transfer to be done car to car
12 because the last thing you want to do is lump a number of things anywhere so you
13 leave them in the boot of the car and you transfer car to car. I think that's... You
14 disagree?

15 **MD:** Neil, I just—

16 **NM:** Okay. Fine, fine.

17 **MD:** I think this is—

18 **NM:** The next—

19 **MD:** What is the point of this? You know, it's a box of leaflets.

20 **NM:** Okay.

21 **MD:** It's easy to take it out of my car when I'm going into the office, chuck it down in the
22 corner and then—

23 **NM:** The—

1 **MD:** —whoever comes to collect them—

2 **NM:** The next point is your evidence at the beginning was that all printing is done at 321
3 but if you look at it here, yes, “Got a printing studio going right now in my study.”

4 **MD:** I’ve never said that.

5 **RE:** No, you see, you keep doing that. Mr McEvoy, you keep doing it. You keep saying
6 Mr Deem has said something and he clearly hasn’t. He has never said at any point
7 in this enquiry that all the printing was done in 321. He’s never said that.

8 **NM:** He said 226,000 copies—

9 **RE:** No, hang on. He said that. What he hasn’t said is that all the printing was done in
10 this office. He said a lot was and he’s even given some figures and you’ve just
11 quoted one of them.

12 **NM:** Yes.

13 **RE:** But he’s never said what you’ve said he just said.

14 **NM:** Okay. We need to establish how much then, don’t we, if any? “Got a printing
15 studio going right now in my study.” Maybe I’ve misread this whole thing wrongly
16 but I’m being accused of running this hub, this campaign centre at 321 when
17 actually the reality is that you’re saying there that you have a printing studio in your
18 study.

19 **MD:** Yes, I’m printing packs for the LDP. We talked about this as well—

20 **NM:** Okay, fine.

21 **MD:** —during my cross-examination.

22 **NM:** Okay.

23 **MD:** You know, I said that I’ve done printing in my, call it what you want, office, garage,
24 printing studio, whatever you want to call it.

1 **NM:** Okay.

2 **MD:** Erm, I've also said there was a time when the campaign printer had to be moved
3 there because you were worried about the CCTV cameras seeing it on the go in
4 321. What's your point?

5 **NM:** We're going back to the CCTV cameras which were in operation from January and
6 yet I wasn't worried until the middle of March according to your testimony. If we
7 look at 6A now.

8 **RE:** 6A?

9 **NM:** Yes.

10 **RE:** Good, thank you. Yes, which page?

11 **NM:** [Inaudible 03:35:14] and the first screenshot is [REDACTED].

12 **RE:** Date?

13 **NM:** It's the 9th of March.

14 **MD:** Can I just quickly pop to the toilet? I don't need a long break but can I pop to the
15 toilet?

16 **RE:** Yes, of course. We'll have a—

17 **MD:** Five minutes. No more.

18 **RE:** Yes. We'll have a ten-minute break.

19 **NM:** Okay.

20 *MD leaves the room at 03:35:33*

21 *Egwyl / Break*

22 **NM:** I think I may be better off submitting this as my evidence because I seem to be
23 giving evidence inadvertently rather than questioning.

1 **RE:** Well, I won't understand it unless you explain it to me.

2 **NM:** Mm?

3 **RE:** I won't understand it unless you explain it to me.

4 **NM:** I can do that in my evidence, can't I?

5 **RE:** Yes.

6 **NM:** Yes.

7 **RE:** I mean, if you—

8 **NM:** I want to go through it, some of the things I'm saying are not necessarily best put
9 here, I don't think, right now.

10 **RE:** Well, it's up to you. I don't want to have you under any kind of pressure. All I
11 want... I need help in order to understand what the issues are and what the facts
12 of the issues are. How are you suggesting you deal with it?

13 **NM:** I'll continue but I think I'll probably mark that for my evidence sheets at... There's
14 things I mention there I should have dealt with in my evidence rather than do it in a
15 cross-examination.

16 **RE:** Don't worry about it. Very experienced barristers do the same thing. Okay.

17 *MD returns to the room inaudible 03:37:05*

18 **RE:** Okay.

19 **NM:** The messages after May the 3rd, you discounted?

20 **MD:** Erm—

21 **NM:** They were presented. There's a whole load of messages here which indicates
22 work outside the nine to five but you decided not to submit them or are they going
23 to be submitted at some point?

1 **MD:** Yes, erm—

2 **RE:** Well, if you're looking at 6A, page 16, which is the 6th of May, Mr Deem said that
3 that was a Saturday so that was the cancelled.

4 **NM:** Well, I think everything from Michael's side was discounted after the Council
5 election. We didn't consider anything at all.

6 **MD:** Well, I think as we were going through, I told you what to discount so whether that's
7 everything or whether, you know... but we've already gone through this process so
8 you should—

9 **NM:** Can we check what is discounted then?

10 **RE:** Well, I can't go through all these and tell you what I've put a line through but there
11 were lots. I just hesitate to agree with you that he discounted everything after the
12 elections. That's all. You may be right but I haven't looked at it in that way. You
13 just ask questions on whatever you want to ask questions.

14 **NM:** Could we look at... back on 6A?

15 **RE:** 6A, right.

16 **NM:** Yes.

17 **RE:** Yes.

18 **NM:** We go to the 22nd of March.

19 **RE:** Yes.

20 **NM:** Actually, if we fast-forward to... it's the 4th of March.

21 **RE:** 4th of March.

22 **NM:** Mm.

23 **MD:** Yes, I think we crossed this out as being a bank holiday, didn't we?

1 **NM:** 4th of March is a Saturday.

2 **RE:** Right.

3 **MD:** No, I've got it crossed off on mine but—

4 **NM:** Mm-hmm, okay. So it's work carried out on a Saturday.

5 **RE:** Right.

6 **NM:** The issue there is that... When you were working for me, did you think that part of
7 the role was to look after my reputation?

8 **MD:** Erm, yes, I guess so. We would, erm, you know, if, erm, issues arose then we'd do
9 our best to defend you in whatever way that we could.

10 **NM:** So you feel that that was legitimate as part of your role as working for me as an
11 Assembly Member.

12 **MD:** Erm, again, it depends. Are we talking about in a...? Yes, obviously in public.
13 Yes, behind the scenes we'd have disagreements and I think that's natural.

14 **NM:** I don't really recall many disagreements behind the scenes.

15 **MD:** Yes, that's part of how the office worked.

16 **NM:** So you concede that part of your role in terms of your employment status as well is
17 to protect my reputation. That was the major fallout which led to you being
18 dismissed actually was the—

19 **RE:** Do we need to go into that?

20 **NM:** Yes, we're going to go into it now because I think a lot of—

21 **RE:** Well, you can ask questions on it but you can't comment on it.

22 **NM:** Okay. Erm—

23 **RE:** Who is '■'?"?

1 **MD:** [REDACTED], Plaid Cymru Assembly Member [REDACTED].

2 **RE:** Right.

3 **NM:** Okay. 5^h of March.

4 **RE:** That's a Sunday?

5 **NM:** Sunday. Again, evidence of out of hours. We were talking about a thunderclap
6 which is... Do you concede that we didn't actually do a thunderclap?

7 **MD:** No, we did a thunderclap. [REDACTED] and [REDACTED] organised that, didn't they?

8 **NM:** What is a thunderclap?

9 **MD:** Erm, so it's a group showing of support for a particular campaign usually organised
10 through, you know, email correspondence or something shared on social media.
11 That was my understanding of it.

12 **NM:** No, it's not. We didn't actually... It's only a small point. We didn't do the
13 thunderclap. Are you aware of that?

14 **MD:** It was something that I wasn't involved in but I thought that we did.

15 **NM:** It was something we... No, we didn't do a thunderclap but it's something that
16 [REDACTED] was discussing on a Sunday because it was to do with reputational matters.
17 So you say that, "I'm happy to [inaudible 03:43:19] that tomorrow if urgent. We can
18 get [REDACTED] in." Okay, so we didn't go ahead with it but it was legitimate to discuss
19 defending my reputation as an Assembly Member.

20 **MD:** So you're talking now in relation to being suspended as a councillor? This is what
21 all this is about, isn't it? The Twitter attack... the Facebook.

22 **NM:** Mm-hmm. But you've conceded that it was part of the role to protect my reputation.
23 It is part of the role. If you work for an Assembly Member, you clearly have to
24 protect their reputation.

1 **MD:** Yes, but we were posting through the Cardiff Plaid account. It wasn't like we were
2 posting to your own Facebook feed. That was the political campaign account that
3 we posted all this stuff to so regardless of whether it's protecting your reputation,
4 you know, this is done in a political sense using those accounts.

5 **NM:** Okay, other accounts were used as well.

6 **MD:** No, they weren't. We used the Cardiff Plaid account. That was the only one that
7 was used in this concept of cutting the Facebook comments and sharing—

8 **NM:** If we're dealing with the tiles now, do you concede that they weren't even used
9 anyway?

10 **MD:** No, are we talking about the tiles now or the comments that were lifted from
11 Facebook?

12 **NM:** Were the tiles used?

13 **MD:** I'm asking which are you talking about? Are you talking about the attack ads or the
14 captions that were snipped from your Facebook page and then sent out through the
15 Cardiff Plaid account? They are two separate things. I just want to know which
16 one.

17 **NM:** The tiles with the politicians on.

18 **MD:** Yes, they were used.

19 **NM:** Okay. Not to my recollection. If we fast forward to Sunday the 7th.

20 **MD:** The 7th of March, is it?

21 **NM:** 7th of June, 10.26.

22 **RE:** 7th of June?

23 **MD:** 7th of June.

24 **NM:** Yes. [REDACTED] is commenting on the cross-party group for boxing, Sunday.

1 **MD:** What year are we in?

2 **NM:** 2017.

3 **RE:** 7th of June, I've got at page 21 of 6A.

4 **MD:** Page 21.

5 **RE:** Is that what you're referring to? That's it. So, the 7th of June is a Sunday, is it?

6 **NM:** Yes. Just again out of hours work, Assembly related. It's a cross-party group on
7 boxing. Yes, would you concede that, [REDACTED]?

8 **MD:** Yes, let me just read it a second. I've got the 7th of June as a Wednesday.

9 **RE:** Wednesday?

10 **NM:** I think I made a mistake there. Okay, we'll scratch that one. If we go to... again
11 this is... Yes, I think we will actually go with that. Can you just lower it down again,
12 [REDACTED], please? Just take it down a bit. Okay, we'll fast forward to 8th of February and
13 this was—

14 **RE:** 8th of February.

15 **NM:** Fast forward to the 8^h of February. This is in 6A.

16 **RE:** Page one.

17 **MD:** Page one.

18 **NM:** It's a photograph of the petition returns from a newspaper.

19 **RE:** What I've got is another pile of Waungron petition slips. Is that the one?

20 **NM:** Yes.

21 **RE:** Right. What's the point on that?

22 **[REDACTED]:** Which page are we on now?

1 **RE:** Page one, 6A.

2 **NM:** They're on a desk so my question is where are they?

3 **MD:** They were in Cowbridge Road East.

4 **NM:** Okay. How do you know that?

5 **MD:** Because I recognise... I recognise the picture. The returns slips for the petition
6 went to Tŷ Gwynfor and then Tŷ Gwynfor forwarded it then to 321. There would be
7 nowhere else for them to send them.

8 **NM:** So you're saying that that table was in our office.

9 **MD:** Yes.

10 **NM:** Okay. What is wrong with inputting returns from a petition?

11 **MD:** So this petition slip, I believe, was from... was it the newspaper, the [inaudible
12 03:50:54] potentially? What date was it? Erm, regardless of where it came from,
13 on there is a box to indicate voting preference. That data we would then use during
14 the campaigning phase.

15 **NM:** There's other data there though, isn't there?

16 **MD:** Yes, there's other data. There's customers' details and then there's a box to say
17 who you're going to be voting for. I mean, that is the issue because that's what
18 we're trying to get at by having these petitions because we want to know who's
19 going to vote for us.

20 **NM:** I think everybody uses petitions for data in some way but in returning that petition
21 what communication is being given from the electorate to me as an Assembly
22 Member?

23 **MD:** I just said contact details and voting preference.

24 **NM:** What's the main message there on these ones?

1 **MD:** Exactly what I've just told you.

2 **NM:** Reopen Waungron Road.

3 **MD:** Yes.

4 **NM:** So do you not accept that it's a legitimate activity for me to engage with residents of
5 the city for them to fill in a slip, return it to me and tell me that in fact they do want
6 the recycling centre reopened?

7 **RE:** It's an entirely legitimate thing for you to do. Entirely legitimate.

8 **NM:** Okay.

9 **RE:** But that isn't the problem, is it?

10 **NM:** So what is the problem with this then?

11 **RE:** If you are acting simply as a non-party political animal in relation to a petition, that
12 is not a problem. If you are acting in a party political context, that is a problem if
13 you are or it might be a problem if you are running that from the constituency office,
14 the regional office.

15 **NM:** Okay. So I think this is certainly one of the grey areas because what happens with
16 communication? The data is certainly reported but there are varying bits of data,
17 for example, if we knock on doors in Ely... It's my evidence. I'll stop there. In
18 terms of the specifics there, whether it be legitimate or not, let's leave that to one
19 side, where is the evidence that that was 321 Cowbridge Road East?

20 **RE:** He's just told you.

21 **NM:** Do you think it's credible to say that he recognised the tabletop where that could be
22 in any office anywhere?

23 **MD:** Yes, it could be but I remember [REDACTED] sending the message to me. I remember
24 [REDACTED] being at 321 at the time.

25 **NM:** Okay.

1 **MD:** There's a lot that goes into your recollection of a—

2 **RE:** Where do I find the photograph in my bundle?

3 **MD:** The photograph is not on there. It's on the files.

4 **RE:** Fine.

5 **NM:** If we go forward now to the 10th of March. Actually, let's go past that one. Okay,
6 so we're up to the 10th of March which is it's a message from me to [REDACTED] at
7 5.23 in the morning. [REDACTED] replies at 8.07.

8 **RE:** The time of that is what?

9 **NM:** 5.23 the message from me is and it's from the 10th of March.

10 **RE:** Yes, what's the time?

11 **NM:** 5.23 first of all.

12 **RE:** 5.23.

13 **NM:** Yes.

14 **RE:** AM?

15 **NM:** Yes. "Let's finalise the way forward." It's a message between myself and
16 [REDACTED] Yes, there we go. Right, once again, so we're up to the 10th of March
17 and I'm saying to [REDACTED], it is a political conversation, "Let's finalise the way
18 forward, finish the manifesto today and get on campaign mode." Now, if the office
19 was the campaign HQ as you allege, how come we were not already on campaign
20 mode?

21 **MD:** We were. The manifesto being finished is our offer to the public. You know, that's
22 our final offer to the public. You know, there's varying stages in the campaign and
23 finishing the manifesto is one of the big milestones.

24 **NM:** Why am I urging us to get on campaign mode finally right up to the 10th of March?

- 1 **MD:** How are you saying “finally get on campaign mode”? Finalise the way forward, so
2 the final part of the campaign.
- 3 **NM:** Does it suggest to you, if I’m saying, “Let’s get on campaign mode,” does that
4 suggest that we were already on campaign mode?
- 5 **MD:** No, it’s suggesting to me that we get into a certain mindset. You know, if you carry
6 on the conversation you’re saying, “I’m minded not to reapply to the group until
7 after May the 4th,” so the idea now is, you know, two months out is to do as little as
8 possible in relation to Assembly work and just to be 100 percent or 95 percent
9 doing campaign work.
- 10 **NM:** How do you read into that that I’d say, “Let’s do as little Assembly work as
11 possible”?
- 12 **MD:** Because you try to get out of everything from hereon in. If you could get out of
13 going to a Public Accounts Committee, you would. If you can get paired in the
14 chamber, you would. If you’re not going back onto the group, then that again saves
15 you a morning, you know. This was the final phase of the campaign.
- 16 **NM:** Do you not recall that we did press conferences so we didn’t actually save any time
17 there but that’s an academic point.
- 18 **MD:** No, we did the launch—
- 19 **NM:** What I’m putting to you on the basis of that evidence there is that in my mind we’re
20 not on campaign mode. I’m saying, “Let’s get on campaign mode.”
- 21 **RE:** You know, I’m sorry to repeat this but your state of mind, whether you can
22 campaign or not, doesn’t matter. It’s what is happening in the office. What your
23 staff are doing. What apparatus were you using.
- 24 **NM:** Assembly work as usual.
- 25 **RE:** I’m sorry?
- 26 **NM:** Assembly work as usual. If we look at the next sheet, the next tile. Right, okay.

1 **RE:** What date is this?

2 **NM:** This is the 10th of April.

3 **RE:** The 10th of April, right. Okay. The 10th of April. 26A, page 11.

4 **NM:** Yes. Okay, so what am I suggesting there, Michael, in the second message?

5 **MD:** I can't see. Sorry, what date?

6 **NM:** 10th of April. 16.26.

7 **MD:** Putting an order into Tŷ Gwynfor to do a direct mail.

8 **NM:** Okay. Unless I'm wrong, what you seem to be alleging is that the norm was to print
9 such materials from 321 Cowbridge Road East.

10 **MD:** Yes, or between 321. At this stage, we've got the campaign office as well.

11 **NM:** Okay.

12 **MD:** At this stage, more of the printing would have been done in the campaign office but
13 still some done in 321.

14 **NM:** Okay. So why do I not say - I'm not imagining anybody seeing this message at any
15 point - why do I not say, "Do the printing in the office at Cowbridge Road East"?
16 Why am I suggesting—?

17 **MD:** Because I imagine that we've got quite a lot that's being printed at this stage. "Why
18 not let TG print a DM?" That suggests to me that it would take the pressure off.
19 Erm, I mean, we're less than a month away from the election now and there's a
20 huge amount that's being printed at this stage.

21 **NM:** Okay. Does that suggest to you that, therefore...? Would you concede that we
22 would print direct mails at Plaid Central? In this case, I would refer to it as TG.

23 **MD:** Well, no. You're asking a question. I don't actually remember a DM being printed
24 at Tŷ Gwynfor.

1 **NM:** Okay. But you can see—?

2 **MD:** Sorry, how much are saying incidentally did we print at Tŷ Gwynfor?

3 **NM:** Sorry?

4 **MD:** How much did we print at Tŷ Gwynfor?

5 **RE:** You needn't answer that because it's not in evidence.

6 **NM:** A very simple question, how many sheets did we print on the campaign printer?

7 **MD:** Hundreds of thousands?

8 **NM:** Half a million. Just under half a million. Over 400,000. With the picture you're
9 painting about most of the printing being done at Cowbridge Road East despite all
10 the other venues and despite you saying that one of the candidates had a hobby
11 for printing and us having a campaign printer which had printed out half a million,
12 I'm failing...

13 **MD:** I mean, it does say it in the invoice, you know.

14 **NM:** For the purpose of the evidence, you concede that I suggested we print at the Plaid
15 Central office there.

16 **MD:** Yes, you've asked the question.

17 **NM:** Okay, fine.

18 **MD:** [Inaudible 04:02:06] whether that happened or not.

19 **NM:** 12th of the 3rd.

20 **RE:** 12th of the 3rd?

21 **NM:** Yes, 12 of the 3rd. I'll check the day.

22 **RE:** All right.

1 **NM:** Okay, that's a Sunday, Michael, yes?

2 **MD:** Mm-hmm.

3 **NM:** Correct? It is a Sunday. Can we concede that?

4 **MD:** It's just you had the last one wrong so I just want to make sure.

5 **NM:** Yes, okay.

6 **MD:** Yes, I've got that as a Sunday.

7 **NM:** Okay. So what data here is [REDACTED] talking about?

8 **MD:** The electoral register.

9 **NM:** Yes. I think you flagged it up right the way through from 2016 where you accused
10 [REDACTED] of behaving politically and inputting the electoral register. Can you explain
11 what is wrong for a politician to input the electoral register on the system?

12 **MD:** The data from the electoral register was the primary source of information for
13 targeting super voters so accompanied with the canvassing returns that we get on
14 the doorstep and then the electoral register indicating whether they were likely to
15 vote at all, that is how we created our super voter list.

16 **RE:** The what?

17 **MD:** The super voter list so—

18 **NM:** This isn't talking about a super voter list.

19 **MD:** Yes, but you asked why it would be political for somebody to input the electoral
20 register.

21 **NM:** This isn't talking about a super voter list drawn up by the party.

22 **MD:** You asked me what was wrong with it and I'm telling you what's wrong with it. This
23 is why you input it.

1 **NM:** So therefore—

2 **RE:** No, let the answer come out.

3 **MD:** Right, okay. So a super voter list is someone that we target in the final stages of
4 the campaign. You draw up that information by taking any suggestion they've
5 made on the doorstep when we've had conversations with them as to who they
6 were likely to vote for, so if they were Plaid, Labour, if they'd previously voted for us
7 and changed their mind. You'd use that information, combine it with the
8 information from the electoral register which tells you if that person regularly votes
9 or not and that would create your super voter list. If the information on the electoral
10 register shows them as never voting, we wouldn't target them in the final stages of
11 the campaign.

12 **NM:** Okay you seem to have jumped from inputting the electoral registers to super
13 voters. Would you concede that the list of super voters is drawn up, or this time
14 anyway, was drawn up by the party centrally because that would be a political
15 activity.

16 **MD:** No. I mean, that was something that we regularly would do ourselves.

17 **NM:** Okay. Do you concede that I'm an active Assembly Member?

18 **MD:** Yes.

19 **NM:** Okay. Do you concede that I knock on people's doors?

20 **RE:** That you what?

21 **NM:** That I knock on people's doors.

22 **MD:** Erm, I think we've had this conversation.

23 **NM:** Do I or do I not knock on doors?

24 **MD:** Not as much as you make out that you do.

25 **NM:** Okay, but do I knock on people's doors?

1 **MD:** Well, since you've been elected?

2 **NM:** When you worked for me, did I knock on people's doors?

3 **MD:** Pre-election. Pre-election or...?

4 **NM:** For the whole period, do I knock on people's doors?

5 **MD:** Erm, yes, there were times we did canvassing. I mean, you wouldn't... I think your
6 pledge after being elected was to knock on every door in Cardiff West and you're
7 quite far behind that target.

8 **NM:** How would you know that?

9 **RE:** How does that help me?

10 **NM:** Well, the point is that if I knock on... I regularly go to different areas and knock on
11 doors, speak to people. What I need to have is their name so we need to input the
12 electoral register otherwise it's impossible to engage with voters.

13 **MD:** So that's what you gain from the electoral register, people's names.

14 **NM:** Of course we do. We slightly changed the system then.

15 **RE:** You're giving evidence again. I am not being helped by this.

16 **NM:** Okay.

17 **RE:** I need to know—

18 **NM:** I'm trying... I'm trying to ascertain what the problem is with inputting the electoral
19 register?

20 **RE:** Well, rightly or wrongly, you've had the answer.

21 **NM:** All right.

1 **RE:** I've got the answer written down. In short, it's inputting electoral register data helps
2 create lists of super voters which was not, according to Mr Deem, produced
3 centrally by Plaid Cymru. Now, that may be right, it may wrong, but your answer.

4 **NM:** Do you think it's useful for me to know somebody's name when I knock on their
5 door?

6 **MD:** Yes.

7 **NM:** How do I know that without having inputted the register?

8 **MD:** I don't think the register actually... When you input the marked register, all you're
9 doing is going onto an established database of everyone living in that particular
10 constituency and then keying into that whether they voted or not so you don't need
11 to input the marked register in order to get people's names.

12 **NM:** Can I stop you there? The marked register is separate. I'm talking about the
13 electoral register itself which is what we're talking about in this data here, in this
14 evidence here. Do you concede that by having the electoral register inputted, I
15 have a ready-made list of people who I know I can communicate with?

16 **MD:** No, because there's no need to input the electoral register because that's already
17 available. We just take that data... We take that database and then input from the
18 marked register who has voted in each election.

19 **NM:** You keep on talking... I'll come to the marked register in a moment. What I'm
20 simply talking about here is the electoral register.

21 **MD:** Neil, you're saying "marked register" in the conversation.

22 **NM:** What is wrong in inputting the marked register?

23 **MD:** That is the reason we input it, is to take that data, the voting records of the marked
24 register to be able to produce these lists to target people.

25 **NM:** Do you concede that I...? You said about super voters. Do you concede that I
26 usually contact people who don't vote and encourage them to vote?

1 **MD:** Erm, it depends what time it is. If we've got a year to campaign, then yes, we'd
2 knock on every door. If we're in the election, the final election phase, then no we
3 wouldn't go and knock on every door.

4 **NM:** You came back at me there and what I am referring to, I inputted data, inputted it
5 the way it came up on the electoral register, confident I wouldn't have made that
6 mistake. I can certainly check through since I've photocopied the data and locked
7 it securely in my house. Where does it mention the marked register there?

8 **MD:** You're asking about the marked register.

9 **NM:** I'm asking about the register itself and you came back at me and said it was the
10 marked register.

11 **RE:** Look at your first word in that question.

12 **MD:** Your first question.

13 **NM:** Inputted data.

14 **RE:** No.

15 **MD:** No. "Marked register input must be wrong," and [REDACTED] has inputted it the way it
16 was on the electoral register, ie the way it was marked on the electoral register.

17 **NM:** Okay, I concede that one is my mistake. I don't accept that there's anything wrong
18 with inputting the marked register at all because that's how we engage with the
19 electorate.

20 **MD:** Erm, what time are we closing today?

21 **RE:** It's four o'clock now. Do you need a break?

22 **MD:** No, I'm fine. I just wondered what time.

23 **RE:** How much longer do you have, Mr McEvoy?

24 **NM:** I've got a council meeting to attend.

1 **RE:** Don't worry about the council meeting. That may be secondary to this.

2 **NM:** Yes.

3 **RE:** How much longer are you going to be?

4 **NM:** I'd like a break actually.

5 **RE:** I'm sorry?

6 **NM:** I would like a break.

7 **RE:** We'd all like a break but we need to finish this.

8 **NM:** Erm, do we finish this today?

9 **RE:** Well, how long are you going to be?

10 **NM:** Well, I need to go through that and then go through this.

11 **RE:** You said earlier that you're going to cut down.

12 **NM:** Yes.

13 **RE:** Have you succeeded?

14 **NM:** Yes, some of the sheets, yes. It's a full day's work really.

15 **RE:** Another full day?

16 **NM:** Yes.

17 **RE:** Well, I'm sorry but you simply can't do that. You're just taking too much time.

18 **NM:** Well, I haven't had... well. If you rule that, then obviously... The problem that I

19 have is that it's not accepted that my staff worked flexitime. It's not accepted.

1 **RE:** Oh dear, dear. We've been round that bush so many times. You've shown by
2 irrefutable evidence that they were engaged on work outside the nine to five
3 bracket that we've been discussing. Now—

4 **NM:** But I'm still accused of using Assembly resources to—

5 **RE:** Of course you are and that's what I'm trying to get you to deal with.

6 **NM:** A huge amount of the evidence... Well, a huge amount of the allegations refer to
7 my staff and what I'm saying is there's a flexible arrangement for them, like every
8 other Assembly Member's staff, to work politically sometimes but to make sure first
9 and foremost the job of the constituency office was done first and foremost.

10 **RE:** No, it isn't helpful to me to know whether you knock on doors of people who don't
11 vote for you. That is nothing at all to do with what I have to look at.

12 **NM:** It is because—

13 **RE:** When you go after a document on a false basis, you missed the word "marked."

14 **NM:** Yes, yes, yes. That was my mistake. That was my mistake.

15 **RE:** Everyone does it. I've done it myself several times in court but I'm torn between
16 two things. Giving you as much opportunity as is necessary to put your case to
17 Mr Deem that we get his answers and that, if done properly, will help me to come to
18 a decision but I'm also torn by the time this has taken. We're on the fourth day, I
19 think, of this and we haven't even got past the first witness yet. Now, you make
20 your point about timings. You needn't flog a dead horse, you know, or even a
21 wining horse.

22 **NM:** What I don't want to be found guilty of is using my staff to effectively run a political
23 campaign because I've not done that.

24 **RE:** I know you say you've—

25 **NM:** But I've got more evidence to prove that I've not done that.

1 **RE:** You can give your evidence about that in due course. What I want to know from
2 you is how many questions you want to put to Mr Deem.

3 **NM:** But the point of labouring this, I listened at some length to my staff member, [REDACTED]
4 [REDACTED], being criticised and allegedly working politically by inputting the marked
5 register and I'm saying to you as an Assembly Member part of my role is to
6 increase electoral turnout. That's part of my job description and I cannot do that
7 unless we have the marked register inputted.

8 **RE:** There are messages in here and documents in here which are directly relevant to
9 the allegations against you. At the moment, you haven't touched them.

10 **NM:** That's what I intend to go through now.

11 **RE:** What's in there is virtually what's in here or what's in here is in there.

12 **NM:** In here we have the timings so can we adjourn for ten minutes so I can look
13 through in that case and maybe take out some of the stuff if you say I've
14 established that? Then in terms of the timings, that may save us some time.

15 **RE:** Good, yes. Ten minutes break then.

16 **NM:** Okay.

17 **RE:** Are you okay to hang on?

18 **MD:** Yes.

19 *NM leaves the room at 04:15:11*

20 **MD:** I've, erm, got somewhere I need to be at six.

21 **RE:** Sorry?

22 **MD:** I've got somewhere I need to be at six. I've got to take the bus unfortunately as my
23 car is not good.

24 **RE:** I don't want to [inaudible 04:15:28].

1 **MD:** Yes.

2 **RE:** Because that might—

3 **MD:** Ah, right, then.

4 **RE:** What time do you have to get from here to get a bus to where you want to go?

5 **MD:** To be honest, I thought we were going to be finishing about four again. Erm, I
6 mean, I can hang on for a bit.

7 **RE:** Let's see.

8 **MD:** I could probably, maybe five o'clock at the latest.

9 **RE:** That's fine. Let's just see what what we can cut down.

10 **MD:** Yes.

11 *MD leaves the room at 04:16:05*

12 *Egwyl / Break*

13 **NM:** Hopefully I have established that there isn't a nine to five routine with my staff so
14 hopefully I've dealt with the allegation that they were somehow being paid to work
15 politically but I think there's enough evidence to show that they were working above
16 and beyond in terms of Assembly work.

17 **RE:** I make no comment on that. The evidence isn't concluded.

18 **NM:** Okay. I'll be able to present more evidence to prove that. I'm going to be a full day
19 on this file here.

20 **RE:** I simply cannot allow you a full day on that file.

21 **NM:** The reason being is because this file contains every screenshot with information
22 which is not included.

23 **RE:** Exactly. It's all in there. You don't need this. It's all in there.

1 **NM:** When was I given this, [REDACTED] ?

2 **[REDACTED]:** Erm—

3 **RE:** You had access to the screenshots weeks ago.

4 **NM:** No, I didn't have access to the screenshots because I was unable to download the
5 screenshots which I communicated on two occasions.

6 **[REDACTED]:** You said you couldn't access... You [inaudible 04:18:37] some of them but
7 others—

8 **NM:** Some of them, yes. The main ones I couldn't access. There's 102 screenshots.

9 **RE:** You have got them now and all the screenshots in here are in there. There are
10 other documents in here which are not screenshots, of course.

11 **NM:** The bulk of my work that I've done has been on that file there. What we have here
12 is extra stuff which wasn't included.

13 **RE:** Yes, I'm afraid I'm not prepared to allow you another day. It simply isn't justified in
14 the public interest. You can put questions—

15 **NM:** It's certainly in my interest because I've been sat... I sat for two and a half days
16 listening to evidence being presented and you're cutting me short after one and a
17 half.

18 **RE:** No, I'm cutting you short from arguing a case. I'm not cutting you short for putting
19 your case and asking questions.

20 **NM:** I've got questions to ask on what's in there.

21 **RE:** Right. Well, ask them.

22 **NM:** Okay. If we turn to 6A. If we fast forward to the 20th of March.

23 **RE:** Yes.

1 **NM:** Just to be clear, you're telling me that I'm unable to make the points that I want to
2 make.

3 **RE:** No, I'm not telling you that.

4 **NM:** And ask questions.

5 **RE:** That is not what I'm telling you.

6 **NM:** I'm going to miss the questions to ask in there.

7 **RE:** You can ask any questions. What I'm finding difficult to deal with is (a) you arguing
8 your point and not dealing with the issues against you. I am trying to help you. I
9 really am.

10 **NM:** It's the, "Yes, I agree. PAC not ideal. We have an AMS..." which is [REDACTED]. "We
11 have an AMSS have a campaign meeting at 3pm every Monday." What does that
12 say to you, Michael?

13 **RE:** I'm sorry, I—

14 **NM:** We have an Assembly Member Support Staff meeting, campaign meeting every
15 3pm so what I was berated with last week is the issue of the nine to five and yet
16 what we find out here is that every Assembly Member Support Staff has a meeting
17 about the campaign at 3pm every Monday

18 **MD:** Yes, and I've provided you with the transcripts of those meetings, the agendas,
19 what was discussed.

20 **NM:** No, this is an Assembly Member Support Staff meeting with every other Assembly
21 Member's Support Staff.

22 **MD:** No, no, no, no. This is me, [REDACTED] and [REDACTED]. This is nothing to do with anyone
23 else.

24 **NM:** Just to be clear, your evidence is on the 20th of March that... Was this in the
25 bundle?

1 **RE:** No.

2 **NM:** No, okay. So your evidence on the 20th of March is that this is not a general
3 meeting for Assembly staff in the Assembly.

4 **MD:** No, this is your AMSS.

5 **NM:** Okay, that's your evidence. I would disagree with that but that's your evidence.

6 **RE:** I'm sorry but I don't have this document again so I—

7 **NM:** The point—

8 **MD:** Erm, exhibit 6A, page five.

9 **RE:** Yes.

10 **MD:** Erm, 20th of the 3rd, [REDACTED] says, "I agree, PAC not ideal but stick around till the
11 end of the day. We have a campaign meeting at 3pm every Monday."

12 **RE:** Right, what's PAC?

13 **MD:** Erm, Public Accounts Committee.

14 **RE:** Right.

15 **MD:** And then [REDACTED] says, "We..." as in the Assembly Member Support Staff, "have a
16 campaign meeting at 3pm every Monday." So that's referring to me, [REDACTED] and
17 [REDACTED] having a campaign meeting and I've provided you with the emails that
18 [REDACTED] sent out.

19 **NM:** Do you not agree that this is a reference to what [REDACTED] would send out and
20 that [REDACTED] as [REDACTED] in those days and every other member of
21 Assembly Member staff would meet to discuss the campaign?

22 **MD:** No.

23 **NM:** Okay, we can come to that in other evidence. So you don't accept that.

1 **MD:** No. Like I said, I know I've provided the evidence in the form of the meeting notes
2 that [REDACTED] sent out just to the three of us and copying yourself in.

3 **NM:** So you don't accept that every Assembly Member Support Staff from every AM
4 would meet and discuss the election campaign.

5 **MD:** No. Where would that take place?

6 **NM:** In the Assembly.

7 **MD:** No.

8 **RE:** And who would organise it? [REDACTED]?

9 **NM:** The [REDACTED], yes.

10 **RE:** [REDACTED]. So you're putting that [REDACTED] every—

11 **NM:** Every Monday at three o'clock.

12 **RE:** Every Monday.

13 **NM:** [REDACTED] would attend as AMSS staff a meeting about the campaign during the
14 Council election campaign and that is the norm because it is nominally during a
15 working day but everybody recognises that we work with flexibility so any hour
16 taken would clearly be made up.

17 **MD:** So you're saying Plaid as a party and specifically the staff employed by the
18 Assembly are meeting every Monday to discuss the Council election, are they?

19 **NM:** Am I supposed to answer that? Of course, that will be in [REDACTED]'s evidence. You
20 can ask [REDACTED] that.

21 **RE:** Okay, that's fine.

22 **NM:** [REDACTED] was the person who attended the meetings.

23 **RE:** You've got your question. We've got the answer.

1 **NM:** 7th of December 2016.

2 **RE:** 7th of December—

3 **NM:** 2016.

4 **RE:** And where will I find that?

5 **NM:** WhatsApp. I don't know where you'll find it because it's not listed in the bundle.

6 **RE:** Right, never mind. 27th of December.

7 **NM:** Erm, "██████████ dropped them off at █████ yesterday." Do you accept that that is
8 more evidence of ██████████ doing printing?

9 **MD:** Erm, yes, and this is in the bundle.

10 **NM:** Yes, okay. Fine.

11 **MD:** So WhatsApp, what's the date?

12 **RE:** 7th of December.

13 **NM:** I'm happy with that answer. Okay. If we move on to 16.35 on... what date is this?
14 It's not listed. Where is it in the bundle?

15 **RE:** What's the date?

16 **NM:** The date is not on there. It's just the transcript.

17 **█**: It's Friday the 16th of December, I think.

18 **NM:** Is it? I thought it was November. Okay, we can skip that. Fast forward to the
19 24th of April. There's a picture on the following slide. I think, looking at it, this is the
20 23rd of May.

21 **█**: Is this in 6A as well?

22 **NM:** It should be now. This would have been 23rd of May.

1 ■: 23rd of May.

2 NM: Yes. It's a picture which isn't in the bundle there.

3 RE: The 24th of April was a Monday.

4 NM: Mm-hmm. But the following screenshots is the 23rd of May. Maybe we could just
5 deal with it here. Just let me show that to Michael.

6 ■: Is that it?

7 NM: No. There's a picture there.

8 MD: Yes.

9 NM: Could you confirm who that is?

10 MD: Me and ■.

11 NM: What was ■'s role?

12 MD: He did lots of different things during the campaign.

13 NM: Mm-hmm. Which campaigns?

14 MD: Erm, both of them.

15 NM: Okay. So you confirm that ■ did lots of different things during the
16 campaign, mainly being what?

17 MD: Erm, whatever we had for ■ at the time. Maybe printing leaflets, putting them
18 into rounds. ■ was really a leafleter. ■ liked being based the office.

19 NM: Okay. Why did ■ like being based in the office?

20 MD: Erm, I don't know if it was maybe ■.

21 NM: It doesn't matter. ■, yes. So we agree ■ was based in the office
22 during both campaigns

1 **MD:** Yes.

2 **NM:** Okay, fine.

3 **RE:** So [REDACTED] was based where? At 321?

4 **NM:** No.

5 **MD:** Yes, [REDACTED] was. [REDACTED] did work out of 321.

6 **NM:** No, [REDACTED] didn't. [REDACTED] was based... Where is that picture taken?

7 **MD:** Yes, that is in the campaign office but this is in May of... 23rd of May, is it, you're
8 saying?

9 **NM:** Yes.

10 **MD:** But, yes, I mean, that's not the only time [REDACTED] ever attended the office. [REDACTED] worked
11 out of 321 as well.

12 **NM:** Maybe we could ask [REDACTED] where [REDACTED] worked out of because it's my recollection that
13 [REDACTED] would come to 321 to discuss [REDACTED] matters. He's a [REDACTED] expert as well.

14 **RE:** So [REDACTED] did various things during the campaign. Mr Deem says he worked out of 321
15 and campaign office and you say just the campaign office.

16 **NM:** Yes.

17 **RE:** Right. [REDACTED] was a volunteer, was [REDACTED]?

18 **NM:** Yes.

19 **RE:** Right.

20 **NM:** Okay, this is the 30th of March.

21 **RE:** I don't think the 30^h of March is in my bundle.

1 **NM:** I'll deal with it in my evidence. That will make it quicker. It's not in the main bundle.
2 Do you know what work [REDACTED] did on a Friday, please, Mike?

3 **RE:** We know that. It was [REDACTED] campaign day. We've had ample evidence about it. Is
4 there another matter you want to ask about?

5 **NM:** Yes, ample evidence that [REDACTED] did Assembly work [REDACTED]. Do you
6 disagree that [REDACTED] did Assembly work [REDACTED]?

7 **MD:** After the Council election, you sort of seconded [REDACTED] to do some Assembly [REDACTED]
8 [REDACTED]. I wasn't very happy about it.

9 **NM:** Do you not accept that [REDACTED] did, generally the way things worked out, [REDACTED]
[REDACTED] and that enabled [REDACTED]?

11 **MD:** No.

12 **NM:** Okay. So the [inaudible 04:31:43] answer is that he doesn't accept that [REDACTED]
13 [REDACTED] and [REDACTED] because [REDACTED]
14 [REDACTED].

15 **RE:** The evidence I've heard so far is that [REDACTED] but you're
16 saying now that she did Assembly work as well.

17 **NM:** Yes, yes. 29th September 2016.

18 **RE:** Just a minute.

19 **Nm** 7.32, [REDACTED] again.

20 **RE:** No, hang on. Sorry, the date again.

21 **NM:** 20th of September 2016.

22 **RE:** 20th of the 9th, 2016. Right.

23 **NM:** [REDACTED] is giving [REDACTED] considered opinion at 7.32 but what I'm suggesting, would you
24 agree that this is a general example of the thinking out loud?

1 **MD:** No, because I can't find it at the minute.

2 **RE:** Sorry, I don't have that as far as I'm aware.

3 **NM:** Okay, do you want to...?

4 **■:** Which one is it in?

5 **NM:** 6A. It's going to be right towards the end. It's the 20th of September 2016.

6 **■:** Sorry, did you say 2016 or 2017, please?

7 **NM:** 20th of September 2016.

8 **■:** 20th of the 9th.

9 **NM:** Yes.

10 **RE:** And the point on this one?

11 **NM:** It's an example of the group thinking out loud via the Messenger at 7.30 in the
12 morning discussing issues. If we fast forward to 18th October 2016. It's WhatsApp.
13 I'm not sure where it is.

14 **RE:** Sorry, the date again?

15 **NM:** 18th of October 2016.

16 **RE:** 2016. Where do I find that?

17 **MD:** Erm, I think exhibit 6R, page two.

18 **RE:** 6R, page what? Page two?

19 **MD:** Page two, yes.

20 **RE:** Right.

1 **NM:** Okay, [REDACTED], 18th of the 10th 2016 to me. Just read it out there, “Cool. I’m hoping
2 to be ready for 2.30 to canvass but my priorities are expenses, post and sorting out
3 the WTA visit to the Senedd and mini game in the [inaudible 04:35:04].” What
4 does [REDACTED] mean there by [REDACTED] priorities?

5 **MD:** [REDACTED] Assembly jobs, were they?

6 **NM:** Okay, so at 6.30 in the morning [REDACTED] discussing [REDACTED] priorities so you can see —

7 **MD:** [REDACTED] laying out her day.

8 **NM:** Yes, so [REDACTED] priorities before anything else is [REDACTED] Assembly work.

9 **MD:** Yes.

10 **NM:** Okay, fine.

11 **MD:** I don’t think I’ve ever disputed that.

12 **NM:** It’s the 16th of October. Quite a colourful conversation on the 24th of October.

13 **MD:** I scratched that our originally.

14 **NM:** Okay, discussion with the diary at 22.03 in the evening between [REDACTED] and
15 myself. Again, evidence of out of hours.

16 **RE:** What’s that? 17.33.

17 **NM:** No, 22.03.

18 **RE:** 22.03.

19 **NM:** Yes. “No worries. We’ll sort that.”

20 **RE:** Yes, well, that’s you.

21 **NM:** No, [REDACTED]. 22.03. “No worries. We’ll sort that,” there.

22 **RE:** Right, okay.

1 **NM:** So evidence of out of hours Assembly work.

2 **RE:** Yes. Well, you've proved that about 30 times over.

3 **NM:** Proving the same thing in that case there. The same there, Assembly work out of
4 hours. Are we in a position now where it is accepted that my staff did work the
5 required amount of time every week?

6 **RE:** I don't think anyone has ever disputed that. No one has ever disputed it as far as I
7 can understand. Have you ever suggested that they don't work the relevant time?
8 It's what they do in their time.

9 **MD:** Yes, that's the issue.

10 **NM:** Well, all these things are Assembly matters. That's the point.

11 **MD:** But it's all the other stuff as well. Yes, we had jobs to do in relation to the
12 Assembly. That's not in issue. [REDACTED] prioritises those jobs because they need to
13 get done. That is the bread and butter. We've got to get those jobs done. It's
14 everything else that was involved during Assembly time.

15 **NM:** Do we have a transcript of what's been said already? This is recorded, isn't it?

16 **RE:** It's all being recorded and I've made a note. Now, what has not been said is that
17 your staff didn't work the required numbers of hours each week.

18 **NM:** With Assembly work.

19 **MD:** No.

20 **NM:** Everything that I've flagged up here has been Assembly work with my staff and
21 [REDACTED] in particular. It's not political work. It's Assembly work. Discussing the
22 diary at three minutes past ten in the evening is Assembly work.

23 **RE:** Of course it is. Absolutely right.

24 **NM:** And [REDACTED] saying at 6.30 in the morning, "Today, I'm doing this."

1 **RE:** Yes, that's right.

2 **NM:** Is Assembly work.

3 **RE:** Yes.

4 **NM:** Primary position being—

5 **MD:** It's all the other stuff that's here.

6 **NM:** Well, I don't think anybody is—

7 **RE:** We're arguing now. Just ask the questions.

8 **NM:** Yes. If we look at the 30th of December, it'll be WhatsApp, 2016.

9 **RE:** 13th of December?

10 **NM:** Yes. The 30th.

11 **RE:** 30th of December, sorry.

12 **NM:** I'm describing a meeting the following day, New Year's Eve, at eleven.

13 **RE:** At the moment I can't find that.

14 **NM:** It's not in the bundle, is it?

15 **█:** Can you tell me which folder it's in? 6A or...?

16 **NM:** It's in 6S.

17 **RE:** 6S.

18 **NM:** It's not in the bundle. We're talking about a meeting at eleven o'clock in the
19 morning, "Shall I pick you up?"

20 **RE:** This is the 30th of December 2016.

21 **NM:** Yes, at 19.04 on the 30th of December.

1 **RE:** Exhibit 6S, not in bundle.

2 **NM:** Yes, it's the one there, yes.

3 **RE:** And who is saying what to whom?

4 **NM:** "Meeting tomorrow." "Yes, sounds good." "I'm meeting at the Marriott at eleven
5 tomorrow. Shall I pick you up?" So, I'm offering to pick [REDACTED] up. A simple
6 question. Would I be attending a political meeting at the Marriott at 11am on New
7 Year's Eve or would that be Assembly work?

8 **MD:** I think this was meeting [REDACTED].

9 **NM:** Okay.

10 **MD:** [REDACTED], [REDACTED], in which case it was political.

11 **NM:** I wouldn't labour the point.

12 **RE:** Who is it with, did you say?

13 **MD:** A gentleman called, erm, [REDACTED].

14 **NM:** I don't really want his name disclosed.

15 **MD:** He's a bit of a shady character.

16 **NM:** To anybody actually because—

17 **RE:** Well, I need to know.

18 **NM:** It's not party political anyway. Certainly not.

19 **RE:** His name is what? [REDACTED] ...?

20 **MD:** [REDACTED], I believe. I'll see if I can find him.

21 **RE:** You say it wasn't.

1 **NM:** No. It would have been a matter connected with the Assembly.

2 **MD:** No, it wasn't. It was to do with this—

3 **RE:** What was it?

4 **MD:** Go on.

5 **NM:** It would have been an issue where I was being given a heads up, a tip off on
6 certain things which happen in Welsh Government which maybe shouldn't be
7 happening so that was the context of the meeting.

8 **RE:** What is his job then?

9 **NM:** Various things in business.

10 **MD:** He's a shady individual that would advise Neil. I think this particular one was you
11 were trying to dig up dirt on the Ombudsman.

12 **NM:** There are various matters that we discuss, usually with a great deal of success.

13 **RE:** Right. So this, you say, was not political. It was Assembly.

14 **NM:** Shady character is extremely insulting. It's just somebody who could give us—

15 **RE:** But this was a private matter. You've said things that were insulting about
16 somebody the other day. It doesn't matter. This is a hearing.

17 **NM:** Okay. But it's extremely confidential because some of the FOIs that I've sent to the
18 Government have been on the basis of what I've been advised in these kind of
19 meetings.

20 **RE:** Righto. So he was giving you information.

21 **NM:** Yes. Assembly information.

22 **RE:** He was giving you information to use in the Assembly.

23 **NM:** Yes, and really to ask questions about.

1 **RE:** Righto. What's next?

2 **NM:** I just want to be clear. All the things that I've flagged up in terms of the extra that
3 are outside of the nine to five which you've accepted and you've said that the point
4 is what they're doing, every one I've gone through has been Assembly work.
5 That's the whole point of me doing that.

6 **RE:** That's your evidence, right? That's your evidence.

7 **NM:** Okay, the 30th of August 2016, Tuesday.

8 **MD:** Where is this?

9 **NM:** I'll come to it in my evidence. That's easier.

10 **RE:** Right. You're tantalisingly close to the end of the yellow tabs. It'll be nice to finish
11 that file, Mr McEvoy, if you could.

12 **NM:** Erm, proving the same kind of thing really.

13 **RE:** Okay. Well, we needn't do that.

14 **NM:** Okay, but it's Assembly work outside of time and [REDACTED] is confirming [REDACTED]
15 working on the train as I've said [REDACTED] has.

16 **RE:** That's fine. Moving on.

17 **NM:** Yes, I'll put that in my evidence actually.

18 **RE:** By the time you come to give your evidence and you refer to that file, I'll have a
19 copy as well because it will make it much easier for me.

20 **NM:** That refers... I've done with that. What I would like to do is go through this, which
21 refers to issues which are not covered by what those have done—

22 **RE:** Right.

23 **NM:** — because there was no correspondence between this file and that file.

1 **RE:** No. Well, no, but all that file is in there. Sorry, the other way round. All the
2 messages that are in there are in there but there are extra ones in there but there
3 are extra documents in there which you, I think, ought to look at and deal with.

4 **NM:** Yes, to move on to, yes.

5 **RE:** Now, I really don't want to stop you doing what you need to do but we cannot go on
6 for another day. I would have thought the documents in there which are not
7 already dealt with will take you, at most if your questions are focused, an hour.

8 **NM:** Okay. I'll try and focus my questions a lot better.

9 **RE:** Will you?

10 **NM:** Yes.

11 **RE:** Thank you.

12 **NM:** Thanks.

13 **RE:** We break there?

14 **MD:** Thank you, yes.

15 **RE:** [REDACTED], can you remind me, is it next Thursday we meet?

16 [REDACTED]: Yes, Thursday.

17 **RE:** Next Thursday, here, half past nine.

18 **NM:** Okay.

19 **RE:** If you're going to be an hour, Mr Deem, get your witnesses here.

20 **MD:** Yes.

21 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

6th December 2018

at

Seminar Room, National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
MICHAEL DEEM**

Transcript from [00:00:00] to [02:08:49]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - **Mike Deem (MD)**
 - [REDACTED]
-

1 **NM:** I think—

2 **RE:** If you wanted to check any item of evidence—

3 **NM:** Yes.

4 **RE:** —there are two things you can do, if you make a note of your members of your
5 staff—

6 **NM:** Yes.

7 **RE:** —you had here throughout, or if you want to check that your note coincides with
8 mine at any particular point, I'm happy to do that.

9 **NM:** Yes.

10 **RE:** And if there is any dispute between us as to what a note says, we can check the
11 recording, because a transcript I think is unjustified.

12 **NM:** Okay. I'm disappointed by that because I feel Michael [REDACTED] and
13 has been inconsistent throughout. It would be good to be able to pick that up in
14 the transcript.

15 **RE:** Well you have staff here to do that, that's what staff are here for, to take notes. I
16 take notes [inaudible 00:00:47].

17 **NM:** Okay, you've ruled that, that's it, that's fine, I accept that. I accept your ruling,
18 it's unfortunate for me but we'll get on as soon as we can. Could you outline the
19 procedure today and what we're actually doing and who is coming along?

20 **RE:** Well the first part is the concluding section of your cross-examination.

21 **NM:** Yes.

1 **RE:** Which you said was not going to be long.

2 **NM:** Well you said that I had to finish within an hour.

3 **RE:** Well, I'm not putting a time limit on you. What I'm trying to do is to make
4 progress. You must take as much time as you think you require.

5 **NM:** Okay.

6 **RE:** There's no point in going back over things, to make the same point time and
7 time again.

8 **NM:** Okay.

9 **RE:** If you think it needs a note underscoring, you simply mention it as you go along.

10 **NM:** Okay, but that wasn't what I took from Friday, because... last Thursday,
11 whenever the hearing was, I thought that I had to condense what I'm doing
12 today. I have done that, but I'll move on as quickly as we can.

13 **RE:** I think in reference to another thing from me... I would have thought that these
14 are the documents that you said you wanted to look at in the main file, and
15 bearing in mind that much of the information dealt with what's—

16 **NM:** Yes.

17 **RE:** —within the main file, I thought an hour would be enough.

18 **NM:** It was my recollection that you said it wasn't in the public interest for me to go on
19 much longer. I don't feel it's been in the public interest to go through this whole
20 process to be honest, but then that's my opinion. Could I make progress now?

21 **RE:** Yes, of course.

22 **NM:** Yes, okay, fine. Michael, can you outline your role, please, with me?

23 **MD:** So yes, I was first employed as your case worker, then shortly got promoted to
24 senior case worker and office manager.

1 **NM:** What was the arrangement at the very beginning, because from day one you
2 should know that you were employed as, informally, as the office manager? Do
3 you recall that?

4 **MD:** Yes, I mean, I was given a lot of tasks in relation to managing the office, yes.

5 **NM:** Okay, it's not a question of you were given tasks, do you recall that the
6 agreement between us was that you would be the office manager and what my
7 role was, was to take the matter of your pay up with the Assembly?

8 **MD:** It progressed that way very shortly after I was employed. I don't think that was
9 the initial agreement, initially I was coming as your case worker. You would
10 ensure what budgets you had, who you wanted to bring in, who you wanted to
11 employ. At that stage, it was only [REDACTED] that was employed. Obviously you
12 had... you still were to appoint [REDACTED] at that stage, I was employed before
13 [REDACTED].

14 **NM:** So [REDACTED] was employed to...?

15 **MD:** [REDACTED] I believe.

16 **NM:** Okay.

17 **RE:** [REDACTED] was what?

18 **MD:** [REDACTED], I believe that was [REDACTED] official title.

19 **NM:** Okay. Do you not recall that you said that you would work for a very low salary
20 in being office manager and I said that I would try and get your salary increased
21 to reflect your responsibility?

22 **MD:** I took a pay cut from my previous job to the case worker role and we had a
23 conversation around what budgets were there and, yes, you were definitely fair
24 in trying to push for me to be the office manager. I mean, I had to provide a lot
25 of evidence that I was up to that role.

1 **NM:** So do you recall that the Assembly actually changed, or the Assembly
2 Commission changed their rules after the case that I put to them on your behalf?

3 **MD:** I don't think they changed their rules, we just had to provide evidence that I was
4 capable of doing that role.

5 **NM:** There was a rule change from the Commission because, just for reference, any
6 new Assembly Member could only employ staff at a certain level and so
7 Assembly Members returning with staff, their previous service was taken into
8 account, so other AMs had an advantage in being able to employ people at a
9 higher level of salary. So I went back to them, put the case to them and very
10 shortly afterwards, do we agree at least that you were then employed as the
11 office manager?

12 **MD:** Yes, employed as the office manager, they couldn't... I believe the rule, the rule
13 that you're referencing is the actual grade of office manager that I was employed
14 at—

15 **NM:** Yes.

16 **MD:** —so I, because I wasn't returning or didn't... actually, I was working in the
17 Assembly, I couldn't be employed at the higher rate, so I was only ever
18 employed at the lower rate.

19 **NM:** Correct, but then after my intervention, you were then employed at a higher rate.

20 **MD:** No. No, I wasn't. I started at the lower rate and that's where I remained. There
21 was a small pay rise about six months in, in line with annual increases, but I was
22 employed at the bottom level of the office management—

23 **NM:** What was your starting salary?

24 **MD:** I can't remember that. I can't—

25 **NM:** Well I'll tell you, you weren't employed at the bottom level, you were earning at a
26 high level.

1 **MD:** Yes, when I went from case worker to office manager, but there's banding within
2 each of those, so I couldn't go to the high level—

3 **NM:** But do we agree at least that you progressed to a high level, that you wouldn't
4 have otherwise been but for my intervention?

5 **MD:** Yes.

6 **NM:** Fine, good, okay. So once you were office manager, what was your role? I
7 don't accept your recollection but I think it's not too relevant, when you were
8 office manager – which was very shortly afterwards, do we agree that?

9 **MD:** Yes.

10 **NM:** Yes, what was your role? What did you do?

11 **MD:** Basically whatever you asked me to do. I mean, the responsibilities were so
12 wide ranging, it was done on a day to day basis, whatever you needed doing
13 then I was your first point of call to go to.

14 **NM:** Did you have a lot of responsibility?

15 **MD:** Yes.

16 **NM:** Okay. So what were you responsible for on a day to day basis?

17 **MD:** On a day to day basis, managing all aspects of the regional office, managing to
18 a certain extent [REDACTED] and what [REDACTED] was doing and delegating certain tasks to
19 [REDACTED] to organise the temporary members of staff. To organise anything on
20 a day to day basis. Plus then whatever additional responsibilities you gave me.
21 When the campaign started there was a lot that you asked me to do in relation
22 to the running of the campaign, which was the Council election campaign.
23 [Inaudible 00:07:38].

24 **NM:** Okay, just for reference, you state that I did a lot of printing in my office for the
25 Grangetown campaign.

1 **MD:** For the Grangetown campaign, yes.

2 **NM:** Okay, fine. 214,000 leaflets in August 2016, according to you.

3 **MD:** That's what the—

4 **NM:** Okay, thank you. Yes, yes, that's okay. Just one thing—

5 **RE:** Hang on, what are you saying, according to the documents?

6 **NM:** According to the documents provided by Michael, yes.

7 **MD:** Provided by Clarity. Produced—

8 **NM:** Through Clarity, I'll deal with this in my evidence.

9 **RE:** Yes—

10 **NM:** It's—

11 **RE:** I didn't pick up what you said at first. Were you saying that there were a lot of
12 things printed for the Grangetown campaign?

13 **NM:** No, that's his evidence.

14 **RE:** Right.

15 **NM:** I'm just clarifying his evidence. I'm clarifying the evidence of Michael Deem was
16 that we did print 160—

17 **RE:** You deny that, don't you?

18 **NM:** Of course I do, yes. But that's the evidence in case Michael forgets it. Can you
19 just explain your phrase... [REDACTED]
20 [REDACTED], can you explain what you mean by a certain extent?
21 Because last week you admitted that your job was to manage [REDACTED], now
22 you're saying it was to a certain extent. So what do you mean by certain extent?

1 **MD:** It was, you know, a relaxed atmosphere in relation to how I would manage [REDACTED]
2 so I mean there's a lot of tasks that you would ask [REDACTED] to do, so I understood
3 that those were to take priority, but when [REDACTED] did have time then I would give [REDACTED]
4 additional work to do or check what [REDACTED] was doing.

5 **NM:** You say there was a relaxed atmosphere, why was there a relaxed atmosphere?

6 **MD:** Because it's the style of management that I was used to, it's how I dealt with
7 previous teams and it was how I was going to take it into this role.

8 **NM:** So you now concede that you were in fact directing the office in that case?

9 **MD:** Yes, on your behalf, you know, and—

10 **NM:** Yes, of course, of course.

11 **MD:** —you would direct me and I would manage a lot—

12 **NM:** Okay, so great, so we've established now that it just wasn't to a certain extent,
13 you were actually the manager, as you were paid for.

14 **MD:** I don't... I never said to a certain extent that I ran the office. You know, I said in
15 relation to giving [REDACTED] tasks, that I wasn't solely responsible for that, so in that
16 instance, to a certain extent, but yes, the vast majority of day to day operations
17 in the office that I would be the one that was responsible in delivering that.

18 **NM:** I would put it to you that you know as well as I do that you were the manager.
19 Simple as that, you did manage [REDACTED] and you managed the office. What was
20 my role?

21 **MD:** You were the leader, you gave us our agenda. You gave us the tasks to do.
22 Everything came down from you.

23 **NM:** So did I want to do admin or did I want to do politics?

24 **MD:** Both, I mean, what sort of question is that?

1 **NM:** Was my role as an administrator or was my role as a politician? What did I
2 actually want? Why did I employ you as office manager? What did I actually
3 want from you as an employee?

4 **MD:** You saw potential in me during the previous campaigns that we worked together
5 on and you wanted to bring me into your team because you knew my style of
6 working, you know how dedicated I was, you know how passionate I was about
7 the stuff that I did.

8 **NM:** What did I want from you as an employee in the office? That's the point I'm
9 making. That's what you were employed to do.

10 **MD:** That's what I'm saying, that's why you approached me as an employment role.

11 **NM:** Okay. You've mentioned a relaxed atmosphere. So I seem to recall that you
12 were there to do the admin, to enable me to be a politician, but we won't digress
13 anymore on that. The relaxed atmosphere, what was my management style?

14 **MD:** I mean, changing, there were times that you were relaxed, there were times that
15 you were frustrated by things that were going on around you and that sort of fell
16 down—

17 **NM:** What was my... okay, I'll be more precise, what was my attitude to staff, and
18 how did I manage staff? And please be critical, because I'm very critical of
19 myself on this.

20 **MD:** I've just said, I mean, there were times when you were very relaxed about the
21 way that you would manage us and there were times when you weren't. There
22 were times when you were very demanding and times when you were not so
23 demanding.

24 **NM:** I agree that I was demanding, still am demanding. Do you think I confused
25 friendship with managerial responsibility in terms of my line management of you
26 and [REDACTED] and [REDACTED]?

1 **MD:** There was a big crossover, yes. We met socially, you know, it wasn't just in the
2 office, we went out regular, for drinks after work.

3 **NM:** So we'd agree on that, there was a, let's say confusion between business, if you
4 like, and friendship. In terms of your admin role, what was your responsibility in
5 relation to printing bills?

6 **MD:** So I would usually scrutinise the bills that came from Clarity, whether that be the
7 campaign printer or the Assembly printer. In the early days it was then, I think,
8 around November/December time 2016 that you decided that [REDACTED] was going
9 to be the one actually submitting them to the Assembly Commission, so that part
10 of it I delegated out, but, you know, I always sort of kept an eye on the bills that
11 were coming in and if, you know, if I needed to explain to [REDACTED] in more detail
12 why different bills were the volume that they were then, you know, I'd give [REDACTED]
13 that advice.

14 **NM:** Why are you denying the sole responsibility for bills was you?

15 **MD:** Because it wasn't.

16 **NM:** So whose responsibility was it?

17 **MD:** Like I say, it was delegated out to [REDACTED] in team meetings. You've seen the
18 notes on that—

19 **NM:** Yes, I've seen the notes, yes. It mentions expenses.

20 **MD:** It doesn't, it says... yes, so different bills are an expense, as part of—

21 **NM:** I think you know as well as I do that [REDACTED] was tasked with physically placing
22 the forms in the Assembly because [REDACTED] worked there, that was the case, wasn't
23 it? You were responsible for the bills, Michael.

24 **MD:** No, it was taking them to you to be signed off and then from you signing them
25 off, taking them to the Assembly Commission to be processed.

26 **NM:** Which bills did I sign off in the autumn?

1 **MD:** You signed everything off. No one else could sign them off.

2 **NM:** So why weren't things submitted to the Assembly?

3 **MD:** What wasn't submitted to the Assembly?

4 **NM:** Why didn't you submit bills to the Assembly during the autumn of 2016? I'm
5 curious, because I assumed you did complete... well, I assumed you did.

6 **MD:** There was a delay in the contract being signed initially. There was all sorts of
7 delays with those bills coming forward.

8 **NM:** You weren't very competent with dealing with bills, were you, and administrative
9 tasks?

10 **MD:** I think I was very competent. You know, in the last month before the Council
11 election campaign there were other priorities, but yes, for the vast majority of
12 time I was very competent.

13 **NM:** Can you explain... I take full responsibility for enabling your incompetence, so
14 mea culpa there. Can you explain the difference between central budgets and
15 office budgets?

16 **MD:** Central budgets were in relation to certain stationary items that we could order
17 from the Assembly agreed contract with Lyreco and then the office expenses
18 were stuff that we couldn't source centrally and we had to source outside of the
19 avenues that were already available to us.

20 **NM:** Did you go on the training that I arranged for budgets in 2017?

21 **MD:** Say that again, sorry.

22 **NM:** Did you go on the training I arranged for budgets for you in 2017?

23 **MD:** I can't remember.

1 **NM:** No, you didn't, no. I did ask you, you didn't go. This is important, you've not
2 explained the difference to my satisfaction between central budgets and my
3 office budget. Please tell me the main difference, the main difference please.

4 **MD:** The main difference is central budgets are available centrally from the
5 Commission, they don't need any other work doing to them. There's a website
6 that you go on, you order the stuff, it gets delivered to the office.

7 **NM:** Who pays for that?

8 **MD:** The Assembly Commission via a credit card that's linked to the online account.

9 **NM:** What's the impact on my budget?

10 **MD:** I don't think there is any. There's no impact to your office cost budget.

11 **NM:** So what's the main difference therefore between the office budget and the
12 central budget?

13 **MD:** That it's not linked to your... they're not linked to each other.

14 **NM:** The point is we don't pay central budget. We don't pay it. We order things, we
15 don't pay. That's the main difference. When did you realise that?

16 **MD:** Quite late on. From day one I thought that it was all part... I mean, I thought you
17 would eventually get the bill for it, but yes, it was a lot further down the line when
18 I realised that you didn't have—

19 **NM:** As office manager, supposedly doing the administration while I was doing the
20 politics, you didn't actually find out what your role was, did you? And it's my
21 fault for not manging that actually.

22 **MD:** Yes, I didn't realise that it was paid for by the Commission and it didn't get
23 traced back to your office—

24 **RE:** Can you explain that to me?

1 **NM:** I will. It's central budget, so for example, if I want to order paper, if I want to
2 order a whole load of things, if we do it on the central budgets, I don't pay a
3 penny. So I retain my office budget. What Michael was doing was purchasing
4 things on my office budget, which was costing me money every month, whereas
5 it would have been better to order... get some organisation in place, order things
6 in advance and it's free then. That's the difference. That was picked up—

7 **MD:** Yes, but we did, the vast majority... I mean, I can't think of anything that was
8 purchased on office costs—

9 **NM:** Okay, lots of things.

10 **MD:** —that was available centrally. I mean, it's a very, it's very restricted system
11 centrally.

12 **NM:** So we've established that you realised that later on... May 2017, correct?

13 **MD:** Potentially, I don't know exactly, it was 2017.

14 **NM:** Late in 2017 in terms of your employment. It was when I was picked up on the
15 purchase of the Satnav, wasn't it?

16 **MD:** Yes.

17 **NM:** Fine. So we're looking very late on. Okay. Go back to printing and you
18 concede, and I concede, that a fair bit of printing was done legitimately in the
19 office. I say it was legitimate, you say that it wasn't, we'll leave that to one side.
20 We flagged up the difference between when you left the employment with us
21 and the bills for August 2017, I believe, because they're much lower, correct?

22 **MD:** Yes.

23 **NM:** You say that it was because there was no election, yes?

24 **MD:** Yes.

1 **NM:** Okay, right. Are you aware that the whole load of printing we did, are you aware
2 that all you had to do was plan it in advance and order it centrally and we
3 wouldn't have paid? Are you aware of that?

4 **MD:** No.

5 **NM:** Okay, well, you should have been, because that's in fact the way we operate
6 now. If we're going to get something printed, we do it centrally, they'll print it, we
7 don't get the bill.

8 **MD:** In relation to [inaudible 00:19:53]?

9 **NM:** That's how we print centrally. We also went to... I'll come to that in my
10 evidence. I just wanted to point out—

11 **MD:** [Inaudible 00:20:02] you can't send a leaflet centrally—

12 **NM:** It was important for me to point out your incompetence with that.

13 **RE:** What, pause a minute now, let me just make a note of what I understand first.

14 **NM:** Yes.

15 **RE:** The present practice, you say, is to order—

16 **NM:** If we're doing—

17 **RE:** —from the central budget—

18 **NM:** Yes. So for example—

19 **RE:** —any printing you want done.

20 **NM:** Not any, but if we need a street surgery notice printed or a surgery leaflet to
21 advertise a surgery, a few thousand, they'll do it centrally and there's no charge.

22 **RE:** Street surgery notice.

1 **NM:** Street surgery leaflets, surgery leaflets, they all do free as part of us being an
2 Assembly Member and engaging with the public. We didn't realise that, we
3 were putting it through our office budget when Michael was in charge, until we
4 looked at the budgets properly. Again, I have to take responsibility for that.
5 Why did you feel empowered to contradict my instructions to [REDACTED]?

6 **MD:** In relation to what?

7 **NM:** Generally. It happened on several occasions. I would instruct [REDACTED] to do
8 Assembly tasks and you would instruct [REDACTED] to do other things. Why was that?

9 **MD:** That was on one occasion during the Westminster campaign, that—

10 **NM:** Well why did you feel empowered to do that?

11 **MD:** Because [REDACTED] was on a volunteer day, I was the candidate for the
12 Westminster elections, so I had, you know, overall say on what happened
13 campaign wise. I mean, if you want to then turn round and say to [REDACTED] "You're
14 not to do volunteer work on Fridays and you're going to go to the [inaudible
15 00:21:59]—

16 **NM:** How on earth could you ever think at all, in any way, shape or form that you had
17 authority over my staff on any day of the week, if I'd asked them to do
18 something?

19 **MD:** Because [REDACTED].

20 **NM:** So it's your evidence that [REDACTED] did not do Assembly work on a Friday?

21 **MD:** No, you tried, after we had the disagreement around the filming of [REDACTED]
22 [REDACTED] video and your attitude towards me changed quite considerably, you
23 would do anything to prevent a successful Westminster campaign. So days
24 when [REDACTED] was planned in to do [REDACTED],
25 you would then bombard [REDACTED] with Assembly work and say that [REDACTED] was to do
26 that instead.

1 **NM:** Okay, so when did we fall out? You said it was the day of the video, what day
2 was that?

3 **MD:** I haven't got the exact dates—

4 **NM:** Middle of May roughly? Beginning to middle of May, around the 12^h of May,
5 around there. Whether it be the 12^h or 15^h, it doesn't really matter.

6 **MD:** Around that, around that time.

7 **NM:** Okay, so it was in May that we sort of fell out. Why did you come in the office
8 one time and shout at [REDACTED] and tell [REDACTED] to leave the printer to you?

9 **MD:** I didn't shout at [REDACTED], and I'll pick that up when I speak to [REDACTED] [inaudible
10 00:23:24].

11 **NM:** You used to shout at [REDACTED] quite a bit, didn't you?

12 **MD:** No, I didn't, Neil.

13 **NM:** So why did a constituent complain to me about your treatment of [REDACTED]?

14 **MD:** I didn't shout at [REDACTED], Neil. What you've asked a constituent to say is a
15 different matter but I didn't shout—

16 **NM:** Okay, why did you say... why did you admit erratic and aggressive behaviour in
17 my office?

18 **MD:** I admit that I got frustrated with you and that I felt like you were goading me into
19 confrontation on quite a few occasions and due to my [REDACTED] at the time,
20 there were times when I flipped, but it was never directed at [REDACTED], it was
21 never directed at [REDACTED], it was never directed at constituents. It was between
22 me and you.

23 **NM:** Okay, and people you swore at them [inaudible 00:24:13].

24 **MD:** No.

1 **NM:** Okay. Why were you sacked, Michael?

2 **MD:** Fantastic question. The—

3 **NM:** That's why we're here, isn't it?

4 **MD:** No, not at all. The final wording on the appeal was that I'd caused you
5 embarrassment.

6 **NM:** What was the reason given? You did cause me embarrassment. I think you
7 were trying to cause me embarrassment for some time, but we'll leave that to
8 one side, but why were you sacked?

9 **MD:** That was the reason. I mean, when the appeal was heard, I don't think they
10 went into any of the other reasons you gave. The only thing that [inaudible
11 00:24:57] was the fact that I caused you embarrassment in the meeting of the
12 constituency.

13 **NM:** So you don't accept that there was an irrevocable breakdown of trust between
14 you and every other person in the office?

15 **MD:** No. I was, I mean, I was... to be honest, I don't particularly believe that I caused
16 you embarrassment in that Plaid Cymru meeting, I don't believe any of the
17 process that you've put me through... I think it was motivated... I think you'd
18 made up your mind before we'd even gone into that meeting. I mean, I defend
19 myself throughout.

20 **NM:** Go back to the reason for your sacking, the reason for your sacking, as is in
21 black and white, was an irrevocable breakdown of relationships between you
22 and every person you worked with and crucially, a complete breakdown of
23 relationship of trust with me. Do you accept that?

24 **MD:** That was what you decided in the disciplinary hearing, but that wasn't explored
25 in the appeal hearing. The only thing that we explored in the appeal hearing
26 was the breakdown of trust.

1 **NM:** What wasn't explored? I don't understand what you're saying there.

2 **RE:** [Inaudible 00:26:13] document on this.

3 **NM:** Yes, okay. So you were sacked for a complete breakdown of trust.

4 **MD:** [Inaudible 00:26:17] yes, this what you said.

5 **NM:** Well of course. Whether I trust you or not is a thing for me, so do you accept
6 that because of the huge amount of times that [REDACTED]
7 [REDACTED] ?

8 **MD:** [REDACTED]
9 You know, you may not agree with the things that I tell you sometimes and you
10 may want to, you know, spin it a way that suits you, [REDACTED].

11 **NM:** Okay, rather than spin, let's deal with facts. Why did [REDACTED] go without [REDACTED]
12 pension for a year?

13 **RE:** I'm sorry?

14 **NM:** Why did [REDACTED] go without... this comes down to [REDACTED]
15 [REDACTED]
16 [REDACTED]. Why did [REDACTED] lose [REDACTED] pension for a year?

17 **MD:** Because [REDACTED]
18 had to wait until [REDACTED] reached the pension age before [REDACTED] could start drawing down
19 on [REDACTED] pension.

20 **NM:** What work did you do on [REDACTED] case? And how did you, I would put it to you,
21 how did you [REDACTED] [REDACTED]

22 **MD:** I didn't [REDACTED] [REDACTED] I did a lot of work on [REDACTED] case. There were
23 numerous backs and forth between the Vale Council, officials in the Vale who [REDACTED]
24 used to work for, I believe, got involved with the Pensions Advisory Service
25 down in London. There was a lot of work that was done.

1 **NM:** So what was your contact with the Pension Advisory Service, and what did you
2 advise [REDACTED]? And what did you advise me in fact of what was happening with
3 the case?

4 **MD:** So I contacted them, they said that they wanted to see the case file in full. They
5 were not convinced that there was a case there, but if we could send the file
6 down that they could review it. So I explained that to [REDACTED] and I sent the file
7 down.

8 **NM:** You sent the file down. Why did you tell [REDACTED] that [REDACTED] had a great case?

9 **MD:** I didn't tell [REDACTED] [REDACTED] had a great case.

10 **NM:** Okay.

11 **MD:** I told [REDACTED] that, you know, we can challenge this and we can investigate it, but I
12 didn't say [REDACTED] had a great case.

13 **NM:** I think here we're reaching the nub of the matter because you know as well as I
14 do that you did not do any work on [REDACTED]'s case. You were too busy with your
15 ambition of a political career and when I became extremely worried at the
16 progress of the case and wanted a report off you, you weren't able to give a
17 report, and ultimately, we found that you'd never been in touch with the pensions
18 people in London. Isn't that the case, Michael?

19 **MD:** No, it's not at all. I was in touch with them, as I explained to you throughout my
20 disciplinary hearing, how many times you've raised this, I was working on [REDACTED]'s
21 case—

22 **NM:** So the fact—

23 **MD:** —and there's the file there to prove it.

24 **NM:** So there is a file and there's a file with nothing in it in terms of—

25 **MD:** There's not, Neil—

1 **NM:** —contact with London. The point that I'm... this is honesty and one of the
2 reasons why you were sacked. Why did the Pensions Advisory Service in
3 London write to me and tell me that they'd never heard of me and they'd never
4 heard of [REDACTED] and they'd never heard of Michael Deem? Why did they
5 write to me and say they had no knowledge of the case?

6 **RE:** Do you have the letter?

7 **NM:** Yes. Email. No knowledge of the case. Why was that, Michael? It's not here, I
8 can submit it with evidence.

9 **MD:** I phoned them, I had a conversation with them, informal conversation to outline
10 the case, and they advised me to write to them outlining it formally and in full, to
11 send any documentation to back up the covering letter that I had explaining the
12 case and that they would open a case and look into it. I remember going to the
13 office that day, printing out the evidence that was already substantial and been
14 built up in the file, attached a covering letter explaining basically the
15 conversation that I had with an advisor there and mailed it off.

16 **NM:** They didn't receive it and had no knowledge of [REDACTED]

17 **MD:** If you say they didn't receive it, I mean, that's a thing I've never had a chance to
18 follow up because it was shortly after there I left the office. I know I went to the
19 office and I sent that letter.

20 **NM:** I think that we both know that when I thought that you were keeping your case
21 work ticking over, continuing to do the job, which you said you did, because you
22 said you campaigned in your free time for the Council election, built up by flexi,
23 that was your evidence. So therefore, we thought that you were keeping the job
24 ticking over because that's what you were employed for—

25 **MD:** No, Neil, we've also raised this during the disciplinary hearing. Your words to
26 me were, "It can wait until after the election." That was... I was the one who was
27 passionately trying to get the really important things out and make sure
28 everything was ticking over, but you didn't care about that—

1 **NM:** And the result was a man lost his pension for 12 months, okay.

2 **MD:** No, not at all, Neil, not at all, Neil, because—

3 **NM:** That's a matter of, it's a matter of fact which can be proven. It's astonishing that
4 you come here and you say that you were not employed to work in my office,
5 you're not employed to keep some really vulnerable people... to fight their
6 corner, but I'd employed you to work for Plaid Cymru. Is that the evidence
7 you're giving here?

8 **MD:** Not at all, never ever said that? I've always said that I was doing work in the
9 office and that I'd been employed since June of 2016.

10 **NM:** Why did I have so many complaints about you, Michael? For work simply not
11 being done.

12 **MD:** Neil, this is again—

13 **NM:** Okay.

14 **MD:** —stuff that I haven't been able to, you know, speak to the constituents about.
15 These are things that you're coming at me with, things that you are telling
16 constituents that hadn't been done.

17 **NM:** I would put it to you—

18 **MD:** So I do not trust you in the conversations that—

19 **NM:** I would put it to you that it was work you simply did not do and you don't accept
20 that?

21 **MD:** No.

22 **NM:** Okay. We actually have a huge number of complaints, and you know that. Why
23 were you [REDACTED], Michael?

24 **RE:** About the what?

1 **NM:** Your holidays.

2 **MD:** How was I [REDACTED] ?

3 **NM:** Because when you were... when you were finally sacked, you had to give a list
4 of the holidays and days you were not available to work. You didn't give us a full
5 list of holidays you took, did you?

6 **MD:** I had this conversation with [REDACTED], I said... the question to me was, "What
7 days are you not available to come to a disciplinary hearing?" So as far as I'm
8 concerned, there weren't any days that I wasn't unavailable, you know. I went to
9 the Plaid conference on the Friday, but that was a last minute trip up there. If
10 you had told me that I was required to be in a hearing that day, there's no way I
11 would have gone up to the conference. The same thing with my trip to
12 Catalonia, it was a last minute trip that I booked when I knew that I didn't have
13 anything else to be doing, so as far as I'm concerned, I was available, you know,
14 if you wanted me to be elsewhere on those days. I mean, there was months
15 and months in the team when you actually called me in to go through the various
16 processes.

17 **NM:** I would put it to you that you knew well enough that you were supposed to
18 disclose any holidays that you'd taken, because that would therefore mean that
19 you were unavailable for any kind of process, be that work, be it the disciplinary,
20 you were unavailable because you were on holiday, and you were told to
21 disclose those times you'd been on holiday.

22 **MD:** No, I wasn't. No, I wasn't, I was told afterwards, but at the time, all I had to do at
23 that stage, the letter you sent me was "be available," so as far as I'm concerned
24 I was available, but if you had told me—

25 **NM:** Yes, you were then made aware that if you were not available then you had to
26 disclose those days and you would not get paid for them, is that—

27 **MD:** No, I wasn't, not at all. Not at all. This was months and months afterwards.

1 **NM:** Okay, so when your package was being finalised, you were aware that if you
2 disclosed days that you took as holidays then you were not going to get paid for
3 them, because in terms of the way the package worked is that you were able to
4 claim any holidays owing to you, correct?

5 **MD:** Yes.

6 **NM:** Yes. So how many holidays were owed to you for 2016/2017?

7 **MD:** I haven't got the figures on me.

8 **NM:** Well I have—

9 **MD:** We've had a... I've had this in-depth conversation with [REDACTED] about this—

10 **NM:** I have, you were entitled to no holidays for 2016/2017, you'd taken them all.
11 Moving on to—

12 **MD:** For...sorry, no, two seconds—

13 **RE:** Hang on, you've put a question, you should get an answer.

14 **NM:** It's a fact. It's indisputable.

15 **RE:** It may be a fact to you, it may be different for me.

16 **NM:** It's an employment fact.

17 **MD:** So what were the holidays that I took for 2016/2017?

18 **RE:** Is this going to help me, really?

19 **NM:** Just establishing the fact that Michael used all his time up with holidays in doing
20 his political work, but moving on to the second part, which is the severance
21 package, the holidays that you were entitled to, when did you realise therefore
22 you had to disclose all your holidays?

1 **MD:** There was a long conversation between [REDACTED] and I where we discussed
2 what constitutes being available for the hearing. Throughout that, I maintained
3 that I was available.

4 **NM:** Okay, so if you're abroad, were you available?

5 **MD:** As I said, if I was required to be in that hearing, I wouldn't have booked trips
6 away. You know, Catalonia was, I think, three or four days prior to me leaving
7 the country when I actually booked the trip, so you, at that stage, had to give me
8 sort of two/three weeks' notice of any hearing dates, so as far as I was
9 concerned then I wasn't required to be in the country at that time.

10 **NM:** Okay, well, retros—

11 **RE:** Available, available for work?

12 **NM:** Well for any duty, work—

13 **MD:** No, Neil, available to attend disciplinary hearings, which you had to give me a
14 substantial amount of warning before we attended, so at this point, I'm
15 suspended—

16 **NM:** Okay, yes.

17 **MD:** [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED] ? I mean, this is the
21 conversation I've had with [REDACTED].

22 **NM:** Yes, if we look at it retrospectively, do you accept that if you are in fact abroad,
23 say for the purpose of the hearing, not the hearing, the... yes, the disciplinary
24 hearing, if you were abroad, therefore you were not available?

1 **MD:** No, no, because there was nothing for me to be available for. I was comfortable
2 in the fact that I wasn't going to be called to come into the hearing, so I went
3 away.

4 **NM:** Yes, of course. So retrospectively, why did the Assembly take, was it three or
5 four days off you for your Catalonia trip?

6 **MD:** Because they decided otherwise.

7 **NM:** Because you weren't available.

8 **MD:** But yes, I mean, that's what their opinion was on it—

9 **NM:** Yes, okay.

10 **MD:** —and, I mean, I haven't challenged you on that in the tribunal or anything like
11 that. I mean, that was their decision, but at the time, yes, I was quite
12 comfortable that I wasn't required to be at the hearing.

13 **NM:** I think those are the rules really, it's not just their decision. So you were aware
14 that you had to disclose any time you were abroad?

15 **MD:** No. Not until, like I said, not until long after.

16 **NM:** When?

17 **MD:** When I had this conversation with [REDACTED]

18 **NM:** When did you have the conversation with [REDACTED] ?

19 **MD:** Months and months and months afterwards—

20 **NM:** After what—

21 **MD:** —this was I think maybe... August of... it would be later that, so very early this
22 year, 2018, that I was having this conversation with [REDACTED], so long after
23 any other trips.

1 **NM:** Yes, I certainly accept it was retrospective. So at the beginning of this year,
2 after your dismissal, [REDACTED]
3 [REDACTED]. You were made aware that you had to disclose any
4 time you were abroad and then it was an error, we said it was an error, because
5 you forgot to disclose your time abroad in Catalonia, so you therefore lost your...
6 you lost those days, didn't you, because you were abroad?

7 **MD:** Yes.

8 **NM:** Yes, so you accept the reason you lost those days, it's because you were
9 abroad?

10 **MD:** Yes, I mean, yes, that's their decision, isn't it?

11 **NM:** Yes, and you therefore had a number of other holidays due to you which you
12 were paid for.

13 **MD:** No, I'd been on other trips. [REDACTED] was asking me in the conversation,
14 asking me around Catalonia and around the Plaid conference.

15 **NM:** So when you left, you left with holiday pay, didn't you?

16 **MD:** Yes, a small amount of holiday pay.

17 **NM:** Okay, so why didn't you disclose your holidays in December?

18 **MD:** Because again, I didn't see them as being holidays. [REDACTED]
19 [REDACTED]. There was nothing that I needed to do in relation to the hearing. [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED].

23 **NM:** So [REDACTED], early this year – I think it was probably February or March,
24 February I'd imagine, maybe March – made you aware that if you were abroad,
25 you were therefore technically not available and therefore, as a result, when you
26 were abroad in Catalonia, which you forgot to disclose, we picked it up—

1 **MD:** I didn't forget to disclose, I wasn't... I didn't believe that I needed to take
2 holidays for that.

3 **NM:** I accept what you're saying there, you said that you didn't realise you had to
4 declare those days. Fine. Okay, but then [REDACTED] told you at the beginning
5 of this year that in fact you did unfortunately have to disclose time abroad, and
6 that's why you lost the days in Catalonia. I'm asking you in terms of propriety
7 and honesty why you didn't declare your trip to Finland?

8 **MD:** [REDACTED], I wasn't... there was no reason for me to attend
9 hearings at that stage because [REDACTED]
10 [REDACTED].

11 **NM:** So the same logic as Catalonia?

12 **MD:** No, not at all. I said when I went to Catalonia, it was a last minute trip that I
13 booked. I didn't have to attend here, so I went there.

14 **NM:** So do you accept that you did take holiday pay from the Assembly and you took
15 days also, days also that you were abroad that you did not declare? Because
16 you say here that you feel you didn't have to declare them.

17 **MD:** I don't because I wasn't—

18 **NM:** Okay, that—

19 **MD:** I was [REDACTED].

20 **NM:** That's an ongoing matter, but I'm glad that you accept that you actually were
21 abroad and didn't declare it.

22 **MD:** Neil, I—

23 **NM:** Because you feel you didn't have to.

24 **MD:** Yes, it was, I didn't actually holiday because [REDACTED].

1 **NM:** But you're aware of the rules. Right, how much is a copy in the Plaid central
2 office? Copy of a piece of a paper.

3 **MD:** I think maybe a penny a side.

4 **NM:** Yes, so as you well know, your exhibit 1A refers to the cost for a side of a copy
5 in the Plaid Cymru office, doesn't it, Michael?

6 **MD:** No, not at all.

7 **NM:** Okay.

8 **MD:** That's what you're saying, is it, that that—

9 **NM:** It's—

10 **RE:** Hang on, let's get this right.

11 **NM:** Yes.

12 **RE:** You're saying that if you get a sheet copied in Plaid central office, they charge
13 you a penny a side?

14 **NM:** Yes.

15 **RE:** Right, and then you took me to what, what did you...?

16 **NM:** 1A.

17 **RE:** 1A. Right.

18 **MD:** [Inaudible 00:44:16].

19 **NM:** Yes, he's flagged that up.

20 **MD:** So Tŷ Gwynfor you're saying this took place in.

21 **NM:** I'm saying Tŷ Gwynfor... it's a penny a sheet, isn't it?

1 **MD:** Yes, but are you saying that you're referring to Tŷ Gwynfor here?

2 **NM:** You can ask me my evidence, Michael. I'm saying that it's a penny a sheet, so I
3 assume that this is Tŷ Gwynfor, yes.

4 **RE:** Hang on, if you've got a [inaudible 00:44:45], he needs to answer, doesn't he?

5 **NM:** Is it a penny a sheet in Tŷ Gwynfor?

6 **MD:** The cost of printing is a penny a sheet in Tŷ Gwynfor, as it is in many places, but
7 what I'm saying is this is referring to printing that's done in the Cowbridge Road
8 East office, but if you're saying it's Tŷ Gwynfor then we'll look at that later down
9 the line.

10 **NM:** Okay.

11 **RE:** So you're saying that this reply from you relates to Tŷ Gwynfor, is that your
12 case?

13 **MD:** Yes.

14 **NM:** If you look at 2G, page 2.

15 **RE:** 2G.

16 **NM:** Page 2. Team meeting, 14.11.2016.

17 **RE:** Hang on, just finding it. Right, got it.

18 **NM:** It doesn't mention printing bills there and [REDACTED] being responsible for them,
19 because—

20 **MD:** It's your expenses bills.

21 **NM:** Expenses.

22 **MD:** Expenses... printing bills are part of your expenses.

1 **NM:** I think... so your evidence is that you don't accept that you were responsible for
2 the printing bills, do you? That's your evidence, isn't it?

3 **MD:** I said that I would oversee it but it was [REDACTED]'s role to take it to you for
4 authorisation and to be accepted.

5 **NM:** So where does it mention print bills there? It doesn't, does it?

6 **MD:** It doesn't, Neil, it's expenses—

7 **NM:** Okay, thank you, it doesn't.

8 **MD:** I mean, they're office cost expenses [inaudible 00:46:34].

9 **NM:** It doesn't. If you look at 2H.

10 **RE:** Well we need an answer on that.

11 **NM:** Yes. There is an answer...

12 **RE:** You challenge that.

13 **NM:** Of course, yes. So you don't agree with that it was [REDACTED]'s job to just
14 physically submit, hand them over to [MBS? 00:47:00] because [REDACTED]
15 [REDACTED] and you weren't?

16 **MD:** No, it was [REDACTED] job to obviously get them... to get you to sign them and then take
17 them in for submission to the Commission.

18 **NM:** You claimed last week that you were in the Assembly quite a bit. If we
19 checked—

20 **RE:** Was that not Tuesday for the Welsh lessons—

21 **NM:** Yes, if we checked the—

22 **MD:** [Inaudible 00:47:20], I mean, that was one reason why I'd been there, but yes,
23 there was other reasons why—

1 **NM:** Well you didn't disclose those last week. Last week you said you were there for
2 the Welsh lesson.

3 **MD:** No, not at all, Neil. I gave one example of why I might be at the Assembly, but I
4 mean, that's not the only reason that I'd be there at all.

5 **NM:** You said you attended quite a few Welsh lessons as well, didn't you?

6 **MD:** A fair few.

7 **NM:** Yes. So if we check the record, how many would you have attended?

8 **MD:** I'm not sure.

9 **NM:** Would there be a fair few, would there be a few?

10 **MD:** As far as I remember a fair few.

11 **NM:** So quite a lot.

12 **MD:** I remember stopping the Welsh lessons because there was too much to do with
13 the campaigning, yes.

14 **NM:** I think your problem, Mike, was you probably were campaigning and not doing
15 work, weren't you?

16 **MD:** There was a lot of time where I should have been doing work, we all should
17 have been doing work that was in relation to the Assembly, you know, role and
18 what we were permitted to be doing and we were out campaigning when we
19 should have been, definitely.

20 **NM:** I would say I certainly had [REDACTED] [REDACTED], I certainly had [REDACTED]
21 [REDACTED].

22 **MD:** [Inaudible 00:48:36].

23 **NM:** I didn't get 37 hours out of you, did I?

1 **MD:** Neil, you're misrepresenting it. We were all doing political activity—

2 **NM:** I'm not talking—

3 **MD:** —it wasn't just me.

4 **NM:** —the others we can deal with. I'm asking you; did you undertake every week 37
5 hours' worth of Assembly work?

6 **MD:** I undertook exactly what you asked me to undertake, Neil.

7 **NM:** But then we found later you hadn't done that, Michael, and that's why you were
8 sacked.

9 **MD:** [Inaudible 00:49:00].

10 **NM:** If you look at 2H, please. Assembly Member delegation authorisation form.

11 **MD:** Yes.

12 **NM:** Did I sign one of these with you, Michael?

13 **MD:** No.

14 **NM:** Why not?

15 **MD:** You just never completed one, you were always responsible for... you had the
16 overall responsibility.

17 **NM:** When [REDACTED] took over a lot of your roles and actually made me aware of the
18 budget situation, because I naively thought that that was your job and it's my
19 fault, totally my fault, the first thing [REDACTED] did was get me to sign one of these. I'd
20 never seen this before. I hadn't seen one of those. Why did [REDACTED] make it
21 [REDACTED] job to get me to sign it at the very beginning and yet you were employed for
22 11 months and you'd never even put that under my nose, why was that,
23 Michael?

1 **MD:** There was a lot of changes that you made after the election. I wouldn't say it's
2 anything to do really with, you know, how I would run an office or how [REDACTED]
3 would run an office.

4 **NM:** Okay.

5 **MD:** But yes, there was the luxury then of spending time to go through all the policies
6 and the procedures and seeing what was available or to take time out for
7 training, and all of these lovely things that would have been great to do before
8 the election but there was simply too much other stuff to do.

9 **NM:** Were you not trained? Did you not undergo the inductions that... everybody
10 else underwent it?

11 **MD:** I mean, we had a basic induction but I wouldn't say that I was trained in how to
12 do my role.

13 **NM:** Yes, okay, you want to be a politician, don't you, Michael?

14 **MD:** I've been seriously considering that over the past year. Yes, there was a time
15 where that was what I wanted to do, but I've made a choice in my own life now
16 which is taking me away from politics. I mean, I'm no longer allowed to stand as
17 a candidate anymore, a civil servant.

18 **NM:** I would say there would have been circumstances. You were a community
19 councillor for a short time.

20 **MD:** Yes.

21 **NM:** Yes, you stood to be a county councillor.

22 **MD:** Yes.

23 **NM:** You stood to be a member of Parliament.

24 **MD:** Yes.

25 **NM:** As an employer, I supported you in your ambitions.

1 **MD:** Yes.

2 **NM:** Mm-hmm. Are you aware of the disruption and huge amount of extra work it
3 took for us for you to be a virtual full-time candidate for the Westminster
4 election?

5 **MD:** Yes, there was additional work that people in the office wanted to pick up, but
6 this was something that you were pushing me towards. You were the one that
7 convinced me to stand for Westminster when I was [REDACTED]
8 [REDACTED], you know, when I heard that Theresa May announced the election,
9 you were the one that pushed me forward to be the candidate.

10 **NM:** Okay. What was my advice to you at the time?

11 **MD:** Your advice, you gave me a lot of different advice about how to get through the
12 selection process and how you wanted to run my campaign and how you
13 envisaged me being as a Westminster candidate.

14 **NM:** So did I not advise you not to run and to [REDACTED] ?

15 **MD:** No, not at all.

16 **NM:** So do you not recall me saying, "In your shoes, I would not stand, [REDACTED]
17 [REDACTED]"?

18 **MD:** No. The exact opposite actually—

19 **NM:** But if you did run, I would support you.

20 **MD:** No, no, not at all.

21 **NM:** Okay, right, different recollections of the same conversation. Do you recall me
22 advising you to stop smoking and drinking [REDACTED] ?

23 **MD:** No, I think you've always had a thing about me smoking. You've never really
24 sort of... I've never really been a big smoker so we would never have had that
25 conversation.

1 **NM:** Okay, so you don't recall me being very concerned, in a professional sense, that
2 [REDACTED]
3 [REDACTED] ?

4 **MD:** No.

5 **NM:** [REDACTED] ?

6 **MD:** Yes.

7 **NM:** You don't recall me giving you advice on that—

8 **MD:** No.

9 **NM:** —and asking... advising you to be professional?

10 **MD:** No.

11 **NM:** No, okay.

12 **MD:** I mean, I did go out for pints with you after work, but it was always me that was
13 the sensible one in that situation. I was the one that was encouraging you to go
14 back home to your wife and not stay out all night drinking. It was not—

15 **NM:** So is it your evidence, you seemed to allude to it last week that I stay out most
16 days drinking after work?

17 **MD:** No, I mean, on the weekends we'd definitely go for a few beers and any sort of
18 excuse to go out then we would—

19 **NM:** But you said last week that's why I didn't drive. Do you recall saying that?

20 **MD:** Yes, yes, definitely, but, I mean, you wouldn't want... if we were going out on the
21 weekends, you wouldn't want to be stuck with the car, so I mean...

22 **NM:** You said last week that it was during the week after work that I would want to go
23 out drinking, and that's why I didn't drive.

1 **MD:** No, I said there was a reason why you didn't want to have the car, I didn't say
2 every day we'd go out drinking, but I said we'd regularly go to the pub.

3 **NM:** These are the inconsistencies that I'm talking about, because last week you
4 definitely said that after work, a reason for me not wanting the car was that after
5 work I would go drinking.

6 **MD:** Yes, it was a reason but, I mean, that's not every single day.

7 **RE:** I'm not sure how many pints you had or how much you drove or drank is going
8 to help me [inaudible 00:54:57].

9 **NM:** No, but again we were looking at credibility here because last week, a reason for
10 me not driving was supposedly my drinking habits, which I would deny, and this
11 week—

12 **MD:** Amongst other reasons, I said you simply didn't like driving was another reason
13 for you not wanting to take the car.

14 **NM:** Well this week you seem to have forgotten that and changed your mind.

15 **MD:** I didn't, Neil—

16 **NM:** Okay. So you didn't... the reason this interests me so much is because when I
17 look back retrospectively and I... would you agree I'm self-critical, Michael?
18 Would you agree I try and learn from my mistakes?

19 **MD:** To be honest, no. I think you're probably the opposite.

20 **NM:** Okay, right, because the way I see it, retrospectively, is probably the reason you
21 didn't give me this form to sign, and I look at your interaction with other people,
22 is that you were trying to compromise me and undermine me for a very, very
23 long time, weren't you?

24 **MD:** Not at all.

25 **NM:** So you didn't fantasise it would be your name above the office and not mine?

1 **MD:** No. This is your fantasy, this is your imagination, Neil. This is not, this is not
2 me.

3 **NM:** I think it's the imagination of many Plaid Cymru members in that case.

4 **MD:** Not at all. [Inaudible 00:56:23].

5 **NM:** Right. If you look at 3A page 1. 3A page one, yes, in the file.

6 **MD:** What was it?

7 **NM:** 3A page 1.

8 **MD:** What is it?

9 **NM:** Signal, 26th of May.

10 **MD:** Sorry about this.

11 **NM:** It's the incident of the printing in Caerau where you say, where you allege that I
12 bullied you, I think. There was an example of me bullying you apparently.

13 **MD:** Okay.

14 **NM:** Yes. Do you recall that you felt that this was an incident of me bullying you?

15 **MD:** This is the disagreement we had about the case work file being moved.

16 **RE:** Which incident are you looking at now?

17 **NM:** The whole of them, we're looking at the conversation of the... beginning on the
18 26th of the 5th and I was querying the high level of printing there was [inaudible
19 00:58:49], wasn't it, Michael? But my point is this is an interaction where you
20 described me bullying you, wasn't it?

21 **MD:** This wasn't it.

22 **NM:** So you don't recall claiming that I bullied you on this day?

1 **MD:** I mean, this is spread over a number of days. The day when you burst into the
2 campaign office and started shouting at me in front of the volunteers then, yes,
3 definitely, but you're going over about a week here.

4 **NM:** So I burst in, where did the actual interaction take place?

5 **MD:** In the front part of the campaign office.

6 **NM:** It was outside but that's a minor detail. I say there on message that I delegated
7 responsibility to you for all bills being submitted, so I delegated responsibility
8 being the key there. We agree that [REDACTED] would physically hand over the
9 paper, but you were responsible.

10 **MD:** Like I said, I would check them all coming in, I would give [REDACTED] advice as to
11 how... I mean, there's varying levels of involvement from all three of us.

12 **NM:** Okay. I delegate responsibility to you for all bills being submitted, that's why you
13 are the office manager. You submitted a bill without noticing an issue which
14 needs explaining. That's not what I expect. So am I angry there? Was I angry
15 with you, Michael?

16 **MD:** Yes, you were very angry.

17 **NM:** I was very angry, why was I very angry?

18 **MD:** Because you thought you were going to get caught out by the Assembly for
19 printing stuff that you shouldn't have.

20 **NM:** Okay. What do I need to ask you to do... ask you to explain the breakdown,
21 don't I?

22 **MD:** Yes.

23 **NM:** Mm-hmm. What do you say? You don't say, don't reply as you replied then.
24 What you say is, "I haven't done any high volume printing from the Canton
25 office. You'll need to engage with everyone, I haven't got the answer."

1 **MD:** Mm-hmm.

2 **NM:** Why didn't you say in the message what you've just said to me here?

3 **MD:** What?

4 **NM:** Why didn't you say in the message here, nobody thought that anyone was going
5 to see these messages, so why didn't you, in your answer to me there, when I'm
6 querying the print bill, why didn't you say to me on message there, on 26th May
7 2017, exactly what you said here now 18 months later?

8 **MD:** What have I said 18 months later? I don't see what you're asking me.

9 **NM:** What I'm asking you, you say, "I told you earlier," because we'd had a
10 confrontation, I'd had a word with you, a very serious word and you said, "I told
11 you earlier, I hadn't done any high volume printing," so you're denying any
12 printing being done. It's not, oh you're going to get caught, it's—

13 **MD:** [Inaudible 01:01:56]—

14 **NM:** —the printing was done.

15 **MD:** —so I hadn't done any campaign printing on the Assembly printer for this month.
16 There was still printing being done there by [REDACTED] and [REDACTED] so what I'm
17 saying is you need to engage the whole team here. At that point in time, I didn't
18 have the exact answer of why, it was later on that I went in and I viewed the bills
19 and I could see, we could explain it away—

20 **NM:** So I'm angry it's a high printing bill, do we agree that?

21 **MD:** Yes.

22 **NM:** Okay.

23 **RE:** Which bill are you referring to?

24 **NM:** It was the bill where... it wasn't actually one bill, it was two bills.

1 **RE:** Well which one? Or which ones?

2 **NM:** I'm not sure exactly which bill, but it was, I think it was April and May, or March
3 and April 2017. It was flagged up because it was high and I was unhappy.

4 **RE:** Yes, 21,000 you refer to—

5 **NM:** Yes, but it was over two months, not one month.

6 **RE:** Yes.

7 **NM:** So that was okay in that case. But the point I'm making is that I was angry over
8 a high bill, Michael, correct?

9 **MD:** You were angry at the fact that the Assembly Commission had contacted you
10 about it. That's what you were angry about.

11 **NM:** But if we'd done 20,000 prints in a month, in this particular month, and I thought
12 we didn't need to do that, why would I be angry, because you can't hide the
13 printing?

14 **MD:** But it was exactly because we had been pulled up in previous months and that
15 you were so insistent on us not raising these red flags that when a red flag did
16 get raised then you got angry about it.

17 **NM:** So you're aware that I wanted to cut down on printing?

18 **MD:** Yes, this—

19 **NM:** Okay, thank you.

20 **MD:** —was a process that was ongoing from the very first time that we got flagged
21 up, you know, there was nowhere to keep it. Doing as much as we could do
22 without raising a red flag.

23 **NM:** So how much was that then?

24 **MD:** How much was what?

1 **NM:** How much could we do without raising a red flag?

2 **MD:** We got it down to about 10,000, somewhere—

3 **NM:** 10,000.

4 **MD:** I mean, that was still very high compared to the other Assembly Members, but it
5 wouldn't cause an investigation.

6 **NM:** I wasn't the highest though, was I?

7 **MD:** I don't know, I didn't look at the bills to do with Assembly Members, it was just
8 that that's what we got it down to and then they advised us that it was a high
9 norm, I believe their words were.

10 **NM:** But I wasn't the highest by any means, was I?

11 **MD:** I don't know. Give me a figure of someone else.

12 **NM:** I think you know that I wasn't the highest.

13 **MD:** Not at all, Neil, you were the one that always got flagged up for it.

14 **NM:** I would dispute that actually, but we'll come to that in my evidence. I think we've
15 probably dealt with you blaming ██████ for paper which wasn't there, you say it
16 was there. It wasn't. We dealt with that last week.

17 **MD:** I [inaudible 01:05:10]agree. I think the transcript says there was.

18 **NM:** On 4th June, you say the bills were on the print board, yes, were they?

19 **MD:** Yes.

20 **NM:** No, they weren't, you know they weren't.

21 **MD:** Neil, I physically went into the office on the weekend and pinned them up on the
22 board.

1 **NM:** On 26th May 2017, we [inaudible 01:05:40] unsatisfied, yes, with the printing
2 aspect of things, yes.

3 **MD:** I didn't get a question on that.

4 **NM:** On 26th May, we agree, I think we must do, that I was unsatisfied with the print
5 situation.

6 **MD:** Obviously you were unsatisfied for being questioned on it.

7 **NM:** I was... I'll be diplomatic, I was unhappy with the situation. On 4th June, so all
8 those days later, I was still unhappy, would you agree?

9 **MD:** Yes.

10 **NM:** Because I'd still not really got to the bottom of things, had I, really?

11 **MD:** No.

12 **NM:** Okay. Just one thing, if you look at 5th June 2017, don't want more paper
13 ordered—

14 **MD:** Just two seconds, I just want to check some of the dates.

15 **NM:** I'll deal with that in my evidence. Ready?

16 **MD:** Yes.

17 **NM:** Okay, so on 5th I'm still dissatisfied. Discuss printer on Monday.

18 **MD:** Yes.

19 **NM:** You then say, "We also need to cut [REDACTED] out of ordering anything to do re the
20 printer."

21 **MD:** Mm-hmm.

22 **NM:** "Let me manage this." Do you agree?

1 **MD:** Yes.

2 **NM:** Okay, and the reason for that is that you hadn't managed it, had you, Michael?
3 You'd shown complete incompetence, had not submitted bills and [REDACTED] had to
4 get involved to resolve the situation, isn't that a fact?

5 **MD:** Not at all, not at all.

6 **RE:** Which bills hadn't been submitted?

7 **NM:** Assembly bills, the political bills for the other printer had not been submitted, had
8 not been paid.

9 **RE:** Which ones?

10 **NM:** For the political printer.

11 **RE:** That's the one in the Caerau office?

12 **NM:** Yes, because they were very unhappy with the... would you agree that Clarity
13 were unhappy with the situation?

14 **MD:** Yes, I mean, it was messy for sure. I mean, what are we talking about—

15 **NM:** It was messy, that's fine.

16 **MD:** [Inaudible 01:08:43].

17 **NM:** I'm trying to hurry it up.

18 **MD:** I mean, the issue was we bought two different printers with bills going to two
19 different sources for payment. You've got... some have a certain size and type
20 of ink cartridge, the other one has a different one. They've both got different
21 toner trays and sizes. The problem was when you were asking [REDACTED] to order
22 parts, I was asking [REDACTED] to order parts. I was asking Clarity for parts. That's
23 when bills were getting confused and the wrong things were being submitted to
24 the wrong parties.

1 **RE:** Just pause for a moment, you had two printers with bills going to different places
2 for payment. We needed to order different papers?

3 **MD:** Different toner cartridges.

4 **RE:** Different toners, sorry, yes, different toner cartridges for each printer and that's
5 when there was confusion.

6 **MD:** Mm-hmm.

7 **RE:** About where the bills went for printing.

8 **MD:** Mm-hmm.

9 **RE:** It was messy.

10 **NM:** Okay, messy, I'll accept that.

11 **RE:** [Inaudible 01:10:17], yes. Right, now, we're on something now which I think is
12 quite important. Can somebody give me examples of the bills that went to a
13 wrong place of payment?

14 **MD:** There weren't any.

15 **RE:** There weren't any?

16 **MD:** No.

17 **RE:** Right, so you're putting no bills went—

18 **NM:** Bills had not been submitted, that was the problem.

19 **RE:** No bills went to the wrong place for payment. Do you agree with that?

20 **MD:** They were stopped, so the issue was identified, so there were bills for the
21 campaign printer that were destined to go to the Assembly, but I picked up on
22 them and stopped them from going there. This was part of the conversation I

1 had the day when I was asked to come back to the regional office to have a look
2 at the bills.

3 **RE:** Right, can you just pause a moment? So the answer to the question no bills
4 went to the wrong place for payment is some bills for the campaign printer were
5 destined... by mistake?

6 **MD:** Yes.

7 **RE:** By mistake to go to the Assembly for payment but you picked that up and
8 stopped it, or stopped them.

9 **MD:** Yes, so the cover sheet had been completed as if you were claiming an expense
10 like any of the other bills that we sent for the Assembly printer—

11 **RE:** That's the Clarity one?

12 **MD:** The problem was they were both Clarity, the invoices looked extremely... well
13 they were the same invoices, the only difference was the barcode of the
14 machine that it was in relation to. So that was where the mistake was made, the
15 barcode for the campaign printer had attached to it a cover sheet for an expense
16 form to be signed off by the Assembly Commission.

17 **RE:** Right. So the campaign printer bills were also Clarity.

18 **MD:** Yes.

19 **NM:** Mm-hmm.

20 **RE:** And they should have gone where?

21 **MD:** The campaign bills went to [REDACTED] to pay.

22 **RE:** Right.

23 **NM:** Okay. Whose job was it to physically, just physically—

24 **RE:** Do you mind if I just ask another question?

1 **NM:** Yes.

2 **RE:** I'm sorry. Now looking at the other side of this coin, were there bills for the...
3 were there any bills, because Mr McEvoy has said that some bills were not
4 submitted, now which bills weren't submitted? Can you identify them?

5 **NM:** The political bills weren't paid, were they?

6 **MD:** Some of them were, some of them weren't. Some of them went back a bit
7 later—

8 **NM:** Clarity—

9 **MD:** We challenged some of the bills that came back because they had... I mean, the
10 print costs were all paid but the parts costs were challenged.

11 **NM:** Clarity didn't specify, they said the bills had not been paid and we weren't aware
12 that their political bills were being sent to our office in Cowbridge Road East. It
13 was your job to deal with those bills and you simply hadn't done it, I think that
14 was the problem and—

15 **MD:** The bills were sent via email, I mean, it's where you print them off, you can print
16 them anywhere.

17 **NM:** Okay, well—

18 **RE:** I'm still not clear. Because the issue of printing is so central, I want to get to the
19 bottom of it if I can. So we've got to a stage now where the Caerau printer bills
20 from Clarity would go to [REDACTED] for payment.

21 **MD:** Yes.

22 **RE:** Some of them were destined by mistake for the Assembly—

23 **MD:** Yes.

24 **RE:** —and you stopped that. Now, were there any bills that, bills for printing which
25 were not submitted properly or at all for payment?

1 **MD:** To the Assembly Commission?

2 **RE:** Anywhere.

3 **MD:** Yes, so there were bills for work done on the Assembly printer.

4 **RE:** Bills for work done on the Assembly printer, yes.

5 **MD:** From August '16 to November '16.

6 **RE:** Yes.

7 **MD:** That were not sent to the Assembly Commission to be paid but were sent to
8 [REDACTED] for payment.

9 **RE:** Right, and why was that?

10 **MD:** Because the Assembly wouldn't pay them. So this is in relation to the first print
11 bill that went in for—

12 **RE:** [Inaudible 01:16:00] payment because the Assembly wouldn't pay them.

13 **MD:** No.

14 **RE:** Now, you told me that one bill for £1,068.53, that's the one that you say had an
15 indicative figure of 28,000 on it.

16 **MD:** Yes.

17 **RE:** That you told me was refused by the Assembly and was paid by Cardiff West
18 and [REDACTED] flagged that up.

19 **MD:** So yes, [REDACTED] was [REDACTED] [REDACTED].

20 **RE:** Right, so that was for... the invoice was dated August '16, 31st August '16.

21 **MD:** Yes.

1 **RE:** So invoice 31st August '16 was refused by the Assembly and it was sent to [REDACTED]
2 [REDACTED] and paid for by Plaid?

3 **NM:** Mm-hmm.

4 **MD:** Yes.

5 **RE:** Do you agree with that?

6 **NM:** Plaid paid, Plaid settled the bills with Clarity, yes.

7 **RE:** Do you know how many?

8 **NM:** I would prefer to deal with that in my evidence, if that's okay.

9 **RE:** Yes, that's perfectly fine.

10 **NM:** But I just want to pick up there because Mike didn't say this last time, again this
11 is news to me now. He's just said that the Assembly refused to pay them, them
12 plural. So did you actually try and submit bills in the autumn as well?

13 **MD:** This was the first bill on the 31st October that I tried to submit. I don't think I
14 submitted the September, October and November ones because we're still in a
15 conversation back and forth between [REDACTED] about the original Clarity bill. This
16 wasn't submitted exactly on the 31st but there was a conversation that went back
17 and forth for a number of months, so these bills went directly to [REDACTED] for
18 payment.

19 **NM:** Okay, but—

20 **RE:** Can you just pause so I can make a note of that? So I don't think I submitted
21 bills for September, October—

22 **MD:** October—

23 **RE:** —November—

24 **MD:** Yes.

1 **RE:** —to the Assembly Commission for payment because—

2 **MD:** There was still an ongoing conversation around the first bill and—

3 **RE:** Ongoing conversation around the August bill?

4 **MD:** Yes.

5 **RE:** With the Assembly Commission and—

6 **MD:** We weren't clear at that stage what—

7 **RE:** —these three bills went direct to [REDACTED] for payment.

8 **NM:** Okay.

9 **MD:** After we resolved that initial bill of August then the first one that I then submitted
10 and successfully got paid to the Assembly Commission was December's.

11 **NM:** Okay.

12 **MD:** [REDACTED]
13 [REDACTED]—

14 **RE:** For how long?

15 **MD:** [REDACTED] the 400—

16 **NM:** Yes.

17 **RE:** And 92 pounds 71?.

18 **MD:** Sorry?

19 **RE:** £492.71.

20 **MD:** Yes, yes.

21 **RE:** [REDACTED]?

1 **MD:** [REDACTED].

2 **RE:** So what about the bill for £1,068?

3 **MD:** [REDACTED]

4 [REDACTED].

5 **RE:** So is this correct, we submitted—

6 **NM:** No, he didn't say "we", Sir Roderick, he said, "I submitted."

7 **RE:** Quite right. I submitted the December bill for payment to the Assembly

8 Commission and that's for £492.71.

9 **MD:** Mm-hmm.

10 **RE:** [REDACTED]

11 [REDACTED]

12 [REDACTED].

13 **MD:** Mm-hmm.

14 **RE:** Right, well can I just follow up, I'm sorry to interrupt you.

15 **NM:** Mm-hmm.

16 **RE:** But I do want to get this right if I can. Can we just follow up on Mr McEvoy's

17 point here? I wrongly said, quoting you, trying to quote you, "we submitted," he

18 said it was you submitted, "I submitted," that's what you said, "I submitted." So

19 what discussion was there in your group, in your office with Mr McEvoy about

20 submitting these bills?

21 **MD:** There was a number of discussions around that. So I raised... [REDACTED] would

22 contact me directly in relation to explanations for different bills. I'd feed that

23 back to Neil and we would discuss [REDACTED]

24 [REDACTED]. It was a

25 number of conversations back and forth, yes.

1 **NM:** Bills.

2 **RE:** So there were a number of discussions about these bills. [REDACTED] would contact
3 me directly and I would speak to Neil McEvoy and we would have conversations
4 about what we could get away with printing.

5 **MD:** Yes.

6 **RE:** Right.

7 **NM:** Okay.

8 **RE:** Now from what you've just told me, when you told the Assembly Commission,
9 mainly it was [REDACTED], that [REDACTED]
10 [REDACTED].

11 **MD:** Yes.

12 **RE:** [REDACTED]

13 **MD:** [REDACTED].

14 **RE:** [REDACTED]

15 **MD:** [REDACTED]
16 [REDACTED].

17 **NM:** [REDACTED]

18 **MD:** [REDACTED]

19 **NM:** [REDACTED]

20 **MD:** That was the first of many.

21 **NM:** [REDACTED]

22 **MD:** [REDACTED]

1 **NM:** Okay, [REDACTED]?

2 **MD:** Well no, I guess there would have been, you know, other communications back
3 and forth from... I suppose the first is submitting the bill in the first place
4 [REDACTED]
5 [REDACTED].

6 **NM:** Okay, well done recovering 20 seconds later and changing your story again.
7 In—

8 **MD:** Not at all, I mean—

9 **RE:** Hang on, [inaudible 01:25:12]—

10 **NM:** Well it's a fact—

11 **RE:** No, hang on—

12 **NM:** This is why I wanted the transcripts, Sir Roderick, because this is integral to my
13 career and my reputation, I live on reputation, as you know. This individual here
14 [REDACTED].

15 **RE:** Yes.

16 **NM:** And I've said to him, "[REDACTED]" and he's not been able to
17 answer straightaway. He's then thought about it and said, "[REDACTED]
18 [REDACTED]" Really? That's not what you said before. That's
19 why I've put it to you again, you said, "Oh no, August"—

20 **MD:** It's a narrow perception, it's when—

21 **NM:** No—

22 **MD:** No, [REDACTED]
23 [REDACTED]
24 [REDACTED]

1

2

3 **NM:**

I put it to you that [REDACTED]
[REDACTED]. You also said earlier that the Assembly would not pay them,
“them,” plural. What is them? What did you mean by them?

6 **MD:**

There was—

7 **NM:**

You specifically said the Assembly would not pay them. What are you talking
about?

9 **MD:**

The print bills.

10 **NM:**

Which print bills?

11 **MD:**

So the one in August and then there was push back on bills that were submitted
after the one in December, so we were challenged on them. They wouldn't pay
them off straightaway, there was always a bit of push back and further
investigation to see whether or not they could actually pay those bills.

15 **NM:**

If you go back just a few minutes and what we were discussing, we weren't
discussing the bills after December, we were discussing the bills in the
autumn—

18 **MD:**

Yes, no, no, no, Neil, when we talk about these bills, I'm talking about bills over
the period of this complaint—

20 **NM:**

With respect, this again, this is why I wanted the transcript. You've said here as
evidence that before Christmas they would not pay them. That's plural, so
therefore that would indicate to me that the Assembly refused to pay more than
one bill, wouldn't it?

24 **MD:**

No, but I didn't say before Christmas, I said that the Assembly wouldn't pay the
bills.

25

1 **NM:** In your evidence at the very beginning, you said that the Assembly would not
2 pay one bill, it was only a dispute that they would not pay one bill, which was in
3 August, and now today you have implied—

4 **MD:** No, I didn't, Neil—

5 **NM:** Implied by—

6 **MD:** —[inaudible 01:27:56] evidence is throughout there's been push back from the
7 Assembly Commission because they weren't happy by the bills that we were
8 submitting there, and throughout, it always took further justification to be able to
9 get those bills authorised.

10 **NM:** Push back or refusal?

11 **MD:** Both.

12 **NM:** Which bills did the Assembly refuse to pay? You said "them" earlier.

13 **MD:** The August bill and then the push back on the other bills.

14 **NM:** Which bills did the Assembly refuse to pay? You said "them" earlier.

15 **MD:** I just said, the August bill for sure. I definitely know there was push back after
16 that, the bill that we submitted in December because I had to give explanation
17 on that and I have to give explanation on all the bills after that.

18 **NM:** You've referred to conversations that I had allegedly with you about these bills.
19 I'll put it to you that at the very beginning, I wasn't a very good manager of you,
20 was I, Michael?

21 **MD:** I mean, that's your opinion.

22 **NM:** Did you feel that you could do whatever you wanted?

23 **MD:** Not at all—

24 **RE:** I'm sorry?

1 **NM:** Did you feel you could do whatever you wanted?

2 **MD:** Not at all.

3 **NM:** So I do not recall being consulted about the bills by you. What I do recall—

4 **MD:** Neil, you had to sign the bills—

5 **NM:** Yes, what I do recall is stupidly assuming that given that you'd been awarded
6 with a pay increase on quite a substantial salary of over £30,000 that you would
7 do the job as office manager, so therefore I would put it to you that I didn't see
8 most of these details because I stupidly left it to you, didn't I, Michael?

9 **MD:** Not at all, Neil.

10 **NM:** Okay.

11 **MD:** Like I say, you've got to physically sign these bills. I wouldn't submit a bill that
12 you had signed without us having a discussion about what was included in that
13 bill.

14 **NM:** Where are the discussions about the bill in your evidence?

15 **MD:** I can't get to them because you blocked my Assembly email address. I mean,
16 I've been trying for days and days to access all this information so I could give
17 you the exact dates and times of when I've had conversations about which bill,
18 what was said by [MBS? 01:30:26], what was said by us, but because you
19 blocked my Assembly profile I can't get that information. I physically can't.

20 **RE:** [Inaudible 01:30:34], why can't you get [inaudible 01:30:37]?

21 **NM:** It is [inaudible 01:30:38].

22 **█:** You can't just access the account, can we, Michael?

23 **MD:** No.

1 ■: We had ICT look at it. We can do a search on specific senders and receivers of
2 emails, so that's what search facility is open to us, but I don't think Mike can just
3 access the account.

4 **RE:** Can it be opened?

5 ■: His account can't, but we can do a search on the information stored on the
6 servers, I think. We can do a search facility, that'll take longer but, you know,
7 there would be potential access, but it might be quite—

8 **RE:** Why can't we access it?

9 **NM:** I'd like to.

10 ■: It's a technical reason, technical reason about after the laptop was brought back,
11 it was deleted, Mike, they gave us a technical explanation, didn't they?

12 **MD:** Yes.

13 ■: It's not available to just open and look at like you do your email account. I've got
14 the explanation from ICT on my computer.

15 **NM:** Can I just flag something up? Isn't it a fact, Michael, that you had access to your
16 computer in August 2017?

17 **MD:** No, it was off the Assembly server.

18 **NM:** I'll put it another way, you had access to your emails in August 2017, didn't you?

19 **MD:** No, I was restricted how I could search through them. I could see a certain time
20 period, but as soon as they came off the Assembly network, all the historic
21 emails I wasn't able to process and to search.

22 **NM:** It's quite a simple question, you had access to your emails in August 2017,
23 didn't you?

24 **MD:** No I didn't, not all of my emails—

1 **NM:** Why didn't you?

2 **MD:** I could see a certain amount.

3 **NM:** So what was your complaint in August 2017? Because interestingly now, you're
4 saying that, "Oh God, it's all on my email, I wish I could see my email because
5 we could see those conversations," that miraculously you can't actually refer to
6 in writing, and yet I'm putting it to you that you did have access, you concede
7 you had some access but you didn't have access to everything. What you've
8 just said a few minutes ago, just help me along, is that if you did have access
9 then you could produce these conversations, correct?

10 **MD:** Yes.

11 **NM:** Okay. Why did you complain in August 2017 that hundreds of your emails had
12 been deleted?

13 **MD:** Because they had been. I proved that they had been deleted off my account.
14 So when you take an Assembly laptop off the server, it stops getting updates
15 centrally from the Assembly Commission. When I was suspended from Neil's
16 office, I took my laptop home and it was off the Assembly servers, so I could see
17 a window of around three months on how my Assembly emails looked before I
18 left the office. I was then, as part of a disciplinary hearing, allowed to go in, to
19 log into my account on the... in Tŷ Hywel on the estate but I didn't use my
20 laptop, I logged into a workstation and that's when I noticed discrepancies
21 between the account that I had on my laptop at home and the account that had
22 had the regular updates through the Assembly estate. This was... shortly after
23 this was when I realised that my account, that because there were differences in
24 between how the two accounts could be viewed and accessed, that's when I
25 handed my laptop over to yourself because there was potentially evidence that
26 was on the laptop that wouldn't be on the servers of the Assembly Commission.

27 **NM:** You made quite a bold statement there, that you proved that your emails were
28 deleted. I put it to you [REDACTED].

1 **MD:** Well it's not, I've presented all that information. I haven't got my disciplinary file
2 with me today but I can bring that in to show you.

3 **NM:** The information that I had from the Commission was that there was no proof of
4 any deletion of emails. I'm very happy if maybe Sir Roderick would actually like
5 to clarify that with the Commission. There's no... you've said here—

6 **MD:** No, when have you ever said this to me? I've provided that information, I've
7 shown screenshots of the deleted emails.

8 **NM:** You've said here that you proved... which deleted emails?

9 **MD:** The ones that had been deleted from my account.

10 **NM:** You've said hundreds of emails were deleted.

11 **MD:** Yes, and I've provided screenshots to show that.

12 **NM:** Where are they?

13 **MD:** I provided as part of my disciplinary process.

14 **NM:** Could we have access to those screenshots, Sir Roderick, please?

15 **RE:** I have no idea, I don't know where they are.

16 **MD:** Yes, like I say, I haven't got my disciplinary file with me, I can bring those in,
17 that's not a problem at all. Like I said, I've already provided all this information—

18 **NM:** Well if you... yes, well with respect, if you... if there are emails which you say
19 are incriminating then surely you would have provided them.

20 **MD:** The subject—

21 **NM:** Why haven't you?

22 **MD:** —of this conversation with [REDACTED] regarding the print bills was raised during this
23 hearing.

1 **NM:** Okay.

2 **MD:** I then approached [REDACTED] to say that, "Look, this matter has been raised as part
3 of the hearing, have you got access to the emails?" which then [REDACTED]
4 stepped in and said, "I'm going to answer on [REDACTED]' behalf, [REDACTED]
5 [REDACTED] so all of [REDACTED] email correspondence has been deleted."
6 This wasn't something that I raised as part of the initial complaint but it was
7 referenced in the hearing, so obviously if I can provide those emails then go
8 away and provide them.

9 **NM:** You've said you proved that the emails were deleted and I'm... just another one
10 of your fantasies really I would say, Michael.

11 **MD:** Not at all. Sorry, I—

12 **RE:** [Inaudible 01:36:54] question.

13 **NM:** Okay, can I... yes, okay. Just when did [REDACTED] become responsible for the
14 printing bills, Michael?

15 **RE:** Hang on, before you—

16 **NM:** It's part... this is—

17 **RE:** Yes, can we leave that particular aspect—

18 **NM:** We're going back, well the emails.

19 **RE:** The emails.

20 **NM:** Yes, okay.

21 **RE:** You're saying that somewhere there are emails between you and Mr McEvoy
22 which would show that [REDACTED]
23 [REDACTED], is that it?

24 **MD:** Whether or not Neil was copied in on them, the majority of the conversations
25 were between myself and [REDACTED] and myself and [REDACTED].

1 **RE:** Right.

2 **MD:** Which was discussing this initial print bill that was submitted.

3 **RE:** I understand that. What I'm interested in at the moment, and I think Mr McEvoy
4 is as well, is whether there are emails available somewhere which would
5 implicate him [REDACTED].

6 **MD:** I mean, that's what I'd like to check. That's what I haven't had the opportunity to
7 check. Like I say, the vast majority of—

8 **RE:** How do we go about that?

9 **[REDACTED]:** I think we'd have to get the laptop and, Mike, you'll have to come in and sit with
10 someone in ICT and we'd have to just search.

11 **NM:** Can I just point out that you've already had that opportunity in August.

12 **MD:** No, I haven't, Neil, because this complaint hadn't been submitted in August. In
13 August I was dealing with my disciplinary.

14 **NM:** Okay. When did [REDACTED] become, according to your evidence, when did [REDACTED]
15 become responsible for submitting the print bills?

16 **MD:** Whenever you delegated it to [REDACTED] in the team meetings.

17 **NM:** When was that?

18 **MD:** You've got it in front of you, one of those dates—

19 **NM:** Yes, exhibit 2G, page 2. Sir Roderick says the 14^h November 2016.

20 **RE:** 2G, page—

21 **NM:** 2.

22 **RE:** Right.

1 **NM:** Okay, so do you agree from that date, as you've given in evidence already
2 today, that that was the date that [REDACTED] became responsible – according to
3 you, not according to me – for giving in the print bills and became responsible
4 for the bills, not physically, the handing them over, we know that did occur, but
5 you say that [REDACTED] was responsible for the bills from then on.

6 **MD:** No, throughout you had a role, responsibility and I said that throughout the
7 process because the delegation form was never completed, but in this meeting,
8 you decided that [REDACTED] was going to be the one that would take charge of the
9 expenses and I think I was the one that did the members' declarations, if you
10 carry on the end of that sentence.

11 **NM:** Okay, so [REDACTED] from this point was responsible for the printing bills, according
12 to you.

13 **MD:** No, I said you are, Neil. You're the one that's overall had responsibility for them.

14 **NM:** So what was [REDACTED]'s role then?

15 **MD:** To bring them to you to get signed, to get authorised and then to take them to
16 the Assembly Commission to be paid.

17 **NM:** Earlier you gave evidence that [REDACTED] was responsible for the bills as well.

18 **MD:** No, I said that [REDACTED] was the one that brought them to you to be signed and then
19 take them to the Assembly Commission.

20 **NM:** So you're now changing your evidence about [REDACTED]'s responsibility.

21 **MD:** No, I'm not, Neil, when have I ever said that? I've always said throughout it's
22 you that has the overall responsibility. It's your signature on the bottom of every
23 page of every bill we ever submit.

24 **NM:** To be frank, Michael, I'd love to look at all my signatures now because... would
25 you be aware that there was an internet bill from a provider for Cowbridge Road
26 East which I had no idea that I'd signed for, which we had to cancel.

1 **MD:** You asked for the internet to be installed in Cowbridge Road East and you
2 signed off the contract.

3 **NM:** Okay, right. It's a side issue really. So to go back to the conversation about the
4 bill with [REDACTED]. Who was party to the conversation about the bill?

5 **MD:** Me and you.

6 **NM:** [REDACTED]?

7 **MD:** No.

8 **NM:** Why wasn't [REDACTED] party to it?

9 **MD:** Because [REDACTED] would just bring you the final ones to be signed and sent off.

10 **NM:** So you now concede that [REDACTED]'s role was solely to physically take the bills
11 across?

12 **MD:** No, to put it... I just said to bring them to you, to be signed, to be taken to the
13 Commission.

14 **NM:** Can we... is it possible to have a transcript of this morning's hearing?

15 **RE:** No.

16 **NM:** Because he's changed his evidence.

17 **RE:** [Inaudible 01:41:35]. Just pause a minute. What I noted was [REDACTED]
18 got the bills, took them to you for signing—

19 **NM:** Now.

20 **RE:** —and [REDACTED]... no, he said that about three times this morning.

21 **NM:** Who was responsible for the bills, Michael?

22 **MD:** Neil, you've asked this question—

1 **RE:** Hang on, just wait a minute. You asked that three or four times and you've had
2 the same answer. What he's saying is that the ultimate responsibility for these
3 bills is yours.

4 **NM:** Ultimate, yes.

5 **RE:** Yes.

6 **NM:** Absolutely, yes.

7 **RE:** So that's the point that he's making and that's the point I think he's trying to
8 make in relation to this form.

9 **NM:** But the point earlier was that [REDACTED] was involved in paying... in having
10 delegated responsibility for the bills by me. That's what you said earlier and
11 that's why I want the transcript because you did say that earlier and now you're
12 changing your evidence.

13 **MD:** No, I'm not changing my evidence at all, Neil. I've said throughout exactly the
14 same. I've said we've all had responsibilities between the three of us, we've had
15 different levels of responsibility within these bills. I would scrutinise them when
16 they first came in. You would be aware of reasons for different levels of printing
17 during different months. [REDACTED] would have a physical copy, fill out the front
18 sheet for the expense forms, bring it to you to sign, to be authorised and then
19 [REDACTED] 'd take it to the Assembly Commission.

20 **NM:** But you said you didn't say to [REDACTED] earlier, "Leave the printer to me."

21 **RE:** Leave what?

22 **NM:** "Leave the printer to me."

23 **MD:** Yes, this is months and months later when we're discussing something
24 completely different, we're now talking about a campaign printer, which we didn't
25 have at this stage, this is November 2016. So when I said to [REDACTED] to leave the
26 printer to me, we're talking about the campaign printer.

1 **RE:** The first question, or the last question that I think I wanted to note from you was
2 who was party to the conversation—

3 **NM:** Yes.

4 **RE:** —regarding the bills? That was you, [REDACTED]—

5 **MD:** [REDACTED], [REDACTED] and Neil.

6 **RE:** But all at the same time or different conversations? I mean, for example, was
7 Mr McEvoy part of a conversation with [REDACTED]?

8 **MD:** Without going back through the transcripts... the email messages, I'm not sure.
9 He was aware of what was going on because it's something that we would
10 discuss, but whether he was physically copied in by either of us, either myself or
11 [REDACTED], I can't tell you with any certainty at this stage.

12 **NM:** Do you agree that we used to correspond often on WhatsApp then later Signal,
13 texts?

14 **MD:** Yes.

15 **NM:** Yes. You spent quite a lot of time going through all those messages, so why is
16 there not a single message referring to the bills?

17 **MD:** There's a lot of messages that have been provided throughout the course of the
18 hearing—

19 **NM:** There's not a single message which supports your claim that you used to
20 discuss the contents of the bills with me, not a single message. There are
21 messages here where I'm angry with you because the bill is high, I want to know
22 why it was so high, but in this whole file, can you point to me a single
23 conversation where we are discussing the contents of printing bills? Where are
24 they?

25 **MD:** Which bills are you talking about?

1 **NM:** Point to me, can you point to me a single conversation in this whole file where
2 we are discussing the number of printing... the number of copies, of prints on
3 the printer during this whole period? Because that's your evidence, that we
4 would discuss the copying, we would discuss the amount, we would discuss
5 what we could get away with, as you say. So what I'm saying to you, can you
6 point to me a single message where this occurred? Because I'm putting it to
7 you that that didn't occur.

8 **MD:** Yes, Neil, so what are you saying, when we brought you the bills that you just
9 blindly signed everything away and sent it off, you'd never ask what a particular
10 bill was that we were bringing to you, you wouldn't ask what was the make up of
11 that bill, you wouldn't ask us questions after you'd been flagged up by the
12 Assembly Commission, that makes absolutely no sense at all. I mean, that
13 would be negligent for you to just blindly sign everything brought to your desk.

14 **NM:** I'm not saying that I covered myself in glory with this, Michael, at all. Did I
15 blind... did I trust you back then?

16 **MD:** Yes.

17 **NM:** Did I have any reason to question the things that I had to sign?

18 **MD:** Yes, Neil, you always did. I mean, that is part of the way you operate, you
19 know, you are essentially a control freak. You like to know exactly what's going
20 on at every moment in time, not just within the office but across the whole of the
21 city, across [inaudible 01:46:33].

22 **NM:** I put it to you that when I did ask questions about bills that I was unhappy with,
23 you said I was paranoid, do you remember?

24 **MD:** Yes, I mean, again this is many months later and yes, I mean, the more times
25 that you got, had red flags that were raised, the more and more... yes, paranoid
26 you were getting that someone was going to come and kick down the office door
27 and begin an investigation—

1 **NM:** Where am I in all the messages, where am I made aware of any red flags by
2 you?

3 **MD:** Again, there's quite a few times that I've talked about—

4 **NM:** In the black and white file that you've submitted, where am I discussing red flags
5 with you other than the time when I was very angry?

6 **MD:** There was a number of times, for example the newspaper issue when [REDACTED]
7 going to bring the security chap from the Assembly Commission and [REDACTED]
8 [REDACTED]
9 [REDACTED]. I was the one that would raise these
10 concerns. I was the one that raised the concerns about [inaudible 01:47:47].

11 **NM:** How, how many... details matter, how many—

12 **MD:** No, it's not, Neil—

13 **NM:** —how many copies were there?

14 **MD:** —because you're telling me now to refer in a file that big to pick out a single line
15 when we've already been discussing this for the last four and a half days.

16 **NM:** Well that's not an example of what I'm talking about, Mike. What we're talking
17 about here the printing bills and all the red flags, I'm saying to you give me one
18 example of a printing bill red flag in any of the messages and there aren't any,
19 are there?

20 **MD:** Neil, we've had this conversation time and time again between ourselves,
21 between the office as a group as to things that get raised on a day to day basis.
22 Yes, you may not have sent me a text message saying, "This is the issue, this is
23 how you are to resolve it," but it's not to say we haven't had a conversation
24 around it and I'm putting to you that if you're trying to say we've never had a
25 conversation about any of the stuff you ever submitted then you're—

26 **NM:** We're currently on the printing bills and I'm saying to you that—

1 **MD:** Can we just... sorry, I'm desperate for the toilet, is there any chance we could—

2 **RE:** Yes, of course we can have a break, we'll have a 15 minute break.

3 *Egwyl / Break*

4 **RE:** [Inaudible 01:49:22].

5 **NM:** Just return briefly to the point, we were discussing bills and I'm asking where is
6 the written evidence to prove that I was party to any of the conversations about
7 the bills of the printer?

8 **MD:** Well, I mean, I can't think off the top of my head of anywhere in the transcripts.
9 Obviously we're going to arrange to come in and potentially pull up these emails
10 between myself and [REDACTED] and [REDACTED] to see if there's anything there.

11 **NM:** And me?

12 **MD:** Well, that's what we're going to see is if you've got sight of those conversations.

13 **NM:** Could [REDACTED] confirm that I asked also before this hearing to be able to view
14 Michael's emails?

15 **[REDACTED]:** You [inaudible 01:50:22].

16 **NM:** Yes, because I'm really curious to see what is on the system.

17 **RE:** Right, well—

18 **NM:** So just for clarity, so therefore I very wrongly, as you pointed out, delegated
19 these things to you at the beginning and we've established that in all the
20 messages, every single transcript, every single message, every WhatsApp
21 message, any email on personal email, any text message, there's not a single
22 shred of evidence to indicate that we discussed the printing bills, is there?

23 **MD:** I mean, like I said, there's nothing I can refer to at the moment. I mean, it's my
24 evidence that those discussions took place and I think I've already proved that
25 you had the overall responsibility for the content of those bills.

1 **NM:** I don't deny I had the overall responsibility.

2 **RE:** It's not just a printing bill, it's not just discussing printing bills, is it? What you are
3 asking and what would be relevant is if there is any conversation which not just
4 implicates you in discussing the bills, they were your bills—

5 **NM:** Yes, yes.

6 **RE:** —but whether there's any traffic which indicates that [REDACTED]
7 [REDACTED].

8 **NM:** [REDACTED].

9 **RE:** Well—

10 **MD:** They were told to the Commission—

11 **RE:** I don't think there's any... what?

12 **NM:** I think there is.

13 **RE:** Yes, maybe, but the important thing is whether you were party to it and at the
14 moment, and you correctly point out, there is nothing which implicates you, apart
15 from the oral evidence of Mr Deem, [REDACTED].

16 **NM:** Yes.

17 **RE:** That's right, isn't it?

18 **MD:** Yes.

19 **RE:** Yes.

20 **NM:** The only time there is mention of me, would you confirm, because you've
21 spoken of many red flags, none of which in relation to printing are raised here,
22 none. The only time that—

1 **MD:** Although this is later down the line, isn't it? The conversation around the
2 [inaudible 01:52:53].

3 **NM:** You cut me off there. What I was about to say, the only... I do it as well, try and
4 do it less. The only bill that I flagged... that we had a conversation about was
5 the one that I was angry about and the one you said I bullied you and... correct?

6 **MD:** The only... yes, conversation on the transcripts.

7 **NM:** Yes, okay, thanks. I'm quite curious about the things that I've signed for
8 because I think we did agree that I had absolute confidence in you, didn't I?

9 **MD:** Yes, you trusted me.

10 **NM:** Absolute trust, yes. In some of the evidence, I've not mentioned this before,
11 from 16th July onwards until the end of August almost, you ran the show, didn't
12 you, Mike?

13 **MD:** No. I mean, I had a lot of responsibilities, but you were always the one that ran
14 the show.

15 **NM:** Okay, so between... I'll jog your memory, between the 15th of July and virtually
16 the end of August, who ran the show in the office?

17 **RE:** Of which year?

18 **NM:** 2016.

19 **MD:** It was you.

20 **NM:** There's a clue with the dates. Where was I?

21 **MD:** [Inaudible 01:54:07].

22 **NM:** 16th July, it's an important day in my life, do you recall?

23 **MD:** Did you get married?

1 **NM:** I got married, yes. Where did I go after getting married?

2 **MD:** Barcelona.

3 **NM:** Honeymoon.

4 **MD:** [Inaudible 01:54:25].

5 **NM:** It doesn't matter where it was, I was on honeymoon.

6 **RE:** 16th July until when?

7 **NM:** I had a long honeymoon, couple of weeks, went to the Eisteddfod, West Wales,
8 beautiful, went to Greece. So really I wasn't back in the saddle until well
9 towards the end of August. I think me being me, I probably might have dipped in
10 once or twice on email at the beginning of August. There were a couple of days
11 but a lot of the time with the meetings you're dealing with in your evidence later,
12 I was actually on honeymoon, so I find it surprising that you say you didn't run
13 the show, because I wasn't there. I didn't actually want to be there.

14 **MD:** No, I wasn't even the most senior person on your staff, you know. I mean,
15 [REDACTED] —

16 **NM:** You said you ran the office, Mike. You said you were office manager.

17 **MD:** When, like I say... there's varying levels of responsibility for each us. I mean,
18 yes, I had the office manager role, [REDACTED] [REDACTED] but I mean,
19 [REDACTED] stepped in as well, you know, I mean, we were all very active in
20 delivering what you wanted us to deliver.

21 **NM:** So you didn't delegate or manage [REDACTED] [REDACTED] [REDACTED] at times?

22 **MD:** At times, yes. There were tasks delegated, like they would... like [REDACTED]
23 would delegate tasks to us. Even [REDACTED] was to give me and [REDACTED] tasks to
24 do at times, you know.

1 **NM:** I'm interested in these sheets that I signed, I would say carelessly, looking back.
2 Because I did trust you 100 percent, as you have agreed.

3 **RE:** Which sheets are you looking at?

4 **NM:** Any sheets, any bill really, because you mentioned the internet earlier and you
5 said that I'd instructed you to get outside internet for the office on Cowbridge
6 Road East. In whose name was that bill taken out?

7 **MD:** I can't remember. Maybe mine, maybe yours. I took out the contract so it might
8 have been my name on it.

9 **NM:** It was definitely your name, Michael, yes, and would it surprise you to be told
10 that I was gobsmacked that we had been landed with an internet bill for our
11 Assembly office.

12 **MD:** No. No, not at all.

13 **NM:** So why was I gobsmacked?

14 **MD:** I don't know, I don't think you were gobsmacked.

15 **NM:** I said to you would it surprise you if I were gobsmacked, you said that no it
16 wouldn't surprise you.

17 **MD:** No, I mean, I didn't think you were gobsmacked by the fact that—

18 **NM:** So the bill was in your name. I had to pay it in the end. Why would I want
19 internet for an Assembly office which already had internet?

20 **MD:** So I believe we took out the contract just after the CCTV cameras were
21 installed. I think that was the time when it was first installed because you
22 couldn't get remote access to it via... they couldn't connect the CCTV cameras
23 to the Assembly internet. So we had to get an external internet provider in order
24 for you to be able to access the cameras and for it to be able to work to its full
25 potential. I mean, that was the advice of the technician that installed the CCTV

1 software. Because of the way that the Assembly network is constructed, you
2 just couldn't connect it to that either.

3 **NM:** Thank you for that. Would it surprise you for me to say that that's the first time
4 I've heard that advice?

5 **MD:** Yes, that would surprise me because that was the advice that was given.

6 **NM:** Would it surprise you that there was email traffic between the Assembly and
7 myself where I had no recollection at all of signing for this internet?

8 **MD:** Yes, that would surprise me because you were aware of it.

9 **NM:** Okay. How do I sign bills, Mike?

10 **MD:** You put your signature at the bottom. Whoever was bringing you that particular
11 bill would bring the paper copy and you would sign at the bottom.

12 **NM:** How would I sign it? Would it be my full name or just initials?

13 **MD:** It would be your signature.

14 **NM:** Not initials?

15 **MD:** You would at times initial the name box and then there's a name box and a
16 signature box.

17 **NM:** Okay, yes. Probably my error in signing initials because it's not complicated to
18 sign for initial thing. Why did you buy a dashcam?

19 **MD:** Because I'd had a near accident in my car when I was trying to get to a
20 constituent using the Satnav off my phone on my lap, had a close call, noticed
21 that you could purchase a Satnav on the central budget, so I purchased a
22 Satnav.

23 **NM:** You noticed that you could purchase.

24 **MD:** Yes, I found it, I found it on the site where you could purchase central—

1 **NM:** Did you make any of your colleagues aware of the near accident you now refer
2 to?

3 **MD:** Yes, I'm guessing we would have talked about it at some point. I mean, I don't
4 remember the exact time but it's something that I remember quite vividly.

5 **NM:** Could you maybe before the next hearing provide any kind of message referring
6 to the alleged incident? Because I can tell you now that nobody recalls any kind
7 of accident. Or near miss. Could I ask you to provide that?

8 **MD:** I don't know if there's text messages. Like I said, I mean, it's a conversation that
9 I would have had sort of in the office.

10 **NM:** I would say to you it's just another example of [REDACTED]
11 [REDACTED].

12 **MD:** [REDACTED] ... there was... I mean, it was available to be
13 purchased. I took a lot of time driving to different constituents' houses,
14 properties, going to meetings and stuff, so a Satnav is a perfectly reasonable
15 thing to order.

16 **NM:** Where were you based, Michael?

17 **MD:** My home office was Cowbridge Road East, but like I've said to you before, I
18 mean, I was based all over the place really.

19 **NM:** I would put it to you that as office manager, it was very rare for you to venture
20 out of that office.

21 **MD:** Not at all, Neil.

22 **NM:** For work purposes.

23 **MD:** I was a senior case worker, I was going all over the place.

24 **NM:** So you would go to constituents' houses alone?

25 **MD:** Yes.

1 **NM:** Right, so you'd go to females, you'd visit females alone at their home, would
2 you?

3 **MD:** Yes.

4 **NM:** What was my advice on that?

5 **MD:** You said it should be avoided, but there was times where it couldn't be avoided.

6 **NM:** So there was no policy in place, teaching backgrounds, being aware of these
7 things, that if you were to go to a female's property, which was extremely rare,
8 you would make sure you had somebody with you?

9 **MD:** Obviously [inaudible 02:02:18] we offered that service if they couldn't get to the
10 constituency office or they couldn't meet us in a public location, there were times
11 where I had to go to people's houses.

12 **NM:** I'd put it to you, Michael, that you rarely ventured out of the office on Assembly
13 business.

14 **MD:** I did, Neil.

15 **NM:** What the Assembly Commission said to me was that they would have happily
16 provided a mount for the telephone because all the technology for a Satnav is in
17 a telephone. So why didn't you purchase a mount?

18 **MD:** Because there wasn't a mount on the central system. It was a Satnav on there.
19 I mean, if it's provided... as we've had this conversation during my disciplinary,
20 as far as I'm concerned if it's available from central service to purchase then
21 there's no reason why we can't purchase it. I mean, if they don't want us to buy
22 a dash... a Satnav, why would they include it on the website?

23 **NM:** Who paid for the Satnav ultimately?

24 **MD:** I don't know. The bill went in initially to central services and then you kicked off
25 about and then I never really dealt with it after that—

1 **NM:** Yes, I'm glad you said I kicked off about it because it was really... would it
2 surprise you to find out that this was my first red flag?

3 **MD:** No, it wasn't the first red flag.

4 **NM:** I was called in by the Assembly and asked to justify this purchase and I thought
5 it was a mistake and I asked every member of staff, and I did ask you and you
6 said that you had bought it, correct?

7 **MD:** Yes, yes.

8 **NM:** Okay. What did I then ask you to do?

9 **MD:** You asked for an explanation of it initially. I gave you the explanation. You said
10 that that wouldn't be sufficient to appease the Assembly Commission, so I asked
11 for the opportunity to explain why I'd purchased it and my motivations behind
12 purchasing it and to raise the fact that it was available for us as official staff to
13 buy it, but you didn't give me that opportunity. You wouldn't let me speak to the
14 Commission about it. As I'd said during my disciplinary, this was at a stage
15 where you were trying to find any reason at all to break me and this was, in your
16 eyes, a reason why you could attack me. So rather than giving me the
17 opportunity to explain myself, you said that no, I wasn't good enough and you
18 told me I had to pay for it.

19 **NM:** Right. You said that that was at the time when I was trying to break you, you
20 gave the date earlier of the parting of the ways, if you like, the breakdown of the
21 relationship as mid-May.

22 **MD:** Around the time [REDACTED].

23 **NM:** Okay.

24 **RE:** You paid for the—

25 **NM:** No, I—

1 **MD:** No, I didn't, I refused. I said if the Assembly Commission tell me that I have to
2 pay for it, I will pay for it, but I want the opportunity to explain myself first and
3 Neil didn't allow me to do that.

4 **NM:** Do you remember how you said to me that you weren't going to pay for it?

5 **MD:** I didn't tell you that I wasn't going to pay for it, I told you that I wanted the
6 opportunity to put my case forward before I paid for it.

7 **NM:** Yes, okay. What were the two words you said to me when I said to you,
8 "Michael," or Mike as I used to call you, "you're going to have to pay for it. We
9 can't justify this," what were the two words you said to me?

10 **MD:** I didn't give you a two word answer, like I said, I asked for the opportunity to be
11 able to go before the Commission.

12 **NM:** Okay, my recollection, maybe you would disagree, was that the second word
13 was off and the first word began with F.

14 **MD:** No.

15 **NM:** No, no recollection of that?

16 **MD:** No.

17 **NM:** Okay. I think that was in indication really of, I suppose, weak management
18 because you got away with that, didn't you?

19 **MD:** I said I didn't say... I didn't tell you to F off.

20 **NM:** All right. I think... what was the issue with central supplies also, Michael? What
21 did you do with central supplies?

22 **MD:** I purchased a number of stuff to use in the office.

23 **NM:** Mm. Would you say that you purchased a reasonable amount of things or not?

24 **MD:** Yes, I used what money was available to us.

1 **NM:** Well you didn't, did you? Back to [REDACTED], you've made a
2 statement there with central supplies that you used the money available to you,
3 correct?

4 **MD:** Yes.

5 **NM:** But we've already established you don't pay for central supplies.

6 **MD:** Yes, because we didn't know at that stage. We've already established this
7 earlier on, it was only long after that we got the rules around the budgets. So
8 the majority... all of the purchases that I did with central supplies were prior to
9 the end of the financial year '16/'17 and at that stage, I didn't realise that it
10 wasn't coming out of your pocket.

11 **NM:** But you've just said here now that you used up the... you bought what was in
12 the budget, but there is no budget for that because it's free.

13 **MD:** Yes, but we didn't realise this until later on.

14 **NM:** Okay, but all I'm doing, Sir Roderick, is just highlighting another inconsistency in
15 the evidence given today.

16 **MD:** It's not, Neil, because earlier on you said yourself that we didn't know the full
17 extent of the budget.

18 **NM:** I asked you about central supplies, you forgot that it was free a few moments
19 ago and you said that you used what was in the budget.

20 **MD:** Well, yes, I didn't... I said... when did I say I forgot that it was—

21 **NM:** I'm saying you clearly forgot because you said you used what was in the budget,
22 and the problem... why did they raise a red flag on that one then, Michael?

23 **MD:** So the last one that they raised a flag was the last order that we did before the
24 closing of the financial year, I knew that we had approximately £2,500 worth left
25 in the office costs budget. I was of the belief that central services would
26 eventually be charged back to that budget, so I—

COMISIYNYDD
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ACTING
STANDARDS
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CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

11 January 2019

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

Witness:



Transcript from [00:00:00] to [02:54:30]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - **Mike Deem (MD)**
 - [REDACTED]
 - [REDACTED]
-

1 [REDACTED]: Is [REDACTED] on the way?

2 **MD:** I didn't see him, no.

3 **RE:** You didn't see him?

4 **MD:** No.

5 **RE:** Oh.

6 **MD:** I left the gentleman know on the desk that we were coming over, so I think he'll
7 probably direct him over here.

8 **RE:** Right, doesn't matter. I'm not sure whether this thing is switched on and is
9 presently recording or not, but I've spoken to each of you separately, because I
10 saw Mr Deem over in Pier Head and when I came here, Mr McEvoy was here,
11 and I've told each of you what the position is. Mr McEvoy isn't feeling a hundred
12 percent, doesn't want to do a full day today. [REDACTED] is here to give evidence
13 and Mr Deem's next witness is available at one o'clock. The feeling is, I think,
14 that [REDACTED] will be finished well before one o'clock and therefore what I think
15 may be a sensible way forward, if you all agree, is that we hear [REDACTED] s
16 evidence, that we then adjourn and the time that is left is used to look into the
17 emails, the old emails which haven't yet been recovered, which can be done at
18 the remainder of the day. Mr McEvoy, do you want to take part in that?

19 **NM:** Yes, I would like to, yes.

20 **RE:** Right. So what we'll do then is to get [REDACTED] to organise that as soon
21 as we've finished the evidence.

22 **MD:** Okay.

1 **RE:** Are you both content with that?

2 **MD:** Yes.

3 **NM:** Yes.

4 **RE:** Good. Right, now what I suggest, Mr Deem, is that after [REDACTED] has been
5 sworn, that you ask [REDACTED] questions to adduce any evidence you want.

6 **MD:** Okay.

7 **RE:** And then Mr McEvoy can ask any questions you want.

8 **NM:** Okay.

9 **RE:** How do you want this seated, is best?

10 **RE:** I don't mind, whichever's... I'm sure I can hear [REDACTED] from there. Evidence
11 is taken on oath. Will you read that and be bound by it?

12 [REDACTED] *is sworn]*

13 **RE:** Diolch, thank you. Right, okay.

14 **MD:** To make the process go a bit smoother, I've photocopied the relevant exhibits
15 that I will be referring to, so can I give a copy to [REDACTED]?

16 **RE:** Yes, certainly.

17 **MD:** So to pass them over to [REDACTED] Okay, so [REDACTED], how long have you know Neil
18 McEvoy for?

19 [REDACTED]: Many years. I can't remember.

20 **MD:** Have you volunteered on his campaigns before?

21 [REDACTED]: Yes.

22 **MD:** Any that stick out for you [inaudible 00:04:04].

23 [REDACTED]: Well, the main one of course is the Assembly elections 2016.

1 **RE:** So you've worked on many campaigns?

2 **█:** I have over the years, yes, but the 2016 one was the main one which was, erm, I
3 eventually sort of, well, [inaudible 00:04:29] managed it.

4 **RE:** 2016 was the one that sticks out. Right.

5 **MD:** So what sort of work would you do in a volunteer capacity on the [inaudible
6 00:04:43] campaigns?

7 **█:** Erm, well I would **██████████**. I'd also do the canvassing, leafleting, general
8 work, organising, erm, yes.

9 **MD:** Okay, and when did you start your employment with the Assembly?

10 **█:** Erm, it was not long after Neil became an AM, but I can't remember the exact
11 date.

12 **RE:** I think we have the date given us, don't we?

13 **MD:** Yes.

14 **RE:** In one of the documents that we were given last time. [Inaudible 00:05:31] the
15 start of the employment.

16 **MD:** Yes, I've just got it as **██████████**.

17 **RE:** Sorry/

18 **MD:** I've got it as **██████████**, I haven't noted the exact date but it was around that
19 time.

20 **RE:** Yes.

21 **MD:** So who approached you to offer you the contract?

22 **█:** Erm, well actually I think it was Neil did. What started it was that I'd been doing
23 so much voluntary **██████████** so when Neil became an AM, I sort of [inaudible

1 00:06:15] said that, erm, I wasn't really happy to carry on doing voluntary work,
2 that, you know, I would like to be paid for my work.

3 **MD:** And—

4 **█:** And Neil agreed.

5 **MD:** Okay, and during those initial discussions prior to the contract being drawn up,
6 what were you told that you were going to do as part of your role as one of Neil's
7 Assembly office staff?

8 **█:** Well, **████████████████████**, I assumed.

9 **RE:** I'm sorry?

10 **█:** Just **██████████** whatever needed to be done.

11 **MD:** Was this the majority of the work that you did for the Assembly, **██████████**?

12 **█:** Yes.

13 **RE:** Just one moment. So you were told that the work that you would do as an
14 employee was **██████████**?

15 **█:** Yes. I was employed as **██████████**.

16 **MD:** And did you mostly do this on a freelance basis or were you based at a specific
17 location.

18 **█:** No, it was from home, as I usually do for all my clients. I work from home.

19 **MD:** How often did you attend the office at 321 Cowbridge Road East?

20 **█:** Erm, whenever, erm, I needed to... well, are you talking about October
21 onwards? Erm—

22 **RE:** I think you need to distinguish between your attendance there when you were
23 employed and going there as an employee, and going there before, after or as
24 not an employee.

1 ■: As an employee, I hardly ever went there, erm, because there was no need to, I
2 could do everything electronically.

3 MD: And were there, you know, other occasions that you would attend there? You
4 know, not necessarily to do your employed work but would you attend the office
5 at any other time?

6 ■: Well, yes, erm, because I [REDACTED] and
7 therefore I would go there fairly regularly, erm, I would go there to present data,
8 erm—

9 RE: So you became [REDACTED], when was
10 that?

11 ■: Was it 2017?

12 RE: And you'd attend 321 then?

13 ■: Yes.

14 RE: As [REDACTED]?

15 ■: Yes.

16 MD: Did you attend weekly team meetings at the regional office, Assembly staff team
17 meetings there?

18 ■: No, never.

19 MD: Did you attend the regional office to keep it open on the weekends?

20 ■: No, never. I didn't have a key to the office.

21 MD: You didn't have a key to the regional office?

22 ■: No.

23 MD: Did you know the alarm code?

24 ■: No.

1 **MD:** The first complaint is that the regional office was used as a political
2 headquarters. Have you ever known the regional office to be used as a political
3 headquarters?

4 **█:** Well, we had meetings there.

5 **RE:** I'm sorry?

6 **█:** We had meetings there, initially and, erm, we would, erm, pick up leaflets from
7 there. As I said previously, we would go in to input data.

8 **RE:** You would pick up [inaudible 00:11:30].

9 **█:** Yes.

10 **RE:** And what did you add to that?

11 **█:** Of course, take in the data after we'd been canvassing.

12 **MD:** Were large volumes of party political leaflets printed there?

13 **█:** Yes.

14 **MD:** Could you have a look at exhibit 5H for me, please? Yes, the first one on there,
15 sorry.

16 **█:** Yes.

17 **MD:** Do you recognise that room?

18 **█:** Yes.

19 **MD:** Do you recognise those printers?

20 **█:** Yes.

21 **MD:** Do you know who supplied each of those printers?

22 **█:** I do not, no.

23 **MD:** No.

1 **RE:** Would you mind if I asked you to come and sit here?

2 **█:** Sorry.

3 **RE:** Because Mr Deem turns his head towards you to speak. I'm afraid I'm getting a
4 bit deaf, I think.

5 **█:** Henaint ni ddaw ei hunan.

6 **RE:** Yn union, it's a function of old age I think.

7 **█:** *[Laughs]*

8 **RE:** Or at least advancing years.

9 **█:** Let's call it maturity.

10 **RE:** Right, you recognise the room?

11 **█:** Yes.

12 **MD:** Sorry, where is that?

13 **█:** The back room in the office.

14 **MD:** And you recognised the printers but you're not sure—

15 **█:** I do not know who supplied them.

16 **MD:** Right, okay. Were party political leaflets printed on any of these printers,
17 though?

18 **█:** They were printed on printers, whether... I mean, there are three there, erm,
19 they were busy so I assume... but I cannot hand on heart say, you know, they
20 were printed on that one or that one or that one.

21 **MD:** Did you ever collect leaflets for distribution from the regional office?

22 **█:** Yes.

23 **MD:** Did you do that on a regular basis?

1 ■: Whenever leaflets were needed to be collected, yes.

2 MD: Were you aware of any ■ collecting leaflets from the office?

3 ■: Yes.

4 MD: Any in particular?

5 ■: Riverside, erm, and Grangetown, I know of, yes.

6 MD: Were large volumes of party political leaflets stored at the office?

7 ■: Yes.

8 MD: Can I ask you to turn to the next page, which is the statement from ■
9 ■?

10 RE: 65l.

11 MD: I believe so, I didn't mark this one, sorry.

12 RE: So what should I look at?

13 MD: The statement from ■.

14 RE: Do I have that?

15 MD: This was an additional submission, so I'm not sure. You will have it, but I'm not
16 sure it's labelled as—

17 RE: Yes, I'm sure it is in here. I can't remember where I put it.

18 ■: I've read it, sir, you can have that.

19 RE: Oh, thank you.

20 MD: I've actually got a copy here for when ■ comes in, so if you want to take that
21 one for now?

22 RE: Fine, thank you very much. I'll find it in due course, I do have it here.

1 **MD:** Yes. So just in the last paragraph on here, it says, "Mr Deem also asked
2 whether I'd seen election literature stored at the Cowbridge Road office. The
3 only items about which I can be absolutely certain were a set of leaflets for one
4 of the Cardiff West wards where one of the prospective candidates named on
5 the leaflet had withdraw subsequent to its production. I recall those leaflets in
6 particular because there was discussion outside the campaign group meeting
7 itself that it was a significant waste of money incurred in rushing to produce a
8 publication that would have to be scrapped." So have you ever known of leaflets
9 that were printed for the campaign that would subsequently have been scrapped
10 for any reason?

11 **█:** 
12 where we had printed calling cards, erm, coloured calling cards and, erm, of
13 course on the candidates withdrew his... and then they had to be scrapped, yes.

14 **MD:** Okay, can you remember the name of the candidate?

15 **█:** .

16 **RE:** ?

17 **█:** .

18 **RE:** Yes.

19 **Md:** Was  a candidate for very long?

20 **█:** No, he wasn't.

21 **MD:** Can you remember him having much to do with the campaign?

22 **█:** Initially, yes, 
23 
24  
25  he came in at that meeting and declared that he wasn't standing.

26 **MD:** Can you remember anything else that he did for the campaign?

1 ■: Erm—

2 MD: Apart from obviously have this meeting.

3 ■: No, not really.

4 MD: Okay. So was any other party political material stored at the regional office?

5 ■: Apart from?

6 MD: Apart from leaflets, was there any other sort of party political material stored
7 there that you can remember?

8 ■: I can't remember.

9 MD: Okay, can I show you exhibit 5I? It's the next page. Do you recognise this
10 room?

11 ■: Yes, back room.

12 MD: Back room in?

13 ■: Cowbridge Road East.

14 MD: Okay. On the left and the right, there's some yellow and green items.

15 ■: Yes.

16 MD: Do you recognise those?

17 ■: Placards, yes.

18 MD: What are they, sorry?

19 ■: They are Plaid placards.

20 MD: To be used for what?

21 ■: Well, obviously for election purposes.

22 MD: Are they for any specific candidate? It's hard to see, isn't it?

1 ■: It's hard to see.

2 MD: Yes, okay.

3 ■: But I would imagine they would be Neil McEvoy.

4 MD: Okay.

5 ■: Or... yes.

6 MD: And on the table to the left, there's a stack of papers on there. Do you know
7 what they are?

8 ■: I can't, to be honest, tell you what they are, no.

9 MD: Okay.

10 ■: I could imagine, but I can't tell you what they are.

11 MD: No, that's fine, that's fine. Okay, so was the regional office ever used as a
12 location to stuff envelopes or bag rounds?

13 ■: Yes. I stuffed envelopes there myself.

14 MD: Okay, and what would you—

15 ■: Bag rounds, I don't know.

16 MD: Okay, so do you just want to expand on what stuffing envelopes would involve?
17 What material would you be putting into the envelopes, what was the purpose of
18 doing this?

19 ■: Erm, direct mail, wasn't it? For the local election.

20 MD: Okay, and what is a direct mail?

21 ■: A letter aimed at specific, erm, groups in the community.

22 MD: Okay, the purpose of which being?

23 ■: Well, to persuade them to go to Plaid Cymru.

1 **MD:** Okay, so you said that you'd bagged... you'd, sorry, stuffed envelopes.

2 **█:** I've stuffed envelopes, yes.

3 **MD:** Were you—

4 **█:** I did not bag, erm, leaflets there at all.

5 **MD:** Okay, were you aware of anyone else stuffing envelopes there?

6 **█:** Yes.

7 **MD:** Anyone in particular?

8 **█:** Well, I remember **█**, erm, **█**? Erm, **█**

9 **█**, erm, well there'd be... it depended, you know, there'd be, erm,

10 depended on the workload and who we could get there, then there'd be a few,

11 yes.

12 **MD:** Okay, so I guess you've already answered this one, but was the regional office

13 ever used as a distribution hub to collect leaflet rounds?

14 **█:** Yes.

15 **MD:** And again, can you just expand? Can you just think of anyone in particular that

16 would collect rounds from there?

17 **█:** Well, erm, again I'd say I can remember Grangetown, Riverside.

18 **RE:** Collect rounds?

19 **MD:** Leaflet rounds.

20 **RE:** Yes.

21 **MD:** Again, you've touched on this but I will ask the question just for the record, so

22 was the regional office ever used as a location to input data obtained through

23 canvassing?

24 **█:** Yes.

1 **MD:** And how would that process work? Just if you just go from the task [inaudible
2 00:24:18].

3 **█:** After the canvassing, after a canvassing round, I would go in and leave the data
4 in the office, erm, to be inputted.

5 **MD:** Okay, and what was your understanding of the purpose of inputting of the data?

6 **█:** Well, to keep a track on support or not and to know who we could, you know,
7 erm, go back to, persuade, et cetera, know who were supportive of Plaid, not
8 supportive of Plaid.

9 **MD:** Okay, so would you say that that was a campaigning tool?

10 **█:** Very much so, yes.

11 **MD:** Did meetings of the campaign groups ever take place at the regional office?

12 **█:** Yes.

13 **MD:** So if you'd just turn to the next page, 6BO. Have you got that one?

14 **█:** Yes.

15 **MD:** So this is an email trail between yourself, ██████████, Neil, ██████████
16 ██████████ [██████████? 00:25:58] and ██████████.

17 **RE:** What page is this in the bundle?

18 **MD:** I'm not sure, it's exhibit 6BO.

19 **RE:** Right, thanks.

20 **MD:** So you've got just under half of the way down the page, "Hello, I've already had
21 a chat with Neil today and I've agreed a date for a first campaign meeting with
22 him, ██████████ ██████████, us three, on Thursday 5th January at Neil's office at 7pm.
23 Hope this give all of you enough notice for the meeting and that you can now
24 note it in the diary. ██████████." So that particular group of people, what would you
25 describe that particular people as?

1 ■: They were [REDACTED] [REDACTED]

2 MD: Okay.

3 RE: So the people to whom the email went were [REDACTED]?

4 ■: [REDACTED]

5 MD: So you got [REDACTED], Neil...

6 ■: [REDACTED] is [REDACTED].

7 MD: And obviously [REDACTED] [REDACTED] So would the [REDACTED] team, [REDACTED]
8 team, regularly meet at Neil's office?

9 ■: Not regularly, erm, we could meet in our houses, more often than not actually.

10 MD: Yes.

11 RE: The office, which office are you referring to?

12 MD: Sorry, 321.

13 ■: 321.

14 MD: Okay, so you would meet at your house but the regional office was available if
15 you needed to meet there?

16 ■: Yes, but we... I cannot remember actually, erm, more than one or two meetings
17 in the regional office.

18 MD: Okay.

19 ■: Erm, we tended to meet in my house if anything needed to be discussed.

20 MD: So if you just pop back, sorry, to [REDACTED]'s statement again.

21 ■: Yes.

1 **MD:** So the first part of this email is talking about the meeting of the campaign group
2 for the city-wide election and it says that he attended four meetings of that group
3 in the rear of the premises at 321 Cowbridge Road East.

4 **█:** Yes.

5 **MD:** So were you aware of that particular campaign group meeting at 321?

6 **█:** No. I wasn't privy to, erm, those meetings.

7 **MD:** Okay.

8 **█:** So I didn't know about them.

9 **RE:** The name of that could be the Cardiff area committee?

10 **█:** Yes.

11 **MD:** Yes. Oh, no, sorry, Cardiff area was the larger body. The campaign group was
12 sort of an off-shoot of the Cardiff area made up of representatives from around
13 the city. So the Cardiff area would give its authority and pass judgment. The
14 campaign group would do the sort of leg work and actually get proposals to the
15 table for Cardiff area to ratify. Were you aware of Neil's office in the Assembly
16 ever being used for campaign meetings?

17 **█:** No.

18 **MD:** The second complaint, allegation, is that large volumes of political, party political
19 leaflets were printed on a printer that was supplied by the Assembly
20 Commission. I think I can sort of guess the answer to this, but do you know the
21 difference between what I would call the Assembly printer and the campaign
22 printer?

23 **█:** No, I wouldn't know the difference.

24 **MD:** In relation to charge for it, I don't think there's anything that **█** can add in
25 relation to the costs being charged to the Assembly Commission because it was

1 never part of [REDACTED]'s role, so I'll move on to the Beastgrip. Do you know what the
2 Beastgrip is? Have you ever heard that term?

3 [REDACTED]: Yes, is it that thing that you hold, is it?

4 MD: Can I describe what I think the Beastgrip... so, yes, the Beastgrip is an adapter
5 that would go onto a mobile phone to help improve the quality of videos that
6 were shot on the phone. So it would stabilise the camera, there's a microphone
7 on there.

8 [REDACTED]: Yes.

9 MD: It's like a docking station for a mobile phone.

10 [REDACTED]: Yes.

11 MD: Yes, okay. Were you aware that we had one in Neil's office?

12 [REDACTED]: Yes.

13 MD: So you've said previously that you were [REDACTED]
14 [REDACTED]. Did you ever use the Beastgrip to shoot any political videos?

15 [REDACTED]: Yes, once.

16 MD: Can you remember what that video was about?

17 [REDACTED]: Yes, it was, erm, [REDACTED].

18 MD: And that video was aimed at... what was the purpose of that video?

19 [REDACTED]: I assume to put it on Facebook or to use it, but I never saw it actually, used after
20 it was shot, but I assume... well, obviously it was for the campaign, wasn't it?

21 MD: Okay, so again you would say that that was... sorry, would you say that that is a
22 campaign tool?

23 [REDACTED]: Yes.

24 MD: Right, okay. Can you remember who used the Beastgrip to film you?

1 ■: Yes, ■.

2 MD: Okay.

3 RE: So if he used the Beastgrip, what was your involvement in using it?

4 ■: I was the one talking to it.

5 MD: Can you remember if ■ used the Beastgrip?

6 ■: I'm not sure, I cannot say.

7 MD: Okay, so just moving on now to the fifth complaint, so that Neil employed
8 Assembly staff for the purpose of campaigning.

9 RE: This is complaint...?

10 MD: Complaint five.

11 RE: Yes.

12 MD: Did Neil's Assembly staff undertake activities of a political nature during office
13 hours?

14 ■: Yes.

15 MD: Did Neil's Assembly staff design leaflets during office hours?

16 ■: Yes.

17 MD: Did Neil's Assembly staff print leaflets during office hours?

18 ■: Yes.

19 MD: Did Neil's Assembly staff deliver leaflets during office hours?

20 ■: Not that I know of, I can't... I could not, erm, say that I saw that happening. No.

21 MD: Okay, so you didn't... so you never saw Neil's office staff physical deliver
22 leaflets during office hours.

1 **MD:** Okay, that's fine. So did Neil's Assembly staff stuff envelopes during office
2 hours?

3 **█:** Yes.

4 **MD:** Okay, was this when you'd gone there to stuff envelopes you'd seen colleagues,
5 Assembly staff stuffing them also?

6 **█:** Yes.

7 **MD:** Did Neil's Assembly staff sort rounds during office hours, so to bag up leaflet
8 rounds?

9 **█:** I... yes, erm, if people were going there to pick up bags, somebody would have,
10 erm, bagged them up and I assume then the staff would be doing it, yes.

11 **NM:** Could I interject there? Because that's a direct contradiction of what **█**
12 said earlier. [inaudible 00:39:56].

13 **RE:** Well, what about... you can ask questions if you wish. I'm not sure that I've
14 spotted the contradiction.

15 **NM:** On two occasions, **█**, that you had no evidence or you've never seen the staff
16 bag leaflets.

17 **RE:** No, that isn't a contradiction. What she says is that if someone was due to
18 collect them, she assumed... they would be bagged and assumed by... she'd
19 assumed that they were by office staff.

20 **NM:** That's an assumption.

21 **MD:** Yes, no dispute to that.

22 **RE:** Anyway, you can make your point in due course.

23 **NM:** Yes, thanks.

24 **RE:** This is what I recall you saying. If someone was due to pick up bag rounds, they
25 would be ready.

1 ■: Yes.

2 RE: And I assumed they would have been bagged by office staff.

3 ■: Mm-hmm.

4 RE: But you wouldn't know whether that was in office time or not.

5 ■: No, I wouldn't.

6 MD: Did Neil's Assembly staff ever input Treeware data during office hours?

7 ■: Yes.

8 MD: Okay.

9 RE: Input what?

10 MD: Treeware data.

11 RE: Tree, yes.

12 MD: Yes. And how would you know this was done during office hours?

13 ■: Because I'd take in data and, erm, I'd see it being done.

14 MD: Okay, so just to be clear, you would... is this canvassing data?

15 ■: Yes.

16 MD: So you'd go out canvassing, you'd take the data to the office.

17 ■: Yes.

18 MD: And then you'd see it physically inputted into the system during office hours?

19 ■: Yes.

20 MD: Okay. Did Neil's Assembly staff send nation builder and other political
21 communications during office hours?

1 ■: Yes.

2 MD: Did you receive those communications ■?

3 ■: Yes.

4 MD: Were they regular, those sort of communications?

5 ■: Erm, yes.

6 MD: It's nearly getting to the end, there's quite a few exhibits to go through now. So
7 did Neil's Assembly staff send political material to you ■ when you
8 were employed as a member of the Assembly staff, so during your—

9 ■: Yes.

10 MD: —your employment.

11 ■: Yes.

12 MD: Just to be clear, were these ■ of a political nature?

13 ■: They were ■ of leaflets.

14 MD: Just leaflets or would there be other stuff?

15 ■: Calling cards, yes.

16 MD: Anything else that sticks out as being a political ■?

17 ■: Erm—

18 RE: Sorry, I missed the question.

19 MD: So anything else that stuck out as being, you know, politically... political in
20 nature.

21 ■: Erm, leaflets, calling cards, manifesto, erm, whether... I cannot remember
22 whether they ■ manifesto but I know I ■.

23 MD: Okay, so if you turn to exhibit 6BM.

1 ■: Yes.

2 MD: Do you want to have just a quick read through that?

3 ■: I've read it.

4 MD: Okay, so would you say this is political in nature?

5 ■: Yes.

6 NM: This is 6BM you're referring to there?

7 MD: 6BM.

8 NM: Could I see a copy of that? I think I've left it in the other file upstairs, [inaudible
9 00:45:06] later exhibit. Thanks.

10 MD: Just briefly, you know, what is this about, why would you say it's political in
11 nature?

12 ■: Well, it's Plaid Cymru has won the Grangetown by-election.

13 MD: Can you remember Neil's office staff doing much work on this particular
14 election?

15 ■: Yes, I can.

16 MD: So exhibit 6BP, please.

17 ■: BP, mm-hmm.

18 MD: So this is again another... it's an email from ■ to you, subject of it is
19 ■, and he says, "Hi ■, Can you ■ please?"
20 Would you say that this was political in nature?

21 ■: Yes.

22 MD: Okay, why would you say that this particular email is political?

23 ■: Well, it was a huge thread in our campaign.

1 **MD:** Okay. Could you just expand on that? What as the campaign, why was it so
2 important?

3 **█:** Well, because it was such an important issue for the residents of Canton, you
4 know, well, Fairwater as well of course.

5 **MD:** Sorry, 6BT, we're on.

6 **NM:** Can I just check what campaign that was?

7 **█:** **█** **█**? 00:47:29].

8 **NM:** Oh, right, okay.

9 **RE:** We're looking at 6BM, page one?

10 **MD:** Oh, BT.

11 **RE:** 6BT, sorry.

12 **MD:** Yes.

13 **RE:** Right, sorry. So what was this leaflet used for?

14 **█:** Erm, for distributing. Erm, I don't know whether we distributed it in Canton or
15 whether it was distributed in, erm, Fairwater, but it was distributed.

16 **RE:** Right, now this was December 2016.

17 **█:** Yes.

18 **RE:** Was this just an information document for distribution or was it aimed at the
19 election?

20 **NM:** Sir Roderick, could I help and say there's no dispute of this at all? It was
21 political in nature and it was for the election.

22 **RE:** Thank you.

23 **NM:** Then we can make progress on that.

1 **MD:** When you had received these communications from Neil's office staff at this
2 point in time, were you doing this on a volunteer basis or was this your
3 understanding as being part of your paid work as a staff member of Neil
4 McEvoy.

5 **█:** Yes, I was employed by then.

6 **MD:** Right, so exhibit 6BS.

7 **█:** Mm-hmm.

8 **RE:** S?

9 **MD:** BS, yes, sorry. I'm on the back end of a cold as well so I'm not speaking as loud
10 as I usually do.

11 **RE:** Very well, that's fine.

12 **MD:** Again, so this was an email sent this time from Neil to yourself and again it
13 appears to be a **██████████**. Was this done as an employee of Neil?

14 **█:** In January, yes.

15 **MD:** Yes, okay.

16 **RE:** And the document is what, over the page?

17 **MD:** Yes, so again, would you say this is political in nature?

18 **█:** Yes.

19 **MD:** Okay. On this particular leaflet there's a slip at the bottom for people to
20 complete their personal details and return this to Neil's other... there's a
21 Freepost post code or to deliver it to Neil's residential address and it's asking
22 people to declare whether they'll be voting [inaudible 00:51:20]—

23 **NM:** Make progress again, there's no dispute of this at all. It's a Plaid Cymru leaflet,
24 there is no dispute.

1 **MD:** So exhibit 6BT.

2 **█:** Yes.

3 **MD:** So this is from █ to yourself, talking about the vote in the... in Cardiff
4 Council to, it says on here, concrete the countryside in Cardiff. So looking at the
5 detail of this, Plaid has put forward [inaudible 00:52:20]—

6 **NM:** There's no dispute here either. There is no... once Plaid Cymru is mentioned,
7 it's clearly a political document, so there is no... there is no question of that.

8 **MD:** And this was done as part of your work as Neil's staff?

9 **█:** Yes. But again, of course, there's the... on the top there, "Print more of the
10 calling papers for me. Will pop round to pick them tomorrow." At the top.

11 **MD:** Okay, where would... what would those calling papers be?

12 **█:** For, erm, █.

13 **MD:** And what is, sorry, what is a calling paper?

14 **█:** Calling paper is to say that we've called to see you today and sorry to have
15 missed you.

16 **MD:** And you would put them through a letterbox when—

17 **█:** If we didn't get a reply when canvassing.

18 **MD:** —canvassing.

19 **█:** To show that somebody had called.

20 **RE:** So when you're asking █ to print them for you—

21 **█:** Yes.

22 **RE:** —where did you anticipate they'd be printed?

23 **█:** In the [201? 00:53:51], is it? Yes.

1 **MD:** Do you, again, I don't know if you'll accept it, pledges from Caerau Cardiff Plaid
2 candidates?

3 **NM:** Political.

4 **MD:** Yes, and this was done during your time under employment with Neil?

5 **█:** Yes.

6 **RE:** That's admitted as well?

7 **MD:** BV is Cardiff Plaid Council will... and then the pledges to protect greenbelt.

8 **NM:** Political.

9 **MD:** Okay. That's from Neil to █. So BY is an email from █ to yourself.

10 **█:** Yes.

11 **MD:** Again, that's a leaflet with the Caerau candidates on. It also says in that email,
12 "If possible, would you be able to █. Thanks for your help
13 with Clwb y Ddinas."

14 **█:** Mm-hmm.

15 **MD:** What was Clwb y Ddinas?

16 **█:** Well, Clwb y Ddinas was a, erm, dinner club set up initially to have support
17 Neil's campaign in the 2016 Assembly election.

18 **MD:** Okay, and did it continue after the—

19 **█:** Yes.

20 **MD:** —2016 election?

21 **█:** It did, yes.

22 **MD:** Okay, did it carry on up until the Council elections in 2017?

23 **█:** Yes, yes.

1 **MD:** And, sorry, the main function of the event was to...?

2 **█:** To fund, erm, Plaid, erm, campaigns.

3 **MD:** Right, okay.

4 **RE:** What, a dining club, was it?

5 **█:** Yes.

6 **RE:** So it carried on after the 2016 campaign.

7 **█:** Yes.

8 **RE:** And it ran up to the local elections?

9 **█:** Well, actually it's sort of still in existence, but not very flourishing now.

10 **RE:** Not flourishing now?

11 **█:** Not much, no, erm, it hasn't met in, erm—

12 **RE:** But it went up to the local elections?

13 **█:** Yes, it did, yes.

14 **NM:** Once in 18 months. Once in 18 months, I think.

15 **RE:** Sorry?

16 **█:** I'm not sure.

17 **NM:** I think it's dined once in 18 months since.

18 **MD:** Since the election, yes, it was predominantly before the Council election.

19 **█:** I can't remember how often it's met but not very often now.

20 **NM:** Since we gave it over to other people to organise, it's met once in 18 months.

21 **RE:** I see.

1 **NM:** I was the initial organiser.

2 **RE:** So it's not now very active?

3 **MD:** No.

4 **NM:** No.

5 **RE:** And the document that was [REDACTED] under exhibit BY is on the second
6 page, is it?

7 **MD:** Yes.

8 **RE:** [Inaudible 00:57:53].

9 **MD:** Yes, and that is accepted as being political in nature.

10 **RE:** Yes.

11 **MD:** Just quickly back to Clwb y Ddinas, I can remember you doing a lot of work
12 getting people to those evenings.

13 **[REDACTED]:** Yes.

14 **MD:** Long before you were an employee of Neil's, I remember you [inaudible
15 00:58:17].

16 **[REDACTED]:** Oh, yes, it was part of when I was, erm, the campaign manager and, erm, yes,
17 very active.

18 **MD:** Do you ever remember Neil's office staff helping to organise these evenings, get
19 people to attend these meetings? Did they have any involvement in them?

20 **[REDACTED]:** Well, initially, when it started, he didn't have any staff, did he? Because he was
21 campaigning himself to become an AM. Afterwards, erm, I wasn't so involved in
22 it, erm, actually after Neil's Assembly campaign. All I can say is that obviously
23 on [REDACTED]'s email here, "Thanks for your help with Clwb y Ddinas," that [REDACTED]
24 did some work but I have no, erm, recollection or detailed recollection so that I
25 could, erm, state, make a statement on that.

1 **MD:** Okay. Exhibit BZ, email from [REDACTED] to yourself, subject, vote pledge
2 [REDACTED] Is that accepted that this is political?

3 **NM:** Of course it is.

4 **MD:** Yes.

5 **RE:** This is 6BZ?

6 **MD:** Yes, and this was done as part of our employed work? This is March the 17th.

7 **[REDACTED]:** Yes. I must have done the manifesto.

8 **NM:** Twice.

9 **[REDACTED]:** 6J.

10 **NM:** Twice you did it, [REDACTED]

11 **[REDACTED]:** Oh.

12 **RE:** I think that that was established.

13 **NM:** Yes, we'd carried down, so you have, erm—

14 **RE:** Last time?

15 **NM:** Yes.

16 **MD:** Okay, so are you... did you [REDACTED] for the Cardiff Council
17 election campaign 2017?

18 **[REDACTED]:** I must have, yes.

19 **MD:** Yes.

20 **RE:** Are you looking at what to remind you?

21 **[REDACTED]:** "And don't you dare change a word of it." *[Laughter]*

22 **MD:** Exhibit 6J.

1 **RE:** 6?

2 **MD:** 6J.

3 **RE:** 6J.

4 **MD:** Can you remember how big that document was, what... I mean, was it a small
5 piece of work, a large piece of work?

6 **█:** Large.

7 **MD:** Okay, and just to be clear, this was done during your employment as—

8 **█:** Yes.

9 **MD:** —one of Neil's staff?

10 **█:** Mm-hmm.

11 **MD:** Exhibit 6CB is a... "We called to see you" leaflet.

12 **NM:** Political.

13 **MD:** Yes.

14 **RE:** I'm sorry, I was reading something else when you—

15 **NM:** It's another Plaid leaflet, but just can I say at the same time that all political... it
16 says Plaid Cymru, it's political, there's no dispute on that.

17 **MD:** It's just there has been a dispute previously.

18 **NM:** Not on that at all, no.

19 **MD:** Well, when we've gone through these, when I gave my evidence in chief, you
20 tried to pick each of these apart saying—

21 **NM:** [Inaudible 01:02:24]

22 **MD:** —oh, why is this political? And you tried to argue the point on quite a few of
23 these documents.

1 **NM:** I think, no, you're confusing the meetings about needles and motorbikes and
2 LDPs. Any Plaid leaflet it political, that's clear.

3 **RE:** Right, well the document you're looking at is what?

4 **MD:** 6CV.

5 **RE:** 6?

6 **MD:** CV.

7 **NM:** Yes, it's [inaudible 01:02:56] leaflet.

8 **█:** A calling card, is it?

9 **MD:** Mm-hmm.

10 **NM:** [Inaudible 01:03:10] establish that every leaflet is political, there is no dispute.
11 We seem to be going over leaflet after leaflet.

12 **RE:** Yes.

13 **NM:** It's clear when it was produced that clearly it's political, there is no dispute on
14 that.

15 **RE:** So you **██████████** as a member of staff?

16 **█:** Mm-hmm.

17 **MD:** 6CD, again is pledges, political. You were a member of staff when you were
18 doing this? This is April the 3rd. this is one month before the Council elections.

19 **█:** Yes, I can't remember when my contract ended, whether it was April or—

20 **RE:** I can, I think, tell you that as we've been given the information.

21 **█:** Okay.

22 **RE:** It ended on the end of April.

23 **█:** Oh, that's fine then, I was still a member of staff then.

1 **MD:** Okay. So 6CE is an email from [REDACTED] to yourself, so [REDACTED], the
2 original source seems to have come from [REDACTED] [REDACTED]. Actually, sorry, it
3 doesn't say anyone there, it comes from [REDACTED]. Do you know who [REDACTED] was?

4 **[REDACTED]:** Yes, some people who came to help with the... from Scotland, they helped with
5 the campaign.

6 **MD:** So when you say "help on the campaign", what sort of stuff did they do?

7 **[REDACTED]:** Erm, communications mostly, I think.

8 **MD:** Mm-hmm, can you remember how they ended up in Cardiff? Whose idea was it,
9 who contacted them?

10 **[REDACTED]:** Neil contacted them. I think.

11 **NM:** Yes, definitely. They ran the referendum campaign in Scotland latterly, so they
12 were well qualified to help us.

13 **RE:** So again, you [REDACTED]?

14 **[REDACTED]:** Yes.

15 **RE:** As part of your job.

16 **MD:** And then 6CF is [REDACTED] sending a message saying that "Today, Cardiff Plaid
17 launched the manifesto from Cardiff," so yes, okay. Part of your role, on April
18 the 7th?

19 **[REDACTED]:** Yes.

20 **MD:** Okay. Okay, so on to the final one now, so complaint six was that Neil's
21 Assembly staff had used the ICT equipment systems, the electronic systems, in
22 the office to do political work. Did you witness any of Neil's Assembly staff ever
23 using their Assembly laptops for political work?

24 **[REDACTED]:** Yes.

25 **MD:** Can you think of anything in particular?

1 ■: Well, the inputting of data, for example.

2 RE: The what?

3 ■: Inputting.

4 RE: Data, yes.

5 MD: Okay, there were also... as well as laptops, there were desk top computers in
6 the regional office.

7 ■: Yes.

8 MD: So standalone computers, like PCs you would have at home.

9 ■: I think so, yes.

10 MD: Did you ever see Neil's Assembly staff use these desk top computers—

11 ■: Yes.

12 MD: —for political activity?

13 ■: Yes.

14 MD: And again, what was that political work?

15 ■: Designing leaflets and inputting data.

16 RE: And where was the desk top computer, in 321 or...?

17 ■: 321.

18 MD: Okay, is there anything further you want to add?

19 ■: No, I don't think so.

20 RE: All right, I think there are two, another two. To go back to one of the earlier
21 complaints, I think it's complaint one, this is the use of the regional office as
22 headquarters. You said that you saw letters being stuffed there. Did you see
23 office staff stuffing letters, stuffing envelopes?

1 ■: [Pause] I can't remember.

2 RE: Inputting data into the computers you just mentioned, you say you saw Mr
3 McEvoy's staff using Assembly equipment, a laptop and the desk top, for
4 inputting data, canvassing party political data. Was that in office time or outside
5 office time?

6 ■: Office time.

7 RE: The ■ you did, that was the main purpose of your employment
8 was ■?

9 ■: Yes.

10 RE: You told us of some of the ■, we've seen some documents
11 that are obviously political, party political. What about other stuff? Did you
12 ■ that was not party political?

13 ■: No, nothing.

14 RE: And the contract came to an end. Was it a fixed term contract?

15 ■: Yes.

16 RE: And it was fixed term-

17 ■: Although I hadn't, hand on heart, I hadn't realised that until suddenly I thought,
18 oh, it's finished.

19 RE: The pay stopped.

20 ■: Yes, yes.

21 RE: Yes.

22 ■: And I think it was something... I think the budget was a thousand pounds for six
23 months, was it?

24 UNKNOWN: That rings a bell.

1 ■: Something like that.

2 RE: According to the document that ■ and ■ produced, it
3 was for six months and you were employed as ■.

4 ■: No, ■.

5 RE: Well, hmm, and £1,107... so how many hours a week were you expected to
6 work?

7 ■: Oh, there was no, erm, set time. I mean, I would ■ as and when
8 required at home. Maybe I'd be doing it in the evening, erm, whenever. So
9 there were no... I was not and never was a nine to five employee. I was working
10 from home.

11 RE: Were you paid by the unit or paid a regular sum every month?

12 ■: A regular sum every month. Regarding the post of administration officer, erm, I
13 have found it a nuisance sometimes. You know when you try and, erm, fill in a
14 form for insurance or whatever, employment and you can never find the, erm,
15 you know, ■, so sometimes I have had to put admin. I don't
16 know whether they've confused that in the, erm, post's description, but—

17 RE: ■ isn't on the drop-down anywhere.

18 ■: Exactly.

19 RE: Yes, yes. Right.

20 NM: Can we have a break, sir, for a few minutes?

21 RE: Yes.

22 NM: Ten minutes?

23 RE: Yes. Shall we say half-past?

24 *[Break]*

1 **NM:** Yes, okay. ■■■, could you explain Treeware to me, please, and its uses?

2 **■**: Erm, you... I think it's, erm, to input data to analyse.

3 **NM:** To what... how can it be used?

4 **■**: I don't know because I've never used it.

5 **NM:** So is... could you confirm, or not, that there are other uses for Treeware other
6 than sole party political matters?

7 **■**: I haven't got a clue. I haven't used it.

8 **NM:** Okay, all right.

9 **■**: I have no information at all about Treeware.

10 **NM:** So just to confirm, then. You've given evidence of data being inputted into a
11 system called Treeware, correct?

12 **■**: I, no, I did not say that it was inputted into Treeware. I said it was inputted.

13 **NM:** Okay, so which systems do we use?

14 **■**: I've know we use Treeware but other systems, I haven't got a clue.

15 **NM:** So you mentioned one earlier, do you remember what it was?

16 **■**: No.

17 **NM:** You mentioned nation builder also.

18 **■**: No, I didn't mention nation builder.

19 **NM:** Okay, well nation builder was mentioned in the... in the session .

20 **RE:** In the question, yes.

21 **NM:** In the questions.

22 **■**: Yes.

1 **NM:** So can you explain nation builder?

2 **█:** No, I can't.

3 **NM:** Okay.

4 **█:** I've never used it.

5 **NM:** The leading question really which was put to you was that did you receive nation
6 builder emails during the day, during work time, and you confirmed that you did.

7 **█:** Erm, I received, erm, messages, Plaid messages—

8 **NM:** Yes.

9 **MD:** Shall I go back to the question?

10 **█:** —from nation builder.

11 **NM:** No, that's fine. So you confirm that you did receive emails—

12 **█:** I assume, yes.

13 **NM:** —through nation builder?

14 **█:** But I was told this was nation builder.

15 **NM:** Yes.

16 **█:** But I haven't got a clue what it is.

17 **NM:** Okay, what's one of the joys of nation builder? Well, I'll tell you what one of the
18 joys is. You can program a whole load of updates, emails, videos, whatever it
19 may be, midnight on any given night.

20 **█:** Mm-hmm.

21 **NM:** And be delivered 2:30pm, 3:30pm, on a specific date and time that you want to
22 deliver it. So the great advantage of the system, it's rather like Hootsuite,
23 maybe you've heard of that—

1 ■: No.

2 **NM:** —is that it saves time and it saves you doing things in the day that you can do
3 as a job lot. That's just one use of it, so I'll move on from that.

4 **MD:** Can I just... obviously, it was said that there was a leading question, so just for
5 the record the question was "Did Neil's Assembly staff send nation builder and
6 other political communications during office hours?".

7 **NM:** Yes, but what—

8 **RE:** I think the point Mr McEvoy is making is that whenever they were received
9 during office hours, they could have been sent outside office hours.

10 **MD:** Yes, okay.

11 **NM:** Yes, that's what I tend to do. I used to use Hootsuite previously. So you put in
12 dozens and dozens of tweets, so I'd be sat in meetings sometimes and tweets
13 would be popping up and they were pre-programmed. Erm, okay.

14 **RE:** But in fact, in fairness to you, that wasn't a leading question.

15 **NM:** No.

16 **RE:** But it doesn't matter.

17 **NM:** There may be other leading questions. I think if Michael doesn't interrupt, I can
18 make progress more quickly. *[Laughter]* Well, who was the 2010 selection
19 between, ■?

20 ■: Sorry?

21 **NM:** Plaid Cymru and [Cardiff? 01:17:01] selection 2010, who was it between?

22 ■: I don't know.

23 **NM:** For the Assembly election.

24 ■: 2010?

1 **NM:** 2010, for the selection for the 2011—

2 **█:** Are you talking about the █?

3 **NM:** Yes, so who—

4 **█:** Yes, █

5 **NM:** Indeed, so back then we were, you could say, rivals for that selection?

6 **█:** Yes.

7 **NM:** Okay, I was successful in the selection, █?

8 **█:** No.

9 **NM:** Okay.

10 **█:** Because, erm, I've always thought that Plaid Cymru's more than one person.

11 **NM:** Did your attendance and activity as an activist drop off after that selection?

12 **█:** Not really, no.

13 **NM:** █?

14 **█:** No, because I was probably—

15 **NM:** 2008.

16 **█:** If you're talking about 2008, what year is it now?

17 **RE:** 2019 now.

18 **█:** I would have had children at home, in college and I didn't really get active in
19 politics until about... I think I started about, erm, two thousand... you know,
20 around that time, █.

21 **NM:** I think the problem with a lot of this stuff is it's historic, be it ten years or eighteen
22 months.

1 ■: Yes.

2 **NM:** So I think it's reasonable that your memory is cloudy on some things, as
3 everybody's is actually. [REDACTED].

4 ■: Was I?

5 **NM:** [REDACTED].

6 ■: Oh.

7 **NM:** [REDACTED]
8 [REDACTED]

9 ■: No.

10 **NM:** No.

11 ■: Because, I tell you why, I'd decided I was too old.

12 **NM:** Okay.

13 ■: Erm, and then—

14 **NM:** How did you become active again? [REDACTED]

15 ■: With pressure, really.

16 **NM:** So how did I... how did we sort of become closer after the—

17 ■: Well, as I told you before, erm, Plaid Cymru's more than one person and when
18 you stood for the, erm, Assembly elections in 2016, erm, I decided to support
19 you.

20 **NM:** Yes.

21 ■: I mean, [REDACTED]

22 **NM:** Just one moment... sorry.

23 ■: No, can I finish, please?

1 **NM:** Yes.

2 **█:** █, and when you therefore
3 needed help, I was there and I was working because Plaid Cymru is important to
4 me.

5 **NM:** Just... this is a bit of history really, █
6 █
7 █

8 **█:** Yes.

9 **NM:** Is that correct?

10 **█:** You did, yes.

11 **NM:** Yes, okay, good.

12 **█:** Yes.

13 **NM:** Okay, I got elected in May 2016. █

14 **█:** Nothing.

15 **NM:** So you had no concerns about my performance?

16 **█:** Oh, yes, I did. I, I remember telling you to keep under the radar and to choose
17 your battles.

18 **NM:** Yes, so what annoyed you in particular?

19 **█:** Nothing in particular.

20 **NM:** What concerned you in particular.

21 **█:** Nothing in particular.

22 **NM:** So there were no... under the radar from what exactly?

1 ■: Well, as I said to you, to choose your battles, but I can't see the point in this.
2 This is becoming personal now, isn't it?

3 **NM:** No, it's not becoming personal.

4 ■: Okay.

5 **NM:** The point is with any... because the reason I'm here and the reason that myself
6 and my family have been through quite a bit in the last 18 months especially, in
7 lots of senses you were correct, to stay under the radar. Did... so I didn't... I
8 didn't take that... did I take your advice to stay under the radar?

9 ■: No.

10 **NM:** No. What was your concerns about my questions about Deryn?

11 ■: What?

12 **NM:** Deryn, the lobbying company.

13 ■: I had no concerns, I had no view on it.

14 **NM:** So you had no concerns at all about me raising matters?

15 ■: No.

16 **NM:** Can you make a note of that, Sir Roderick, please? Because you did have
17 concerns, didn't you?

18 ■: Well, in what way did I have concerns?

19 **NM:** I think it probably be easier when I'm able to present my evidence.

20 ■: Yes, please.

21 **NM:** And I can't present my evidence... that's next week, but you did express
22 concerns via an email about my questioning of the lobbying company and you
23 thought ■ was right. Do you remember emailing me and telling me
24 ■ was right in telling me maybe not to question Deryn?

1 ■: No, I don't.

2 NM: You don't?

3 ■: No.

4 NM: Okay, are you aware of political pressure on me to stop asking questions about
5 that particular lobbying company?

6 ■: No.

7 NM: None at all? So you do not recall me complaining to Cardiff West officers that I
8 thought it was wrong for me to be put under pressure not to ask questions?

9 ■: Erm... to be honest, I can't remember... I remember you... you've raised so
10 many issues that, erm, I can't remember.

11 NM: You talked to the Plaid Cymru ■, having spoken—

12 ■: Who is ■, please?

13 NM: ■, did you have conversations with ■ very often over the last
14 two years?

15 ■: Yes.

16 NM: So you don't recall—

17 ■: I'm friends with him.

18 NM: You don't recall him emailing to say that I really should... I need to be more
19 careful about asking questions about Deryn?

20 ■: ■ emailing me?

21 NM: Emailing me, me passing on to you.

22 ■: No.

23 NM: No? Okay, fine.

1 **RE:** You're asking whether [REDACTED] [REDACTED] was aware that [REDACTED] had emailed
2 you?

3 **NM:** Mm-hmm. What was your first impression of Michael Deem?

4 **[REDACTED]:** Pleasant.

5 **NM:** Okay, you don't recall saying that you... there was something about him you
6 didn't trust?

7 **[REDACTED]:** No.

8 **NM:** And do you recall me asking you to give him a chance?

9 **[REDACTED]:** No.

10 **NM:** Sat around your table with a couple of glasses of wine? No? Don't recall that?
11 Is there anything... there are many things that you don't recall.

12 **RE:** Well, if you can't recall them, you don't know.

13 **NM:** Are you aware of... would you say it's common for you to forget things and be
14 told you've said things and done things and not recall?

15 **[REDACTED]:** Important things, I remember. Trivial things, no.

16 **NM:** Okay. Offer of employment, I think I said to you, "Would you like to do some
17 work for us?" Who dealt with that?

18 **[REDACTED]:** Mike.

19 **NM:** So who would sort out the hours?

20 **[REDACTED]:** Erm, there weren't any hours.

21 **NM:** Did you sign a contract?

22 **[REDACTED]:** I did.

23 **NM:** So what did the contract say?

1 ■: Unfortunately, I only skimmed it, I just signed it.

2 NM: The contract said four hours a week.

3 ■: Oh.

4 NM: The contract said you were [REDACTED].

5 ■: Oh.

6 NM: So you recall doing [REDACTED] for Plaid Cymru, obviously.

7 ■: Yes, yes.

8 NM: Yes. What Assembly matters do you remember [REDACTED]? Oh, since I was
9 elected?

10 ■: No Assembly issues, I don't think, matters.

11 NM: So you recall that you've not [REDACTED] any Assembly matters for me since I
12 was elected?

13 ■: No.

14 NM: Okay, thanks. Who [REDACTED] my Assembly stuff then?

15 ■: What Assembly stuff?

16 NM: If I needed [REDACTED], who did I or Mike or [REDACTED], go to, or
17 [REDACTED]?

18 ■: Me, I would assume.

19 NM: But you said you didn't [REDACTED] any Assembly stuff for me.

20 ■: Well, I can't remember, erm, the [REDACTED] are the leaflets.

21 NM: Yes.

22 ■: And things like that.

1 **NM:** Okay, can we just—

2 **█:** What is Assembly work? I would like to know, please.

3 **NM:** Local Development Plan **█** about needles, **█**
4 about drugs, letters to constituents about those matters.

5 **█:** No, I didn't **█** one letter to a constituency.

6 **NM:** Okay, all right.

7 **MD:** Can I just object on that? Because the things that Neil's just listed we've already
8 established that they could either be used for Assembly purposes or political
9 purposes. It needs context in order to determine that, so just reeling off a list of
10 subjects isn't going to make it necessarily Assembly work.

11 **NM:** With respect, we've not established that, Sir Roderick.

12 **RE:** You established what?

13 **NM:** We've not established what Michael has just said. Nothing has been
14 established [inaudible 01:25:47] matters.

15 **RE:** Well, we've established... so that you are aware of my present view on
16 activities, there seem to me to be three categories of activity. One is clearly
17 Assembly activity, such as case work et cetera. On the other extreme, there is
18 party political activity. For example, the stuff we looked at this morning, the
19 **█**. In the middle, there is a group of activities which may or may
20 not be party political on any particular occasion and they are certainly political,
21 but we operate here in a very political environment and it seems to me, and you
22 can... I'm telling you this and you can address it if you want to, either during any
23 stage of this proceeding or at the end. Taking needles, for example. It seems
24 to... or toxic mud, it seems to me, at the moment, that it's entirely appropriate for
25 an Assembly Member to get involved in that kind of campaign. It is certainly
26 capable of being called a political campaign and it may well be that a campaign
27 like that will be more to the benefit of the political party that the member
28 represents. That's politics. My focus, it seems to me, at the end of all this is

1 going to have to be on party political activity. Political activity, the bit in the
2 middle where it abuts the two, clear groups of activity, I think is a questionable
3 activity, and it may or may not be necessary for me to consider parts of that. But
4 I mention it now so that you can, both of you, when you say did you do needles,
5 did you [REDACTED], et cetera, or the equivalent of toxic mud on those
6 days, it might be helpful if we were to establish whether they are party political or
7 just political activities. I want you to understand, I haven't come to a conclusion
8 on any of that.

9 **NM:** That's what I said, yes.

10 **RE:** But it's just that you ought to know so that you can address it in due course.

11 **NM:** Yes, that was my... that's what I'm saying. So it hasn't been established. So
12 you were employed [REDACTED]. That was the pay, you were paid [REDACTED]
13 [REDACTED].

14 [REDACTED]: I was a [REDACTED]. As I've already said, the drop-down box
15 perhaps was difficult to find.

16 **NM:** Your contract stated you were [REDACTED].

17 [REDACTED]: Hmm.

18 **NM:** You were paid for [REDACTED]. You should have been clear
19 about that when you signed the contract. How much did it work out after tax?
20 Do you remember?

21 [REDACTED]: Yes, something like £160 a month.

22 **NM:** Okay, was that life changing?

23 [REDACTED]: Huh, no.

24 **NM:** Did it make any significant difference to you?

25 [REDACTED]: No.

1 **NM:** No? Did it annoy you that you'd not been given more hours and therefore more
2 money?

3 **█:** No.

4 **NM:** Do you recall saying to me that it was neither here nor there?

5 **█:** I wouldn't have said that.

6 **NM:** Okay, probably one may have a difference of recollection of conversation is in
7 your room again. Probably you'd had at the time probably several glasses of
8 wine, so I think that interferes with recollection.

9 **█:** Are you intimating... you've mentioned wine more than once.

10 **NM:** Yes, I think that is an issue, yes.

11 **█:** Okay.

12 **NM:** I'll come to that later.

13 **█:** Hmm.

14 **NM:** So we've established that Michael went to... I just said, yes, would you like to
15 work, yes, we need somebody to **█**, we wanted the office
16 open on a Saturday and you say you didn't even have a key on a Saturday.

17 **█:** No.

18 **NM:** So you didn't open up, you say, on a Saturday.

19 **█:** No.

20 **NM:** That you didn't always send me **█**, you say.

21 **█:** No.

22 **NM:** But you were employed as a... you signed a contract for the Assembly so why
23 didn't you tell me that you had no work?

1 ■: Pardon?

2 NM: Why didn't you tell me you had no Assembly work?

3 ■: Oh, I didn't, I didn't ■—

4 NM: Okay, the point is are they a busy office?

5 ■: Yes.

6 NM: Yes, so there's always something to do?

7 ■: I was ■ working from home, erm, doing whatever was sent to me and
8 most of them, and I would say, well, all of it, was leaflets and calling cards.

9 NM: Okay, you just said there—

10 ■: And emails.

11 NM: You just said there "most of it".

12 ■: Oh, yes, sorry, all of it, then.

13 NM: All of it, okay, because when you said "most" that would suggest you were—

14 ■: Yes, I would say all of it.

15 NM: —[inaudible 01:30:59] Assembly work, for example. But you weren't, were you?

16 ■: No.

17 NM: No, okay. So if you weren't doing any Assembly work, did it enter your head to
18 maybe mention it to me—

19 ■: No.

20 NM: —that there was no Assembly work going through?

21 ■: I didn't.

22 RE: Why should an employee do that?

1 **NM:** Well, if you're employed to do a job and you say you weren't doing any
2 Assembly work—

3 **█:** I didn't realise at the time.

4 **NM:** Okay, so who negotiated the detail with you? The detail of the contract, the
5 detail of your employment, who [inaudible 01:31:41]?

6 **█:** I asked... the history is that I asked, after you were elected, that it was only fair
7 that I was acknowledged for work that I had been doing for free. Erm, you
8 agreed. Mike gave me the contract, which I signed. Erm, my fault, because I'm
9 awful with documents, is that I didn't read it. I assumed I was signing for
10 **██████████** and I realise now it was remiss of me not to have... erm, I did
11 not realise I was only supposed to work four hours a week. I certainly worked
12 more than four hours a week, at times. But I wasn't aware that it was only four
13 hours a week, the contract.

14 **NM:** In terms of professional rates, what's your rate **██████████**?

15 **█:** **██████████**.

16 **NM:** **██████████**, okay. So the first huge manifesto **██████████**
17 **██████████**?

18 **█:** Mm-hmm, yes.

19 **NM:** So that would have been **██████** for that one document alone.

20 **█:** Hmm.

21 **NM:** On your going rate that you thought you were employed by. So, confused, you
22 were only paid £1,100 between October until the end of April.

23 **█:** Hmm.

24 **NM:** Which you say was all on the Assembly, but with one job, which wasn't on the
25 Assembly by the way but you seem to think it was, if I remember your evidence

1 correctly, so just with the one job you've already used up [REDACTED]
2 [REDACTED]?

3 [REDACTED]: Yes. Most of it was good will.

4 **NM:** Ah, good will. So can you define good will?

5 **RE:** In what context?

6 **NM:** Was it voluntary in that case? Because it clearly wasn't paid because—

7 [REDACTED]: No, I did... erm—

8 **NM:** Maybe I'm not being clear, looking at Sir Roderick here, but your whole evidence
9 is between, to be frank, between October and April I almost paid you for
10 breathing, when actually the reality is you were paid £160 a month—

11 [REDACTED]: I didn't... I didn't assume you were paying me for breathing.

12 **NM:** I'm being flippant, so please forgive me. You were paid £160 a month, for that
13 period. You say everything [REDACTED] was Assembly work and yet I've just
14 put it to you that you—

15 [REDACTED]: I haven't said that everything I've done is Assembly work. What I've said is that
16 it was work, leaflets and—

17 **NM:** Okay.

18 [REDACTED]: —I have not mentioned... what I've said is that as far as I know, nothing that I
19 did was relevant to your work as an Assembly Member.

20 **NM:** Okay, so there's a whole load of documents there which has been presented in
21 evidence, which Michael claims was paid for through the Assembly, effectively,
22 and yet that would add up to more than... more than what... more than what you
23 were paid over the term. If... I'm trying to get... I'm trying to understand what
24 was going on in your head, because the one job was the manifesto run was
25 [REDACTED]. You were really annoyed, as per email, because the Scottish people
26 came in, changed it, more about presentation—

1 ■: I wasn't... I wasn't... I was annoyed about, erm, that I'd done the draft.

2 NM: Yes, yes.

3 ■: But I wasn't annoyed about the money.

4 NM: No, no, I know that. You were annoyed about the fact that you'd done a hell of a
5 lot of work on ■■■■■■■■■■, and then you were asked to do another
6 document. A lot of it was the same, but a lot... some of it was the same, but a
7 lot of it had changed in terms of the presentation of it especially. So that was
8 about ■■■■■■■■■■ you had to do. So with those two things, if you were
9 being paid all the way, then all the stuff that Michael has presented as evidence
10 would have been voluntary because you, if you say you ■■■■■■■■■■, then
11 those two jobs had used up all the budget. So do you accept that what Michael
12 was presenting earlier in evidence was voluntary?

13 ■: No, I... no, I, erm, accepted the amount of money given and I accepted that it
14 was different to work I was doing for other clients in that I was not charging ■■■
15 ■■■■■■■■■■. I had, erm—

16 NM: So in effect, were you doing voluntary work?

17 ■: No, I wasn't. I was doing work for very, very little money.

18 NM: So you had in excess... are you or were you the 'go-to' person for ■■■■■■■■■■ in
19 Cardiff West?

20 ■: Yes.

21 NM: So did you ■■■■■■■■■■ in 2008?

22 ■: I can't remember properly. If there was something to ■■■■■■■■■■—

23 NM: Yes.

24 ■: —but, erm, I can't remember that there was such a volume of things to ■■■
25 ■■■■■■■■■■ actually.

26 NM: Okay, did you... were you ■■■■■■■■■■ in 2014, for example?

1 ■: Is that during your campaign?

2 NM: No.

3 ■: Erm, well probably if there was something to ■, I would have done it.

4 NM: 2015 campaign?

5 ■: Up, as I said, up until you were elected Assembly Member, I was doing all ■
6 ■ needed on a voluntary basis, yes.

7 NM: Yes, okay, good.

8 ■: When I was employed by you... well, when I asked could I have some
9 acknowledgment of the work I'm doing and you said yes, fine, and then I didn't
10 negotiate money with you, I didn't ask about it. But what I did say was that, erm,
11 I was acknowledged and I did work on everything that was done. But it was not
12 a consideration of ■.

13 NM: Okay, so—

14 ■: That is totally different to—

15 NM: In terms of ■ Plaid stuff, 2008, 2014/15/16, what changed in
16 terms of ■? Did you continue to ■
17 ■? Did you continue to ■... you were ■ for a number of
18 years.

19 ■: Well, amongst others. ■ helped, erm, I know ■, ■, helped.
20 Erm, you now, ■ and ■, there were volunteers. I mean, it was,
21 erm, a volunteering job.

22 NM: Yes. So you can see that ■ was a volunteering job and really in
23 terms of ■ nothing had really changed between '14, '15, '16.
24 ■ would email you, quite often.

25 ■: But he wasn't... he wasn't, erm—

1 **NM:** [Inaudible 01:38:46] 2014. You don't recall 2014, do you? Because what we've
2 had here is the same lot of people doing the same voluntary work for a long
3 period of time.

4 **█:** Yes.

5 **NM:** Yes, voluntary work.

6 **█:** Until I was paid, yes.

7 **NM:** Okay, what was Mike's role in the office?

8 **█:** Sorry?

9 **NM:** What was Michael Deem's role in the office?

10 **█:** Office manager.

11 **NM:** So what did that entail?

12 **█:** Managing the office.

13 **NM:** Such as?

14 **█:** Well, I don't know, I wasn't there, was I?

15 **NM:** Mm-hmm.

16 **█:** To, erm, oversee or look at what was happening there.

17 **NM:** So you weren't in the office much?

18 **█:** No, only when I popped in.

19 **NM:** How often did you pop in?

20 **█:** Very often, during the campaign. It could be, if I was canvassing every day, I
21 would pop in every day to, erm, present my data.

22 **NM:** So you were in the office often. Over what period?

1 ■: What do you mean?

2 NM: You said the campaign. Over what period did you—

3 ■: Oh, November/December until the, erm, election.

4 NM: So you were in the office often from November until—

5 ■: [REDACTED].

6 NM: Mm-hmm, so when you were in the office often, what was Michael's role?

7 ■: Managing the office, I assume.

8 NM: Where was I?

9 ■: Probably in and out or in the Assembly, working.

10 NM: So when you were in the office often, did you see me often in the office?

11 ■: In and out, I suppose.

12 NM: So I wasn't there often?

13 ■: I don't know.

14 NM: Well, you've told us here, ■, with respect, that you were in the office often.

15 ■: Yes.

16 NM: Between November and May.

17 ■: Yes.

18 NM: Which office were you in?

19 ■: 321, initially until the office in Caerau was opened.

20 NM: Okay, so where was the Council campaign headquarters?

21 ■: Well, in 321, I would imagine?

1 **NM:** Well, it's not what you'd imagine. I'm asking you—

2 **█:** Yes, it is, 321.

3 **NM:** So it wasn't in Caerau?

4 **█:** Not until Caerau was opened.

5 **NM:** So when did the campaign start going, really?

6 **█:** Well, some of us had been doing it for months, campaigning.

7 **NM:** When did the Cardiff campaign – Cardiff campaign – kick... only Canton, only
8 Fairwater, when did the Cardiff campaign kick into gear?

9 **█:** Was it when the manifesto was launched?

10 **NM:** Yes.

11 **█:** Hmm.

12 **NM:** Why did it take such a long time to kick into gear? From the time of the
13 manifesto and a bit after, what—

14 **█:** I don't know.

15 **NM:** Was it difficult for us... is... generally, is it difficult for us to get candidates for
16 Council elections?

17 **█:** Yes.

18 **NM:** Yes, because **██**, didn't we?

19 **█:** Pardon?

20 **NM:** **██**—

21 **█:** Yes.

22 **NM:** —**████████** yes. So it's difficult, isn't it? So you would concede that the Cardiff
23 campaign didn't really get going until after the manifesto. A reason for that, one

1 of the reasons, is that we just don't get candidates and we get people to fill in at
2 the last minute. Would you agree with that?

3 ■: Yes, I suppose so.

4 **NM:** Yes, unfortunately. So when you were in the office, you said Michael was office
5 manager. Did Michael manage staff when you were there?

6 ■: Yes.

7 **NM:** Mm-hmm. Just touch on the direct mails. What were the contents of the direct
8 mails in 321?

9 ■: Erm, different contents.

10 **NM:** Yes, such as?

11 ■: Aimed at different groups of people.

12 **NM:** What contents were there?

13 ■: Political.

14 **NM:** We've established that as a politician, I do send out political material.

15 ■: No, these were the direct mail. I... I was stuffing there. I remember at one
16 stage was the direct mail that ■ were sending out ■
17 ■ to electors.

18 **NM:** Do you recall stuffing Local Development Plan letters?

19 ■: No.

20 **NM:** Do you recall stuffing letters concerns needles in Butetown?

21 ■: No.

22 **NM:** You say that you don't recall. You were in there often, you said.

1 ■: I do not recall doing anything... I do remember, erm, doing things about the
2 Local Development Plan, but that was part of our campaign as well. Erm, it was
3 a campaign that ran, as you know, throughout Cardiff West.

4 **NM:** Yes, yes.

5 ■: And so therefore each, erm, constituency of ward, perchnogi... erm—

6 **RE:** Took ownership of?

7 ■: Took ownership of that campaign, and it was sent out in the names of the
8 candidates. And as far as the needles in Butetown, I think that was after my
9 period because after, erm, I have done ■ after the Council
10 election.

11 **NM:** Okay. Do you remember stuffing envelopes for Radyr and a public meeting
12 there about the Local Development Plan?

13 ■: No.

14 **NM:** No? Okay. It was already conceded in the hearing that that one wasn't party
15 political, was it Michael, because you were involved?

16 **MD:** There was—

17 **NM:** I shouldn't be questioning him now, sorry.

18 **MD:** That's fine, there was a number, I think some were, some weren't.

19 **NM:** I'll take that back, sir, questioned you already. Do you remember me feeling
20 embarrassed ■ after I got elected?

21 ■: No.

22 **NM:** Do you remember me feeling embarrassed ■ Assembly
23 stuff?

24 ■: No.

1 **NM:** No? So you don't recall that I wanted to give you hours in order to be able to
2 ask you [REDACTED] for the Assembly? You don't recall that, do
3 you?

4 **[REDACTED]:** No.

5 **NM:** No, okay. So given that you say that [REDACTED] was political.

6 **RE:** Party political.

7 **NM:** Party political, absolutely, party, thank you, party political, why did you try and
8 obtain a laptop from the Assembly?

9 **[REDACTED]:** I didn't try to obtain a laptop from the Assembly. Why would I want a laptop from
10 the Assembly? I've worked as [REDACTED], for... since
11 1990. I have my own desk top, I have my own laptop and I would not want a
12 laptop from the Assembly.

13 **NM:** Okay, that was going to be my next question actually, so yes, fine. So you didn't
14 want a laptop from the Assembly?

15 **[REDACTED]:** No.

16 **NM:** So you and Michael, to your knowledge, didn't try to get a laptop?

17 **[REDACTED]:** No.

18 **NM:** No? Okay. You didn't have to pay for software, which was at your own cost, [REDACTED]
19 [REDACTED]?

20 **[REDACTED]:** Pardon?

21 **NM:** You didn't have to pay for the software in order [REDACTED] for me?

22 **[REDACTED]:** I have my own equipment.

23 **NM:** So there was no cost with software either?

24 **[REDACTED]:** No.

1 **NM:** Okay, fine. In terms of leaflets, first of all, to be clear, you say even though you
2 were in the office often—

3 **█:** █.

4 **NM:** Yes, fine, you say you were in the office often, and that's the point.

5 **█:** █.

6 **NM:** You probably [inaudible 01:47:04] then maybe not [inaudible 01:47:05] at some
7 point I would imagine if you were in there as often as you say you were,
8 because most of the time, as you know, I just wasn't there, was I?

9 **█:** No.

10 **NM:** No. Thank you. So where was I then, █?

11 **█:** Well, I assume you were in the Assembly.

12 **NM:** Or around and about?

13 **█:** Well, don't put words in my mouth. I haven't got a clue where you were, Neil.

14 **NM:** Okay, that's fair.

15 **█:** Please.

16 **NM:** That's fine, thank you. Well, you say you didn't see my staff stuffing envelopes.

17 **█:** I can't recall, no.

18 **NM:** Okay. You say that you didn't see my staff bagging rounds.

19 **█:** I didn't see them but the rounds were bagged.

20 **NM:** Okay. Did you see my staff use computers?

21 **█:** Yes.

1 **NM:** How can you tell the difference between... oh, first of all, would you have been
2 aware that in the office staff have personal computers and Assembly
3 computers?

4 **█:** No, I wouldn't have been aware of that.

5 **NM:** So you wouldn't know the difference between a personal computer and an
6 Assembly computer?

7 **█:** No.

8 **NM:** Okay, were you aware that I used two computers?

9 **█:** I am not aware.

10 **NM:** Yes, are you aware that █ uses two computers?

11 **█:** No.

12 **NM:** Well, we did. Were you there when... you say you were in the office when I
13 wasn't there and you say that leaflets were being printed. I didn't ask you that,
14 sorry, you haven't said that. When you were in the office, were party political
15 leaflets being printed?

16 **█:** Yes.

17 **NM:** Did you see them?

18 **█:** Yes.

19 **NM:** Were they... on what machine were they being done?

20 **█:** Oh, I haven't got a clue.

21 **NM:** Okay, was the machine quick or was it slow?

22 **█:** I haven't got a clue.

23 **NM:** Would you... you say that you saw... you recall seeing leaflets come out of the
24 machine?

1 ■: Yes.

2 **NM:** So if you... do you have an image in your mind now of what you saw in my
3 office, when I wasn't there?

4 ■: Yes.

5 **NM:** So the leaflets which you allege were being printed in my office, were they
6 coming out of a printer quickly or slowly?

7 ■: I haven't got a clue, Neil. Sorry.

8 **NM:** Well, there were two different... the one printer in the office was an Assembly
9 printer and it's already been conceded would print about five leaflets a minute.
10 So I think what is being alleged by Michael is industrial scale production of
11 leaflets. So in the region of well over 100,000 leaflets. Are you aware of the time
12 that it would take to print over 100,000 leaflets?

13 ■: No.

14 **NM:** Five a minute. Or did you see a machine which was operating more quickly, like
15 the machine in Caerau, for example?

16 ■: I can't recollect.

17 **NM:** It seems quite strange that you say that you were in an office, you were looking
18 at a printer printing.

19 ■: I think that at times there were more than one printer going.

20 **NM:** So were they going... so are you say there were two printers going?

21 ■: I did not stand there and say wow, this is quick and this is slow.

22 **NM:** So what was being printed? By either printer.

23 ■: Well, I saw leaflets being printed.

24 **NM:** Did you see... did you see, for example, committee papers being printed?

- 1 ■: No.
- 2 **NM:** So you could see what was being done?
- 3 ■: I've already answered the question. I saw leaflets but that was probably when I
4 was there waiting for leaflets to be printed.
- 5 **NM:** You've no idea on what printer?
- 6 ■: No.
- 7 **NM:** Okay, and I wasn't there, was I?
- 8 ■: No.
- 9 **NM:** Thank you. How difficult is it to deliver leaflets in places like Ely?
- 10 ■: Difficult.
- 11 **NM:** Does it take a long time?
- 12 ■: Yes.
- 13 **NM:** Do we struggle for volunteers?
- 14 ■: Yes.
- 15 **NM:** How long does it take to deliver 6,000 in Canton, in terms of hours?
- 16 ■: Oh, depends on how many you've got. You can do it in a day with—
- 17 **NM:** But I mean simply hours really.
- 18 ■: I don't know.
- 19 **NM:** People hours.
- 20 ■: I haven't got a clue.
- 21 **NM:** Is it difficult to deliver leaflets in places like Caerau? To find volunteers?

1 ■: Yes.

2 **NM:** Yes, because we're always struggling for volunteers, yes? So would you say
3 that it's a reasonable assumption to say that a leaflet in Ely will take between 80
4 to 100 hours to deliver?

5 ■: I haven't got a clue.

6 **NM:** But it does take a long time, doesn't it?

7 ■: Mm-hmm.

8 **NM:** How many leaflets do you think we could deliver every month in the
9 constituency?

10 ■: Oh, I haven't got a clue, sorry.

11 **NM:** Well, if Canton is 6,000... we're lucky in Canton because we have a lot of
12 volunteers, don't we?

13 ■: Mm-hmm.

14 **NM:** And the doors are close together in lots of places. In other places, we're not so
15 lucky. So I'll close this point saying that it's difficult to deliver across the
16 constituency, isn't it?

17 ■: Yes.

18 **NM:** Just want to touch on the Beastgrip. Can you explain your knowledge of the
19 Beastgrip?

20 ■: I have no knowledge of it.

21 **NM:** Can you explain the microphone?

22 ■: What do you mean, explain the microphone? You talk into it.

23 **NM:** Is there a microphone?

24 ■: I haven't got a clue. On the B...—

1 **NM:** On the Beastgrip, is there a microphone?

2 **█:** I don't know.

3 **NM:** You don't know?

4 **█:** No.

5 **NM:** I find that surprising, if you've used it. So you say you used the Beastgrip but
6 you don't recall what it looks like?

7 **█:** It was a small thing like this.

8 **NM:** Small thing, okay.

9 **█:** Like that.

10 **MD:** Remember earlier I had to give the description because I had to fill in those gaps
11 [inaudible 01:54:00].

12 **NM:** With respect, I'm not... you may address your comments to Sir Roderick.

13 **MD:** All right.

14 **NM:** I'm not even here to take comments from you. So you don't recall what it looks
15 like. You say you've used it.

16 **█:** I know what, well, I've told you it looks like a small thing like this.

17 **NM:** Okay, fine, yes.

18 **█:** That's as far as I know. That is the B tech... B—

19 **NM:** Well, can I tell you the Beastgrip has a large microphone on it?

20 **█:** Hmm.

21 **NM:** And you say you don't recall if there was a microphone, a little thing, but the
22 Beastgrip has a large microphone, are you aware of that?

1 ■: Do you know, I remember now there was noise, wind or something, affecting it.
2 Yes, triggering my memory.

3 **NM:** Okay, so you recall now that actually—

4 ■: But—

5 **NM:** You said in evidence earlier that it was a small thing and now you're saying that,
6 after I've prompted you and said that it is a large microphone—

7 ■: Oh, I, do you know—

8 **RE:** Hang on now, I don't think ■ said it was a large microphone. What ■
9 said—

10 **NM:** I said it's a large microphone—

11 **RE:** You put that, yes.

12 **NM:** It is a large microphone.

13 **RE:** Yes, ■ didn't say, after you prompted ■ as you put it, that there was a
14 large microphone. What ■ said was that ■ did recall that there was a noise
15 and wind affecting it.

16 **NM:** After I had said that there's a large microphone on it.

17 **RE:** Yes.

18 **NM:** Yes.

19 **RE:** Yes.

20 **NM:** Okay, so you say it was used... the only evidence we have of you using the
21 Beastgrip is that on one occasion you say that you used it. You couldn't
22 remember what it looked like because you didn't recall the large microphone
23 until I said. When I did say the large microphone, you mentioned that there was
24 an issue with the wind. That would be correct because the Beastgrip is an

1 indoor microphone. That was already stated in the hearing previously. But the
2 video wasn't put up, you say.

3 ■: Not that I saw it, no.

4 **NM:** Were you in the video?

5 ■: Yes, I was the one talking into it. It was part of the campaign.

6 **NM:** Are you on Facebook?

7 ■: Yes.

8 **NM:** I find it quite strange that—

9 ■: So do I, actually.

10 **NM:** Find what quite strange?

11 ■: That it wasn't put up.

12 **NM:** Oh, right.

13 ■: Maybe it wasn't good enough.

14 **NM:** Okay.

15 ■: Maybe I'd made a mess of it.

16 **NM:** I was going to say that if you did a video then I'm sure you would have seen it.

17 ■: Yes.

18 **NM:** So there was a video taken with you say it was a Beastgrip but you can't... are
19 you sure it was a Beastgrip, because—

20 ■: No, because how can I be sure it's a Beastgrip if... I know ■ said it was a
21 new machine or new part of the equipment.

22 **NM:** So with whatever ■ shot that particular video, which didn't appear, you're
23 not sure that it was the Beastgrip?

1 ■: Well, since I told you that I don't know what it looks like, but I assumed it was a
2 video on the phone, type of thing. Was it? Like a camera.

3 **NM:** So just to be clear, then, you didn't know it was the Beastgrip, you just assumed
4 it was the Beastgrip?

5 ■: Hmm.

6 **NM:** Okay. So one thing that Michael said earlier, you may not know, he said the
7 Beastgrip stabilises videos. Aware of that, or not? Okay. It was a matter of fact
8 the smartphones we have now have automatic stabilisation, so—

9 ■: It wasn't a smartphone, I know that. I know what a smartphone is and this
10 wasn't a smartphone.

11 **NM:** So there was no smartphone used for the video?

12 ■: No, not for this one.

13 **NM:** Okay, so—

14 ■: I only used it once.

15 **NM:** Because that's the important point, you say whatever video you say was shot
16 wasn't shot with a smartphone. Is that your evidence?

17 ■: Yes.

18 **NM:** Okay, thank you. What political meetings did you... what party political
19 meetings did you attend in 321 Cowbridge Road East?

20 ■: Erm, a few at the beginning, as I said, the January one, erm, as noted in the
21 email. Erm, and a couple of others but most then was, erm, held in my house.

22 **NM:** Mm-hmm, okay. What was your relationship like with [REDACTED] ?

23 ■: You know very well what my relationship was with [REDACTED] it was very bad.

24 **NM:** You said [REDACTED] wasn't... what was [REDACTED] input into our political campaigning?

1 ■: Erm, not a lot actually because ■ didn't last very long, did ■?

2 **NM:** Mm-hmm. What did ■ do for us? I'm not agreeing with you there actually,
3 when you say that... it's your evidence that ■ wasn't with us very long, I hear
4 that, I'm not saying I agree with that. What was ■ role? What did ■ do for
5 us?

6 ■: Did ■ do anything for us? I can't remember.

7 **NM:** There's a lot that you seem unable to recall. Do you—

8 ■: Well, yes, there's so much, erm, it was such an active period and unless I kept a
9 diary, I wouldn't remember a lot of things.

10 **NM:** Do you recall ■ used to get a second income from printing?

11 ■: Sorry?

12 **NM:** Do you recall that ■ used to get a second income?

13 ■: Yes, ■ had a printer, didn't ■, in the, erm, like a garage sort of thing in ■
14 house?

15 **NM:** Yes, so there was an office in ■ house for printing.

16 ■: I think, am I correct in thinking that ■ printed out leaflets for us once?

17 **NM:** More than once.

18 ■: But the quality was dire.

19 **NM:** Hmm, it's my recollection that ■

20 ■: I think the quality was so bad, we didn't use it.

21 **NM:** It's my recollection his printing was very good. You may be confusing it with the
22 printer at the Plaid Cymru office, the very first one we had, and we did... do you
23 recall we had a Risograph there, which ■ brought... bought.

24 ■: Oh, yes.

1 **NM:** [Inaudible 02:01:02]

2 **█:** Oh, yes, yes.

3 **NM:** It was... so that was... so just to be clear, the awful printing was that Risograph,
4 do you recall that?

5 **█:** Yes.

6 **NM:** So **█** bought it off... we should have realised the price really was extremely
7 cheap and then we were all excited and then we realised we couldn't use it and
8 what we then did was employ or use **█**, do you recall that?

9 **█:** No.

10 **NM:** But you recall **█** garage/office?

11 **█:** Yes, I only remember going there once to pick up leaflets, I cannot remember
12 and I don't think I went to pick any more of them.

13 **NM:** Okay, so when did you go to pick up the leaflets from **█**?

14 **█:** I'm going to have to tell you again, I can't remember.

15 **NM:** But you concede that you went to **█** office to collect leaflets?

16 **█:** I'm sure I went once.

17 **NM:** So therefore... what leaflets were they?

18 **█:** I'm going to sound as if I've got dementia here, but I can't remember.

19 **NM:** Mm-hmm, so you concede that Cardiff West Plaid Cymru would go to... you
20 went on one occasion. Are you aware that other people went to see **█**
21 **█**, collect leaflets from the office there?

22 **█:** No.

23 **NM:** How are you not aware of that?

1 ■: I am not aware. I can't say how I'm not aware, but I am not aware.

2 NM: Would it surprise you to know that other people did go there and collect leaflets?

3 ■: No, it wouldn't surprise me.

4 NM: Okay. Was ■ keen on printing? Did ■ like printing? Takes all sorts really, in
5 terms of hobbies, but did ■ like printing?

6 ■: I don't know.

7 NM: We were given evidence last year that printing was one of ■ hobbies. Maybe
8 because we were paying ■. Do you recall that?

9 ■: No.

10 NM: Okay. What did we buy from [REDACTED]?

11 ■: A machine of some sort.

12 NM: Yes, do you recall was it the folder?

13 ■: Ah, the folder.

14 NM: Mm-hmm, so we made a... we made one purchase from [REDACTED]
15 and it was the folder. Yes? Did we make any other purchases from ■?

16 ■: I don't know.

17 NM: So you don't know?

18 ■: No.

19 NM: Whether or not other purchases were made, okay. Just let me check on this. A
20 lot of what has been made in these hearings about office hours, are you aware
21 that... does our office work nine to five Monday to Friday?

22 ■: Yes, I think it does, doesn't it?

23 NM: What kind of employer was I?

1 ■: Fine, I think.

2 NM: Did you hear from me very often?

3 RE: Did you what?

4 NM: Did you hear from me very often?

5 ■: No.

6 NM: Did I—

7 ■: Unless you wanted [REDACTED] done.

8 NM: Did I monitor your performance?

9 RE: No.

10 NM: Who liaised with you generally, other than me?

11 ■: Erm, [REDACTED] and [REDACTED] and—

12 NM: Okay.

13 ■: [REDACTED] [REDACTED] [REDACTED] more often.

14 NM: So would it surprise you to hear that my office doesn't really work in a nine to
15 five fashion, other than one member of staff being there [inaudible 02:04:53].

16 ■: Well, no, I wouldn't know because I wasn't part of the set up of the office, was I?

17 NM: Would it surprise you to hear that lots of work was done by [REDACTED] [REDACTED],
18 Michael, outside of office hours?

19 ■: No.

20 NM: Yes, so that wouldn't surprise you?

21 ■: That's wouldn't surprise me?

22 NM: Do you think they worked hard?

1 ■: Yes.

2 NM: Do you think I had my, I suppose, pound of flesh off them?

3 ■: Yes.

4 NM: More than my pound? More than a pound of flesh?

5 ■: I don't know, that would be up to them to answer.

6 NM: Okay, so in your experience, I'm not the kind of employer who is very
7 controlling?

8 ■: I wouldn't know.

9 NM: Did I try and control your—

10 ■: You didn't... you, no, you didn't control ■, no.

11 NM: Okay, so in terms of my management of you, because you were technically my
12 employee although I think we've established that the management was
13 delegated to others, not me, so you wouldn't classify me as a control freak,
14 would you? Or would you?

15 ■: In, erm—

16 NM: In your experience as an employee of mine, would the terms "control freak"
17 apply to me, in my interactions with you as an employer?

18 ■: No.

19 NM: Okay.

20 ■: Demanding, yes. If you wanted ■ in half an hour.

21 NM: Was the Caerau office the headquarters for the Council elections, once we got it
22 up and running?

23 ■: Yes.

1 **NM:** Was 321 the headquarters for the Council election campaign once we got up
2 and running?

3 **█:** Erm, once the Caerau office was open, that was what we used, yes.

4 **NM:** You say the campaign didn't get running until—

5 **█:** When was the Caerau office opened?

6 **NM:** It doesn't really matter, that's just a matter of fact. I'm trying to get a timeline of
7 the manifesto, because you say that we didn't really get going until after the
8 manifesto was launched.

9 **█:** Well, you've said that I'd been going since November and some of the
10 candidates had been as well.

11 **NM:** You said earlier that we didn't get going—

12 **█:** No, the Cardiff West, erm, you told me that wouldn't you agree that it didn't start
13 off until the manifesto had started... that was the... oh, Cardiff West, erm, was it
14 Cardiff as a whole campaign? But we, in individual wards, had been working
15 beforehand.

16 **NM:** Pockets really, would you agree?

17 **█:** Would agree, yes, pockets, yes.

18 **NM:** Llandaff, was Llandaff a key seat? Target seat in the campaign?

19 **█:** Yes, it was, wasn't it? By the end, because they'd been working very hard
20 there.

21 **NM:** When did we—

22 **█:** I can't remember. It was when **█** and **█** were, erm, but I haven't got
23 a diary with me and I haven't got the dates.

24 **NM:** At the end, okay. Do you want to see me re-elected as an Assembly Member,
25 **█**?

1 **RE:** Say that again.

2 **NM:** Do you want to see me re-elected as an Assembly Member?

3 **█:** Is that relevant?

4 **NM:** Yes.

5 **█:** Yes.

6 **NM:** So you've not told other people that as an Assembly Member, [inaudible
7 02:08:57] "I am dead to you,"?

8 **█:** No.

9 **NM:** You've no recollection of saying that?

10 **█:** Sorry, that you were dead to me?

11 **NM:** Yes.

12 **█:** No, I wouldn't use language like that.

13 **NM:** Okay, do you ever use language that you don't... well, you... would you some...
14 would you say that people tell you things that you've said that you don't recall?

15 **█:** Erm, yes.

16 **NM:** Mm-hmm.

17 **█:** Doesn't everybody?

18 **NM:** When your... when we didn't renew your contract after April, did that annoy you?

19 **█:** It surprised me. I thought, "Oh, gosh, it's come to an end."

20 **NM:** Mm-hmm.

21 **█:** And that was it, I didn't mention it to you, did I?

22 **NM:** No.

1 ■: No, I just went, "Oh, that's it then."

2 NM: When did our relationship deteriorate, ■?

3 ■: Erm, [inaudible 02:09:43].

4 RE: I'm sorry, I'm sorry?

5 ■: When it was... when did it deteriorate... erm, I would say after the Council
6 elections.

7 NM: So after you ceased employment for me?

8 ■: Yes, but it wasn't... that wasn't the reason really, was it?

9 NM: But you were surprised that the contract ended and wasn't renewed?

10 ■: Well, erm, yes, I was sort of, "Oh, it's finished." That was it.

11 NM: So—

12 ■: And as you said, the amount of money wasn't life changing, erm, so it didn't
13 make—

14 NM: Did that annoy you?

15 ■: Sorry?

16 NM: Did that annoy you?

17 ■: No.

18 NM: So the... the terms of the agreement weren't really well explained to you, were
19 they?

20 ■: Well, that was my fault, wasn't it? I didn't read it.

21 NM: There's also... you said that the office manager gave the detail, negotiated it
22 with you, went through the... went through what needed to be done. Agreed?

23 ■: Yes.

1 **NM:** And so I'm putting it you that he didn't explain the role very well, did he?

2 **█:** Erm, well, no, then.

3 **NM:** Would it surprise you that we had quite a fuss made in this building, damaging
4 relationships we built up with staff here in the Commission, because Michael
5 wanted to get you a laptop?

6 **█:** Your question is strange in that "Would it surprise you".

7 **NM:** Would it surprise you, yes.

8 **█:** Well, it doesn't make sense to me. How do I answer that? Do I say, "No, it
9 wouldn't," or, "Yes, it would,"?

10 **NM:** So—

11 **█:** Because, erm—

12 **NM:** Just—

13 **RE:** Let her get to the answer first.

14 **NM:** Yes.

15 **█:** Erm, I can't answer that.

16 **NM:** Okay, I'll try and be clear then. Here, it was quite embarrassing that Michael so
17 strenuously—

18 **RE:** Well, hang on now, you're giving evidence rather than asking a question.

19 **NM:** Okay, that question is does it surprise you but the fact of the matter is—

20 **RE:** Well, you again are going to give evidence, I think. What **█** has said
21 was that she wasn't aware, I think—

22 **NM:** Okay.

23 **█:** —that Michael Deem was trying to get a laptop for **█**

1 **NM:** Okay.

2 **█:** No.

3 **RE:** █ didn't require one.

4 **█:** No.

5 **NM:** So you were surprised that your employment was... wasn't renewed.

6 **RE:** Well, what question... not renewed, came to an end.

7 **NM:** Yes, the contract wasn't renewed.

8 **█:** Yes. No, I wasn't surprised it wasn't renewed. I didn't... I just went, "Oh, it's
9 come..." this is my reaction, "Oh, it's come to an end." I did not ask you or
10 challenge you at all about it.

11 **NM:** What does "Oh" mean then, if you weren't surprised? What does "Oh" mean?

12 **█:** Oh, there we are, finished.

13 **NM:** Okay. Were you... this is not.. it's a quite a difficult thing to ask really. Were
14 you always reliable as an employee?

15 **█:** Well, I hope so. I've got 30 years or so of experience and, erm, I have been
16 running my own business so yes, I would consider myself reliable as a
17 █.

18 **NM:** █

19 **█:** █
20 █

21 **RE:** How does that affect the question of whether the work carried out was party
22 political?

1 **RE:** No, no. If you have documentation—

2 **NM:** Yes, I do.

3 **RE:** Well, you should show it to [REDACTED].

4 **NM:** I don't have it with me.

5 **RE:** Well, it's very unfair, isn't it?

6 **NM:** We can adjourn and—

7 **RE:** But it's unfair, you do understand that?

8 **NM:** I can go through the data upstairs and present it to [REDACTED], yes, I can. It's the
9 process... if... I wasn't aware that I was giving evidence in this session. I
10 thought that—

11 **RE:** You're not giving evidence in this session.

12 **NM:** But I'm going to have to give [REDACTED] my evidence.

13 **RE:** Well, of course. You're challenging [REDACTED] evidence.

14 **NM:** Yes.

15 **RE:** We have to put to [REDACTED] what you say is the different version, and you're not doing
16 that.

17 **NM:** Well, I didn't do it with Michael either so I left it for my evidence.

18 **RE:** Well, the evidence before... that [inaudible 02:16:30].

19 **NM:** Of course I challenge that, yes. I challenge what [REDACTED] said. I'm happy to go
20 upstairs, bring my file down and present it.

21 **RE:** How long will it take you.

22 **NM:** Just a call to the office.

23 **RE:** Right, we'll wait here for you.

1 **NM:** Thank you.

2 *[Break]*

3 **NM:** ET42 is... to 11, just similar kind of stuff really. ET44 is as far back as 2010.

4 **RE:** Hang on, I need to look—

5 **NM:** Yes, sorry.

6 **RE:** ET42 is what?

7 **NM:** March, 28th of March 2011, [REDACTED].

8 **RE:** Yes, but what I'm—

9 **NM:** Oh, right, okay.

10 **RE:** What I want you to put to [REDACTED]—

11 **NM:** Okay.

12 **RE:** —is anything you say [REDACTED] between April 2016 and... sorry, October
13 2016 and April 2017, which you say is—

14 **NM:** Well, [REDACTED]'s evidence was that [REDACTED] nothing and [REDACTED] refuted that I was
15 embarrassed because I wasn't paying her when she was doing stuff.

16 [REDACTED]: No.

17 **MD:** No.

18 [REDACTED]: No.

19 **RE:** All I want from you is a document that you say [REDACTED] [REDACTED] which is
20 non-party political.

21 **NM:** Yes, but I need to be clear in my evidence was that [REDACTED] [REDACTED]
22 for us from July onwards and I was embarrassed, that's why I employed her.
23 You didn't accept that, did you?

1 ■: Sorry, could you repeat that?

2 NM: Well, if you look... there's a contradiction here. ET58.

3 RE: ET58?

4 NM: Yes.

5 RE: Right.

6 NM: That's ■ telling me that she's uncomfortable about what I was doing with
7 Deryn, which ■ didn't recall.

8 RE: Wait a minute, let me just look at it. What does this go to?

9 NM: This is the... this is the nub of the matter, Sir Roderick, with respect. I've
10 tangled with the lobbying firm and they're out to get me, that's just the reality.
11 ■ was very unhappy with me asking questions about Plaid Cymru and Labour
12 lobbying firm Deryn. They're at the heart of everything here, be it with you, be it
13 with Plaid Cymru. This, they're at the nub of it and ■ here shows ■
14 displeasure at my activities with Deryn.

15 RE: Right, hang on, let me look at that.

16 NM: ■ was feeling uncomfortable.

17 RE: Right.

18 NM: But ■ had no recollection of any of these emails.

19 ■: I remember it now.

20 RE: Right, that's fine.

21 ■: Having seen it, yes.

22 RE: Where is the document that you say ■ ■ ?

23 NM: I'll come to that now. There's one here from 8th July 2016, which bears out what
24 I was talking about, the embarrassment.

1 RE: Page number?

2 NM: ETA1.

3 RE: Right.

4 NM: This is July 2016 and this is what I'd sent—

5 ■: Where?

6 NM: —■ directly. The office wasn't up and running at this point, properly, so I was
7 dealing with a lot more things than I otherwise would. So... but, well ■
8 actually forwarded this. That was in July, so ■'s evidence was ■ did ■
9 ■ for me. There is one which is not political, it's outside of the
10 timeframe of employment but it contradicts the evidence given here earlier.

11 RE: I will read it first.

12 NM: Yes. It's my position on the lobbyists, which is the reason I'm here.

13 RE: Yes, but this may be important, and I'm not saying it isn't important, but the
14 reason we adjourned was for you to get a document from within the period of
15 ■'s employment which you say was non-party political.

16 NM: Okay.

17 RE: Was Assembly work.

18 NM: But this is important because in terms of credibility of the witness—

19 RE: Well, that's a different matter.

20 NM: Yes, well it's there. I'm looking, Sir Roderick, I'm sorry. There's another one
21 about hours there, where I say, "Need to work out how many hours a week,
22 ■," that's ETA2. Slightly different topic, but that's hours. I'll come to the other
23 stuff now. The ETEA3, I think this is what ■ objected to but if I'm being sent
24 these things as an employer, then I need to take it into account because what I
25 was being told was that some afternoons ■ ■
26 ■. And there's evidence of that, of me... there's evidence there of me

1 being told that, which is ETA3, "[REDACTED] [REDACTED] [REDACTED]," and I think
2 it's [REDACTED] that said, "any chance [REDACTED]?" [REDACTED]
3 [REDACTED]

4 [REDACTED]: Yes, [REDACTED] was I was... couldn't cope with all the work that was getting to
5 me.

6 NM: Okay.

7 [REDACTED]: [REDACTED]

8 NM: [REDACTED].

9 [REDACTED]: No. I would seriously object to that. [REDACTED]
10 [REDACTED].

11 NM: But—

12 [REDACTED]: [REDACTED]

13 NM: [REDACTED] [REDACTED]
14 [REDACTED].

15 [REDACTED]: I would not, never.

16 NM: You may not be aware of people's view of it.

17 [REDACTED]: Never.

18 NM: But that is the case, and as an employer that was a concern of mine which is
19 one of the reasons why [inaudible 02:22:22] I didn't want to re-employ you and I
20 feel that's another reason why we're here, because you were quite annoyed, in
21 my opinion. If we look at—

22 [REDACTED]: Sorry, I must come back to this business.

23 NM: —look at BT1.

1 **NM:** But I forwarded them to [REDACTED] [REDACTED] first of all to get it, [REDACTED]
2 [REDACTED].

3 **RE:** So this isn't in the bundles you've given me?

4 **NM:** No, it relates to Butetown, which is, if you read the contents, I think it's
5 remarkable that anyone can say that's party political.

6 **RE:** It's what?

7 **NM:** I think it's remarkable that anybody can say that's party political.

8 **RE:** Well, I wouldn't know, I haven't read it yet. No one in this room has read it, apart
9 from you and possibly [REDACTED].

10 *[Pause]*

11 **NM:** Can I—

12 **RE:** No, you can't. Let me just read it first.

13 *[Pause]*

14 **RE:** BT" then is something that you've drafted in relation to—

15 **NM:** Yes.

16 **RE:** —needles?

17 **NM:** Indeed so, yes. Or ask [REDACTED] if [REDACTED] Maybe [REDACTED]

18 **RE:** No, just pause a moment. I've still got BT3 to read.

19 *[Pause]*

20 **RE:** Right.

21 **MD:** Could I read it?

22 **RE:** Yes, of course you can. So what do you say about these?

1 **NM:** I assumed that it was [REDACTED] [REDACTED]. If it wasn't, then I don't know, it just... I
2 would like to ask [REDACTED] if [REDACTED] it. If [REDACTED] didn't, I'll accept it.

3 **RE:** The top is what appears to be a covering email. The important document is the
4 second document, which appears to be a letter [REDACTED] to residents of
5 Butetown about needles and it's... what is being put to you is that you [REDACTED]
6 that.

7 **NM:** Or material like that.

8 **RE:** No. This document is what you're putting.

9 **NM:** Okay.

10 **RE:** Was that Friday the 11th of November, when... No, I didn't. 2018, no.

11 **NM:** Okay, fine. I think my questions have drawn to a close there. Can I make a
12 point though, Sir Roderick?

13 **RE:** No, wait a minute. I want to just follow up on that.

14 **NM:** Yes.

15 **RE:** And then you can make any points you want to. This is a document that you
16 would have been sending out in October, on the 11th of October or thereabouts,
17 in 2016. Is that right?

18 **NM:** Yes, November, I believe it is.

19 **[REDACTED]:** Is it November '16 or '18?

20 **RE:** '16.

21 **[REDACTED]:** '16.

22 **RE:** But is that a time when you were employed?

23 **[REDACTED]:** Yes. Was it? Yes.

1 **NM:** Can... I suppose I would... if I can say you don't remember, I accept that. You
2 didn't remember the email from [inaudible 02:28:19] either, correct?

3 **█:** No.

4 **RE:** Try and say—

5 **NM:** What I'm saying is there seems to be a lot, and I'm not criticising **█** for this,
6 there seems to be a lot of holes in **█**'s memory about what emails **█**
7 received—

8 **█:** Oh—

9 **NM:** —and what **█** didn't receive.

10 **█:** —erm, actually I receive hundreds of emails and work.

11 **NM:** Yes.

12 **█:** —every day, so no, I don't remember work that I've done.

13 **NM:** Okay

14 **█:** Erm, from every client, no. No.

15 **NM:** Fine.

16 **RE:** As to this document, you haven't—

17 **█:** I haven't got... no recollection. I could go home and check.

18 **RE:** Could you?

19 **█:** Yes.

20 **RE:** And if you... would you have on your computer all that you've **█** for Mr
21 McEvoy?

22 **█:** Yes.

23 **RE:** Would you go home and check it?

1 ■: Mm-hmm.

2 RE: And we are reconvening on Monday. What would be helpful, I think, would be if
3 you were to email ■ by Monday morning, if at all possible.

4 ■: Yes.

5 RE: Saying that you checked your laptop and your desk top to see ■
6 ■ for Mr McEvoy and perhaps attach ■
7 for him in this period, i.e. October or November '16 to the end of April '17, which
8 is not party political.

9 ■: Mm-hmm, okay.

10 RE: Mr McEvoy, content with that?

11 NM: Yes.

12 RE: Right.

13 NM: Can I just... I want to make one final point about the privacy of these hearings.

14 RE: The hearings?

15 NM: The privacy, the alleged privacy.

16 RE: Yes.

17 NM: The BBC were briefed in great detail about the allegations made. There are
18 only two sources it could have come from. It was an attack story on me, so I
19 think that puts me out of the equation, because it was highly detrimental to me,
20 highly detrimental to my office, so there are only two places it could have come
21 from, which is your office, which I absolutely doubt hugely, I could see no basis
22 of your office sharing information. The only other person who would have
23 shared the information is Michael Deem.

24 RE: Right. I've also seen a blog by a man who calls himself ■, which
25 is in a reverse of the BBC. That is an attack on Mr Deem and is supportive of
26 you. Now, I... we've discussed this several times over months, that I wholly

1 deprecate any breach of privacy on these matters. These are confidential
2 issues until they appear before the Committee, if they do in due course, and
3 they have decided on it.

4 **NM:** Okay, in terms of the [REDACTED] piece, the only facts about Mr Deem
5 were not related to this hearing, they were in fact employment issues.

6 **RE:** Yes, well somebody had leaked those as well.

7 **NM:** But the employment issues are not a secret.

8 **RE:** I—

9 **NM:** They're not at all confidential.

10 **RE:** I would encourage... well, I would encourage everyone involved in this to avoid
11 any breach of the confidentiality which we are bound by.

12 **NM:** I do find it strange that people think they can throw mud at me and think that
13 they're reputation will remain intact afterwards as well.

14 **RE:** Well, so do I.

15 **NM:** Fair enough.

16 **RE:** But, from what you've said, one might be forgiven for believing that you briefed
17 [REDACTED].

18 **NM:** I'm quite open about the employment issues with Michael Deem.

19 **RE:** If you did—

20 **NM:** No, I didn't brief [REDACTED] ... [REDACTED]. I brief several people about the
21 employment issues with Mr Deem, because he completely embarrassed our
22 office. Something yesterday, actually [inaudible 02:32:32]

23 **RE:** In the [inaudible 02:32:33], I [inaudible 02:32:34] equally... we should just leave
24 this.

1 **NM:** I think so, yes.

2 **RE:** And—

3 **NM:** Could I just—

4 **MD:** Could I just make one point in response to that? The only person that
5 commented on that BBC article was yourself. If you only commented that
6 [inaudible 02:32:50] then there's no story there. So I refute—

7 **NM:** You just—

8 **MD:** —the fact that you're saying

9 **NM:** You just—

10 **MD:** —it didn't come from your office.

11 **NM:** [Inaudible 02:32:54] briefed the journalists in the past. You told ■■■, you told
12 ■■■ that you briefed the BBC.

13 **RE:** Mr McEvoy, just leave it. This squabbling doesn't take my task any further, it
14 makes it much more difficult and ultimately my experience has been those who
15 live by publicity very often die by it.

16 **NM:** Accidentally.

17 **MD:** Have we got an opportunity now for me to re-examine ■■■?

18 **RE:** Yes, of course.

19 **MD:** Thank you.

20 **RE:** Let me just put these in the file first.

21 **MD:** Yes.

22 **RE:** So that I—

23 **MD:** Can I have those copies of [inaudible 02:33:34].

1 **RE:** Yes, they're for you. Right, okay. Okay, thank you.

2 **MD:** Just touching on the contract really, do you trust me?

3 **█:** Yes.

4 **MD:** Did you trust me when I, you know, approached you to go through the details of
5 the contract?

6 **█:** Yes.

7 **MD:** Do you trust Neil?

8 **█:** Yes.

9 **MD:** Did you trust me when, you know, you went to him and had that conversation
10 about, you know, you had done volunteer work in the past and that you wanted
11 to be recognised and you wanted sort of some paid work, you know, when he
12 could provide it?

13 **█:** Yes.

14 **MD:** Do you... okay.

15 **NM:** Can I just say the alleged conversation, please? It's quite important.

16 **RE:** Well, you didn't challenge that it occurred.

17 **MD:** Hmm.

18 **NM:** So I should have challenged that when Mike was giving evidence?

19 **RE:** No. No, you should challenge it when **█** was giving evidence. That's
20 **█** evidence today.

21 **NM:** Of course it's **█** evidence. Well, of course I challenged it.

22 **RE:** Oh, right.

1 **MD:** So you didn't, you didn't challenge the fact we had that conversation about [REDACTED]
2 having paid work from you.

3 **NM:** Of course it was paid work. I expected [REDACTED] to open up on Saturday and [REDACTED]
4 [REDACTED]. It was four hours a week and [REDACTED] was very annoyed about it,
5 that's my evidence. There was no... there was no conversation about me
6 paying you to do Plaid work when you've done Plaid work all your life. You're
7 doing Plaid work now, you've always done volunteer Plaid work. Why would I
8 pay you for it? It's ridiculous.

9 [REDACTED]: Because I asked you that in future, after you were made an Assembly Member,
10 if it was possible for me to be recognised and paid for [REDACTED].

11 **NM:** I paid you for [REDACTED]

12 [REDACTED]: And you did not ask me to open the office.

13 **NM:** Well, just to be clear, I challenge that because I gave you some hours because I
14 was embarrassed at having to ask you to do Assembly work like... the example
15 I've there is July 2016, that was [REDACTED] which is in the bundle, and I as
16 embarrassed for asking you things like that. It wouldn't have been me who
17 emailed you those things either, it would have been the others, probably Michael
18 because Michael was your line person, line manager. But the reason you were
19 employed, from my perspective, is because I was embarrassed asking you to do
20 things for nothing. How could I do that when... when it was Assembly work?

21 **MD:** Okay, so just coming back to, you know, my re-examination. Obviously, there's
22 nothing that's been provided at the moment which shows that you were asked to
23 do Assembly work. So that is not party political, not grey area, purely Assembly
24 work. But you're going to go and check that over the weekend.

25 [REDACTED]: Yes.

26 **MD:** And anything there is, you're going to clarify that.

27 [REDACTED]: Yes.

1 **MD:** But my question was around trust. So when the two of us were discussing this
2 contract with you—

3 **█:** Mm-hmm.

4 **MD:** —had you any reason to, you know, distrust what we were telling you?

5 **NM:** But I—

6 **RE:** It's—

7 **NM:** With respect, Sir Roderick—

8 **RE:** It's a fair question.

9 **NM:** —there's a "we" there. █ has already given testimony that Michael discussed
10 the details with █ not me. All I agreed to is employing █, and that was my...
11 that was the sum total of my involvement.

12 **RE:** Yes.

13 **NM:** We... we did not discuss.

14 **RE:** The evidence before me at the moment is that █ approached you. You
15 refute it, or will refute it. You've just challenged it and no doubt when you give
16 evidence, you will refute it. At the moment, on the basis of present evidence,
17 the question that is being asked is entirely proper.

18 **NM:** █ has already said, earlier, that I didn't go through the details of the contract
19 with █

20 **RE:** That's right, that's right.

21 **NM:** Well, Mike is saying that isn't... it should be "I", "when I did this." First person
22 singular. I wasn't involved.

23 **RE:** But you didn't listen to the question. The question's in two parts. First, the
24 activity of Mr Deem in dealing with the contract, and the second part is █
25 █'s contract with you about obtaining the contract or getting paid recognition

1 in the first place. That's the evidence and as I understand it, that's the basis of
2 the question.

3 **MD:** Yes, exactly.

4 **RE:** Right, ask the question again.

5 **MD:** So on that basis, did you... was there any reason that you should distrust me
6 going through the details of the contract and any conversation that you may
7 have had with Neil separate to that in relation to the contract in the first place?
8 Was there any reason for you to distrust anything either of us was saying to you,
9 whether it's together, separately, you know, private conversations, public
10 conversations? Did you have your full trust in the two of us?

11 **█:** Yes.

12 **MD:** Okay, so on that basis, did you feel it necessary to go through your contract
13 word by word?

14 **█:** No.

15 **MD:** Okay. Did you, you know, read through any other documents that may have
16 been given to you at the same time as the contract? For example, you know,
17 the rules around use of Assembly resources or anything like that, or did you just
18 sign what I gave you?

19 **█:** I just signed what you gave me.

20 **MD:** Okay. So Neil mentioned about [inaudible 02:39:26] in 2010 where you had
21 **█**. Obviously, you said that
22 **█**. Did you support his
23 campaign afterwards?

24 **█:** Yes. I managed his campaign.

25 **MD:** Okay. Obviously, I was going to ask again about the email that Neil said about
26 the Deryn email. You've briefly now looked at it and I accept the fact that, you
27 know, you receive many communications, especially, you know, during busy

1 times and that you may not have accepted... recollected a specific email. So
2 I'm not going to go back there. One note that I made was around the...
3 something you said about the Cardiff campaign starting after the manifesto
4 launch.

5 ■: Mm-hmm.

6 MD: Was there elements of the campaign that were up and running by then?

7 ■: Yes. Yes, of course, yes.

8 MD: Which parts of the campaign were operating before the manifesto launch?

9 ■: Well, the canvassing, erm in different wards. And if you recall, there was quite a
10 healthy competition about who managed to get the most canvass results, erm,
11 every month I think it was, or was it every week? ■ [inaudible 02:41:10]
12 was in charge of managing that, so it was quite fun really.

13 MD: So there were certain phases within the campaign, but a particular phase was
14 triggered after the manifesto launch?

15 ■: Yes.

16 MD: And what would you describe that period of the campaign as?

17 ■: Well, that was the sort of official, wasn't it, erm, six week or whatever period, or
18 running up to the Council election.

19 MD: And would you say that that was the, then, the final stages of the campaign?

20 ■: Erm, for some of us but for others, I suppose it would have been the start. It
21 depended which ward it was, how organised they were et cetera.

22 MD: Okay.

23 ■: But I mean, I remember by March I think we were, in Canton, ready to do the
24 second round of canvassing, so we were, you know, quite on the ball.

1 MD: Okay, there was also some mention about whether you had done Assembly
2 work as part of your role [REDACTED] for Neil.

3 [REDACTED]: Hmm.

4 MD: At the time, the material that was sent to you [REDACTED], the party political
5 material, did you classify that as work as Neil's paid Assembly employee and
6 therefore would you consider that as Assembly work?

7 [REDACTED]: Well, I considered it as part, yes, work, that I was being paid for, yes.

8 MD: At what point was it that you realised that the material that was being sent to you
9 [REDACTED] was not allowable under the code of conduct for Assembly
10 Member support staff, so i.e. it was not allowable to be paid for by the Assembly
11 Commission?

12 [REDACTED]: Erm, probably it slowly dawned on me after the elections had finished and there
13 was no more work.

14 MD: So not at the time of [REDACTED]—

15 [REDACTED]: No.

16 MD: —but in the months after it?

17 [REDACTED]: Yes.

18 MD: Okay. A lot was made about the money that you were paid to do this work.
19 Was money ever really a big consideration in you taking on this employment
20 from Neil?

21 [REDACTED]: No.

22 MD: Did you believe, when you were first employed, that you were to be paid the
23 same rate as you would be if you were doing private [REDACTED] ?

24 [REDACTED]: No, no.

1 **MD:** Was any rate per work discussed at any point, either between myself and you,
2 Neil and you, or anyone else?

3 **█:** Well, I think from one of the emails that, erm, Neil showed, there, I did think
4 something with █ I think, that I had to discuss payment but I usually did it
5 █. So obviously we decided no, I'd just do it, you know. So
6 obviously it must have happened.

7 **MD:** So—

8 **█:** It is in one of the emails there.

9 **MD:** Okay, so there was discussions prior to you signing a contract about, you know,
10 what hours you would work, what work you would do. You know, those
11 discussion took place and then—

12 **█:** Yes.

13 **MD:** —you signed a contract. At the point of signing a contract, did you... were you
14 of the understanding that you would be paid █ or were you of the
15 understanding that you would be paid by what was said to you?

16 **█:** Yes, I was under the impression that I was going to get, erm, such-and-such an
17 amount and that was it. I wasn't doing it █.

18 **MD:** Okay. Just to clarify one point, so there was a time when I attempted to get you
19 a laptop from the assembly Commission.

20 **█:** Hmm.

21 **MD:** Because it was my belief that you should have the best possible equipment
22 available. Did you know anything about that?

23 **█:** No, I didn't.

24 **MD:** Okay. Would you say that you're particular tech-savvy? Do you know much
25 about technology and the different uses of it?

26 **█:** No, I'm a dinosaur.

1 MD: Okay. We've already discussed how you couldn't recall which printer was doing
2 what, you know, rates at which they would print.

3 ■: No.

4 MD: We sort of discussed Treeware and we also discussed it's called a Beastgrip. In
5 the original evidence, I had to give you a description, or the best description I
6 could give, as a means to see if you would use this particular piece of
7 technology to film any social media videos. Would you know if a Beastgrip had
8 a smartphone mounted to it or already came with a piece of technology
9 connected to it that would film video? So a camera already—

10 ■: No, no.

11 MD: You wouldn't know the difference between the two?

12 ■: No.

13 MD: Okay. So it's possible that a Beastgrip could come already with a camera
14 attached or it's possible that something else would have to be placed into it in
15 order to shoot the actual videos?

16 ■: Mm-hmm.

17 MD: Just going on to [REDACTED], how long was [REDACTED] around the campaign
18 for?

19 ■: Oh, not long, [REDACTED] left beginning of January. I think about two months.

20 MD: Okay, [REDACTED]... what was [REDACTED] role in regards to the election? Why did [REDACTED] come on
21 board?

22 ■: Why?

23 MD: Yes.

24 ■: [REDACTED].

25 MD: Okay, and [REDACTED]?

1 ■: Yes.

2 MD: [REDACTED]

3 ■: [REDACTED]

4 MD: Okay, you said that you had gone to ■ garage to collect a leaflet?

5 ■: Yes. When... I don't think it was anything to do with our campaign. Maybe it
6 might have been before.

7 MD: Okay, so did you... were you aware of [REDACTED] doing any work on
8 campaigns that weren't Canton related?

9 ■: No.

10 MD: Okay, so [REDACTED] [REDACTED]. You're not aware
11 of [REDACTED] doing any work on the city-wide campaign?

12 ■: No.

13 MD: Okay, so would that mean that the leaflet that you collected from ■ garage was
14 likely to be a leaflet in relation to [REDACTED]?

15 RE: Well, that's a matter of interest to me, isn't it?

16 MD: Yes, I thought... sorry. Okay.

17 NM: I think a lot of these questions are leading, actually.

18 MD: Well, in fairness, I'm not legally trained. I've tried my best here.

19 RE: The last one certainly was and it was [inaudible 02:50:23] anyway.

20 NM: Well, the Beastgrip one was very leading as well. "Are you not tech-savvy?"
21 "Would you say that you wouldn't recognise..." come on. You said there was no
22 phone involved and a Beastgrip is the phone.

23 RE: No, I [inaudible 02:50:37].

1 **MD:** Yes.

2 **NM:** The Beastgrip is a phone.

3 **RE:** Yes, I know what it is.

4 **NM:** [REDACTED] [REDACTED]... there was no phone when [REDACTED] was being filmed.

5 **RE:** Yes.

6 **NM:** Yes, but the Beastgrip is a film...is a camera... not a camera, it's a phone.

7 **MD:** It's not. The Beastgrip is a piece of equipment that you wrap down a phone into
8 or... I was trying to make the difference between whether you put a phone into it
9 or if you put a camera into it.

10 **NM:** You're caught out when you were trying to get your way around that.

11 **MD:** No, I'm not.

12 **RE:** No, no, come on now.

13 **MD:** Final question. Were you aware of any... still on [REDACTED], were
14 you aware of any paid printing that [REDACTED] did for the constituency or the city
15 campaign?

16 [REDACTED]: No.

17 **MD:** Okay.

18 [REDACTED]: Because I wasn't involved in... I wouldn't know if [REDACTED] was paid or not.

19 **MD:** Okay, that's fair enough.

20 **RE:** Did for the constituency or the city campaign?

21 **MD:** City wide, yes, sorry, anything outside of Canton.

22 **RE:** Canton, yes. Okay. That's it, thank you. Thank you very much.

23 [REDACTED]: Diolch.

1 **RE:** Thank you, diolch yn fawr. Right, you can go if you want to. I just want to
2 arrange for Monday.

3 **█:** Okay.

4 **RE:** We'll start again on Monday. This afternoon, I think it's important that you both
5 get to grips with these outstanding emails, if there are any, and if they can be
6 retrieved. I'd like a quick word with **█**. You probably both want lunch
7 anyway. Do you want to make an arrangement now to meet in a particular place
8 at a particular time?

9 **NM:** If we do 30 minutes.

10 **MD:** Yes.

11 **RE:** So it's now 1:38.

12 **MD:** Two o'clock, or is that too soon?

13 **NM:** Yes, that's fine.

14 **RE:** Meet two o'clock where?

15 **MD:** Can we use this room? Say we come back here?

16 **UNKNOWN:** Yes, of course.

17 **MD:** Okay.

18 **RE:** That's yours, thank you very much.

19 **MD:** Thanks. **█** is available first thing Monday morning.

20 **RE:** So ten o'clock on Monday morning?

21 **MD:** Yes.

22 **RE:** Mr McEvoy, ten o'clock on Monday morning?

23 **NM:** Yes, that's fine, yes, okay.

1 **RE:** Those notes are yours, I think.

2 **UNKNOWN:** Diolch.

3 **MD:** Plans for the weekend?

4 **RE:** Sorry?

5 **MD:** Any plans for the weekend?

6 **RE:** No, not really. I would like to do some gardening but I'm not sure if the
7 weather's gong to be up for that.

8 **MD:** Hmm.

9 **RE:** And I'm afraid my gardening is getting like my skiing, only in the sunshine.

10 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

14 January 2019

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

Witness:



Transcript from [00:00:00] to [03:49:20]

PRESENT: › Sir Roderick Evans, then Standards Commissioner
(RE)
› Neil McEvoy AM (NM)
› [REDACTED] ([REDACTED])
› Mike Deem (MD)
› [REDACTED] ([REDACTED])
› [REDACTED]
› [REDACTED]

1 **MD:** ...called the campaign group.

2 [REDACTED]: Okay.

3 **MD:** So what was the function of the campaign group?

4 [REDACTED]: Erm, basically to coordinate the campaign. It was one of the issues on which I
5 agreed [REDACTED] was that we had a small group that could be
6 more effective in making decisions more quickly that could be fed back to area group
7 itself.

8 **MD:** And when you made those decisions then, when would you feed that back to the
9 area committee?

10 [REDACTED]: At the next meeting of the committee.

11 **MD:** So would you say the work of the campaign group was political in nature?

12 [REDACTED]: Well—

13 **MD:** Party political in nature?

14 [REDACTED]: Yes, because it was coordinating the election campaign for Plaid Cymru, yes.

15 **MD:** Okay. And sorry to go over it again, how did it differ from the work that you would do
16 on the area committee? What were the main differences between the two?

17 [REDACTED]: Erm, the area committee has a remit to do things other than just election work. It has
18 a role in holding to account and supporting the local councillors [inaudible 00:03:25]
19 Plaid Cymru. It has a role in developing policy, erm, local policy that is relevant to
20 the workers of the local council. The committee, it's... the area, sorry the campaign

1 group itself are just narrowed down on the particular campaign matters and I would
2 say the greatest part of our efforts on that committee were taken up with developing
3 the manifesto, the party's manifesto for that campaign.

4 **MD:** Okay, so the area committee's got a quite a wide remit and the campaign group
5 specifically deals with the election, sorry, the... yes.

6 **█:** I mean, it was an ad hoc committee at that stage. It no longer exists.

7 **MD:** Okay, so when was it set up?

8 **█:** Erm, that's a good question, erm, I checked out my diary and I think the earliest
9 reference I could find in my diary too was on the 28th of August when that committee,
10 according to my diary, met in the City Hall in Cathays Park, that the committee met
11 there.

12 **MD:** And this was August 2016?

13 **█:** Yes, 2016.

14 **MD:** So we've already—

15 **█:** Did you say and I say August? October.

16 **MD:** October, right.

17 **█:** Sorry, no, September, sorry. September, yes.

18 **MD:** Okay, so September 2016 it's decided that a campaign group needs to be formed in
19 the run up to the election campaign.

20 **█:** The decision to form the group was taken before the summer but we had quite a
21 number of hiccups because we were waiting for various things that were in the air
22 that might happen with our relationship with [inaudible [coughing] 00:05:46] election
23 campaign and we were delaying so the group had been set up and I think the first
24 effective meeting would be that meeting in City Hall on the 28th of September.

- 1 **MD:** Okay, so we've got the first meeting in City Hall in September. Did the campaign
2 group meet anywhere else apart from that?
- 3 **█:** Yes, I sent copies of the minutes and agendas for four meetings and those four
4 meetings were between November the 17th 2016 and the 31st of January 2017.
5 Those four meetings were held in 321 Cowbridge Road, which was the office that we
6 were using.
- 7 **RE:** So the 17th of November meeting was held in 321?
- 8 **█:** That's right, yes. There were four meetings; the 17th of November. There's a bit of
9 ambivalence about whether it was the 12th or the 14th of December. I think the
10 confusion arises because the person who wrote the minutes probably made a
11 typographical error in it because the dates 12th and 14th of January appear... of
12 December, sorry, appear. However, my diary says it was the 14th so I take it to be
13 that I made a mistake in the minutes. The meeting on the 12th of January and the
14 31st of January were also held there. There were other meetings, I have a reference
15 here, that were held here in the Assembly and also in the new office that we had in
16 Ely later. But the four meetings that I have identified were the four that I attended
17 when they were at that office in Cowbridge Road.
- 18 **MD:** And was Neil aware that these meetings were taking place at his regional office on
19 Cowbridge Road East.
- 20 **NM:** Sir Roderick, can we maybe make some progress because I've already admitted
21 this?
- 22 **RE:** Sorry, I'd forgotten that. It was a long time... right, so you agree that you knew that
23 these were being held?
- 24 **NM:** Yes, yes, some meetings did take place, yes.
- 25 **RE:** You admitted that you say... was that in the letter that you gave me on the first day of
26 the hearing?
- 27 **NM:** Yes, yes.

1 **RE:** Right.

2 **NM:** Probably, out of probably close on a thousand meetings, there were a handful in the
3 office, which every single Assembly Member does.

4 **RE:** Well, that's another matter, but you agree that you knew these meetings—

5 **█:** There was █, █ yesterday, most of the meetings took place elsewhere.

6 **RE:** Right.

7 **MD:** We're just talking specifically about campaign group meetings at the moment. There
8 were not thousands of campaign meetings. These are highly political meetings for
9 the purpose of organising an election campaign, so if you're happy to say—

10 **NM:** As you stated, for the benefit of Plaid Cymru, yes.

11 **RE:** Right.

12 **MD:** Okay, so just go into the minutes of these meetings, so the first one, is it November
13 '17?

14 **RE:** Mm-hmm.

15 **MD:** Have you got the minutes there? I've photocopied some, if you want.

16 **█:** Yes, I've got copies.

17 **MD:** Yes, so it's discussed at the end of that meeting that the organiser be accountable
18 for █ day-to-day work to Neil McEvoy as the leader of the campaign. What is being
19 discussed there?

20 **RE:** What am I looking up there?

21 **MD:** Sorry, the minutes of the meeting on the 17th of November.

22 **RE:** Right, I've got the agenda and I've got the... yes, I've got the minutes.

23 **MD:** Oh, sorry, yes, it's the last item on the agenda.

1 **RE:** Sorry—

2 **MD:** Yes, it is, Cardiff South have made a proposal and it's number four on the proposal.
3 Well, actually, the entire proposal is about an organiser, so what is being discussed
4 there?

5 **█:** The appointment of █.

6 **MD:** Okay, and who would go on to be appointed to that role?

7 **█:** Erm, █.

8 **MD:** Okay, and just very briefly, what the campaign group understood █ role to be in the
9 run up to the campaign, what would be █ main tasks?

10 **█:** █ To be honest, I didn't have a great
11 deal to do with the campaign because I was in the campaign in the Cardiff, erm,
12 wards in the Cardiff Central constituency, but █ was generally supporting Plaid
13 Cymru in the manner in which █ supported our target wards, none of which were in
14 my constituency. I did attend meetings at which we talked about resources for the
15 campaign with █.

16 **RE:** So █ role was █?

17 **█:** Generally the campaign but I think there was a general agreement, well, there was a
18 general agreement that █ work should be focused on—

19 **RE:** Target wards?

20 **█:** —our target wards, yes, although █ did help us in some other matters as well.

21 **RE:** Mm-hmm.

22 **MD:** And going further down into the minutes, so number two is again campaign organiser
23 and the second but last bullet point says that "Agreed: the steering group to take
24 note, in producing a job description/person specification, of Neil McEvoy's

1 suggestions and previous job descriptions.” So did Neil play a big role in appointing
2 [REDACTED] [REDACTED] ?

3 [REDACTED]: Erm, I believe, I mean, I can't.. I can't speak to that because I know we had a small
4 group within that, which dealt with [inaudible 00:13:02] and [REDACTED] drafting
5 the agreement. I was not involved in that appointment in any way.

6 MD: Okay, the next point is regarding the manifesto. Again, was this a big part of the
7 work that the campaign group did?

8 [REDACTED]: Yes, yes, erm, although our role was simply.. well, simply, not a role but we
9 designated, erm, other people to [inaudible 00:13:42] on the putting of that together,
10 so we received various drafts of it and comments were fed back to the author.

11 MD: Okay, and who was designated, sorry, to produce that manifesto?

12 [REDACTED]: Erm, that was... having to go back myself to the minutes. Erm—

13 MD: Okay, but—

14 [REDACTED]: It was [REDACTED], sorry, [inaudible 00:14:11].

15 MD: Did anyone else work on the manifesto?

16 [REDACTED]: Yes, I did work on the manifesto, erm, and it became a bit of an issue for us on the
17 campaign. I don't know whether it's relevant to the case now, erm, we felt that the
18 person involved was doing good work but needed more direction to focus it
19 somewhat and, erm, so we would comment and put, either in the meeting or write in
20 there, we'd make suggestions for improving the manifesto.

21 MD: Mm-hmm.

22 [REDACTED]: Erm, eventually though, the manifesto, erm, in a sense was taken out of our hands
23 because, erm, we had a meeting when some of the frustrations of actually
24 completing the manifesto came out and at that point, Neil undertook to complete the
25 work himself.

1 **MD:** Okay. So it started off with [REDACTED] being designated to put together the
2 manifesto and then Neil took over that process further down the line, is that correct?

3 [REDACTED]: Yes, fairly, erm, [inaudible 00:15:28] late on in the campaign, I would say, yes.

4 **MD:** And did Neil have any support in that? Did he complete that on his own or was there
5 anyone else involved in producing that final manifesto?

6 [REDACTED]: I couldn't answer that question.

7 **MD:** No?

8 [REDACTED]: No. I assume that he would [inaudible 00:15:51] at that time. We discussed how you
9 did that, Neil, did we? Can you recall?

10 **NM:** No [inaudible 00:16:01].

11 **MD:** Okay, and then finally you talk about the overall campaign plan and it says here it's
12 agreed that Neil's going to approach the Lib Dems and Greens to discuss
13 possibilities. What was those discussions in relation to?

14 [REDACTED]: Well, that was the issue, as I said, hindered our progress earlier in the campaign
15 because, erm, [inaudible 00:16:35] reported to the area committee fairly early on in
16 the campaign [inaudible 00:16:40] there may be interest with the Green Party in
17 Cardiff and the Liberal Democrats and possibly Independent councillors to work
18 together in some way at some... well, at looking at some agreement, erm, as a way
19 of... if we, erm, our strategy [inaudible 00:17:01] campaign and it was Neil who was
20 involved in that and those discussions, eventually they came to nothing.

21 **MD:** Okay.

22 [REDACTED]: And when we realised they came to nothing that was when the campaign group
23 started to move forward more positively then in developing the campaign.

24 **MD:** Okay, brilliant. See, we've just gone through all the points basically on that first
25 meeting, so would you say everything discussed in this meeting is highly political in
26 nature?

1 **RE:** Well, I think that's a matter for me.

2 **MD:** Right.

3 **RE:** But I don't think it's disputed.

4 **MD:** No, okay. So the next one is the 12th of December meeting. It shouldn't take long to
5 go through this. Have you got the—

6 **█:** Yes.

7 **MD:** —minutes there?

8 **█:** I would say this is probably the 14th.

9 **MD:** So who was in attendance at this meeting? Can you just... we've got some names
10 here but can you tell us what their roles were?

11 **█:** Well, if I recall correctly, [inaudible 00:18:18] attended as █.
12 █ was present there because █ █ █.
13 █ was standing in by this stage as █
14 because I was █. █ █ and
15 █ █ in that meeting.

16 **MD:** So again, very similar to the previous meeting in that, in what you've discussed there.
17 There's also mention of a training event for candidates and workers during this
18 particular meeting, yet it seems to be that it's a development on the previous
19 meeting, very much the same sort of things are being discussed there. Going on
20 then just talking about ratifying candidates. The "rhanbarth", is that the area
21 committee, "rhanbarth"?

22 **█:** Rhanbarth, yes, I tend to use old-fashioned terminology because years ago we, that
23 committee, we called the Rhanbarth committee, but in our standing orders of the
24 Party, it's now called Pwyllgor Ardal, the area committee.

1 MD: Okay. So then the 12th of January is the next meeting. On this section, under
2 “manifesto”... oh, sorry, at this point now you’ve [REDACTED]
3 [REDACTED]?

4 [REDACTED]: That’s right, [REDACTED] had [REDACTED] and I just [REDACTED]
5 [REDACTED].

6 MD: Okay, on the manifesto section, the fourth point says: “Neil McEvoy,” and then in
7 brackets, “(with [REDACTED]) agreed to draft a vision statement and three to five
8 key pledges for discussion at the next meeting.” Do you remember what that vision
9 statement and key pledge, three to five key pledges, was referring to?

10 [REDACTED]: Yes, erm, this was we were looking to Neil as the leader of the Party in the Council at
11 that time, to provide the focus from the point of view of the work of the Council on
12 that, and we had this, erm, we had this idea that each ward candidate or each group
13 candidate, where there were multiple candidates, would identify their key pledges for
14 that election, three of them, and the idea was that we should also have a unifying
15 three pledges, if you like, for the Party as a whole and the vision statement, the
16 vision statement is just a common practice to provide a focus for the particular
17 activities we were engaged in.

18 MD: Well, what was [REDACTED]’s involvement in this? You see, it’s clear that Neil has
19 agreed to draft it but obviously the bracket “(with [REDACTED])”, I’m wondering what
20 [REDACTED] involvement in producing this piece of work was.

21 [REDACTED]: Well, [REDACTED] was, erm, [REDACTED] was [REDACTED] of the... with Neil at the time and,
22 erm, the acknowledgement was that [REDACTED] would have a role. I was not privy to
23 what that role actually was because the manifesto, the drafts of the manifesto that
24 were presented, were presented probably on behalf of Neil at those meetings.

25 MD: Okay.

26 [REDACTED]: But the.. we knew that, erm, [REDACTED] had a key role, you know.

27 MD: So just to be totally clear, you were led to believe that [REDACTED], in [REDACTED] role as [REDACTED]
28 [REDACTED] of Neil McEvoy, was to support in tasks that were—

1 ■: No, I have to be fair there. The role of ■ ■ was discussed at numerous
2 meetings and, erm, a concern was expressed that ■ should not as an employee be
3 using ■ time to undertake party political things—

4 RE: Just pause there a moment.

5 ■: Sorry?

6 RE: Just pause a moment, I'll make a note of that: that ■ should not be using ■ time—

7 ■: That's right, yes.

8 RE: —as ■... for what?

9 ■: For political... party political work like this.

10 RE: And who expressed those concerns?

11 ■: Erm, I mean... it wasn't something which I was particularly sensitive to at the time
12 and it was other people raised it, erm, I couldn't... I don't recall... I have a feeling
13 ■, ■ may well have been the person but I wouldn't like that to be taken
14 as definite though. There was discussion of it and the point is that it was
15 acknowledged that ■ as a party member as well as an employee had
16 free time and that ■ was going to be not be undertaking that work during ■
17 employed hours, so it was the reason why ■ was identified was because of ■
18 close working relationship with Neil. But I think it is fair to say that we were sensitive
19 and ■ was sensitive. We discussed with ■ that ■ should not be using
20 ■ time to do that work. That was the basis upon which we proceeded.

21 MD: Did Neil ever raise those concerns?

22 ■: I, yes, erm, to be honest I think Neil was, erm, was generally sensitive to the issues.
23 He'd been present at meetings where those issues had been discussed and as I
24 recall, Neil acknowledged that that was the case at that point.

25 MD: On to the last one in January, as I say, 1st of January.

1 **RE:** This is the 31st of January.

2 **MD:** Yes. Again, very similar, there's been more discussed on finance and discussion on
3 Neil and [REDACTED] working on the introduction. What was the introduction?

4 [REDACTED]: Well, the structure of the manifesto was to be identified areas where we had a bit of a
5 commentary on our position on it and then specific policies and strategies that would
6 support our general position on each of those policy areas and that was to be
7 preceded by a general introduction by Neil as the leader of the Party on the local
8 council at the time, so it was just an introduction to any publication is summarising
9 the purpose of the [inaudible 00:27:35] and the position, general position.

10 **MD:** So this is the introduction to the manifesto?

11 [REDACTED]: Manifesto, yes.

12 **MD:** Right, okay. Just going back to your statement now—

13 **RE:** Does the meeting on the 28th of February have any relevance to this? I only ask
14 because I've got the minutes of it.

15 **MD:** Oh, have you?

16 [REDACTED]: Was that the meeting in [inaudible 00:28:14]? I don't, I didn't provide those.

17 **MD:** I haven't, erm—

18 [REDACTED]: Oh, no.

19 **MD:** I haven't got minutes, it's probably in my file somewhere, for the 28^h.

20 **RE:** Do you want to see them?

21 **MD:** Yes, please. Is that the next meeting is on the 28th of February and this is the 31st
22 from there downwards, I think?

23 [REDACTED]: Yes, you are right. Well, I have it in my diary, a meeting at 5pm.

1 **RE:** I see, yes, quite right.

2 **MD:** Right.

3 **█:** When I went back to my computer, I didn't have any minutes of that meeting.

4 **MD:** Okay, so just in summary then, in your evidence in relation to these meetings, before
5 we go on, so four meetings took place in Cowbridge Road East, Neil's regional office.
6 Neil is aware of the meetings taking place. Discussions in the office were highly
7 political in nature and there was discussions around work that **█** would
8 be doing on behalf of the campaign group and that concerns were raised as to **█**
9 not completing that particular work during **█** office time.

10 **█:** Yes, and assurances were given.

11 **MD:** Assurances were given to that, of that nature, all right, okay. And who, sorry, who
12 gave those assurances that that wouldn't take place?

13 **█:** Erm, Neil.

14 **MD:** So just going back to the statement now, there was one section at the bottom in
15 relation to whether you were aware of election literature being stored or produced at
16 321 Cowbridge Road East. Were you aware of any campaign literature being
17 produced or stored there?

18 **█:** Erm, as I said in my statement, the only recollection I have of seeing materials there
19 was, erm, leaflets, some leaflets had been produced for [inaudible 00:31:09] ward in
20 Cardiff West.

21 **RE:** I'm sorry, leaflets for what?

22 **█:** For... election leaflets which had... very early election leaflets which were there
23 waiting to be scrapped because **█**
24 **█** so it was erm—

25 **RE:** The only recollection you have of material that was electoral were leaflets in 321
26 which were to be destroyed?

1 ■: Yes.

2 RE: Because [REDACTED] ?

3 ■: That's right, yes, and the reason I recall it is because before and after the meeting
4 the delegates were discussing the leaflet and saying what a frustrating waste of
5 money it had been. Could I just get some water?

6 RE: Of course you can, sorry, I should have asked you.

7 MD: So you were aware of a leaflet that was stored there, is that correct?

8 ■: It was there.

9 MD: It was there.

10 ■: I mean, whether it was being brought there to be destroyed or... I couldn't answer
11 that question.

12 MD: Okay, so you don't know where it was produced but you recollect that there was a
13 leaflet in the office?

14 ■: Yes, and the reason I recollect it was because there had been a discussion amongst
15 the delegates to that group expressing their frustration.

16 MD: Can you say whether or not it was political in nature?

17 ■: Erm—

18 RE: Well, the document, it's an election leaflet.

19 ■: Yes.

20 RE: Political.

21 MD: Yes, okay. Okay, I think I'm done.

22 RE: Thank you. I think Mr McEvoy might have some questions for you.

1 **NM:** Yes, yes, thanks. Would you say that we have a busy office?

2 **█:** In the times I've... yes, I mean, the times that I've been there have been during
3 election campaigns and, erm, no, sorry, I'll correct that. The meetings were in
4 another office that you have where the election campaign's done, erm, so there's
5 usually activity going on there, yes.

6 **NM:** Just thinking about **█**'s role really and **█**'s role, because is it generally
7 recognised that the work that they put into campaigns they do as volunteers.

8 **█:** I've already stated that.

9 **NM:** Yes, okay, because it's, you know, the allegation here is that they didn't work as
10 volunteers.

11 **█:** Well, as I say, I've taken that to be the case, that for instance, erm, **█**
12 attended meetings in the evening which was outside **█** working hours—

13 **NM:** Yes.

14 **█:** —to take... but, erm, and we had sought assurances that **█** work would be on that
15 basis.

16 **NM:** What was your knowledge of Michael Deem's role in working with me?

17 **█:** Erm, quite frankly, I knew he was employed by you but what his role was I couldn't...
18 no idea.

19 **NM:** Where was the campaign centre for the Council election?

20 **█:** Where was it? Well, subsequent to the minutes that I had I know that the campaign
21 office was opened in Ely.

22 **NM:** Caerau.

23 **█:** Caerau, sorry, yes, the Caerau side of the road, and at that stage, I don't have a
24 date, I didn't... I attended there on a number of occasions to collect materials and—

1 **NM:** Yes, when did the—

2 **RE:** Just pause a moment, I need to get that. The question was open-ended: where was
3 the campaign centre? And then you mentioned an office in Caerau. Now, that, we
4 know, was an entirely political office.

5 **█:** Yes, yes.

6 **RE:** Yes.

7 **█:** Yes.

8 **RE:** I think that was opened in the early part of January 2017, if my recollection is correct.

9 **MD:** It was March the 18th, 2017, Caerau Lane was opened.

10 **RE:** So early January was the break-in, wasn't it?

11 **MD:** Yes.

12 **RE:** 20th, that was the... yes.

13 **MD:** And when **█** was employed.

14 **RE:** Yes, so Caerau office opened on the 20th?

15 **MD:** 18th of March.

16 **RE:** 18th of March 2017.

17 **MD:** Yes.

18 **RE:** So that was certainly the... a political office from then on?

19 **█:** Yes, it was considered—

20 **RE:** Prior to that, where was the political campaign centre?

1 ■: Erm, we didn't have a location for a centre. The work was basically undertaken at
2 ward and constituency level. So, for our purposes in Cardiff Central, insofar as we
3 had an office it was in Tŷ'r Cymry, Gordon Road. Erm, we never considered 321
4 Cowbridge Road as being the campaign centre. My evidence is simply that I
5 attended meeting for that campaign at that office as convenient.

6 **RE:** Just pause a minute. We never considered 321 as the campaign centre. You went
7 on to add what?

8 ■: I said, you know, the campaign... most... the greater part of our target was in Cardiff
9 West, which is quite reasonable in terms of our electoral expectations at that time,
10 and so most of the work which was going to [inaudible 00:38:22] for the Cardiff ward
11 certainly after the opening of the Caerau office, erm, was centred on that office there.
12 We in Cardiff Central used Tŷ'r Cymry, where we had an office, as our campaign
13 centre, but we—

14 **RE:** So this is before March 2017?

15 ■: Even after, right up to the very end, because we, as I've explained previously, we
16 had no target wards because all our wards were effectively barren ground for
17 electoral success and, erm, certainly we in Cardiff Central weren't using that as a
18 campaign centre.

19 **RE:** So just correct this note if it's wrong, and it's incomplete because I want to add a bit
20 more to it in a moment. Before and after March 2017, as far Cardiff Central was
21 concerned, we regarded our office in Tŷ'r Cymry as our campaign centre – is that
22 right?

23 ■: Yes, for our wards.

24 **RE:** As we had no target wards.

25 ■: That's right.

26 **RE:** Now, what about the remainder of Cardiff? Cardiff West, for example, where was the
27 campaign office for Cardiff West?

1 ■: Well, the... opening the office, erm, as far as I was aware, opening the office in
2 Cardiff West was very much a matter, erm, for Cardiff West because it was not
3 something that we, that I recall, that we, erm, dealt with at an area committee level
4 and it certainly seemed to have coincided with the appointment of ■ to
5 do the work and where ■ was to be based.

6 RE: So where was ■ based?

7 ■: Erm, certainly at the times I had to deal with ■ in the Caerau office.

8 RE: But ■ was appointed before that.

9 ■: That may be the case but I don't think I had any dealings with ■ personally in a
10 building at that time because it was either emails or telephone conversations I had
11 with ■

12 RE: So prior to opening the Caerau office, you don't know where ■ was
13 based?

14 ■: I don't know, no.

15 RE: But after Caerau was opened, ■ was based there?

16 PM: That's where I met ■ on a number of occasions, yes.

17 RE: All right.

18 NM: Okay, I just want to pick up on what you've said and just reiterate it really, because
19 you did say that there wasn't just, as far as Cardiff Central was concerned, it was
20 your understanding that 321, that is the Assembly office, was not a campaign HQ.

21 ■: The evidence that I have presented at Mike's request was simply about whether I
22 attended meetings there and we attended meetings, erm, which I believe was on the
23 basis of convenience. I was never quite certain why we made that swap because we
24 had been using rooms in Cardiff City Hall prior to that and for that period from
25 November onwards we had that series of four meetings there.

1 **NM:** Did they all take place there? I thought there were meetings elsewhere as well.

2 **█:** There were, there was one in City Hall in September that I referred to. Certainly,
3 there was a meeting, it may be the meeting for which I don't have minutes here now.
4 There was a meeting at Caerau, Caerau too.

5 **NM:** Did you attend the one in the Assembly?

6 **█:** And the one in the Assembly, yes, I did. That was in your office.

7 **NM:** Where did the meeting take place?

8 **█:** In your office.

9 **NM:** Could you describe my office?

10 **█:** Well, I remember going into a place where the party workers were together and then
11 there was a room off that that we went into and I say it was your office simply
12 because, erm, the notification of the meeting, which I put in my diary at that time,
13 said "meeting of the campaign group in Neil's office at the Assembly."

14 **NM:** Can you describe the meeting... I won't lead you, can you describe the room at all
15 that we walked into?

16 **█:** [Inaudible 00:44:02]

17 **NM:** Was it, for example, was there just a table in the middle with chairs around or was
18 there a small round table with a desk to the left with a computer terminal?

19 **█:** I think it was probably the former.

20 **NM:** So you're saying that it was... the room we met in was just a room with a table in and
21 chairs around?

22 **█:** Sorry?

23 **NM:** The room we met in—

1 ■: Yes.

2 NM: —was a room with a table in and chairs around?

3 ■: Erm, as I recall, yes.

4 NM: Yes.

5 ■: But, erm, my saying that it was Neil's office was simply on the basis of where I was
6 told it was.

7 NM: I understand that, but this is easily resolved really because the meeting didn't take
8 place in my office because my office does have a terminal, it does only have a small
9 round... or did only have a small round table. It would have been impossible to meet
10 there because you can only fit a few people in. That was the office I had then. So I
11 think I would... just to confirm what you said about the former, so the meeting that I
12 described previously, Sir Roderick, is the room which ■ thought we met in, which
13 is the one with the table in and the chairs around it. So it wasn't my office.

14 ■: I... my evidence didn't refer to that.

15 NM: No.

16 ■: At all... I wasn't... I was asked about it, where else... and I had another meeting,
17 which I had down as the—

18 NM: Yes, who called the meeting then?

19 ■: I think it was ■ oh, sorry, ■.

20 NM: ■?

21 ■: ■, yes.

22 NM: What was ■'s former position?

23 ■: Well, at that... former position, ■
24 ■.

1 **NM:** But prior to that, what was [REDACTED] in Plaid Cymru?

2 [REDACTED]: I mean, prior to that, [REDACTED] was a, erm, a member of Cardiff South and Penarth Party.

3 **NM:** [REDACTED]

4 [REDACTED]: Oh, yes, yes.

5 **NM:** Yes. So the [REDACTED] called the meeting in the Assembly and we met
6 in the meeting room. You mentioned [REDACTED], because there was discussion
7 about the manifesto in that your position was that [REDACTED] really didn't get on with it.
8 Is that the case? [REDACTED], my employee, didn't really get on with producing the
9 manifesto in the early days.

10 [REDACTED]: In the early days, no, that was... I mentioned the negotiations with the other political
11 parties.

12 **NM:** Yes.

13 [REDACTED]: And the other factor which was inhibiting progress was that at that stage [REDACTED]
14 was going to be drafting something and it wasn't happening.

15 **NM:** Yes, okay.

16 [REDACTED]: So at that point [REDACTED]—

17 **NM:** So [REDACTED] wasn't doing the work, for whatever reason, and then [REDACTED] came in,
18 [REDACTED]. Did [REDACTED] do a lot of work on the manifesto.

19 [REDACTED]: Yes.

20 **NM:** Yes, do you recall what [REDACTED]'s position was then? Where did [REDACTED] work?

21 [REDACTED]: Erm, I knew that [REDACTED] was involved in some central capacity but I couldn't tell you, I
22 couldn't answer that question.

23 **NM:** Would it surprise you to find out that [REDACTED] was the... I think [REDACTED]
24 for the Plaid Cymru Assembly Group?

1 ■: No, no, I could quite accept that.

2 **NM:** And again, as tends to happen with these jobs, it was understood by everybody that
3 the work that ■ was doing for Plaid in terms of manifesto was as a volunteer?

4 ■: I believe that... all I can say to that is that there was an awareness of the sensitivity
5 of using people who were central employees. That applied to ■ and to ■.

6 **NM:** Okay.

7 ■: How they did the work and in what capacity, I couldn't answer that question.

8 **NM:** Yes. When you did come in the Assembly office, were we ever printing Plaid Cymru
9 leaflets in the office?

10 ■: Not when I was there.

11 **NM:** Did we ever stuff Plaid Cymru envelopes in the office?

12 ■: Not when I was there.

13 **NM:** Did you see my staff in the office undertake what could be called, other than a
14 meeting there, what could be called political activity?

15 ■: I did not see anything.

16 **NM:** Were there—

17 **RE:** Just pause a minute, I want to make a note of that. So in the 321 office, you didn't
18 see party political leaflets, is that right?

19 ■: No, the stuffing of envelopes.

20 **RE:** No, before that, the earlier question.

21 ■: [Inaudible 00:49:00] duplicating.

22 **RE:** Duplicating, right.

1 **NM:** So he said there were no... he didn't observe any printing of leaflets, any stuffing of
2 political envelopes.

3 **RE:** So you didn't see any party political leaflets being printed, did not see any envelopes
4 being stuffed and did not see any of Mr McEvoy's staff doing party political work. Is
5 that what you're saying?

6 **█:** Yes, of course, erm, the meetings were all after office hours, so—

7 **RE:** Right, so how often did you go there, to the office?

8 **█:** Not... I've been there for those meetings and I've had individual meetings with Neil at
9 that office. I had a couple of occasions when I've met Mike there on a personal
10 matter. He was undertaking case work for a relative of mine and so I would say that
11 I've been in that office like some, I would have thought, ten, ten occasions.

12 **RE:** Went see Mr Deem there regarding case work and you met Mr McEvoy there, about
13 what was that? I don't want to know the details, especially if it's personal, I just want
14 to know the kind of nature of the topic.

15 **█:** Well, erm, we would be generally talking about Plaid Cymru issues when we went
16 there and I recall one meeting when I **█** and Neil suggested we have
17 a chat about the [inaudible 00:51:27] the committee and I met him there. I think on
18 that occasion we met there originally and then we went to the café next door. Yes,
19 general issues to do with Plaid Cymru.

20 **NM:** That's quite an important point for me because quite often we would leave the office,
21 just generally, and go next door for coffee. So even though sometimes... I don't
22 recall the one meeting, I think it might have been too late to go in the café, but when
23 on an email we maybe meet at our office, we would go next door to Dino's and have
24 coffee in there because it was always pretty quiet. But having said that, I'm admitting
25 there were one or two meetings in the office but some of them which have been
26 advertised on an email that we'll meet in the office, we would go in Dino's. It's quiet
27 in there and there's internet, so it works.

28 **RE:** Do you agree with that?

1 ■: Yes, erm, I certainly remember the longest meeting I had with Neil, we adjourned
2 because you were running late and you and that lunch and we went into the café
3 next door and we spent some time, it was a very long meeting we had in there. I
4 mean, in fairness, the place where I knew I could catch Neil would be in the office, so
5 if I needed something to do with Plaid Cymru affairs, because that was the nature of
6 our dealings with each other, I'd ring him and say can I meet you at so-and-so time
7 and they were usually fairly brief meetings, apart from the one I just mentioned when
8 we did have quite an extensive exchange of ideas about party matters.

9 **NM:** In the café.

10 ■: In the café on that occasion, yes.

11 **NM:** Where are we? Yes, so with materials, so you didn't see any... other than the one
12 leaflet to be disposed of, and I'll come to that in a second, you saw no other party
13 political material in the office?

14 ■: I'd say I recall seeing no party political material.

15 **NM:** Okay, so you recall seeing no other party political material, okay, other than the ones
16 which had to be disposed of.

17 ■: Yes, I mean, I recall the conversation about that as being, you know, asking what
18 these leaflets were because we were a bit concerned that they had been produced
19 ahead of schedule and we felt it was a bit unwise to do that and then they were there
20 and they now had to be destroyed because they were no use.

21 **NM:** We touched on this in other hearings, but I'll just make the point really through a
22 question, would it surprise you to learn that part of Michael Deem's role was to
23 dispose of rubbish?

24 **RE:** Well, does it matter it surprises him or not?

25 **NM:** I'm just making the point that that was his job and that's probably [inaudible
26 00:54:47].

1 **RE:** Well, you can say that in evidence.

2 **NM:** Yes, okay. When did the campaign get going, [REDACTED]? When did we start
3 campaigning, really, across the city?

4 [REDACTED]: Well, my impression was that you had been campaigning, you know, from an earlier
5 date than the rest of us with a view to that election campaign.

6 **NM:** In fairness, yes, I would say that's correct. Partly in Canton. You touched on earlier
7 the teething problems with the manifesto and getting things going, so in terms of the
8 overall campaign, when did that... other than isolated pockets, Fairwater for
9 example, when did that campaign, kick off?

10 [REDACTED]: It was around the summer time. I mean, there was no launch date. There was a
11 launch of the manifesto later on, but we had no launch date. I think it was a case
12 of... I mean, I remember attending one meeting where there were a lot of prospective
13 candidates [inaudible 00:56:03]. That was prior to the summer break of 2016, so
14 certainly the campaigning was going on at around that time, but it was within
15 [inaudible 00:56:21] of the... erm, it, well, the meetings of the campaign group gave
16 form to that and they came after the summer holidays in September [inaudible
17 00:56:32].

18 **NM:** Were you the agent for the Plasnewydd by-election?

19 [REDACTED]: No.

20 **NM:** Who was the agent?

21 [REDACTED]: Erm, I don't recall.

22 **NM:** Did I produce the leaflets for the Plasnewydd by-election?

23 **RE:** Did you what, I'm sorry?

24 **NM:** Did I produce, print the leaflets for the Plasnewydd by-election?

25 [REDACTED]: Actually print them?

1 **NM:** Yes.

2 **█:** I don't believe you did, not the actual official campaign leaflets because they were,
3 erm, they were produced by a local printer.

4 **NM:** Okay, so that's quite an important piece of evidence. You may not be aware of the
5 allegation put was that I produced the leaflets **█** in my campaign
6 office on the Assembly printer, which would mean that the person who filled in the
7 electoral returns even if it did happen, would not have been able to submit that in
8 terms of the electoral return, so therefore they would have been behaving criminally if
9 the allegation that has been made were to be true.

10 **MD:** I don't think that was the allegation.

11 **RE:** I'm sorry?

12 **MD:** That wasn't the allegation.

13 **RE:** No.

14 **MD:** It certainly wasn't done [inaudible 00:57:56]—

15 **NM:** With respect—

16 **RE:** Well, hang on, you've mentioned before the possibility of embarrassment to
17 individuals.

18 **NM:** It's a very important point, it's a very important point.

19 **RE:** Well, it's a question of argument, that, really, isn't it? What I have to focus on is
20 whether these things happened, not the consequences of them.

21 **NM:** Yes, okay, fine, I understand that. So to be clear, **█**, as far as you're concerned, I
22 did not produce and print on an Assembly printer the leaflets because they were
23 done by printers.

24 **█:** Erm, that was my understanding, erm, and that, well, I recall, erm, and I say that that
25 campaign was something which caused a little bit of tension within the Central

1 constituency party because [REDACTED] was very much associated [REDACTED]
2 at that time.

3 **NM:** Yes.

4 [REDACTED]: And there was a feeling that the campaign didn't draw in our local members
5 sufficiently, so we tended to be a bit careful [inaudible 00:59:04].

6 **RE:** So this is the Plasnewydd campaign?

7 [REDACTED]: Plasnewydd by-election.

8 **RE:** By-election campaign.

9 **NM:** Did I have much to do with the campaign in Plasnewydd?

10 [REDACTED]: I recall you coming out on one occasion, erm, with [inaudible 00:59:18] to campaign.

11 **RE:** So your understanding was that the literature for the campaign was produced
12 professionally?

13 [REDACTED]: My... the word I used was my recollection is that that was, erm, I haven't come
14 prepared for... I could probably go back and look at documents and find an answer
15 to that definitely, but my recollection is that they... because that's what we normally
16 do, we use local printers.

17 **NM:** I've finished now, thank you.

18 **RE:** Fine.

19 **MD:** Yes, just a couple of... just points for re-examination. Just a couple of times you...
20 so one thing that you said under cross-examination from Neil was that when talking
21 about [REDACTED] you said "attended meetings of an evening outside of office hours."
22 So are you saying that, and this is talking about meeting with the campaign group, so
23 what are office hours in your eyes?

24 [REDACTED]: Well, it's a good question, to quote the song "Nine to Five" but the meetings, erm,
25 three of the meetings took place at 7:00pm and one at 5:00pm, so I would say that if

1 it... since it extended for two hours, the meeting, that we were choosing those times
2 so that people who were working could attend them and it was outside normal time.

3 **MD:** Okay, so you're understanding is because the... although they've taken place in the
4 Cowbridge Road East office, because it was past five o'clock this was then
5 considered, you know, in people's own time so they could complete this political
6 work?

7 **█:** Yes, and the people who attended those meetings were generally—

8 **NM:** Sorry, you're doing it again, Mike. He's making a statement and asking the witness
9 to confirm it.

10 **RE:** Well, I'm sorry, I understood, I was making a note. But the point that's being pursued
11 is you said **█** attended meetings outside office hours. I mean, I suppose we all
12 assume office hours are nine to five.

13 **█:** That's what I said.

14 **RE:** Yes, and what you also said, you chose times like 5:00pm and 7:00pm because they
15 were able to accommodate people who were working.

16 **█:** People who were working.

17 **MD:** On the... you did go back to clarify, but made a note, you said, "We never considered
18 321 Cowbridge Road East as a campaign office." So "we" as in?

19 **█:** Cardiff Central.

20 **MD:** Cardiff Central didn't consider it, okay. So you're not talking about the campaign
21 group there and you're not talking about the area committee, you're talking about
22 Cardiff Central?

23 **█:** No, I... erm, I was, erm, unsure as to why we stopped using the City Hall, as we'd
24 previously been using, erm, and I do recall at that time that there was discussion
25 about whether it was legitimate to be there and, erm, the response that I accepted
26 was that the room that we were using at the back was not deemed to be part of the

1 provision, that as long as we weren't using the office that that would be acceptable.
2 But, you know, I must say those conversations were the peripheries of our meeting
3 rather than in the meeting.

4 **RE:** So let me make a note of that. We considered whether it was legitimate for us to
5 hold campaign group meetings at 321 and the explanation I accepted at the time was
6 that the back room—

7 **NM:** Not 321.

8 **RE:** Sorry?

9 **NM:** I think he's talking about City Hall there.

10 **█:** Was I?

11 **NM:** Yes.

12 **█:** No, I was saying at 321. What I'm saying is that that was not, erm, discussion that
13 took place in the meetings or [inaudible 01:04:18] because when we first moved from
14 City Hall to the office, I couldn't understand the reason of it and around that meeting
15 before, before we actually convened the meeting—

16 **RE:** Yes.

17 **█:** —people were raising the issue is this legitimate. It wasn't discussed as a... I don't
18 think you will see any... I think on the minutes of the [inaudible 01:04:38] meetings.

19 **RE:** So is this an accurate reflection of what you said? We considered whether it was
20 legitimate to use... legitimate for us to hold campaign group meetings at 321 and the
21 explanation I accepted at the time was that the back room which we used... was
22 what?

23 **█:** Well, was not, erm, part of the, erm, AM's office. That's it.

24 **NM:** So again, could you enquire who gave that explanation?

25 **█:** No, I—

- 1 **RE:** Just hang on, let me just finish this first.
- 2 **NM:** Yes.
- 3 **RE:** When you held meetings in City Hall, did you have to pay for those rooms?
- 4 **█:** Erm, I don't know, I wasn't involved, erm, whether there was any payment, I don't
5 recall any reference to... there have been treasurer's reports and—
- 6 **RE:** I'll come back to you in a minute. Do you have any further questions?
- 7 **MD:** Yes, a couple more.
- 8 **RE:** You carry on.
- 9 **MD:** Carry on, yes. Just quickly, you mentioned when discussing **█** and
10 **█** that there was a sensitivity around the work that they would do during,
11 you know, office hours and outside of office... so in employment and outside
12 employment. You said, "How they did the work, in what capacity, I wouldn't know."
13 So are you saying there that, you know, there's an acknowledgment that there's got
14 to be a differentiation but you're not sure whether that was followed through? Are
15 you in a position to make that statement?
- 16 **█:** No, I... what was—
- 17 **MD:** What work they did in what time.
- 18 **█:** I, no, the way they managed their time was a matter for themselves.
- 19 **MD:** Okay.
- 20 **█:** And I have no evidence obviously because I was not there when they were doing
21 their work, as to when they, erm, when they were doing that work. As I recall, the
22 reasons why they were identified, I think they were both identified by Neil because of
23 their particular skills and abilities and knowledge.
- 24 **MD:** Okay. You said the campaign started in summer 2016.

1 ■■■: Yes, from my perspective it sort of hesitantly, you know, [inaudible 01:07:28]
2 because we had been certainly my constituency party had been pressing for us to
3 get things going before the summer.

4 MD: Yes.

5 ■■■: But we had meetings of the area group but we hadn't made any progress with the
6 campaign group prior to the summer holidays.

7 MD: Okay, but we're still looking at, you know, nine months prior to the election day as
8 campaigning start in some capacity?

9 ■■■: Yes, as I say, once again I'm reading into situations here, but the way in which Neil
10 works is that, erm, his political work in Cardiff West and in particular in Fairwater,
11 continues all the time, you know, it's a general constant state of campaigning. So
12 when that actually becomes, erm, official campaign work is determined by the
13 announcement of the election, which I'm not sure when that would have been but it
14 would have been, erm, you know, there is a date when the elections are officially
15 announced and for which you could identify your candidates, and that would have
16 been later than the start of the work of the campaign group.

17 MD: Okay, and just finally, with the Plasnewydd by-election, you used the word
18 "peripheral" when discussing your role within that campaign. Would you be aware of
19 all the materials that were produced for it?

20 ■■■: Yes, yes, erm, I was ■■■, erm, but I... the reference I
21 made to being peripheral was that some of our long term older members raised
22 issues at the time that the whole profile seemed to emphasise the work of ■■■
23 in that campaign and it wasn't something that concerned me but a lot of the people
24 that came to help in that campaign came because of their connections with [inaudible
25 01:10:01] a candidate in that campaign, and they did a lot of work under the banner
26 of ■■■.

27 MD: Okay. I'm done.

28 RE: Right, you wanted to ask a question, I think.

1 **NM:** I just wondered who gave the explanation about the back room, because it does tie
2 in to what was mentioned previously.

3 **█:** Erm, I couldn't say. As I said, it was... these were informal chats around the meeting
4 and when we [inaudible 01:10:32].

5 **NM:** So you don't recall who said that?

6 **█:** The individual person, erm, I could conjecture but it would not be appropriate to
7 conjecture in this tribunal.

8 **NM:** Okay, because there was an issue about the back room. Me asking for a sub-let,
9 which actually didn't transpire, but, okay. It was another thing which wasn't done.

10 **RE:** Okay, do you want to ask any questions arising out of that?

11 **MD:** No.

12 **RE:** Good. █, thank you very much, diolch yn fawr iawn ichi am ddod.

13 **█:** Croeso.

14 **RE:** There are no documents we need to keep from █, are there?

15 **MD:** I think we've had everything that's been referred to, yes.

16 **RE:** Good, thank you very much.

17 **█:** The only thing that you haven't seen is... you can have copies of my diaries if you—

18 **RE:** Well, I don't think I need it, no.

19 **█:** No.

20 **RE:** Thank you very much. Well, you are free to go with our thanks for assisting.

21 **█:** Thank you.

22 **RE:** We'll have a short break now but what about your next witness?

1 **MD:** [REDACTED] be available around the twelve o'clock mark.

2 **RE:** That's fine.

3 **MD:** Okay, thanks.

4 **RE:** Are you able to go [inaudible 01:11:48].

5 **MD:** Yes, definitely.

6 **RE:** Well, shall we sit again at ten past twelve?

7 *Egwyl / Break*

8 **RE:** I take evidence subject to an affirmation, either in English or in Welsh. Would you, if
9 you're happy to do so, would you read out either the English or the Welsh version?

10 [REDACTED]: Yes, sure.

11 [REDACTED] *affirms*

12 **RE:** Diolch yn fawr.

13 **MD:** Okay.

14 **RE:** Right.

15 **MD:** So what was your role during the Council election campaign of the—

16 **RE:** Well, your name's [REDACTED]?

17 [REDACTED]: Yes.

18 **RE:** Right, sorry.

19 **MD:** Your role during the Council election campaign 2017.

20 [REDACTED]: Erm, I was appointed as [REDACTED] for the Council
21 elections.

1 **MD:** And who was it, who employed you?

2 **█:** It was Plaid Cymru, erm, and, erm, members of the party and they all were involved
3 giving me the job.

4 **RE:** This may not be important, but you were interviewed for the job?

5 **█:** I was interviewed, yes.

6 **RE:** By whom?

7 **█:** Erm, it was **██████████**, **██████████** and Neil.

8 **RE:** And?

9 **█:** Neil.

10 **RE:** Neil. And by whom were you employed? Were you employed by Plaid Cymru
11 centrally or by a constituency or what?

12 **█:** It was, erm, **████████████████████**. Well, **████████████████████**. That
13 was my understanding.

14 **RE:** Well, **████████████████████**, or what?

15 **█:** **████████████████████**.

16 **RE:** **██████████**.

17 **AL:** Yes.

18 **RE:** Right, okay, thank you.

19 **MD:** Were you ever made aware of the Assembly Members' Code of Conduct?

20 **█:** No.

21 **MD:** Were you ever made aware of what can and can't be done using Assembly
22 resources?

1 ■: No.

2 MD: Where were you usually based during your role?

3 ■: In Canton, Cowbridge Road East.

4 MD: And with the exact address?

5 ■: 321.

6 MD: Did you—

7 RE: Sorry, sorry.

8 MD: Oh, sorry.

9 RE: Do you mind telling me when you were appointed and how long you were in the
10 post?

11 ■: It was January, erm, I started, erm, and then I finished after the general election.

12 RE: So January '17 and finished?

13 ■: After the general election.

14 MD: So June 8th.

15 RE: June the 8th, 2017. Right, thank you.

16 MD: Were you ever based anywhere else apart from 321 Cowbridge Road East?

17 ■: I started in the office in Cowbridge Road East and then mid-March I moved to the
18 Caerau office.

19 RE: So in mid-March you went to the Caerau office?

20 ■: Yes.

21 RE: And that was your base then?

- 1 ■: Yes.
- 2 MD: Were you ever based in Tŷ Gwynfor?
- 3 ■: No.
- 4 MD: Did you ever visit Tŷ Gwynfor?
- 5 ■: Yes, on a couple of occasions to do some printing and folding. Printing—
- 6 RE: And folding?
- 7 ■: Yes, leaflets.
- 8 MD: How many times would you say?
- 9 RE: A few.
- 10 ■: A few, maybe four times.
- 11 MD: Okay, did you spend much time with Neil's Assembly staff?
- 12 ■: In the office, yes.
- 13 MD: And how often was... how frequent was your interactions with them/
- 14 ■: Daily.
- 15 RE: Sorry?
- 16 ■: Daily.
- 17 RE: By interacting, do you mean on the telephone or were they in the office?
- 18 ■: In the office with them, yes.
- 19 MD: Did you ever meet a ■ called ■?
- 20 ■: Twice. They weren't pleasant exchanges.

1 **RE:** I'm sorry, I missed the last bit.

2 **█:** They weren't very pleasant—

3 **RE:** Oh, I see, right.

4 **█:** —exchanges, I'm afraid.

5 **MD:** And do you remember **█** doing any work on the campaign? The Council election
6 campaign, sorry.

7 **█:** Erm, **█** did some maps, route maps, for delivering and **█** brought in a box of
8 envelopes. That's what I remember and the other time I met **█** was when **█** came
9 in for a meeting.

10 **RE:** So **█** did some route maps for delivering.

11 **█:** Yes.

12 **RE:** And what else did you say?

13 **█:** **█** brought in some envelopes that we could use.

14 **MD:** Were you aware that **█** had an office in Canton?

15 **█:** No, I didn't know **█** that well.

16 **MD:** And were you aware of any materials printed for the campaign in that office?

17 **█:** In which office, sorry/

18 **MD:** Oh, in **████████████████████**'s office.

19 **█:** Not that I'm aware of, not when I was working for Plaid, no.

20 **MD:** Okay.

21 **RE:** You weren't aware that anything was printed in **█** office for the campaign?

1 ■: No.

2 MD: Similar to ■, I've printed copies of the exhibits I will refer to and given... they're by
3 there, are they okay for ■ to have those?

4 RE: Are they what we have in here?

5 MD: They are, yes, they're just the specific pages that I'll be referring to, so rather than
6 removing the file back and forth.

7 RE: Yes, I think that would be helpful.

8 MD: Yes. They're yours.

9 ■: Thank you.

10 MD: Okay, so the first [inaudible 01:20:24] that we're looking at is the allegation that the
11 regional office at 321 Cowbridge Road East is used as a political headquarters.

12 ■: Yes.

13 MD: Has the regional office ever been used as a political headquarters?

14 ■: Yes.

15 MD: So the first exhibit is exhibit 5A and it's this signal office transcript on the 15th of
16 February.

17 ■: Yes.

18 MD: Can you see that.

19 ■: On page one.

20 RE: Sorry, what does—

21 MD: Exhibit 5A.

22 RE: 5A, right.

1 **MD:** Page one.

2 **RE:** Yes.

3 **MD:** So it's a discussion between yourself, [REDACTED] Neil and [REDACTED].

4 **[REDACTED]:** Yes.

5 **MD:** About a general letter about Cardiff Plaid.

6 **[REDACTED]:** Yes.

7 **MD:** And you're discussing the creation and you say at the bottom, "Okay, working on it in
8 the office now." So where are you when that's being done?

9 **[REDACTED]:** Cowbridge Road East.

10 **MD:** Okay, and the 5th of March, again signal office, which is page three on the [inaudible
11 01:22:02]. So there's a discussion there. So Neil says, "I would prefer it if [REDACTED]
12 [REDACTED] and [inaudible 01:22:21] no longer come to the office. The political
13 office needs to be one of their homes."

14 **NM:** Which page is this?

15 **MD:** Exhibit 5A, page three, and then it goes on to decide not to actually ban [REDACTED] and
16 [inaudible 01:22:42].

17 **NM:** What date is that [inaudible 01:22:51]?

18 **MD:** 5th of March.

19 **NM:** Page three is the—

20 **RE:** Yes.

21 **NM:** —21st, I think.

22 **MD:** On the transcripts, yes.

1 **RE:** It's divider five. I think you're looking at the wrong pile.

2 **NM:** I'm looking at the—

3 **RE:** You need to look at the printouts of the [inaudible 01:23:12].

4 **NM:** Right.

5 **MD:** So who are [redacted] and [inaudible 01:23:21]?

6 **[redacted]:** They were [redacted].

7 **MD:** Okay, so Neil says here he no longer wants them to come to the office, political office
8 needs to be one of their homes. So prior to this, where was the political office for
9 them?

10 **[redacted]:** They would come and see me in Cowbridge Road East.

11 **RE:** You were a party to this conversation. What do you understand by the "political
12 office needs to be one of their homes"?

13 **[redacted]:** Erm, they—

14 **RE:** Oh, I see, this is where they live?

15 **[redacted]:** Yes.

16 **RE:** Yes.

17 **[redacted]:** Yes, I understood that, erm, Neil didn't want them in the office anymore and that they
18 were to conduct any meetings or anything they had to do with their campaigning in
19 their own houses.

20 **MD:** Can you remember why Neil didn't want them in the office anymore?

21 **[redacted]:** If I recall, there was a mis... well, a disagreement.

1 **NM:** Could I just ask, I don't know whether it's a question or do I leave it until later, but
2 where's the evidence that they were in the office constantly other than... I'll come to
3 that.

4 **RE:** Well, there is no evidence of that yet.

5 **NM:** No, okay.

6 **MD:** So why did Neil not want them in the office anymore?

7 **█:** I think there was a disagreement between **█**, [inaudible 01:24:48] and Neil. I
8 wasn't a part of that.

9 **MD:** Okay. So were large volumes of party political leaflets printed in 321 Cowbridge
10 Road East?

11 **█:** Yes.

12 **MD:** And so if you go back to your page one.

13 **█:** Yes.

14 **MD:** At page one, divider 5A, 17th of February.

15 **█:** Yes.

16 **MD:** Conversation, you say, "Hi, have we got A4 paper hidden away in the office?" I say,
17 "Yes, in the back office under the empty banker's boxes." "Thank you," you say,
18 "Neil says are the [inaudible 01:25:43] leaflet bagged?" "No, going to be done
19 tomorrow." And then the conversation goes on. So where were you at this point?

20 **█:** Cowbridge Road East.

21 **MD:** Okay.

22 **RE:** I'm sorry?

23 **█:** Cowbridge Road East.

1 **NM:** What page was that?

2 **RE:** Page one.

3 **NM:** On which appendix?

4 **RE:** This is five, divider five, exhibit 5A page one, 17^h of February.

5 **NM:** Can I go upstairs and pick up my file? Because I've picked up the wrong file.

6 **RE:** Yes.

7 **NM:** Thanks.

8 *NM leaves the room 01:26:25 – 01:31:42 during which a discussion about parking*
9 *takes place.*

10 **RE:** Right, we're on exhibit 5A, page one, 17th February 2017 and a reference there to the
11 office. You say that's to 321.

12 **█:** Yes.

13 **MD:** Yes, so [inaudible 01:32:08] 22nd February.

14 **RE:** 22nd or 23rd?

15 **MD:** Oh, yes, sorry, yes, 23rd of February, so yourself and Neil and Neil says, "Need to
16 print out leaflets for Grange and Caerau tomorrow, okay," and then you say, "Okay,
17 are they ready? Need to print Butetown too." Neil says, "Caerau's a few hundred."
18 So where is this to?

19 **█:** 321 Cowbridge Road East.

20 **RE:** That's where the printing took place?

21 **█:** Yes.

22 **MD:** And then if you jump forward to it's our page four so it's the 15th of March. So
23 **█** you say, "Hi **█**, just checking if the Splott leaflet is ready to print. If

1 so, I'll come to the office or otherwise go home," and then [REDACTED] says, "Sorry,
2 [REDACTED] we've got the Riverside one ready to print. Splott one hasn't come back
3 yet," and you say, "Okay, fab, be over soon." Again, where is, what office is that?

4 [REDACTED]: 321.

5 RE: So "be over soon," over soon from where?

6 [REDACTED]: Erm, that would probably either me meeting candidates being out leafleting or
7 maybe... I don't know where else I could have been really. Probably with candidates
8 somewhere.

9 RE: Where were those leaflets to be printed? The ones for Riverside, for example.

10 [REDACTED]: They were all printed in 321.

11 MD: So then we go to the 7th of April. Okay, so this is a conversation between yourself
12 and [REDACTED]. You say, "Printer working now. I'm printing a thousand Fairwater
13 calling cards now," and then [REDACTED] replies, saying, "Great, I'm doing Riverside
14 here." So where are each of you during that conversation?

15 [REDACTED]: I would have been in Caerau by April, so [REDACTED] was based in 321.

16 MD: Okay, and then the 27th of April, so again, you say, "Done [REDACTED], I'll have to shoot
17 off soon. Are you coming over to finish printing Butetown and the rest? I'll be in the
18 sort rounds in the morning," and [REDACTED] says, "I'm going to stay in Canton, printing
19 the Riverside ones will take all day." So again, where are the two of you during this
20 conversation?

21 [REDACTED]: I'm in Caerau and [REDACTED]'s in Canton, 321.

22 MD: Okay. So exhibit 5H next, please.

23 RE: Five?

24 MD: 5H. do you recognise that room?

25 [REDACTED]: Yes.

- 1 **MD:** Where is it?
- 2 **█:** It's the middle room in 321.
- 3 **MD:** Okay, so you recognise those machines?
- 4 **█:** Yes, I do.
- 5 **MD:** Can you go through each of them?
- 6 **█:** The one on the right I never used, I don't think it was working. The middle one was
7 the printer I used to print leaflets.
- 8 **RE:** Just pause a minute for me to make a note of this.
- 9 **█:** Well, that's just off—
- 10 **RE:** The one on the right you don't think—
- 11 **█:** Was working, I've never used that one.
- 12 **RE:** The middle one?
- 13 **█:** The middle one I used to print off and the left one was the Assembly printer.
- 14 **MD:** Okay, so just to clarify, so the one on the left, who paid for this machine?
- 15 **█:** I don't know who paid for it but I knew it was used for Assembly work mostly.
- 16 **MD:** Okay, the one in the middle, who paid for that again and what was it's uses?
- 17 **█:** Erm, I should imagine that was paid for the office and that's the one I used to print
18 most of the leaflets on.
- 19 **MD:** And you're not sure on the [inaudible 01:37:40]?
- 20 **█:** No, I didn't use that one.
- 21 **MD:** Okay. So when the Caerau office was opened what printer was used in that office?

- 1 ■: The middle one.
- 2 MD: Okay, so it was taken from 321 to Caerau?
- 3 ■: Yes.
- 4 MD: Okay.
- 5 ■: I believe so. I didn't move it and I wasn't there when it was moved but I believe that
6 was the same one I used.
- 7 MD: Okay. So you said you would mostly use the middle. Can I, just for ease of
8 reference, do you mind if I refer to this as the campaign printer?
- 9 ■: Yes.
- 10 MD: And this is the Assembly printer?
- 11 ■: Yes.
- 12 MD: Okay, so the campaign printer, you said that you mostly used that to print leaflets.
- 13 ■: Yes.
- 14 MD: Were you aware of any times when leaflets was printed on the Assembly printer?
- 15 ■: Yes.
- 16 MD: And what were the... what was the nature of those leaflets?
- 17 ■: We couldn't do direct mail off the campaign printer. Well, I couldn't get it to work
18 anyway, so we used the other one to get the direct mail leaflets printed.
- 19 RE: So we could not use the campaign printer for direct mail?
- 20 ■: Yes.
- 21 RE: So we used the Assembly printer. Why couldn't you use the campaign printer?

1 ■: We couldn't get the laptop to work with the campaign printer. It wouldn't recognise
2 the addresses.

3 MD: Were you aware of anyone else ever using the Assembly printer to print out leaflets
4 or direct mails?

5 ■: If the campaign printer was printing thousands, as we would, in one go and we
6 needed to print something else, then we would use the Assembly printer.

7 RE: And for what kind of purpose would you use the Assembly printer in those
8 circumstances?

9 ■: If we'd run out of ink or sometimes the campaign printer could be a bit
10 temperamental, but it would sometimes... because we used it so much.

11 RE: And what would you use the printer for then, the Assembly printer?

12 ■: To finish what we couldn't complete on the campaign printer.

13 RE: Yes, but what were they? I'm sorry to—

14 ■: Yes, no, usually leaflets.

15 MD: Were they leaflets in relation to the Council election campaign?

16 ■: Yes.

17 MD: Were large volumes of party political leaflets ever stored in 321 Cowbridge Road
18 East?

19 ■: Yes.

20 MD: Could you just turn to the WhatsApp office conversation on the 6th of January? It's
21 exhibit 5G, page two. So at the start of the conversation, I say, "Serious concerns
22 with bringing a senior manager for MBS to the office on Monday, currently have
23 30,000 highly political newspapers here plus thousands of DMs. Need candidates
24 over the weekend to make it disappear." So were you aware of those... no sorry, I
25 just realised you wouldn't have started by now. This is start of January and I think

1 you [inaudible 01:44:13] mid-January, so I'll move on. So what sort of leaflets would
2 be stored in 321 Cowbridge Road East?

3 █: It would be the material we distributed regarding the Council elections.

4 **MD:** Which part of the office would they usually be stored in?

5 █: In the back room.

6 **MD:** Okay. Can you just turn to the statement from █? In this statement, █
7 says... I had asked whether █ had seen election literature stored at Cowbridge
8 Road office and █ said that █ could remember a single set of leaflets for one of the
9 Cardiff West wards. The reason █ can remember is because there was a mistake
10 on there and they had to be destroyed. Can you remember times where leaflets
11 were printed in the Cowbridge Road East office that would subsequently have to be
12 destroyed?

13 █: Erm, I think there were two which had mistakes. I can't remember that many.

14 **MD:** Was any other—

15 **RE:** Just pause a moment.

16 **MD:** Sorry.

17 **RE:** The leaflets which had some mistakes?

18 █: Yes, which had to be thrown away.

19 **RE:** Not that many?

20 █: It wouldn't be full wards. We'd usually notice if there was a mistake while it was
21 printing rather than putting them together.

22 **RE:** And they had to be destroyed?

23 █: Yes.

1 **RE:** The evidence that I've heard so far is that a [REDACTED]
2 [REDACTED].

3 [REDACTED]: Yes.

4 **RE:** Was it [REDACTED] ward or [REDACTED]?

5 [REDACTED]: It was both.

6 **RE:** Both, and because of that a whole run had to be destroyed?

7 [REDACTED]: Mm-hmm.

8 **RE:** Do you recall that?

9 [REDACTED]: Yes.

10 **NM:** [REDACTED].

11 **MD:** There was a [REDACTED] candidate as well, wasn't there?

12 [REDACTED]: Yes, who was the one—

13 **RE:** I think that—

14 [REDACTED]: —I remember [inaudible 01:47:18] later on.

15 **RE:** I rather think [REDACTED] mentioned both, didn't [REDACTED]?

16 [REDACTED]: [REDACTED] basically pulled out roughly a couple of weeks after I started, so I
17 didn't do that much with [REDACTED] or the leaflets, but we had to reprint once we had a new
18 candidate in place.

19 **MD:** [REDACTED] was the other one, went to [REDACTED].

20 **NM:** He went to [REDACTED] after the election.

21 **RE:** Is that a place where we can stop conveniently?

1 **MD:** Yes.

2 **RE:** Right, shall we start again at quarter past two?

3 **MD:** Yes, sounds good.

4 **RE:** Thank you, if you'd come back by quarter past two, [REDACTED], if you would.

5 [REDACTED]: Yes.

6 **RE:** Thank you very much.

7 **NM:** Okay, so we're back in at—

8 **RE:** 2:15.

9 **NM:** 2:15.

10 *Egwyl / Break*

11 **MD:** Talking about the regional office at 321, could you look at exhibit 5I, please? Do you
12 recognise this room?

13 [REDACTED]: Yes.

14 **MD:** Was any political material ever stored in this room?

15 [REDACTED]: Yes.

16 **MD:** And there are a number of... there was stacks of paper on the desk on the left-hand
17 side, do you know what they are?

18 [REDACTED]: That's where I usually kept the leaflets that we had printed so I could fold them and
19 put them into bundles so that they could be delivered.

20 **RE:** So these, that's where you keep the leaflets?

21 [REDACTED]: Yes.

1 **MD:** Would there be any other equipment in this room usually?

2 **█:** Erm, I had the folding machine there.

3 **MD:** Okay.

4 **RE:** Folding machine?

5 **█:** The folding machine.

6 **RE:** And where was that?

7 **█:** It would have been just off the desk—

8 **RE:** Oh, I see, off the picture.

9 **█:** —but you can't see it, no, and later on the printer was moved in there as well.

10 **MD:** So there was a time when the printer was stored in this room?

11 **█:** Yes, where the kettle and coffee and cups were.

12 **RE:** Which printer was moved in?

13 **█:** The campaign printer.

14 **MD:** If... so there's a door here that leads into the sort of conference room, the middle
15 room in the office.

16 **█:** Yes.

17 **MD:** If that door was shut, would you... would this room be visible from the street level?

18 **█:** No.

19 **MD:** Can you remember anything else being installed in this room?

20 **█:** Basically everything that we printed that was to be distributed was kept in the back
21 room, erm, all our material, erm, boards, erm, contact details.

1 **RE:** Basically everything you printed for distribution was stored there?

2 **█:** Yes, and that was before we moved to the Caerau office.

3 **MD:** Okay.

4 **RE:** I'm sorry?

5 **█:** Before we moved to the Caerau office.

6 **RE:** Yes.

7 **█:** Yes. Then they were stored there and printed there.

8 **MD:** Would volunteers ever have access to this room?

9 **█:** They would pick up the rounds that I'd allocated for them, so they would pick them up
10 from the office from me, yes.

11 **MD:** You said that there was a folding machine here. Who would usually use that folding
12 machine?

13 **█:** Erm, predominantly, I would use it. Erm, if I was doing anything else then another
14 member of staff might help if needs be, if I was out or in a different location then I'd
15 ask whoever was available to help and put some leaflets through the folding
16 machine.

17 **MD:** Okay.

18 **RE:** Who would they be, volunteers or other people?

19 **█:** Erm, no, members of the office staff.

20 **RE:** Such as whom?

21 **█:** They would have been either **█** or... no, **█** didn't do that much, no.

22 **RE:** I'm sorry?

1 ■: ■ wouldn't have done that much to help regarding leaflets like that, but, erm,
2 ■ did help me fold stuff.

3 **MD:** And why would you use the... what was the benefit of using a folding machine?

4 ■: So we could put the leaflets through letterboxes, basically. So we would stack them
5 all up, put them into rounds, erm, so the volunteers, candidates, could pick them up
6 and get them distributed as quickly as possible.

7 **MD:** So there was a break-in, shortly before this picture was taken, into the office and
8 after that CCTV cameras were installed throughout. Can you remember
9 whereabouts the CCTV cameras were in the office?

10 ■: Erm, the screen for the cameras were on the wall where the socket switch is—

11 **RE:** Where the what is?

12 ■: There's a switch by there.

13 **RE:** Light switch, yes.

14 ■: So the screen for the cameras went on the wall there and there was a camera in
15 each room then.

16 **MD:** Was there a camera in this room?

17 ■: Yes.

18 **RE:** There wasn't?

19 ■: Yes.

20 **RE:** There was.

21 **MD:** Was the camera in this room always working correctly? Was it always operational?

22 ■: No.

23 **MD:** And what was wrong with it?

1 ■: Erm, I don't know the reason but it was covered when I was there because the
2 break-in happened before I started working there, so the camera was covered.

3 MD: Covered by what?

4 ■: A bag.

5 RE: And it was like that when you started working there?

6 ■: The cameras were basically fitted whilst I was starting working there, yes.

7 MD: And some after they were installed, I'm presuming it was covered after they were
8 installed.

9 ■: Yes.

10 MD: It wasn't covered during the installation, there was a time afterwards that it was
11 covered.

12 ■: Yes.

13 MD: Right, okay, but you're not sure why or who did that?

14 ■: No.

15 MD: Okay. With that camera being covered, would you be able to see what was going on
16 in this room?

17 ■: Not with the door closed.

18 MD: All right.

19 RE: But who covered it?

20 ■: I don't know.

21 MD: Okay, so was the regional office ever used as a location to stuff envelopes and bag
22 rounds?

1 ■: Yes.

2 MD: Yes, so we've briefly touched already on the conversation on the 17th of February,
3 exhibit 5A, page one, where Neil asks, "Are the Llandaff leaflets bagged?" and you
4 say, "No, going to be done tomorrow." So just again, is that taking place in the
5 regional office?

6 ■: Yes.

7 RE: This is H.

8 MD: Exhibit 5A, page one.

9 RE: Oh, sorry, 5A, yes.

10 MD: Would any of Neil's office staff ever help to stuff envelopes or bag rounds up?

11 ■: If they had time, had some down time, yes, and if I needed help then I could ask
12 them and if they had time, then they would help.

13 MD: Was the regional office ever used as a distribution hub to collect leaflet rounds?

14 ■: Yes.

15 MD: So who would typically come to collect the leaflet rounds from the office?

16 ■: Different people. On occasions, we had members from Cardiff South collecting their
17 leaflets, erm, we had people, [REDACTED], collecting.
18 [REDACTED] [inaudible 02:00:53]. A member, well, a volunteer
19 or candidate would collect the material, yes.

20 MD: So you would say it's predominantly Cardiff South and Cardiff West that would collect
21 leaflets from 321?

22 ■: Yes.

23 MD: Okay.

1 ■: Yes, Cardiff North produced their own.

2 RE: Just pause a minute. So a member or volunteer or a candidate would collect them?

3 ■: Yes.

4 RE: Predominantly Cardiff North and West.

5 ■: Erm, South.

6 MD: South.

7 ■: And West, yes. Cardiff North produced their own leaflets so they didn't need the
8 office that often.

9 MD: Was the regional office ever used to input Treeware data?

10 ■: Yes.

11 MD: And what was your understanding of the use of Treeware data?

12 ■: Usually, the candidates would go around canvassing. They would collect the data
13 from, well, they were going round knocking doors gathering that information and for
14 those who couldn't access or use Treeware, they would bring the information in and
15 we would input it at the office.

16 RE: And who would input it?

17 ■: Either myself, ■, ■ or ■, mostly.

18 MD: And where would that usually be done in the office? Which room was that?

19 ■: Erm, the front room usually, or I would do it in the middle room.

20 MD: Would that be done using any of the Assembly equipment?

21 ■: There was one computer would be used and that was in the front room on the left-
22 hand side. The rest were on personal laptops.

1 **RE:** And whose laptops were they?

2 **█:** Erm, my laptop. I think **█** had his own laptop. Erm, I think **█** used the
3 computer in the office and so did **█** sometimes as well.

4 **RE:** You use your own?

5 **█:** Yes.

6 **RE:** As did **█**?

7 **█:** I think **█** used **█** own.

8 **RE:** But **█**?

9 **█:** **█** and **█** used the ones in the office or **█**'s laptop.

10 **RE:** **█** and **█** used the computer in the office. That was the Assembly
11 computer?

12 **█:** Yes.

13 **MD:** And so the [inaudible 02:04:25] conversation on the 11th of April, exhibit 5A, page
14 five.

15 **RE:** 5A, five?

16 **MD:** Yes, you original page four, I think it should be on, yes. It says very quick
17 conversation at the bottom, "**█** says any printing for me to do for C Road?" You
18 say, "Hope you get better soon, **█**, I'm in the Caerau office," and **█** says,
19 "Awesome, I'll be inputting Treeware data today." So where was **█** when this
20 conversation was taking place?

21 **█:** 321.

22 **NM:** What page was that, I'm sorry?

23 **MD:** I'm reading my five.

1 **NM:** Page five?

2 **MD:** Yes.

3 **RE:** It's the 11th of April.

4 **MD:** It starts at the bottom there and just goes on to the next page.

5 **RE:** Just go above that, the 8th of April. It's Mr McEvoy saying, "You must get up to date
6 with the printing tomorrow. We must use both printers, must get volunteers to people
7 the offices." So can you explain that to me?

8 **■:** Sorry, on five?

9 **RE:** Page 5A five, the 8th of April.

10 **■:** Oh, right.

11 **RE:** The offices would be Caerau?

12 **■:** Caerau and 321.

13 **RE:** 321, right.

14 **■:** Yes.

15 **RE:** So you had printers in each of what?

16 **■:** There was the campaign printer in Caerau and the Assembly printer in 321.

17 **MD:** Were there occasions when the two printers were being used simultaneously?

18 **■:** Yes.

19 **MD:** And why would they both be used at the same time?

20 **■:** Erm, because we needed to get the leaflets printed and distributed as soon as
21 possible.

1 **MD:** Okay, so were large volumes of party political leaflets printed at 321 Cowbridge Road
2 East?

3 **█:** Yes.

4 **NM:** Can I just be clear what period we're talking about here?

5 **RE:** I'm sorry.

6 **NM:** What period are we talking about?

7 **MD:** In the time when you were in 321 Cowbridge Road East, were large volumes of party
8 political leaflets printed there?

9 **█:** Yes.

10 **MD:** Printed 23rd of the 2nd, back to page one we looked at, at 5A, "Neil says need to print
11 out leaflets for Grange and Caerau tomorrow, okay. Okay, are they ready, so you
12 need to print Bute Town tomorrow too."

13 **NM:** What page are we on?

14 **MD:** Page one.

15 **NM:** 5A, page one?

16 **MD:** Yes. So again, where was this done?

17 **█:** It would have been done in 321 because we hadn't moved to the Caerau office.

18 **RE:** Sorry, I'm lost here.

19 **MD:** 23rd of February.

20 **RE:** 23rd, right, I'm sorry.

21 **MD:** So these were done in Cowbridge Road East?

22 **█:** Yes.

1 **RE:** So where were they printed?

2 **█** 321.

3 **RE:** [Inaudible 02:09:03] part of the conversation isn't the previous, the 17th of February,
4 which I saw I think this morning.

5 **MD:** Yes, I think I asked earlier on where this was.

6 **RE:** Yes, well then.

7 **MD:** Onto the 15th of March, and that's at page four. So **█** "Hi **█**, just
8 checking that Splott leaflet is ready to print. If so, I'll come to the office or otherwise
9 go home." Again, sorry, touched on this earlier.

10 **RE:** Yes.

11 **MD:** So was 321 ever used as a location to hold campaign group meetings?

12 **█**: Yes.

13 **MD:** Did you ever attend any of those meetings?

14 **█**: Yes.

15 **MD:** And just the basic discussions in those campaign meetings?

16 **L:** Erm, well we were asked what our plan was, erm, what we were going to cover in the
17 leaflets. What our plan going ahead was basically, and strategically-wise how we
18 were going to plan moving ahead, getting all the leaflets out.

19 **MD:** And was the office in the Assembly ever used for campaign activity?

20 **█**: Not to my knowledge.

21 **MD:** Where was your interview for your role **█**?

22 **█**: Assembly offices.

1 **MD:** During that interview, was it ever mentioned... what job were you applying for?

2 **█:** It was the **█** for Plaid Cymru.

3 **MD:** Was there any mention of any Assembly related work involved with that role?

4 **█:** No.

5 **MD:** Earlier on, we discussed the differences between the campaign printer and the
6 Assembly printer. Just to go back to something, you said the majority was printed on
7 the campaign printer.

8 **█:** Yes.

9 **MD:** Was any political material including leaflets and direct mails printed on the Assembly
10 machine?

11 **█:** Yes, I think I mentioned earlier that we couldn't use the campaign printer to print
12 direct mail so they were printed on the Assembly printer because we couldn't get the
13 connection to go from the laptop.

14 **MD:** Yes, we discussed the 8th of the 4^h, that's fine. Okay. Do you know what the
15 Beastgrip is?

16 **█:** Yes.

17 **MD:** Just want to give us a brief explanation of what it is?

18 **█:** It's a tool to help you phone on mobile phones. It's basically like a tripod for a
19 camera. You can use it for a phone so you get a better quality of video and you can
20 add a microphone as well.

21 **MD:** And was a Beastgrip purchased for campaign purposes?

22 **█:** It was purchased to film videos of any description. There were videos made for the
23 campaign, yes, otherwise I'm sure Neil used it for Assembly work as well.

24 **MD:** Can you remember—

1 **RE:** Pause a minute.

2 **MD:** Yes.

3 **█:** I didn't use it personally.

4 **RE:** Who purchased it? How was it purchased? How was it financed?

5 **█:** I have no idea.

6 **RE:** You say it was used for campaign videos.

7 **█:** Erm, I think **████████████████████** used it to do a couple of videos. It wasn't
8 widely used at all, to my knowledge. I personally didn't use it and I didn't film
9 anybody else.

10 **RE:** I'm sorry?

11 **█:** I didn't use it myself and I didn't film anybody else on... using it, so—

12 **RE:** And were the videos targeted directly at an election?

13 **█:** Erm, the—

14 **RE:** Or were they limited to issues?

15 **█:** Erm, it was issues but issues that we used in the campaigns, but I didn't use it at all
16 so my knowledge of it is not great, I'm afraid.

17 **RE:** So what kind of issues?

18 **█:** Erm, erm, I know... I think it was used to **████████████████████**, that kind
19 of thing. Just issues, local issues basically.

20 **MD:** Was this quite common during the election campaign, **████████████████████** to choose a
21 local issue to highlight and campaign on in order to show that activity was being done
22 in the community?

23 **█:** Yes.

1 **RE:** What happened to these videos then?

2 **█:** They were usually put, erm, on Facebook and Twitter. Social media basically, so we
3 would [inaudible 02:16:54] people aware of what we were thinking about and what
4 we were trying to do to help the community.

5 **RE:** Are they still on social media?

6 **█:** I should imagine so, yes.

7 **NM:** SIR, can we maybe tell which videos they were?

8 **RE:** Yes, we can deal with that now.

9 **NM:** Thanks.

10 **RE:** We've got some idea, **█** and local issues so far. So how could
11 I access those?

12 **█:** I... most of the candidates have Facebook pages themselves and Twitter feeds.
13 They would usually put videos on their pages. We have different ones, a Llandaff
14 page, a Canton page, erm, so basically we'd share the videos between the different
15 Plaid in Cardiff pages so we could get more viewers.

16 **RE:** So dirty streets and dog mess. Anything that you can think of?

17 **█:** Erm, I didn't use the grip. We did videos on all kinds of different, erm, topics that
18 affect communities. Erm, whichever issues that came up locally basically we wanted
19 to highlight, then we would film it using a mobile phone. **█**
20 **█**.

21 **RE:** And what, was Beastgrip equipment used for the purpose?

22 **█:** It was available if they wanted to use it, yes, but I didn't use it and I didn't give it to
23 anybody else, but I think one of... a Canton film was filmed on there because **█**
24 **█** asked how she was supposed to use it and I said, "Don't ask me, I
25 don't know," basically.

1 **RE:** Is this Beastgrip still available?

2 **NM:** Yes.

3 **RE:** It might be an idea if you would produce it at some stage, in your evidence. As I
4 understand it, it's something you attach a mobile phone to?

5 **█:** Yes.

6 **RE:** Did you ever see it?

7 **█:** I saw it, yes, but I've never—

8 **RE:** Where was it kept?

9 **█:** Erm, because I didn't use it, it was, I think, in 321 and then it went up to Caerau. I'm
10 not quite sure. Erm, I didn't use it really so it wasn't on my radar, to be honest.

11 **RE:** So how many **█** do you think used it? Mr McEvoy aside, ignore that for this
12 purpose, but **█**, how many **█** used it?

13 **█:** Erm, I think I'm aware of one, erm, **█**, but otherwise I wasn't aware
14 of anybody else using it, no.

15 **RE:** You say it was available **█** to use if they wanted to. How do you know it
16 was available, who made it available and in what circumstances was it available?

17 **█:** It was in the office and I'm sure if somebody asked to use it, they would be allowed to
18 use it.

19 **RE:** Allowed by whom?

20 **█:** The office staff.

21 **RE:** And the office staff were whom?

22 **█:** It would have been Mike, **█** and **█** and Neil.

1 **MD:** Just finally, can you remember whose idea it was initially that we got hold of this
2 piece of equipment?

3 **█:** It was the **█** **█** who came down from Scotland to help us with the
4 campaign day. Helped the SNP with their campaign and they came down to help us
5 and give us guidance on how to get the maximum coverage on social media.

6 **MD:** So did Neil's Assembly staff ever undertake activities of a political nature during
7 office hours?

8 **█:** Yes.

9 **MD:** And what were the office hours?

10 **█:** Usually anything between sort of nine and half-past five/six o'clock.

11 **MD:** What was a typical week like for **█**?

12 **RE:** Typical week of what?

13 **MD:** Typical week for **█**. The **█**
14 **█**.

15 **█:** Erm, usually between sort of nine/half-past nine in the morning until five/half-five in
16 the evening. **█** **█** **█**.

17 **RE:** So **█** would come in nine or nine-thirty.

18 **█:** Yes.

19 **RE:** Until?

20 **█:** About five/five-thirty, sometimes later depending—

21 **MD:** **█**

22 **█:** Yes.

23 **MD:** Okay.

1 ■: And ■ ■ ■

2 MD: What about on the weekend? Did ■ ever do any work over the weekend?

3 ■: Erm, yes, ■ did some inputting on the weekend into Treeware. Erm, ■ also
4 helped leaflet and campaigning as well at the weekend, if we were going out.

5 MD: And how about ■, what was ■ typical week like?

6 ■: Erm, same office hours basically, nine/half-nine, five/half-five.

7 MD: How about on... would ■ come out on the weekends?

8 ■: Not really.

9 MD: Okay, and during the office hours, we're not talking about, you know, ■
10 ■ any campaign work they would have done over the
11 weekend, during office hours was any political activity done by any of the office staff?

12 ■: Yes.

13 MD: So exhibit 6A, page two. So this is just a conversation back and fore. Neil says,
14 "Let's finalise the way forward, finish the manifesto today, get on campaign mode."
15 Then Neil's talking about a session with ■ in Llandaff or drafting a leaflet. You're
16 talking about doing Riverside and Splott. ■ goes on to say here, "If you're out
17 canvassing, remember to support... to ask supportive residents for a picture." Then
18 ■ says that there's petition slips in Tŷ Gwynfor, so there's a lot of back and fore
19 during various tasks there, which would be of a political nature, party political nature.
20 Is this a typical example of a day in the office, really?

21 ■: Yes.

22 MD: And what was your understanding of my availability, ■'s availability, ■'s
23 availability, if you needed a job doing of a campaign nature? Were office staff
24 available to do those tasks?

- 1 ■: If they were free and available and didn't have any other pressing jobs that needed to
2 be done, then yes, they would help.
- 3 MD: Okay, were they quite willing to do those jobs?
- 4 ■: Yes.
- 5 MD: Was there ever a differentiation between political work and Assembly work?
- 6 ■: Hmm... basically, we were prioritising what needed to be done first and going from
7 there. Erm, that's the only way I can put it really. If I needed help then I would ask
8 and if anybody was available then they would help me.
- 9 MD: So 14th of March is a conversation around the campaign launch. Where did this
10 particular campaign launch take place?
- 11 ■: Erm, in the Senedd.
- 12 MD: Okay.
- 13 RE: In Llandaff?
- 14 ■: In the Senedd.
- 15 RE: The Senedd, sorry.
- 16 ■: Yes, yes.
- 17 MD: And what was discussed at that [inaudible 02:28:55]?
- 18 NM: Well, we did say campaign march, we're missing it there. I'll get my glasses. What
19 page was it, sorry?
- 20 MD: Exhibit 6A, page three.
- 21 RE: Fourteen, three.
- 22 MD: Can you remember—

1 **NM:** Where does it say “campaign launch”?

2 **MD:** That’s how [inaudible 02:29:18] described the event.

3 **NM:** It wasn’t the campaign launch.

4 **MD:** Okay, what is your understanding of what’s happening here? Well, so what
5 happened on this particular day in the Senedd?

6 **■:** Erm, I was asked to read out a statement, erm, and we were basically letting people
7 know what our plan was for the campaign.

8 **MD:** It was... did you have any... so were the media there?

9 **■:** Yes.

10 **MD:** And did... was there anything to present to the media on this day?

11 **■:** I can’t remember. I should imagine there was a press release.

12 **MD:** Okay.

13 **RE:** A what?

14 **■:** A press release. I should imagine so. I was asked to read a statement.

15 **RE:** So the media were present.

16 **MD:** At the bottom, Neil says, “Never had such coverage for local government policies
17 before.” So were local government policies being discussed at this press
18 conference?

19 **■:** Yes, we were trying to be positive, highlighting what we were going to be doing.

20 **MD:** Okay, and can you remember anything that happened immediately after this
21 particular press conference?

1 ■: Well, apparently we were not supposed to be doing a press conference in the
2 Senedd on the issues raised. I wasn't aware of that because I didn't know that we
3 weren't allowed to discuss campaigns in the Senedd. I do now.

4 **NM:** Could I just interject there, to help Sir Roderick?

5 **RE:** I'm sorry?

6 **NM:** Could I interject to help out, just to make things clearer as to what it was? Erm, if you
7 remember a statement was read out?

8 ■: Yes.

9 **NM:** That was about my future plans, and, erm, a couple of questions were asked so we
10 then got into the local government campaign and, erm, that wasn't the express
11 purpose of it. Erm, so we were discussing a local government election and that's
12 what made it political. If you'd have stuck with the original statement I think we would
13 have been okay.

14 ■: If I had?

15 **NM:** Wasn't our fault, it was my fault.

16 ■: Oh *[laughs]*.

17 **NM:** Sorry.

18 ■: That's fine [inaudible 02:32:01] saying there.

19 **NM:** No, no, no, if you had stuck on the statement, then it would have been okay because
20 that was my future plans are.

21 **RE:** About what was the statement you read out?

22 ■: Oh, goodness, I can't... I can't recall what exactly was in the statement, I just had it a
23 few minutes before we went in and I just read it out *[laughs]*.

24 **NM:** Was it [inaudible 02:32:19] statement, I think.

1 ■: Yes, we were trying to put—

2 **NM:** Something like that.

3 ■: —yes, it was putting a positive spin on how we were moving on and going ahead.

4 **NM:** I'd been suspended, so I think it was to do with my suspension.

5 ■: Yes, basically saying that the constituency was behind you and it was a positive—

6 **NM:** Yes, I shouldn't have discussed the, erm, council policies [in the Atrium? 02:32:47].

7 **RE:** Right.

8 **NM:** But I was, erm, found guilty of that.

9 **MD:** Did you... I don't know if I asked you the question, was anything handed out to the
10 journalists?

11 ■: I can't remember. I don't know, we probably would have had a press release or
12 something but I can't say yes or no to that because I don't know. I can't remember. I
13 was worried about the statement that I had to read out.

14 **MD:** So page seven, exhibit 6A, page seven. So on the 27^h of March.

15 **RE:** Yes.

16 **MD:** Just some discussions about the opening of the new [inaudible 02:33:36] office on
17 the next page, just discussing, "Shall we go for 2:00pm on Sunday to open the office
18 formally?" And you check there, "Can I check that the printer is at the new office?"
19 So did any of Neil's Assembly staff have anything to do with the opening of the
20 campaign office?

21 ■: Yes, we were all there.

22 **MD:** Can you remember any specific tasks that any of Neil's office staff in getting that
23 office up and running?

- 1 ■: I have no idea, I'm afraid.
- 2 MD: Okay.
- 3 ■: Not that I can recall, no.
- 4 MD: Okay. Okay, so on the 28th of the 3rd, actually I haven't got the [picture? 02:35:00]
5 available for that, I'll skip that. So the... sorry, it's 30th of the 3rd, so exhibit 6A, page
6 nine, there's a discussion on here about "Super voter, postal key, three weeks to hit
7 them." Can you just explain what "super voter" is?
- 8 ■: Oh, if I recall correctly, it's people who vote... usually vote in every election and who
9 are supportive.
- 10 MD: Okay, and how would we usually collate information on super voters?
- 11 ■: Erm, the data we collected by knocking doors, erm, what we had on Treeware, that's
12 how I usually got the information.
- 13 MD: Okay, would it be yourself who would do that or would anyone else do that?
- 14 ■: No, I wasn't that great on, erm, cross-referencing, so ■ helped me on that one.
- 15 MD: Okay.
- 16 RE: So what do I take from this?
- 17 MD: So do you want to explain what ■ would do in order to get this information on
18 super voters?
- 19 ■: Erm, basically on Treeware you can access and get lists of, erm, voters. You can, by
20 inputting whichever questions you want answered in, erm, it would then produce a
21 list of people who vote all the time, people who vote sporadically, people who never
22 vote and people who we know have voted Plaid before, erm, basically collecting all
23 the data that we've input before. That's my knowledge.
- 24 RE: And on this day, 30th of March, you were where, in Caerau?

1 ■: Yes.

2 RE: And where was ■?

3 ■: Erm, ■ would be in Canton, in 321 or ■ would come up and help me quite a
4 bit in Caerau as well.

5 RE: How often did ■ come up to help you in Caerau?

6 ■: Erm, quite often. If ■ needed to be in 321, then ■ was, or otherwise ■ would
7 come up and help me. It would be a couple of days a week and sometimes a
8 morning, sometimes a couple of hours a day.

9 RE: But how often in a week?

10 ■: It would be different from one week to the other, depending on ■'s workload. If
11 ■ was available, ■ would come up to help me and sometimes ■ would be
12 based in Caerau.

13 RE: Mm-hmm.

14 MD: 31st of March, page ten. So Neil says, "Have you got the number of addresses of PC
15 supporters in target ward? Can't order posters without that figure," and then your
16 response is, "■, have you got the above info? Can you phone me?" Just why
17 would you automatically ask if ■ had that information?

18 ■: Erm, basically because I wasn't that great at getting the right information out of
19 Treeware. I would ask ■ to help me in getting that information for Neil.

20 MD: Okay, so how much work of that nature did ■ do for you?

21 ■: Erm, most of it.

22 NM: Just to point out, ■.

23 MD: Okay.

24 UNKNOWN: Could you ask ■? 02:40:07]?

1 **MD:** So did [REDACTED] do a lot of work on Treeware?

2 [REDACTED]: Yes.

3 **MD:** Was [REDACTED] good at it?

4 [REDACTED]: Yes, very good at it.

5 **MD:** Would you say [REDACTED] was then your “go-to” person for anything to do with Treeware?

6 [REDACTED]: Yes.

7 **MD:** Okay, would [REDACTED] ever do this during office hours?

8 [REDACTED]: Erm, I’d ask, if we needed the information, then yes, [REDACTED] would help me.

9 **MD:** Okay. Again, so the 6th of April now. Again, [REDACTED]’s saying, “I’ve got a weekly
10 timetable system in place now which will go up on the wall in Caerau,” talking about
11 [REDACTED] and [REDACTED] availability, asking us all to update the calendar, and [REDACTED] goes on to...
12 [REDACTED] sent a picture of the timetable [REDACTED] produced and then goes on to say, “We
13 need to keep an eye on Labour boards around the city. Will discuss in our team
14 meeting on Monday/Tuesday, but Neil’s keen to have someone delegated for this
15 task.” So again, is this sort of typical, you know, work [REDACTED] would do during this
16 time?

17 [REDACTED]: Yes.

18 **MD:** Would you say that [REDACTED] quite an important person during the... to aid you in your
19 role?

20 [REDACTED]: Yes, [REDACTED] was brilliant. If I needed help, I didn’t know where to get information, then I
21 would ask.

22 **MD:** Just at the bottom of that page, so, “[REDACTED] heading to HQ for nine,” and then it
23 follows on to the next day and Neil says, “[Inaudible 02:42:32] to deliver just
24 tweeted.” Would [REDACTED] do—

25 [REDACTED]: Where are we?

1 **MD:** At the bottom of that last page you're on.

2 **█:** Oh, sorry, yes, got it.

3 **MD:** Would **█** do a lot of delivering?

4 **█:** Yes.

5 **MD:** On a typical week, you know, how many... how much of the time would you say that

6 **█** was out delivering?

7 **█:** **█** was out most days. If we needed stuff to be delivered, then just around

8 [Hampton? 02:43:07] then **█** would be one of the ones doing leafleting.

9 **MD:** I think you said earlier on **█** also did some Treeware.

10 **█:** Yes.

11 **MD:** Was there anything else you can remember **█** doing around the office?

12 **█:** No.

13 **MD:** Okay, but you remember **█** doing a lot of delivering and doing some Treeware?

14 **█:** Yes, **█** inputted most... a lot of Treeware, yes.

15 **MD:** Okay. Okay, so 17th of the 1st, this is on the WhatsApp, so it's exhibit 6R, page nine.

16 **RE:** 6A, page nine?

17 **MD:** 6R, page nine.

18 **RE:** 6R, page nine, sorry.

19 **MD:** It should be—

20 **█:** 6R, so—

1 **MD:** Yes. Okay, so 17th of January, Neil says “[Inaudible 02:45:17] breakdown [inaudible
2 02:45:18] Grange, Butetown, Splott.” [REDACTED] said, “Me and [REDACTED] are making
3 rounds for Grange and Butetown,” and then [REDACTED] goes on to talk about a nation
4 builder event for the Dinas going up. Did [REDACTED] send out many of these
5 communications, like this?

6 **[REDACTED]:** Erm, the nation builder ones, yes, [REDACTED] did and [REDACTED] did a few as well.

7 **MD:** Okay, and what are they discussing there when [REDACTED] says, “Me and [REDACTED] are
8 making rounds for Grange and Butetown”?

9 **[REDACTED]:** Basically, the maps we had, erm, with the numbers of leaflets we needed for the
10 streets. Basically collating those together, bundling them up ready to be delivered.

11 **MD:** Okay, so [REDACTED] would help out with these sort of tasks as well?

12 **[REDACTED]:** If [REDACTED] had time, yes.

13 **MD:** Okay. So exhibit 6AQ. I think you should be done with all that now.

14 **RE:** I’m sorry, what—

15 **MD:** 6AQ.

16 **RE:** 6AQ.

17 **[REDACTED]:** And with these as well up to then, or—

18 **MD:** I don’t think so, no [inaudible 02:46:55].

19 **[REDACTED]:** [Inaudible 02:46:57]

20 **NM:** 6AQ, I’m sorry?

21 **RE:** Yes.

22 **MD:** Right place?

23 **NM:** Page eighteen? No.

1 **RE:** Right.

2 **MD:** So this is an email that I've sent out regarding Plas Dŵr and the decision in relation
3 to this particular part of the LDP.

4 **NM:** Can I see what is in the bundle? 6A?

5 **MD:** AQ.

6 **█:** It's got Gmail on the top.

7 **MD:** So obviously the LDP is a very complex... a huge issue. This particular decision at
8 the Plas Dŵr, can you remember whether this was something that we were
9 targeting? Why was this of interest to the office in general?

10 **█:** For our campaign, it was one of our lead issues because of the impact that it would
11 have, especially on Cardiff West, the amount of house, the cars, so we used it as
12 one of the major issues in our campaign.

13 **MD:** Okay. Would you say this one of the, you know, the biggest items that we
14 campaigned on for that local election campaign?

15 **█:** Yes, especially myself and **█ █**, yes.

16 **MD:** So Exhibit 6BB.

17 **RE:** Sorry, 6?

18 **MD:** 6BB. So this is an email from **█** to Neil and yourself, me and **█**, talking
19 about creating lists. **█** going to... **█** saying again **█** going to create fresh
20 ones today, super voters and postal voters [inaudible 02:49:37], so again is this a
21 typical job of **█**'s, to send out these sorts of communications and communicate
22 this information to us?

23 **█:** Yes.

24 **MD:** And just over the page on 6BD. This is just discussing boards now and again
25 **█**'s saying, "I've set up the following system with placards in target wards.

1 Copied in the team so all up to date." Can you remember what this placard system
2 was and what did you do?

3 **RE:** I'm a bit lost here. Where are you in the bundle?

4 **MD:** It's at 6BD.

5 **RE:** BD, sorry. Right.

6 **MD:** Can you remember what this was?

7 **█:** Erm, so we could identify which houses would put boards up in their gardens.

8 **MD:** Okay, and was this a job of **█**'s again?

9 **█:** **█** would have, yes.

10 **MD:** Okay, so moving on now, so did Neil Assembly staff ever design leaflets during office
11 hours?

12 **█:** I believe so, yes.

13 **MD:** Okay, who would design leaflets?

14 **█:** That would be **█**.

15 **RE:** **█**?

16 **█:** **█**, yes.

17 **MD:** Would **█** design a lot of leaflets?

18 **█:** Most of them, yes.

19 **MD:** Would anyone else ever design leaflets?

20 **█:** Not really, not write them, no. Erm, just [inaudible 02:52:25] I guess would help them
21 put them together, design them, but **█** was the main person doing leaflets and
22 responsible for the leaflets.

1 **MD:** Okay, was it quite a specialist role to produce leaflets?

2 **█:** Yes.

3 **NM:** Can I ask? Again, this is the second full day we've been in the hearing and I'm
4 struggling to see the relevance of this.

5 **RE:** Why do you say it's irrelevant?

6 **NM:** Well, nobody's disputed that █ produces leaflets, that's already been
7 disclosed. We know that and yet we're spending an inordinate amount of time in
8 going through and highlighting what we already... we're already clear about what my
9 staff have done. Every staff member does it and everybody like me manages them
10 in the same way as me.

11 **RE:** Your answer to the allegation that your staff were indiscriminate in the use of their
12 time between office work and party political work is that you didn't run an office nine
13 to five but that you, and your staff, would just do whatever was appropriate at any
14 time, virtually day or night. That's probably a little bit high, but that's what you are
15 making as your case at the very early part of this hearing. That's right, isn't it?

16 **NM:** Yes, we would work—

17 **RE:** Yes, well now then, there comes a time when the work is, the party political activity,
18 might be of such an extent that it doesn't leave much time in waking hours to do
19 office work. So at the moment, that, as I understand it, is the purpose of this
20 evidence.

21 **NM:** Can we check the dates of the holidays as well?

22 **RE:** Of what?

23 **NM:** The holidays.

24 **RE:** Check? With whom?

25 **NM:** Term time.

1 **RE:** But check with whom?

2 **NM:** Well, I'm wondering... I've not got the details to hand, unfortunately, but looking at
3 dates here, were they journeys at Easter?

4 **█:** You've had an opportunity, Mr McEvoy—

5 **NM:** Okay.

6 **RE:** —of asking a question on that matter and of giving evidence upon it.

7 **NM:** All right.

8 **RE:** I'm as conscious as you are, believe me, about the time that I have to take to go
9 through this. You took two and a half days to go through your cross-examination,
10 page by page. So although I tried to hurry you along, I allowed you what you might
11 now refer to as an inordinate period of time to carry out the work. Right, where do
12 we go next?

13 **MD:** Exhibit 6A, page two.

14 **RE:** 6A?

15 **MD:** 6A, yes, page two.

16 **NM:** 602 or 6A?

17 **RE:** 6A, page two.

18 **MD:** Yes, so **█** [inaudible 02:56:10] **█** "Riverside really needs a leaflet, can
19 you work with Mike and **█** to make this happen? Thanks a lot go team." So
20 would **█** ever be involved in designing leaflets?

21 **█:** Yes.

22 **MD:** Okay, and—

23 **RE:** **█** [inaudible 02:56:27].

1 **NM:** 6A, two.

2 **MD:** Yes, the 7th of March. Would I ever help out designing leaflets?

3 **█:** Yes, sometimes.

4 **MD:** And was this done during office hours?

5 **█:** Yes.

6 **RE:** Would this what?

7 **█:** Office hours, yes.

8 **MD:** Done during office hours.

9 **RE:** I'm sorry?

10 **MD:** Was this done during office hours? So did Neil's Assembly staff print leaflets during
11 office hours?

12 **█:** Yes.

13 **MD:** So exhibit 6A, page four. So me, "Neil says need [inaudible 02:57:29] to see
14 Fairwater—

15 **RE:** Sorry, which date are we on?

16 **MD:** Exhibit 6A, page four, 17th of March.

17 **RE:** Right.

18 **MD:** And you say third line down, "Hi, sorry, not in the office today. Can anyone else print
19 Fairwater calling cards, please? Will bring biscuits in next week." Is that quite a
20 common thing? If you're not in the office, you know, people would print on your
21 behalf?

22 **█:** If I asked them, yes.

1 **MD:** Yes, do you think we had a good working relationship in the office?

2 **█:** Yes, very much so.

3 **MD:** We'd support each other?

4 **█:** Yes.

5 **MD:** And if there was something that Neil wanted doing then between us we'd make it
6 happen?

7 **█:** Definitely.

8 **MD:** Okay.

9 **RE:** You say you wouldn't be in the office today, on the 17th of March. Where would that
10 office be?

11 **█:** I think, March, it was roughly the time we were moving offices, I think.

12 **MD:** It's there.

13 **█:** Is it?

14 **MD:** Yes, the 18th we had the keys for the new office, I think.

15 **█:** Yes, so we would have been in 321.

16 **MD:** Yes, it's the next day we got [inaudible 02:58:59] office. Okay, did Neil's Assembly
17 staff deliver leaflets during office hours?

18 **█:** Which... who are you talking about?

19 **MD:** We'll go through them, so **█**, did **█** deliver leaflets during office hours?

20 **█:** Yes.

21 **MD:** **█** **█**? 02:59:20]?

1 ■: Yes.

2 MD: ■?

3 ■: ■.

4 MD: So not in office hours?

5 ■: Only if we were really, really desperate.

6 RE: Just pause there, please. Right.

7 MD: ■ [■? 02:59:56]?

8 ■: No.

9 RE: Why was ■ different?

10 ■: ■ was predominantly in the office, in 321 or down the Assembly. ■ didn't do
11 leafleting or canvassing.

12 RE: Mm-hmm.

13 MD: Okay, did Neil's Assembly staff stuff envelopes during office hours?

14 ■: If they had five minutes. Not much but they did help me if they had five minutes or if
15 they just wanted a break.

16 MD: So exhibit 6A, page 12. No, that's your 18, original 18.

17 ■: Oh, sorry, yes.

18 MD: So ■, on the 12th of April, ■ said, "We need more volunteers for
19 tomorrow for envelope stuffing. If anyone can rustle some up, thanks." And then
20 ■ says, "I'll be happy to stuff tomorrow too." You say, "■ is coming in at nine."

21 ■: Yes.

1 **MD:** So again, would volunteers come to... sorry, so would Assembly staff then support
2 you if you needed envelopes stuffing?

3 **█:** If they had time, they would help me.

4 **MD:** Yes, okay.

5 **RE:** What day was the 12th of April, do we know?

6 **█:** That was a Friday, I think.

7 **MD:** I've got it as a Wednesday.

8 **█:** Okay.

9 **MD:** So for Wednesday, talking about Thursday.

10 **RE:** Sorry?

11 **MD:** The 12th was a Wednesday and then they're discussing what's going to happen on
12 the Thursday. Did Neil Assembly staff sort rounds during office hours.

13 **█:** I usually did that.

14 **MD:** Okay, so exhibit 6R, page eight. So **█** sent a picture to the group and then **█**
15 said, "Any other rounds you want me to do for this for [inaudible 03:03:51]." Sorry, I
16 haven't got the original picture for you.

17 **RE:** What are we on here?

18 **MD:** 6R, page eight.

19 **RE:** Yes.

20 **MD:** So **█** sends a picture of a round map.

21 **RE:** What, 16 one or 13 one?

1 **MD:** Oh, 16 one. So [REDACTED] sends a picture of a round map and covering sheet and asks,
2 “Are there any other rounds you want me to do this for bar the [inaudible 03:04:25]?
3 Happy to crack on with this [inaudible 03:04:28].” So again, did [REDACTED] support you
4 on jobs like this in relation to organising rounds and making them more user-friendly?

5 **[REDACTED]:** [REDACTED] would help me, yes.

6 **MD:** And—

7 **RE:** I’m not sure I understand the point of this one.

8 **MD:** It’s tricky without the picture, but the round map is the cover sheet that would go with
9 a particular round of leaflets. It was my evidence earlier on that [REDACTED] would help
10 create these and that the picture that was sent was evidence of a round sheet that
11 [REDACTED] had produced. I was trying to ask [REDACTED] if, you know, [REDACTED] support [REDACTED] in
12 these jobs, but without the picture it’s hard to pursue that so I think I’ll leave it. Did
13 Neil’s Assembly staff input Treeware data during office hours?

14 **[REDACTED]:** Yes.

15 **MD:** And again, sorry, you’re repeating yourself, but who would be the main people to
16 input that Treeware data?

17 **[REDACTED]:** [REDACTED] was the main person and [REDACTED], then [REDACTED] would also help, and I was also
18 involved as well.

19 **MD:** I’ve nearly finished. Do you mind if I have a quick break and I’ll see if I can take any
20 of this out.

21 **RE:** Yes.

22 **MD:** So we don’t have to go back and forth.

23 **RE:** Right, we’ll have a ten minute break.

24 **MD:** Yes—

25 *[Break]*

1 **MD:** —then nation builder and other political communications during office hours.

2 **█:** Erm, if I asked them, I usually sort of typed out what I wanted to be sent out and we
3 would basically send it out on my [path? 03:06:32].

4 **MD:** Okay, and who would usually send out these political communications with the staff?

5 **█:** Erm, either [inaudible 03:06:43] or **█**, whoever had time.

6 **MD:** Okay, so exhibit 6AV.

7 **RE:** 6AB?

8 **MD:** AV.

9 **RE:** AV, sorry.

10 **MD:** So this is a ratification email for **█** sent out by **█**. Was this a typical
11 political communication that **█** would send on your behalf?

12 **█:** Erm, **█** was quite late in the day, so most of them had been ratified and this kind
13 of information been sent before I started. So I can't remember another one exactly
14 like this.

15 **MD:** So this one I've got is 21st of March at 1:46.

16 **█:** Yes. I can't remember asking **█** to send anything like this on my behalf.

17 **MD:** Oh, all right, okay. So 6BA. This is—

18 **RE:** 6BA?

19 **MD:** BA, yes. So this is discussing coordinators and it follows into 6BC. It's just a follow-
20 on from this, this context. So what, can you just explain what **█**
21 **█**?

22 **█:** Erm, basically **█**
23 **█**

1 [REDACTED] [REDACTED]
2 [REDACTED]

3 **RE:** So [REDACTED]
4 [REDACTED]?

5 [REDACTED]: Yes.

6 **MD:** Okay, and whose responsibility was it for putting these coordinators in place?

7 [REDACTED]: Erm, I was overseeing it, erm, basically, erm, everybody helped and pitched in when
8 they could and just basically try and get the job done as quickly as possible.

9 **MD:** Okay, and obviously [REDACTED] has sent this particular mail out so did [REDACTED] have a big
10 part to play in this particular task?

11 [REDACTED]: Yes, [REDACTED] had, yes.

12 **MD:** 6BF, then. Again, it's an email from [REDACTED] going out to what looks like all the
13 candidates with a message to them saying it was nice to speak to a few of them
14 yesterday and going on and talking about these photos with the watermark on them.
15 So again, why is this watermark to be added to the particular picture?

16 [REDACTED]: Erm, it was basically branding for our council campaign and to tell people when the
17 election is being held and the Plaid details on there.

18 **MD:** Okay, and again obviously... but [REDACTED] has sent this particular message out to the
19 candidates. Was this one of [REDACTED] jobs to do?

20 [REDACTED]: [REDACTED] helped me, yes.

21 **MD:** Did Neil's Assembly staff designed digital political content during office hours?

22 [REDACTED]: Yes.

23 **RE:** Digital political content?

24 **MD:** Yes. So exhibit 6G.

1 **RE:** 6G?

2 **MD:** Mm-hmm.

3 **RE:** Which page?

4 **MD:** First page.

5 **RE:** First page.

6 **MD:** Do you remember these particular... do you know what these are, first of all?

7 **█:** I remember them, I didn't have much to do with them. To be fair, I didn't have
8 anything to do with them.

9 **MD:** Okay, do you know what they were to be used for?

10 **█:** Social media.

11 **MD:** Okay, and what was the purpose of using them on social media?

12 **█:** To inform people of promises made by Labour that they didn't keep or things that we
13 thought they could do better.

14 **MD:** So to highlight—

15 **█:** Yes, their shortfalls, basically.

16 **MD:** Okay, can you remember who created these?

17 **█:** It would have been **█**.

18 **MD:** **█**.

19 **RE:** I'm sorry, **█**?

20 **█:** **█**.

1 **MD:** Yes, [REDACTED] has sent this email out with these [inaudible 03:13:36] attached.
2 Again, did [REDACTED] do this during [REDACTED] office hours?

3 [REDACTED]: Usually, yes.

4 **MD:** And exhibit 6I. So these are the pledges, I believe.

5 [REDACTED]: Yes.

6 **MD:** Welsh cards for social media, it says in the message. Do you remember these being
7 created?

8 [REDACTED]: Yes, well, I remember seeing them. I wasn't part of creating them, no.

9 **MD:** Okay, can you... what was the purpose of these?

10 [REDACTED]: So we could basically, in a nutshell, show voters what our pledges were and what we
11 wanted to do in the community.

12 **MD:** Okay, and do you know who created these particular graphics?

13 [REDACTED]: Erm, that would be [REDACTED] then.

14 **MD:** Okay, so exhibit 6J and 6K. It's just emails referring to the manifesto. Did any of
15 Neil's office staff have any involvement in the creation of the manifesto?

16 [REDACTED]: Erm, the manifesto was a very long drawn out process. If I remember correctly, it
17 started off with [REDACTED] starting it and we ended up Neil, [REDACTED] and myself
18 going through what had been drafted and amending accordingly.

19 **MD:** Okay. Can you remember who did the translation for it?

20 [REDACTED]: That would have been [REDACTED].

21 **MD:** [REDACTED], okay.

22 **RE:** Who, sorry?

23 [REDACTED]: [REDACTED].

1 **MD:** Did [REDACTED] help out at all on the manifesto?

2 [REDACTED]: Erm, I can't remember. Erm, it [inaudible 03:16:06] Neil, [REDACTED] and myself who
3 went through it once the... Neil decided that we were taking over the manifesto,
4 [inaudible 03:16:18] manifesto then.

5 **MD:** And did [REDACTED] have any involvement with the manifesto?

6 [REDACTED]: Erm, yes, [REDACTED] helped to jazz it up a little bit, visually.

7 **MD:** Can you just elaborate on that slightly? What do you mean by "jazz it up"?

8 [REDACTED]: Erm, lay-out and how to make it visually more presentable and interesting.

9 **MD:** So you... it was more the digital side then that you and [REDACTED] had involvement in
10 rather than the content side of it?

11 [REDACTED]: Erm, [REDACTED], yes. Erm, content-wise, Neil, [REDACTED] and myself went through all of the
12 manifesto and changed it to what we thought would be best after taking over from
13 [REDACTED].

14 **MD:** And again, all of this, was this during office hours or after hours?

15 [REDACTED]: Erm, we did it I think it was sort of late afternoon, into the evening, one day, we sort
16 of bashed it out and trying to get it done because it had taken so long we needed to
17 get a final draft done so we... I can't say when we started, which day it was, but we
18 sat down and got it all done that day so it was ready to go, because it had been
19 going back and forth so many times.

20 **MD:** Okay, so exhibit 6AO. So this was an email that Neil had sent to the office group
21 showing a Twitter attack ad that the SNP had used. Can you remember, did we try
22 to recreate anything like this as part of the campaign?

23 [REDACTED]: Erm, well, what you showed earlier, that kind of thing.

24 **MD:** Okay.

25 [REDACTED]: It was at exhibit 6G.

1 **MD:** Yes, okay.

2 **█:** That kind of thing.

3 **MD:** So you'd say that those tiles that you said **█** has created was our attempt at
4 recreating what the SNP had done here?

5 **█:** By looking at them, yes. Sorry, I haven't seen... I can't remember seeing these
6 before. So, yes.

7 **MD:** Okay.

8 **█:** I don't know.

9 **RE:** So what do I get from this?

10 **MD:** This was the original message that was sent to myself, **█**, **█** and
11 **█** and then as a result of this, the Twitter attack tiles that we've looked at in the
12 previous evidence was created. This was the starting point for that exercise. I
13 probably should have presented them the other way round, sorry. So if we go to the
14 WhatsApp office conversation, which is exhibit 6R on the 17th of... so exhibit 6R,
15 page nine. It's not, sorry, it's page 11, sorry, my mistake.

16 **RE:** Page 11.

17 **MD:** Yes. So on the 23rd of January, there's a conversation between Neil and yourself,
18 talking about names for... to go to a dinner at Jolyons. Can you think what this
19 conversation is in relation to?

20 **█:** Sorry, I can't find that. Oh, sorry.

21 **MD:** So, yes, 23rd of January.

22 **█:** Oh, right, that would be Clwb y Dinas.

23 **MD:** Clwb y Dinas, what's Clwb y Dinas?

1 ■: It's a fundraising night, erm, basically to get as much funds as we can to spend on
2 the campaign.

3 MD: Okay, and would Neil's office staff ever help in any of the tasks related to one of
4 these emails?

5 ■: Erm, I hadn't done it before, erm, these have been arranged in the past so if I
6 needed guidance then I would ask for help.

7 MD: Okay.

8 RE: From whom?

9 ■: Erm, usually ■ or Neil.

10 MD: Can you remember if any of Neil's staff ever phoned people up to try and sell tickets
11 for one of these events?

12 ■: I can't remember than, no, sorry.

13 MD: Okay, but you remember getting sort of general advice on what needs to be done?

14 ■: Yes.

15 MD: Okay. So just further down in the conversation there, Neil says, "I wasn't being
16 critical, we just need to hit the phones. It's my fault for not emphasising more." Who
17 is he talking about there?

18 ■: Erm, well, it was the office WhatsApp, so, sorry, being back last January I should
19 imagine it was all of us at the office.

20 MD: Okay, so Neil says, "Everyone needs to phone tomorrow. We haven't got any money
21 otherwise..." You say, "I'm trying, honest," and then Neil says, "I wasn't being
22 critical, we just need to hit the phones." Did Neil's Assembly staff ever attend
23 political meetings during office hours?

24 ■: We had short campaign meetings every now and then just so everybody was aware
25 of what was going on, what had been done and—

1 **MD:** Okay, how often would you have those?

2 **■:** Once a week.

3 **RE:** I'm sorry?

4 **■:** Once a week, if I remember correctly.

5 **MD:** Yes, so there's a number of exhibits, 6H, you should have there. There's a number
6 of exhibits, rather than go into each of them, it's 6H, 6L, 6M and 6AS.

7 **RE:** Okay.

8 **MD:** You've got them all there but are those the typical sort of discussions at these
9 campaign meetings?

10 **■:** Yes.

11 **RE:** And where would they be held?

12 **■:** Sorry?

13 **RE:** Where would they be held?

14 **■:** At the Canton office until we moved to Caerau.

15 **RE:** Held in 321 before—

16 **■:** Moving to the Caerau office.

17 **RE:** —move to Caerau.

18 **MD:** I think the latest one I've produced here is up until the 27th of February, so these four
19 one are all before the other office was open.

20 **RE:** Yes.

21 **MD:** Would you say discussions were quite varied in these meetings?

1 ■: Yes, depending on what came up and what needs to be discussed and what we
2 needed to get done, basically.

3 MD: Okay, and who would usually take the minutes of these meetings?

4 ■: That would be ■.

5 MD: Yes, would ■ then... who would ■ then circulate them to?

6 ■: Erm, the office group.

7 MD: Okay, and Neil included in that?

8 ■: Yes.

9 MD: And what would happen, you know, in... after these meetings with, you know, the
10 discussions that we'd had in there, you know, there's a lot of different things being
11 discussed, what would then be done with this information?

12 ■: Well, we... personally, I'd go through the tasks I needed to do and try and get
13 everything done as quickly as possible before, erm, we decided what our next move
14 was going to be.

15 MD: Okay, would you delegate any of the tasks out?

16 ■: If I needed help and I didn't know how to go about it, then yes.

17 MD: Okay.

18 RE: To whom?

19 ■: I would ask members of the office to help me and give me guidance where I didn't
20 know where to get information or how to proceed.

21 RE: So you would deal with actions from the meeting?

22 ■: Yes.

23 RE: But would ask staff for help.

1 ■: Yes.

2 RE: If needed. All right.

3 MD: And again, were they specific jobs, you know, coming out of these meetings? For
4 example, here, just picking off the top... sorry, I'm trying to get a good example
5 here... so, yes, ■, private message to members, I know we'll get that out there
6 on the ground, how do we meet them..." Are they jobs in here that were specifically
7 the responsibility of others or is everything your responsibility?

8 ■: We'd usually allocate and play to people's strengths.

9 MD: Okay, and then finally did Neil's Assembly staff ever send political material to ■
10 ■ ■ using ■ time in employment as a worker for Neil McEvoy?

11 ■: Yes.

12 RE: I'm sorry?

13 ■: Yes.

14 RE: Yes.

15 MD: What sort of items would be sent to ■ ■ ?

16 ■: Erm, mostly leaflets, erm, anything we wanted to distribute to the public.

17 MD: Can you remember anything that was specifically Assembly related? So, you know,
18 case work related, anything like that was sent to ■ ■ ?

19 ■: Erm, I didn't have anything to do with case work so I wouldn't know. I wasn't part of
20 that so I just knew leaflets ■.

21 MD: Okay, and did Neil's Assembly staff ever use the ICT systems for political activity?

22 ■: [Inaudible 03:29:09]

1 **MD:** I'm sorry, did they ever use the Wi-Fi, the laptops, the desk top computers, anything
2 IT related, to do any of the political tasks that we've already spoken about?

3 **█:** Erm, well, I... I used the internet for, erm, so yes, I... I don't think there was any other
4 signal to be had there except for the office one.

5 **MD:** And did you ever see any of the Assembly staff using their Assembly laptops for
6 political work?

7 **█:** Erm—

8 **MD:** Oh, sorry, I'll just refer you to... I mean, when I say "political", and this is as I'm
9 talking about campaigning work.

10 **█:** Erm, it was their laptops they were using, so I would assume they would have been
11 their work ones. I don't know if they had another laptop or it was just the one I saw
12 them with.

13 **NM:** Did you make out earlier where I thought I had said that they used their own personal
14 laptops, I thought? That's what I wrote down earlier. Can we check that at some
15 point?

16 **MD:** **█** and **█** used their personal ones and **█** used **█** personal one.

17 **█:** Yes.

18 **RE:** So you assumed the laptops they were using were what?

19 **█:** Erm, the Assembly work ones they had. I can't tell if they were personal or not, but
20 those are the laptops they used daily so they could have been—

21 **NM:** But you just let Michael answer for the witness.

22 **MD:** No, I thought that was the evidence.

23 **NM:** [Inaudible 03:31:01]

24 **RE:** They were the laptops they used daily. Now, you said earlier that was it **█** and—

1 ■: ■.

2 RE: —and ■.

3 ■: Yes.

4 RE: You thought they used their own laptops for some purpose.

5 ■: Yes, I know that ■ definitely did. I think ■ had ■ own as well, but ■ used
6 the computers at the office.

7 RE: Who did?

8 ■: ■... erm, ■. I know I used my own.

9 RE: Your own?

10 ■: Yes.

11 MD: And just we touched on briefly earlier, did any of Neil's Assembly staff ever use the
12 desk top computer for campaign activity?

13 ■: Those would have been the big screens you hook your laptop to.

14 MD: Can I explain?

15 RE: Explain what you mean.

16 ■: There were docking stations, weren't there?

17 MD: Yes, there were two, two different types of computers in the office. One was, yes, a
18 docking station which you would connect a laptop up to, and there was one computer
19 that was a standalone desk top computer.

20 ■: Oh, that was in left corner.

21 MD: Yes.

22 ■: Was that the one?

1 **MD:** That's correct.

2 **█:** Yes.

3 **MD:** So was that terminal ever used for campaign activity?

4 **█:** Yes.

5 **MD:** What was the advantage of that particular terminal being used?

6 **█:** You couldn't see it from the road.

7 **RE:** I'm sorry?

8 **█:** You couldn't see it from the window, from the road.

9 **RE:** So the desk top computer, which was on the left of the desk, you said?

10 **█:** Yes, with the monitor facing the middle office.

11 **RE:** So this is my note, just check that it's right.

12 **█:** Yes.

13 **RE:** The desk top computer, which was on the left of the desk with the monitor facing the
14 middle office, was used for campaign purposes. The advantage of this computer
15 was that it could not be seen from the road through the window.

16 **█:** Mm-hmm.

17 **MD:** Is there anything further you want to add?

18 **█:** No, thank you.

19 **RE:** Right, as far as that bit is concerned, you say that was the advantage of it. Was
20 there ever any discussion about not making it known that either the office or the
21 equipment or time was being used for party political purposes?

22 **█:** It was discussed, yes.

1 **RE:** And who discussed it?

2 **█:** Everyone at the office, who worked at the office, and staff.

3 **RE:** Sorry to go over this again, but give me the names of the people who discussed it.

4 **█:** There would have been Neil, █, █, Mike and myself. Erm—

5 **RE:** Mike?

6 **█:** And myself.

7 **RE:** Not Mike?

8 **█:** Mike and me, yes, and █ and █ were aware as well.

9 **RE:** And who?

10 **█:** █ and █ were aware as well.

11 **RE:** So how would that discussion, or discussions, how were they started? Who brought
12 that to your attention?

13 **█:** Erm, it was before we moved to the Caerau office, I understood that we weren't
14 supposed to be using the main office as a campaign office.

15 **RE:** Just trying to find the date that you started. You did tell me earlier this afternoon.
16 The date you started in the office.

17 **█:** It was beginning of January. I can't remember, the first/second week in January I
18 started.

19 **RE:** It would have been just after the burglary, wasn't it?

20 **█:** Yes. Yes, I wasn't there then.

21 **MD:** I've got 14th.

22 **RE:** Right, who told you that you shouldn't use it as a campaign office?

1 ■: Erm, I can't remember how it came up. I wasn't aware of that when I started. Erm, I
2 can't remember when... when I was made aware of it, really. We just kept going until
3 we had the Caerau office.

4 RE: I'm sorry?

5 ■: We just kept on going until we had the Caerau office ready to move in to. Sorry, I
6 can't be more specific on dates, but I wasn't aware when I started.

7 RE: So tell me about the discussions. What were you told, by whom?

8 ■: Erm, basically it was a discussion between all of the staff, erm, in the office saying
9 that we needed to keep material out of the way in the back, not to leave it in vision
10 and we were to be careful what was able to be seen, basically.

11 RE: Who told you that?

12 ■: I can't remember who said it, but we were all there when... oh, I think we were all
13 there, I just can't remember when I was made aware and who said what. Erm...
14 can't remember who said it, it was just I was made aware of it and I was trying to be
15 careful after that. We were all discussing how to keep things out of the way, that's—

16 RE: In that context, what did you think the significance was of having a bag over the
17 camera in the back room?

18 ■: I didn't think of it at the time but I don't know... I don't know who put the bag up and
19 why it was put up.

20 RE: So all the people you've mentioned as being party to these discussions, or the
21 discussion, were aware that they shouldn't use it as a campaign office and had to
22 keep things hidden?

23 ■: Yes.

24 RE: Right, there's one other matter I want to ask you about before Mr McEvoy asks you
25 questions. You were contacted by ■.

1 ■: Yes.

2 RE: When was that, do you know?

3 ■: Erm, on which occasion? To discuss—

4 RE: Well, I don't know how many there were.

5 ■: To discuss—

6 RE: Contacted by ■ about your giving evidence in this hearing.

7 ■: Oh, gosh, I can't remember the date exactly. It was before Christmas.

8 RE: Were you contacted by telephone or by email?

9 ■: ■ phoned me.

10 RE: What did ■ say?

11 ■: ■ asked me to consider not giving evidence.

12 RE: Did ■ explain why, why ■ was asking you?

13 ■: Yes, ■ said that ■ was being pressured into phoning me. ■ didn't feel at all
14 comfortable contacting me or asking me not to give evidence and I said—

15 RE: Just pause a moment.

16 ■: Sorry.

17 RE: ■ did not feel at all comfortable in contacting you, yes.

18 ■: Erm, I basically said, erm, that I'd been asked to give evidence, therefore I believed
19 that if I was summonsed to give evidence then I had to turn up, in a way that I
20 couldn't say no. Erm, so after that ■ said, "Okay, I've spoken to you now, erm,
21 I'm not going to contact you again about this." Erm—

22 RE: Just pause a moment. Yes.

1 ■: And, erm, after that conversation, I received the text message from ■, erm, that
2 was sent from ■ saying that I didn't have to give evidence.

3 RE: You received a text message from ■.

4 ■: Yes.

5 RE: What, forwarding—

6 ■: It was forwarding a text message from ■.

7 RE: Right, ■ used... sorry.

8 ■: Sorry, erm, I then asked Mike if I did have to give evidence and, erm, that's when you
9 were made aware of the context of the text message which I'd received.

10 RE: Do you still have the text message?

11 ■: *[Pause]* Yes.

12 RE: Thank you. Thank you very much. That's the only message you received about
13 this?

14 ■: Yes.

15 NM: Can we be told the text, Sir Roderick, please?

16 RE: Yes, certainly. "Mi rydw i rŵan wedi cael neges gan ■ yn dweud, 'I can't
17 speak to ■ as I'm...'," the first bit says, "I've now received... then quote.

18 NM: Yes.

19 RE: "I can't speak to ■ as I'm part of the process. Could you please text ■ to make it
20 clear that it is voluntary and there is no obligation on ■ to give evidence at all. The
21 only benefit to ■ is not to do it as to do so raises questions about ■ employment
22 and whether Plaid as a party was using Assembly resources. ■ can have no
23 involvement and then there's no question about ■ role." I'm very grateful to you
24 and won't speak to you again about it." Unquote. "Dyna ■, dim mwy ynghylch hyn

1 ■■■ wrthyf finna chwaith.” I see at the bottom there’s something else from ■■■. I
2 don’t want to look into it without your permission.

3 ■■■: Yes, that’s me basically saying I need to check if this is correct, if, erm—

4 RE: So the one below is a message from you to somebody else?

5 ■■■: Yes, to Mike saying I need to check if—

6 RE: All right, okay.

7 ■■■: —if I have to give evidence.

8 RE: Is it possible to print that out?

9 ■■■: Yes, I’m sure it can be printed out.

10 RE: I’m afraid my IT skills are not that great.

11 MD: Yes, I can arrange that, no problem.

12 RE: Could you print it out?

13 MD: Yes.

14 RE: Thank you. Right.

15 NM: Sir Roderick, I did promise ■■■ a lift to the train station so ■■■ could catch ■■■
16 train.

17 RE: Right, I want to speak to you before we go about this matter connected with this.
18 What are you suggesting, that you want to reserve your cross-examination until
19 Thursday?

20 NM: Yes, I’ve got a staff meeting and I need to see ■■■ before ■■■ goes home as well.

21 RE: Allwch chi ddod yn ôl ddydd lau?

22 ■■■: Erm, I can [inaudible 03:48:46], yes.

- 1 **RE:** Fine.
- 2 **NM:** It's going to take some time. I thought we'd be quick but it's going to take some time.
- 3 **RE:** Ten o'clock be all right?
- 4 **█:** Ten is fine, yes, I'll be there.
- 5 **RE:** And you have to be away by what time?
- 6 **█:** I would have to leave quarter to three to pick my son up from school.
- 7 **RE:** That's fine.
- 8 **NM:** That will be fine, yes.
- 9 **RE:** That's fine. Good, thank you very much. You can leave now. Do you mind, I just
10 want to speak to Mr McEvoy before we go.
- 11 **NM:** Okay, the train is ten-to.
- 12 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

14th February 2019

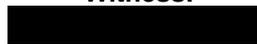
at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

Witness:



Transcript from [00:00:00] to [00:56:06]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - [REDACTED]
 - **Mike Deem (MD)**
 - [REDACTED]
 - [REDACTED]
-

1 [REDACTED]: Hello, one, two; hello, one, two, one, two, one, two.

2 **NM:** Erm, bore da.

3 [REDACTED]: Bore da.

4 **NM:** Where were you on the 5th of November 2016?

5 [REDACTED]: 5th of November, I have no idea.

6 **NM:** Okay.

7 [REDACTED]: Off the top of my head.

8 **NM:** Where were you on the 7th of December 2016, Pearl Harbour Day?

9 **RE:** I'm sorry?

10 **NM:** Where were you on the 7th of December 2016, it's Pearl Harbour Day?

11 [REDACTED]: Without checking, I would have no idea.

12 **NM:** Okay, could you... I think it's quite reasonable and normal for you to hesitate there
13 with some random dates. Could you explain why, when Michael asked you date
14 after date after date, where you were on particular dates in 2017, there was
15 absolutely no hesitation in giving an answer? Why was that?

16 [REDACTED]: Because the evidence was in black and white in front on me.

17 **NM:** A date's a date, though, isn't it?

18 [REDACTED]: Yes.

19 **NM:** So why was it on... why—

1 ■: The paperwork in front of me with the email trail, erm, it said when the emails were
2 sent and what we were doing.

3 NM: Well, I would put it to you that isn't it true that you rehearsed, quite substantially,
4 your evidence last time with Michael?

5 ■: No [with emphasis].

6 NM: No?

7 ■: No.

8 NM: Okay. You described the working week when you were [REDACTED].
9 How were you able to do that?

10 ■: What do you mean, explained?

11 NM: You—

12 ■: I usually turned up at the office in the morning.

13 NM: You referred to the working week.

14 ■: Yes.

15 NM: So how, how were you able to describe a working week?

16 ■: Well, the working week usually was from, erm, Monday until Friday, erm, I was [REDACTED]
17 [REDACTED], I usually came into the officer early in the morning and do what
18 I could then, and then go out canvassing and leafleting in the afternoon when I
19 [REDACTED].

20 NM: So you say you were [REDACTED] so can you explain what [REDACTED] was?

21 ■: Well, [REDACTED], council
22 elections, and then when I [REDACTED], I used [REDACTED] to
23 leaflet, canvass, go knocking doors, erm, basically [REDACTED]
24 because I was living/breathing Plaid Cymru work for the duration I was working.

1 **NM:** When [REDACTED]?

2 **[REDACTED]:** It was about five weeks before we... the council elections.

3 **NM:** Right, but you said that [REDACTED]—

4 **[REDACTED]:** Yes.

5 **NM:** —was then [REDACTED].

6 **[REDACTED]:** Yes.

7 **NM:** So you were in fact [REDACTED].

8 **[REDACTED]:** Yes.

9 **NM:** As [REDACTED]?

10 **[REDACTED]:** Yes.

11 **NM:** So therefore if you were part-time, how could you describe a working week? How
12 many days were you employed for, [REDACTED]

13 **[REDACTED]:** Well, I was supposed to [REDACTED] but I did what I needed to get the job done. It
14 wasn't, right, okay, it's [REDACTED], it was basically I did what I
15 had to do to get the job done.

16 **NM:** Well, you say that. I think that could be debated. How many days were you
17 employed for?

18 **[REDACTED]:** It was from January—

19 **NM:** How many days per week were you employed for?

20 **[REDACTED]:** It wasn't specific.

21 **NM:** So you were not employed [REDACTED]?

22 **[REDACTED]:** I was supposed to be [REDACTED] but I did [REDACTED]
23 person should do.

1 **NM:** Well, that could be debateable. When you were appointed, you were appointed for
2 [REDACTED]. It's not anybody else's recollection other than perhaps you,
3 Michael or [REDACTED], that you worked above and beyond that. So how many days were
4 you employed for?

5 **[REDACTED]:** Well, if you say [REDACTED].

6 **NM:** Well, it's not me saying it, you signed the contract. Was it—

7 **[REDACTED]:** I did not sign a contract.

8 **NM:** There was a contract between you and Plaid Cymru.

9 **[REDACTED]:** I haven't got it, have you got a copy of it so I can see?

10 **NM:** I've not presented my evidence yet. So to go back to the original—

11 **MD:** It's not the stage though that if he's making... if he's asserting a point then he can
12 present evidence at this stage?

13 **RE:** It would be helpful, if you do have a contract, to show [REDACTED].

14 **NM:** Well, to be honest with you, Sir Roderick, I'm actually gobsmacked that the witness
15 has said that [REDACTED] has no idea how many days for which [REDACTED] was employed. I'm
16 absolutely stunned by that, because my whole point is, if I can continue—

17 **RE:** No, first of all, do you have a document?

18 **NM:** Not here, no.

19 **RE:** But you do in due course?

20 **NM:** I would hope so, I can... I haven't looked for it but it would certainly exist. I'm just
21 extremely surprised that there's any dispute about [REDACTED] of the work,
22 very surprised.

23 **[REDACTED]:** Well, I was in the office, I was doing the work.

24 **NM:** Well, which... where were you based?

1 ■: In Cardiff Road East, in 321.

2 NM: Until what date?

3 ■: Until we went to the Caerau office.

4 NM: Did you work from home?

5 ■: Nn... in the evenings, yes. I was sending emails when I had to do pick-ups,
6 childcare.

7 NM: Okay.

8 ■: So I did work from home as well, yes.

9 NM: So you did work from home. Did you do work from Tŷ Gwynfor?

10 ■: Only—

11 RE: I'm sorry, where?

12 NM: Tŷ Gwynfor.

13 RE: Tŷ Gwynfor.

14 ■: I only went there a couple of times to print.

15 NM: Do you recall constantly going to Tŷ Gwynfor with Michael Deem?

16 ■: No.

17 NM: So you don't recall the two of you disappearing frequently and going to Tŷ
18 Gwynfor?

19 ■: [Laughing] No.

20 NM: Okay. To go back to the point about ■■■■■■■■■■, so we've established, I
21 would imagine, that you worked ■■■■■■■■■■.

22 ■: Yes, that's fine.

1 **NM:** So how could you therefore previously comment on a normal working week,
2 because you weren't in the office for a week?

3 **█:** Well, I used to work **█**. My **█**
4 **█**. I was in when the work needed to be done.

5 **NM:** **█** has already said that **█** didn't see me much in the office, though **█** was
6 there often, **█** said. How often was I in the office?

7 **█:** You weren't there that often, no.

8 **NM:** What was the nature of the work that you say that you undertook in the office?

9 **█:** It was gathering information on candidates, it was leafleting, getting all the leaflets
10 ready, rounded up, erm, getting the streets ready, erm, organising launches, erm,
11 Clwb y Ddinas, fundraisers.

12 **NM:** So you leafleted from the office?

13 **█:** Well, the leaflets were in the office, printed in the office and bundled up in the office
14 to be delivered.

15 **NM:** What was the first job to do in January 2017?

16 **█:** Well, I hadn't done the job before so I need to understand where I need... to get
17 relevant information to do what I needed to do.

18 **NM:** What was the first job that you needed to do in January 2017?

19 **█:** Basically, find out who the candidates were, what our plan of action was, what the
20 strategy was for the whole campaign, erm, trying to get hold of volunteers, erm—

21 **NM:** I'll make it slightly easier. What was the delivery job that you were tasked with in
22 January 2017? What had to be done at that time?

23 **█:** It was **█**.

1 **NM:** What needed to be delivered in January? It wasn't done until March actually. So
2 what needed to be done, do you recall?

3 **█:** I haven't got my notebook with me, no.

4 **NM:** Do you recall that there was 60,000 newspapers to be delivered?

5 **█:** They were in the office, yes.

6 **NM:** How long were they in the office?

7 **█:** [Sighs] I can't recall.

8 **NM:** Were they in the office a long time? Were they in the office briefly? How long were
9 they in the office?

10 **█:** They were in the office quite a long time, yes.

11 **NM:** Quite a long time, okay. So why is it, in the bundle, if they were in the office a long
12 time, at the start of January there's an email from me telling staff to get those
13 newspapers out of the office within 24 hours?

14 **█:** They were there. I remember we'd got them out of the office, yes.

15 **NM:** I don't think there's any... I don't think there's any dispute they were there, but
16 you... that's been established... you say they were a while, a long while, you said?
17 I missed... I'm trying to explore your—

18 **█:** Well, I can't say if it was a week, two weeks, a month. They were there, yes, I can't
19 recall exactly dates and times.

20 **MD:** Can I just... a document has been referred to there, an exhibit has been referred
21 to. Can I ask which exhibit you are referring to, because I don't—

22 **NM:** If you pass me... if you pass me the file, it's there.

23 **MD:** Oh, I prefer you [inaudible 00:09:34], I mean, I don't recall an email from you
24 stating that the newspapers need to be removed within 24 hours.

1 **NM:** Actually, Sir Roderick, who's giving evidence here? I thought I was just
2 questioning—

3 **RE:** No, just... you make exception to this, I was going to ask in any event which
4 document were you referring to when you say there's an email?

5 **NM:** I'll go upstairs and get my files.

6 **RE:** Well, [REDACTED] can do it and you can carry on.

7 **NM:** Well, this is... it's established the email is in the bundle, we've looked at it several
8 times.

9 **RE:** Well, that's... I don't doubt it's in the bundle but at some stage I need to refer to it.

10 **NM:** Okay, yes, so there is an email, it is in the bundle, we can find it later.

11 [REDACTED]: If I... if it was in front of me, I could say "yes" but—

12 **NM:** But the point—

13 [REDACTED]: —I can't comment, I can't comment and say yes, it was that date, back that long
14 ago.

15 **NM:** But the point I'm making, and you may want to disagree with this, [REDACTED]
16 [REDACTED]

17 [REDACTED]: Am I though?

18 **NM:** Yes.

19 [REDACTED]: Okay.

20 **RE:** About what?

21 **NM:** [REDACTED] [REDACTED]?

22 [REDACTED]: About what, Neil?

23 **NM:** [REDACTED]

1 ■: Of course, you're going to try and say I am.

2 **NM:** [REDACTED]

3 ■: Oh, do I now?

4 **NM:** So you've stated that the newspapers were in the office a long while. I'm telling
5 you there's evidence in the bundle which suggests they were in the office a very
6 short time. So I'll put it to you that—

7 ■: Okay, well, let me see that evidence then.

8 **NM:** I'd like... so are you disputing that they were in the office a short time?

9 ■: I can't remember, Neil.

10 **NM:** But you—

11 ■: They were there.

12 **NM:** But you seem to—

13 ■: And you said that they needed to go.

14 **NM:** But you seem to—

15 ■: Yes, but I can't remember when that was, if was—

16 **NM:** Okay.

17 ■: —a month, two months after, I can't remember.

18 **NM:** But you could see—

19 ■: But they were there.

20 **NM:** Why is it then that you can't remember these things, which I think is reasonable, it's
21 two years' ago, but yet on the dates that you were asked about where you were,
22 there was no hesitation, no, no—

1 ■: Because the evidence was there in black and white, Neil.

2 NM: What evidence was where?

3 ■: In the emails it said right, okay, which office I was in, where I was at.

4 NM: So without any hesitation, you... but you said you'd been to Tŷ Gwynfor, you say
5 you worked from home, and yet... but no, there was no hesitation about where you
6 were.

7 ■: Because it was down in black and white where I was.

8 NM: What was Michael Deem's role in the office?

9 ■: He was the office manager.

10 NM: So what was his role in the office?

11 ■: Well, he did most of the case work and—

12 NM: That's debateable again.

13 ■: Well, I'm not here to answer how debateable Mike's work is.

14 NM: So, Sir Roderick, forgive me that comment, it's just that I'm coming across case
15 after case [inaudible 00:12:08] which were not done by my former colleague across
16 the room.

17 RE: Well, that may or may not be the case.

18 NM: Across the table.

19 RE: All I want to do is to get your questions and ■'s answers.

20 NM: Yes, okay, so I think we... you see where I'm going with the hesitation, with the
21 questions I'm asking about dates and there was no hesitation previously. You say
22 that I wasn't in the office often, which is true. What was, in terms of my line
23 management of you, if any, or anybody's line management of you, what was it?

1 ■: Well, we had meetings discussing what our plan was for the week ahead and
2 would sort of catch up on various either phone calls, texts, erm, Signal used, erm,
3 er, we kept in contact to say right, this has been done, this hasn't been done, this is
4 priority and I would—

5 **NM:** Do you ever recall me apologising for not having been in touch with you? Mainly,
6 because I was too busy, work in the Assembly and other things.

7 ■: There were times where you busy, yes.

8 **NM:** Okay, all right, did you undertaken any Assembly work in the office?

9 ■: No, if anything was being discussed and I thought I could be of value giving my ten
10 pence worth, then I would contribute, but—

11 **NM:** Did you organise... it's already been established that the ■ video was
12 not political in nature.

13 ■: No.

14 **NM:** It's the Local Development Plan issue. Do you recall organising that visit?

15 ■: Yes, I did.

16 **NM:** So was that Assembly work or was it Plaid Cymru work?

17 ■: I thought it was for the campaign, because that was the.. basically, the biggest
18 topic that we were going on.

19 **NM:** So which campaign?

20 ■: The Cardiff Council campaign, that's what our main issue, talking point was.

21 **NM:** Okay.

22 ■: And—

23 **RE:** Can you please remind me, which visit is this?

1 **NM:** [REDACTED], the [REDACTED], who didn't want to do anything political.
2 Took part in a video.

3 **RE:** Yes.

4 [REDACTED]: Yes, eh came in to give us—

5 **NM:** Yes.

6 [REDACTED]: —[REDACTED] opinion as an expert on nature.

7 **NM:** That was organised by you?

8 [REDACTED]: Yes.

9 **NM:** But you say you didn't do any Assembly work.

10 [REDACTED]: I thought it was basically to say that, erm, this was our main issue, this is the expert
11 opinion of somebody in the field.

12 **NM:** So despite you not being aware of doing Assembly work, we now discover you
13 were in fact doing Assembly work.

14 [REDACTED]: Well, if it was used for Assembly it was also used for the campaign.

15 **NM:** Right, would it surprise you that I was advised that you were assisting with such
16 campaigns and assisting Michael with case work? Would that surprise you to hear
17 that?

18 [REDACTED]: I didn't sit in on any case work.

19 **NM:** So you didn't... you didn't assist Michael with anything?

20 **RE:** With case work.

21 [REDACTED]: Case work, no.

22 **NM:** So what work did you assist Michael with? Did you stuff any envelopes?

23 [REDACTED]: Yes.

1 **NM:** Yes? Did you make sure letters were sent out?

2 **█:** Yes.

3 **NM:** So for example the Radyr meeting, did you stuff envelopes for that?

4 **█:** Yes.

5 **NM:** The LDP... okay, right. So we... it was also established, another point at another
6 time, that that wasn't a political meeting either. So in fact what you were doing was
7 Assembly work, in that case.

8 **█:** Fine.

9 **NM:** Okay. When you were interviewed, where were you interviewed for the job?

10 **█:** In Tŷ Hywel.

11 **NM:** Here?

12 **█:** Yes.

13 **NM:** In which room was it?

14 **█:** It was in... was it your office? It was one of the offices in the Plaid Cymru—

15 **NM:** Hmm, what did the room look like?

16 **█:** It was an office with a table with chairs around it and the window was looking
17 towards the offices on the front, [inaudible 00:16:18] light.

18 **NM:** There was no computer terminal, no printer? It was a meeting room?

19 **█:** Probably, yes. There's... I can't recall any—

20 **NM:** Did you ever go into my office?

21 **█:** Erm—

22 **NM:** In the Assembly.

1 ■: I had to do a task for the interview for which I had to use a computer, but I don't
2 know whose office that was.

3 NM: So the off.... So the interview didn't take place in my office?

4 ■: It was a room in Plaid—

5 NM: If I say to you my office is on the left as you go in, there's a computer terminal
6 there, there's a printer, there are books, there used to be books when I was based
7 there.

8 ■: Well, that was probably where I did the test then.

9 NM: Okay, so the interview was in the Plaid Cymru meeting room, we can agree?

10 ■: If that's the meeting room, then yes.

11 NM: Yes, okay. Who interviewed you?

12 ■: It was ■■■■■■■■■■, ■■■■■■■■■■, yourself. I can't recall who else was there.

13 NM: Was 321 Cowbridge Road East the headquarters for the council election
14 campaign?

15 ■: When I was working out of there, yes.

16 NM: Okay, are you familiar with ■■■■■■■■■■?

17 ■: Yes.

18 RE: I'm sorry?

19 NM: ■■■■■■■■■■.

20 ■: Yes.

21 NM: He was ■■■■■■■■■■—

22 ■: ■■■■■■■■■■.

1 **NM:** — [REDACTED].

2 **█:** Yes, when I went to the [REDACTED] yes.

3 **NM:** He also [REDACTED] up until I think it was roughly February.

4 **█:** Yes.

5 **NM:** Yes, so the evidence given by the former [REDACTED] was
6 that 321 was not a headquarters for the council campaign, so why is there—

7 **RE:** No, hang on, where's that evidence?

8 **NM:** He presented it last time.

9 **RE:** Right.

10 **NM:** You should have [inaudible 00:18:27], that's what I'm doing.

11 **RE:** Yes, I have that, I'm sorry. I was thinking of somebody else.

12 **█:** Well, [REDACTED] only came into the office for the meeting—

13 **NM:** But [REDACTED] was—

14 **█:** —in the evening.

15 **NM:** —he was [REDACTED], and he doesn't recognise the fact—

16 **█:** No, [REDACTED] came to [REDACTED], after office hours, and I used
17 to go out to [REDACTED] when [REDACTED].

18 **NM:** Yes, so you—

19 **█:** I didn't see [REDACTED] anywhere else, no.

20 **NM:** Is it a fact then that you have a different recollection about the use of my office to
21 [REDACTED], who stated here that my office was not the HQ?

1 ■: ■ wasn't there during office hours. ■ wasn't at the office, ■ only
2 came to the office for meetings in the evening.

3 **NM:** So I think we can establish just a simple "yes" or "no" really, that you have a
4 different recollection of the use of my office than the chair of the Cardiff campaign.

5 ■: Well, if ■ came into the office during office hours,
6 then ■ might have seen things differently.

7 **NM:** Are you aware that ■ did state that ■ had been to the office in office
8 hours?

9 ■: No, I don't know... no idea what ■ said in his evidence.

10 **NM:** I don't think we're going to agree on recollections there. A message seems to have
11 been sent by ■ to ■... ■, I'm sorry, about you
12 appearing here or not appearing here. How did that make you feel, when ■
13 contacted you?

14 ■: Well, I didn't think it was fair that I was put under that pressure. Erm, I was advised
15 that if I was called to give evidence, that I had to do so, that it was not for me to
16 say, "No, I'm not going to turn up." Erm, for then somebody to send, well, phone
17 me and say, "I have been asked to contact you to ask you to reconsider giving
18 evidence,"—

19 **NM:** Why, what do you think ■'s... have you always got on with ■?

20 ■: Yes, I... I thought we all got on, but this has just—

21 **NM:** ■ was so happy with ■ after the election, do you remember what she
22 bought ■?

23 ■: No.

24 **NM:** Well, it was a bottle of whisky. Would that surprise you that ■ bought him a
25 bottle of whisky because ■ was so happy with ■ help in the election, writing
26 leaflets and so on?

1 ■: No.

2 NM: Okay, so you got on with ■ Did it make you feel intimidated, that you were
3 asked to reconsider to come, coming here? Did you feel intimidated by that?

4 ■: Yes.

5 NM: Okay, what do you think ■'s motivation was? If, in fact, ■ did it.

6 ■: [Sighs]

7 RE: Is that a question that ■ can answer?

8 NM: I just—

9 ■: I don't know what ■ motives—

10 NM: —I don't see why not.

11 ■: —obviously from the phone call I had from ■ and the forwarded text message,
12 that ■ intention was to persuade me not to give evidence.

13 NM: Hmm, okay. Do you think there could have been any friendly motivation in sending
14 you that message?

15 RE: I'm sorry?

16 NM: Any friendly motivation in sending that message.

17 ■: If ■ spoken to me personally, then that—

18 NM: Yes.

19 ■: —but because it went through ■ and the nature of the text—

20 NM: Okay, would it surprise you that I find you being here very helpful?

21 ■: Oh, I'm glad you think so.

1 **NM:** Okay, did my nomination get sent in?

2 **█:** Was that where the first week I was there?

3 **NM:** I can't—

4 **█:** Erm, I hadn't... I'd never been **█** before, I did not understand what was
5 going on, erm, my understanding was that somebody else was going to send it in
6 because they knew what was happening and what the process was; I didn't. I did
7 apologise for that, if you recall.

8 **NM:** Apologise for what?

9 **█:** That the nomination didn't arrive in time.

10 **NM:** Ah, so you remember the nomination then?

11 **█:** Well, I remember apologising for something I didn't put in before the right date, yes.

12 **NM:** So to go back to the original question, do you recall that I was nominated by Plaid
13 Cymru... by Cardiff West?

14 **█:** Yes, that's fine, if that was the reason then that... I remember I didn't get the
15 nomination on time but I wasn't aware that it was my role to do that because it was
16 within a few days after the first meeting. **█** and I, **█** and I were new, we
17 hadn't done it before, both of us apologised because we didn't fully understand
18 what the role entailed and who had to do what. We did apologise for that.

19 **NM:** Okay, so **█** they **█**, they **█**
20 **█** So you both... you recall then apologising for not—

21 **█:** Yes.

22 **NM:** —having **█** to nominate me?

23 **█:** Yes.

1 would have liked if I put that in the statement. Secondly, you would have to then
2 say in a press release... erm, in a press statement then that you didn't have full
3 support. Therefore, we lied in the statement and then I would have to send another
4 letter out apologising for misleading members.

5 **RE:** Can you help me on this?

6 **NM:** Yes.

7 **RE:** You're—

8 **NM:** I was just, I mean, I was—

9 **RE:** —you're talking about something which you two obviously know a lot about but I
10 know nothing about.

11 **NM:** Yes, the press statement, it was agreed by... do you recall that the meeting was
12 well attended?

13 **█:** It was, yes.

14 **NM:** Yes, okay, so—

15 **█:** Was there full agreement? No, there wasn't. I past that... I past █ █
16 █ before I sent it out, and they agreed with me.

17 **NM:** Can you—

18 **█:** Just explain to Sir Roderick as well [inaudible 00:28:41]. The context.

19 **NM:** The context is it's another example of █ behaving politically to my
20 detriment. Because a press release was agreed by the vast majority of members,
21 it wasn't—

22 **█:** No, it wasn't a vast majority.

1 **NM:** It wasn't unanimous but I think there were two or three against. The usual
2 suspects. The rest of the meeting were in full support, so there was... there's
3 wasn't unanimous—

4 **RE:** Hang on, I'm sorry, if you'll excuse me—

5 **█:** Basically—

6 **RE:** —but it's important, what? I mean—

7 **NM:** Me. There was—

8 **RE:** —well, I guessed that.

9 **NM:** Yes.

10 **RE:** I don't know of the—

11 **NM:** Well—

12 **RE:** —the full context of this.

13 **NM:** It's quite an important statement really because the constituency, not unanimously
14 but almost unanimously, expressed full support for me and "full" is quite an
15 important adjective there. What █ decided to do was remove the word
16 "full", and then there was—

17 **█:** I said that meeting supported you.

18 **NM:** Yes, the... it was quite a crucial amendment actually, because when you speak to
19 journalists in politics there is a difference being supported and fully supported. We
20 didn't say... the statement didn't say "unanimous".

21 **█:** But what was the first question you were asked?

22 **RE:** Hang on, I think before I can even consider this... I mean, your point, I think, must
23 be that █ is politically motivated against you.

24 **NM:** Yes.

1 **RE:** That's what you're saying?

2 **NM:** Yes.

3 **RE:** Right, if this part of the picture is important to support that contention, I think I need
4 to see the document, otherwise I'm swimming in the muddy water and I can't see
5 where I'm going.

6 **NM:** All right, okay. Just for clarity then, just to help out, can you confirm that you
7 deleted the word "full" support and just left it as "support"?

8 **█:** I did and I had the support of █ █ for that because what was
9 the first question you were asked by the press the following morning? "Did you
10 have full support?" So therefore I was trying to help you, Neil—

11 **NM:** It was—

12 **█:** —because—

13 **NM:** Okay, all right.

14 **█:** It wasn't malicious, it was because you didn't have full support. I knew the
15 questions you were going to be asked afterwards. I even got members emailing
16 me saying, "I don't support Neil but I support the statement that went out and it was
17 worded correctly."

18 **NM:** Do you know the difference between "unanimous" and "full"?

19 **█:** Yes.

20 **RE:** Well, hang on. I'm sorry, the semantics of that are beyond me. I'm going to need
21 to know the context.

22 **NM:** I... we can move on, I think. We've established that █ didn't nominate me
23 for the National Executive as █ should have done and also altered a press
24 statement to my detriment, I think that's the salient—

25 **█:** It wasn't to your detriment, Neil.

1 **RE:** Well, no, I don't think we agreed on that. I don't think [REDACTED] agreed on that.

2 **NM:** Oh, right.

3 **[REDACTED]:** It's not to your detriment, Neil. I was helping you on that one and I had [REDACTED]
4 [REDACTED] support, and if you ask [REDACTED], [REDACTED] said [REDACTED] supported me
5 on that one because it wasn't unanimous, it wasn't full support, and basically I was
6 saving us from backlash afterwards of having to send emails and statements out
7 apologising for misleading members—

8 **NM:** It's not misleading.

9 **[REDACTED]:** —because it wasn't full support.

10 **NM:** It was... it wasn't unanimous support. As I said, the usual suspects. Who was
11 against? Do you recall?

12 **[REDACTED]:** There was quite a few, and there was a few who didn't vote at all. I haven't got a
13 list, no.

14 **NM:** There were two people against, okay.

15 **RE:** Hang on, the difficulty—

16 **[REDACTED]:** No, Neil, you weren't in at the vote, you weren't in the room when they were voting.
17 How do you know?

18 **NM:** Okay, all right—

19 **RE:** Well, hang on now, before we get into... lost in the detail of this—

20 **NM:** Yes.

21 **RE:** —there's a difference, isn't there, between having the full support of the meeting in
22 the sense of unanimity.

23 **NM:** Hmm, that's not unanimous. Full support—

24 **RE:** No, hang on.

1 **NM:** Yes.

2 **RE:** I'm just trying to see where we're going on this. There's a difference between
3 having the full support of the meeting, i.e. unanimity, and having the full support of
4 a majority of the meeting. Now, what was deleted from what in what context?

5 **NM:** Okay, just to make it slightly clearer.

6 **RE:** First of all, do you agree with the difference?

7 **NM:** A meeting which is... when a vote is taken and 20 or so people vote for it and two
8 vote against, and some abstain, then that, of course, is full support in my book.

9 **█:** Neil, you weren't in the room, you don't—

10 **NM:** Not unanimous.

11 **█:** —know who voted for or against. You were outside.

12 **NM:** We all know, **██████**—

13 **RE:** No, hang on, that kind of remark isn't helpful, you know.

14 **NM:** Well, well—

15 **RE:** All I want to know is—

16 **NM:** —this whole process isn't helpful, sir Roderick.

17 **RE:** Can you get the document?

18 **NM:** Yes.

19 **RE:** Well, then, if you can get the document, we can see precisely what word was
20 removed from where and what the meaning of it was afterwards.

21 **NM:** "Full" was removed.

22 **█:** Yes, but—

1 ■: Okay, I could have put “full” support from the majority then. I would have had to
2 have “the majority” in.

3 **NM:** All right.

4 ■: Basically, I did save us a lot of hassle by taking that word out because (a) you had
5 the first question from a journalist the following morning, “Did you have full
6 support?” where you said, “No,” which was true.

7 **NM:** No, no, because—

8 ■: And I didn’t then... we didn’t have then have to apologise for misleading people.

9 **NM:** No, there... with respect, ■, that wasn’t a question. The question was
10 unanimous, that was the question from the journalist.

11 **RE:** I’m sorry, I really don’t want to hassle you on this, but we must... if you are to make
12 a point on this, we need to know the precise wording.

13 **NM:** The main point is, or the point is that the word “full” was removed by ■
14 despite a vote being taken on the statement.

15 **RE:** No, the evidence so far is that that is certainly correct, it was the word was
16 removed by consent of ■.

17 **NM:** Contrary to a vote.

18 **RE:** Well, that depends on the context of the word “full”, which we don’t know.

19 **NM:** Do you agree, ■, that there was the... or do you recall that there was a
20 vote on the actual wording of the statement?

21 ■: There was a vote on we were going to send out a statement supporting you, yes,
22 which we did.

23 **NM:** Okay—

24 ■: And if you recall at that meeting I did support you, Neil.

1 **NM:** Well, no, we're not going to agree so I think it's best to move on rather than waste
2 time. What's the nature of your relationship with Michael Deem?

3 **█:** We were all colleagues when we were all working together.

4 **NM:** Would you say that you were close to Michael?

5 **█:** Not closer than I was to you or **█** or **█**, no. I worked closer with him
6 when the general elections came along but—

7 **NM:** Hmm, you've already said that we didn't spend much time together, the two of us. I
8 was rarely in the office, I did apologise for not having been in touch with you much
9 because I was just immersed in what I was doing—

10 **█:** Yes—

11 **NM:** —so would you—

12 **█:** —but we were in contact.

13 **NM:** Would you agree that you spent a lot of time with Michael?

14 **█:** In the office with **█** and **█** as well. What are you trying to imply, Neil?

15 **NM:** **█** **█**.

16 **█:** Yes.

17 **NM:** **█**

18 **█:** I'm not—

19 **NM:** This is relevant.

20 **█:** Is it really? How?

21 **NM:** **█**

22 **RE:** You need to persuade me that's a question that [inaudible 00:36:50].

1 **NM:** Okay, [REDACTED] [REDACTED]

2 **[REDACTED]:** [REDACTED]

3 **NM:** [REDACTED]

4 [REDACTED]

5 **[REDACTED]:** [REDACTED]

6 **NM:** [REDACTED]

7 **[REDACTED]:** [REDACTED]

8 **RE:** [REDACTED]

9 **NM:** [REDACTED]

10 [REDACTED]

11 **[REDACTED]:** [REDACTED]

12 **NM:** So what—

13 **[REDACTED]:** Are you serious, Neil?

14 **NM:** I'm absolutely serious, [REDACTED].

15 **[REDACTED]:** [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 **NM:** I've got... I've got... I've got no... I've really got no further questions.

19 **[REDACTED]:** [Laughs] Oh, unbelievable. Oh, dear me.

20 **RE:** Right, do you have any questions [inaudible 00:38:28]?

21 **MD:** Yes, just a couple. Didn't think we'd be having a laugh today.

22 **[REDACTED]:** Oh, dear me.

1 **MD:** So just a couple of points. Did you volunteer for Plaid prior to [REDACTED]
2 [REDACTED]? So you said that you [REDACTED]
3 Did you do any volunteer work outside of your role [REDACTED] before that?

4 **[REDACTED]:** Yes.

5 **MD:** Okay. You said that you worked the majority of your shifts in the mornings. Did you
6 ever spend afternoons in the office?

7 **[REDACTED]:** Yes, if work needed to be done and I didn't have to pick the kids up from school or
8 nursery, that kind of thing, yes.

9 **MD:** Yes, was there... okay, was there specific afternoons or just, you know, as you say,
10 if work needed to be done you would be there on an afternoon?

11 **[REDACTED]:** Oh, I didn't record it. If I needed to be somewhere else because of the children or if
12 I was meeting candidates outside of the hours I was working, then I'd just go and
13 meet them or whatever whenever. Basically it was wasn't [REDACTED]. I
14 basically lived and breathed Plaid for the time I was working there.

15 **MD:** Okay, so over the period of four or five months that you were employed as [REDACTED]
16 [REDACTED] four months, that during that time [REDACTED]
17 [REDACTED], you know, you saw the
18 operation of the office across the span of a week?

19 **[REDACTED]:** I would say so, yes, [REDACTED]
20 [REDACTED] yes.

21 **MD:** Okay, so therefore if you'd spent time there, you'd have an idea of how the working
22 week would then function in regards to the employed Commission staff?

23 **[REDACTED]:** I believe so, yes.

24 **MD:** Okay. The LDP was one of those subjects that, you know, there could have been
25 elements that were... sorry, let me rephrase that. Was the LDP campaign
26 specifically in relation to the... to Assembly work?

1 ■: Well, as Neil pointed out, he did use it for his Assembly work, but we also used it as
2 our main selling point for the campaign, council campaign.

3 MD: So there was a cross-over between Assembly work and campaign work in relation
4 to the LDP?

5 ■: Yes, I would say so. If I recall, you did the majority of the work on the LDP.

6 MD: So would you say it was always clear... if you're doing a piece of work in relation to
7 the LDP, was it clear for what purpose that was eventually going to be used?

8 ■: Well, I thought we were using it mostly for the campaign. It crossed over to
9 Assembly work as well so therefore both sides benefited.

10 MD: Okay, just one comment Neil made I wanted to contest. I didn't challenge it at the
11 time, but just I want it to go on record to say that ■... I believe ■'s
12 evidence was that 321 was not the campaign headquarters for Cardiff Central
13 Plaid. I think, when we look back at the notes, ■ said that ■ wasn't aware of
14 where the campaign headquarters was prior to the office opening in Caerau Lane
15 but that ■ knew 321 wasn't the campaign headquarters for Cardiff Central
16 specifically. So a quarter of the Cardiff campaign.

17 NM: The bit at the very beginning... if I can interject, ■ actually did state that it wasn't.

18 RE: Well, I'll look back in my notes—

19 NM: Yes.

20 RE: —and I'll check that. [Inaudible 00:43:04] we can try and identify it on the record.

21 MD: And just finally, what was your job prior to being the organiser for that campaign?

22 ■: I was ■.

23 MD: Okay, so you've, is it fair to say that you've got experience on, you know, how
24 ■ operate, how they think, how they ■?

25 ■: Yes.

1 **MD:** Would you say—

2 **█:** Hence why I explained earlier with support from █ █ to do
3 what I did.

4 **NM:** Against the vote, yes.

5 **MD:** Would you say that that professional knowledge was a reason why you were given
6 █ ?

7 **█:** It could have been, yes.

8 **MD:** Would it help you in making informed decisions as █, to have had that
9 experience?

10 **█:** Of course, you... you can see █
11 █, hence not having
12 Neil having to explain it wasn't full support of that meeting.

13 **MD:** And would you have ever, you know, gone above... would you have ever issued a
14 press release, statement, communication from Cardiff West without prior
15 authorisation from █ █ ?

16 **█:** No.

17 **MD:** Okay. That's fine, sir.

18 **RE:** Thank you very much. I have no questions. Thank you very much indeed for
19 coming, you are free to go now, thank you.

20 **█:** Diolch yn fawr.

21 **RE:** Now, is that the end of the evidence you wish to call?

22 **MD:** Yes.

23 **RE:** Right. Now then, Mr McEvoy, it's now down to you.

24 **NM:** Mm-hmm, yes, well, have we arranged the dates for the evidence?

1 **RE:** No, there'll be no need to arrange... I have sent you dates which I'm available.

2 **NM:** Yes, so what dates were they? Can we book those? I've no evidence to give
3 today. I'm needed at the tribunal.

4 **RE:** I'm sorry?

5 **NM:** I need to go to a tribunal this morning with constituents. I would like to be there
6 now but I can obviously get there later. What was the first date, the 8th of March we
7 agreed?

8 **█:** I'll get the dates now, sir.

9 **█:** Diolch yn fawr.

10 **RE:** Diolch yn fawr. While that's being done, there are some documents that arise from
11 that. The first is the contract. If you have a contract which specifies **█**'s
12 working hours, so much the better. You referred to an email which shows that the
13 papers were there for a short time.

14 **NM:** Yes.

15 **RE:** Now, you said two things about the email. First of all, that you asked that they be
16 removed within 24 hours, but you then went on to say that the email showed they
17 were there a short time, so I'd like you to identify that email for me.

18 **NM:** Yes, okay.

19 **RE:** I remember that there is an email which refers to these papers, but I want it
20 identified.

21 **NM:** It just ties in to the date of the email and the delivery dates, so they were clearly
22 there a short period of time, with the two dates, but that will be apparent on the
23 email.

24 **RE:** Well, we'll see what the email says.

25 **NM:** Yes.

1 **RE:** Then there's this issue about the press release which I'm still struggling with. I
2 don't now how important it's going to be.

3 **NM:** Yes, yes, okay.

4 **RE:** But I am struggling with the context because I do see a difference between "full
5 support" in the sense of unanimity and "full support" by a majority.

6 **NM:** No, erm—

7 **RE:** Right?

8 **NM:** It was... well, yes, okay.

9 **RE:** So I'd just like to see... if you want to rely on it, it would help me—

10 **NM:** Yes, sure.

11 **RE:** —if you were to produce the release and indicate to me where the word "full" was
12 removed from.

13 **NM:** Yes, okay, yes, I will, yes.

14 **RE:** Yes. Right, sorry, [REDACTED], you have the dates [inaudible 00:48:04]?

15 [REDACTED]: Yes, there was—

16 [REDACTED]: Yes, I've got them here as well actually.

17 [REDACTED]: Monday, 8th of March is the first one, yes?

18 [REDACTED]: Yes.

19 **NM:** Right, can we do that?

20 [REDACTED]: Well, yes, well.

21 **NM:** What's the term time?

22 [REDACTED]: Well, the—

1 **NM:** Yes, we can do the 18th.

2 **RE:** You've seen these dates, have you?

3 **MD:** I haven't, no.

4 **■:** It was together [inaudible 00:48:37]

5 **RE:** Oh, sorry.

6 **MD:** It's okay.

7 **RE:** Erm—

8 **MD:** I don't think I have.

9 **NM:** I can do 18th, do the 29th.

10 **■:** Check, I think the sequence was going to be—

11 **NM:** Because it's Easter there, isn't it?

12 **■:** Neil could decide and then come to you.

13 **MD:** Yes, yes, that makes sense.

14 **RE:** Mr McEvoy asked for dates.

15 **MD:** Yes, it makes sense.

16 **RE:** And I gave him these dates that I'm available. You say you're available on the 18th
17 of March?

18 **NM:** Yes.

19 **RE:** That's a Monday, I think, isn't it?

20 **NM:** Yes.

21 **■:** Yes.

1 **RE:** The dates I gave were on Mondays and Fridays to try and accommodate the
2 business here.

3 **MD:** Mm-hmm.

4 **RE:** But if you can't make those dates then you'll have to renegotiate.

5 **MD:** That's fine, Mondays and Fridays work best for me.

6 **RE:** Do they? That's fine, good.

7 **NM:** [Inaudible 00:49:26] dates, yes.

8 **RE:** Monday the 18th. What are the other dates we gave?

9 **█:** Friday the 29th of March.

10 **█:** It's the 28th.

11 **RE:** 29th.

12 **█:** Friday the 5th, Monday the 8th of April, Friday the 12th of April, Monday the 15th of
13 April.

14 **RE:** I'm sorry?

15 **█:** Monday the 15th of April—

16 **RE:** Okay.

17 **█:** —was the last one.

18 **RE:** Right.

19 **NM:** I can do the 18th and 29th. April's difficult with the Easter holidays.

20 **RE:** Well, Easter's quite late, isn't it?

21 **NM:** Yes, but that's in the holidays for the... the 5^h, I'm away that weekend. So I'm
22 away that day, the Friday. If we, what is it, what do we need doing? I need to

1 present, that should be done. I don't think I'll take too long in presenting. I thin if
2 we... the only other... we just need to fit witnesses in then, don't we, afterwards?
3 So if we... if I do present on the one day and witnesses on the other, I think we
4 should maybe fit some witnesses in the afternoon would... could work, I think.

5 **RE:** What, two days?

6 **NM:** Yes. It's just I'm struggling to make any dates in April there. Shall we put one in...
7 because that's the 15th though, isn't it? I think that's the holiday. What's the date
8 of the term, [REDACTED]?

9 [REDACTED]: It's the 8th to the 28th of April.

10 **NM:** 28th.

11 [REDACTED]: Is Easter.

12 **NM:** Any dates you can do later in April?

13 **RE:** I'm sorry?

14 **NM:** Are there any dates you can do later in April?

15 **RE:** Yes, but I would like, if at all possible, sooner rather than later.

16 **NM:** Yes, it's just around that time we've got some... I've got some family commitments.
17 So when are we back in? The 26th, is it?

18 [REDACTED]: 28th.

19 **NM:** 28th.

20 **RE:** When is Easter?

21 [REDACTED]: The 8th of April until the 28th of April.

22 **NM:** Erm—

23 **RE:** So Easter is when?

1 ■: The 8th of April until the 28th of April.

2 RE: Oh, that's recess, is it?

3 NM: Yes.

4 RE: Yes.

5 NM: What about the 27^h?

6 ■: Sorry, do you mean the date of Easter itself?

7 RE: Yes.

8 ■: Oh, my apologies.

9 RE: Yes.

10 NM: 26th, can we do the 26th of April as the third date?

11 ■: The 21st of April is Easter.

12 NM: So it would be Friday the—

13 RE: Can we get a date—

14 NM: Friday the 26th.

15 RE: No, can't we do it before that in early April? Recess starts on the 8th apparently, a
16 Monday.

17 NM: Yes. I'm away.

18 RE: Right, how long are you away for?

19 NM: It depends really. I'm certainly gone for... I can't do recess. I do enough as it is
20 and I want some family time in that recess, so I can do the 26th. As it stands now,
21 things are so busy I don't actually have a personal life, so for the recess I need it to
22 spend some time with the family, which I don't do at the minute.

1 **RE:** 26th of April, is that possible for you?

2 **MD:** 26th is okay, yes.

3 **RE:** What day is that?

4 **NM:** Friday.

5 **MD:** Yes.

6 **NM:** So we've got the 19th, is it?

7 **MD:** What was the date in March then?

8 **RE:** The 18th, 29th and 26^h of April.

9 **MD:** Oh, there's no date in March at all?

10 **RE:** Yes, 18th of March.

11 **MD:** Okay.

12 **RE:** 29th of March.

13 **MD:** 18th, 29th, yes.

14 **RE:** And the 28th of April.

15 **MD:** Yes.

16 **RE:** Now, is there a date after that? If that's a Friday, then the... that's Easter week,
17 isn't it?

18 **NM:** No.

19 **RE:** 21st is Easter, [REDACTED] said, I think.

20 **NM:** Yes, Easter Sunday.

21 **RE:** Easter Sunday, yes.

1 **NM:** Yes, so it's all over... Easter Monday.

2 **RE:** The 22nd.

3 **NM:** Yes, so the 26th is—

4 **MD:** The 26th is a Friday.

5 **RE:** Friday.

6 **MD:** Is the 29th agreeable with you both?

7 **RE:** Yes.

8 **NM:** Yes.

9 **MD:** On a Monday.

10 **RE:** 29th.

11 **NM:** Yes, yes.

12 **MD:** Just in case.

13 **RE:** So we cancel the 26th and put in 29th.

14 **NM:** No, no, I'll do the 26th and—

15 **RE:** Yes, [inaudible 00:54:15] with that.

16 **NM:** Right, 29th then.

17 **RE:** 29th?

18 **NM:** Yes.

19 **RE:** The only question is as it's Easter week, it might be a week when I'll be away. Do
20 you mind putting those four dates in and then we can review the 26th and 29th of
21 April, (a) if they're needed, and (b) which is the better day.

1 **NM:** Hmm.

2 **RE:** Are you content with that?

3 **NM:** Yes.

4 **MD:** Yes, yes.

5 **RE:** Right, so 18th of March, 29th of March, 26th of April, 29th of April, and we'll decide
6 which of those are the better days, last two better dates. Right, are there any other
7 matters that we can deal with today?

8 **NM:** No.

9 **RE:** Okay, thank you very much.

10 **MD:** Yes, thank you.

11 **NM:** Okay?

12 **█:** Okay.

13 **NM:** Did that **█** letter go? Housing.

14 **█:** Well, I don't know.

15 **MD:** Okay, diolch.

16 **█:** Okay.

17 **RE:** Diolch, thank you very much.

18 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

18 March 2019

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
NEIL McEVOY**

Transcript from [00:00:00] to [03:50:33]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - [REDACTED]
 - **Mike Deem (MD)**
 - [REDACTED]
-

1 **NM:** Okay, this deals with the part of the allegations about supposedly doing the
2 printing for the Plasnewydd by-election, which is a complete and utter
3 fabrication. Just draw your attention back to what [REDACTED]
4 [REDACTED], said in that it—

5 **RE:** Sorry to interrupt, are you going to [give me? 00:00:36] a note of what this is
6 first?

7 **NM:** Yes, the—

8 **RE:** This is the Plasnewydd by-election?

9 **NM:** Plasnewydd, Plasnewydd. If you look at the material presented, very kindly
10 provided by the agent and candidate, there were five invoices that represent
11 Cardiff Central's total spending on the 2016 Plasnewydd by-election and, as it
12 says here, this tallies with the Treasurer, [REDACTED]'s, record of expenditure. [REDACTED]
13 confirms that the branch's income received in 2016 was all from membership
14 fees, collections, online contributions and major and minor donations from
15 individuals and constituency. No funds received from any other branch or
16 constituency. This is A4 printing, black and white, double-sided, Vega printers,
17 or Veega printers, September 19th. There's another bill for September 13th,
18 there's another bill for September 3rd 2016. There's another bill here, for 5,000
19 this one. There's another bill for 2,000 A4. So, I think that [inaudible 00:01:54].

20 **RE:** [Inaudible 00:01:57].

21 **NM:** So the bills you have got: 500 black and whites, double-sided; a further 500
22 black and white, double-sided; 1,000 black and whites, double-sided; 5,000
23 colour; 2,000 colour, double-sided.

24 **RE:** Right, we have five invoices for printing leaflets. Right.

1 **NM:** So the allegation from Michael was that I had done the printing on my printer in
2 the Assembly office, as repeated last time. Refuted by [REDACTED]
3 who I would add was not one of my witnesses and is not known to be very well-
4 disposed towards me, but even he confirmed that I had done no printing for that
5 by-election.

6 **RE:** He confirmed that you hadn't done any?

7 **NM:** Yes, that was in one of the former hearings, and there it is in black and white
8 so... in terms of proving my innocence, do I need to get the Grangetown by-
9 election returns as well, or is this sufficient?

10 **RE:** I'm sorry, do you need to do what?

11 **NM:** Get the Grangetown by-election returns as well?

12 **RE:** Well, it's up to you.

13 **NM:** Well, the other allegation is that I also did the printing for Grangetown, as I was
14 supposedly to have done the printing for Plasnewydd.

15 **MD:** [Inaudible 00:03:57] Neil, I didn't say you did all the printing, I said some of the
16 printing [inaudible 00:04:00].

17 **NM:** These are the returns.

18 **MD:** Yes, okay.

19 **NM:** These are the returns which went to the council.

20 **MD:** Yes, I'll come back to them.

21 **NM:** Can we move on now to the evidence I've previously submitted?

22 [REDACTED] [Inaudible 00:04:29] that one?

23 **NM:** Oh God, I've been drinking yours, I'm sorry.

1 ■■■ It's all right [inaudible 00:04:32].

2 **NM:** The first one is page 008, which is an email from me on the 21st March 2017 and
3 I say, "Hi Mike, I've emailed ■■■. We cannot allow any political activity in the
4 office. You have full authority from me to deal with such a future situation in the
5 strongest possible terms. I'll call ■■■ later today, as explained by you to me, it
6 was simply not on." Okay. Question marks, that's from me. So, in terms of
7 fulfilling my role of trying to ensure that the office was used correctly, I'm not
8 really sure what more I can do there, and if we look at page 009 this is about the
9 printer. Sent on 20^h March, again, I'm asking what's the score with the printer
10 and Mike has said, "It's complicated, sit down after the engineer visits in the
11 morning and I'll bring you up to speed." So that's just another indication that
12 Mike was responsible for the printer. If we look at the next page—

13 **MD:** Can I just make some notes a sec? Because we've just gone very quickly
14 through two exhibits.

15 **NM:** Yes.

16 **MD:** Can I just take a second? *[Pause]* And that 009, you say, is you saying that I'm
17 responsible for the printer? Is that what you're saying?

18 **NM:** Do we get cross-examination later or...?

19 **RE:** You just carry on.

20 **NM:** Yes, okay, so if we look at the next one's 010. This is Mike emailing ■■■ trying
21 to make ■■■ contract permanent, which is not what I wanted, so I'm surprised
22 that I agreed it, as it says here. This is about the palaver over ■■■
23 ■■■ and yet Michael here is clearly and forcefully
24 trying to obtain a laptop from the Assembly for ■■■ to carry out her work. So if
25 ■■■ ■■■ it would seem to be odd that he is trying to get her a
26 laptop.

27 If we go to exhibit 014 and the email of the 30th, sent at 19.26, outside of
28 working hours, well, actually inside of working hours but our flexible kind of

1 working, it says that we don't claim travel expenses, how we try to save costs
2 there, we've built a reserve by saving costs and Michael says that [REDACTED] is a
3 valued employee and part of our office team. "She deserves the same
4 equipment as other members of the team." Now, and I would add that with
5 Michael's exchange with the Assembly staff in trying to obtain equipment for
6 [REDACTED] I didn't feel it was appropriate, the tone that the emails were sent in. So, I
7 found the emails to be quite aggressive at the time, and that was discussed by
8 us because the Assembly staff were not the enemy, they were just there doing
9 their job and I didn't think it was very good for them to be spoken to in such a
10 way by Michael.

11 017, this is after Michael had told business support that we didn't feel supported,
12 which was not the case, we've always been well-supported by Members'
13 Business Services and, again, what Michael is saying there is since Neil was
14 elected, "As a team, we've put emphasis on saving costs," which, again, flies in
15 the face of the evidence that Michael has given later. So there's a whole back
16 and forward there over those pages in trying to secure a laptop for somebody
17 who said that she didn't do any Assembly work for me, even though she said
18 she was in the office often, and also said that she signed an administrator
19 contract.

20 Right, 12th May, this was after the video, and I'm saying [it's all of them?
21 00:11:32], nothing political can be done with it. I'll clarify: the political video that
22 Michael had done from the office, which I told him to take down on social media
23 seconds after it was brought to my attention, and it was the video in the office
24 which led to the let's say almost complete breakdown of relationships, because
25 I'd been pretty clear... not pretty clear, I had been very clear about how we
26 should operate in the office, and yet on social media up pops a video from my
27 Assembly office with Michael declaring himself the Plaid Cymru candidate,
28 which wasn't acceptable. When he was told to take the video down he, instead
29 of doing so immediately, did not want to do so, which led to tension. On top of
30 that, the main tension for me as an employer was Michael's lack of acceptance
31 that he was responsible solely for the video, as office manager especially, in his
32 position he shouldn't have done it, and instead of apologising and moving on, he

1 sought to blame [REDACTED] and he sought to blame [REDACTED] for the
2 production of the video, because he claimed that they'd all discussed it. As later
3 became apparent, they had not discussed it and, as became apparent in a staff
4 meeting, Michael's version of events was contradicted by [REDACTED], who
5 spoke up, and he then admitted that the video was nothing to do with [REDACTED].
6 But it was a process which was similar to pulling teeth, whereas what should
7 have happened is the video should have been taken down without discussion,
8 and there should have been an immediate apology.

9 So, just to read out here, this is 12th May, I'm reiterating my stance, "Nothing
10 political can be done from the office, nothing. If you are campaigning in your
11 own time for the election you cannot do it from the office. You cannot campaign
12 during paid Assembly time. The office cannot be used in any video, the video
13 on Facebook contravened the rules. I am stunned that you say you thought it
14 through. These are serious matters and the video has left us wide open. I just
15 hope nobody complains, if they do I'm in serious trouble. Please agenda this for
16 a team meeting." So I'm not sure what more I could do there as an employer to
17 ensure that political things weren't done from the office, other than sack the
18 individual, which ultimately I did do.

19 **RE:** If we pause there, please. Can you give me the page number of the [inaudible
20 00:15:06]?

21 **NM:** Yes, it's 021.

22 **RE:** Thank you.

23 **NM:** Actually, do you have the file in front of you, Sir Roderick?

24 **RE:** I don't I'm afraid.

25 **NM:** Would you like a copy?

26 **RE:** It's entirely my fault, I thought it was in my room here and I didn't look for it at
27 home this morning, and, therefore, it must be at home because it isn't here. But
28 it doesn't matter, you—

1 **NM:** No?

2 **RE:** If you have a spare file it would help, but I can make notes of all you're saying
3 and I can—

4 **NM:** Right.

5 **RE:** —cross-reference it to the documents in due course.

6 **NM:** Okay.

7 **RE:** The way you're dealing with it at the moment is very helpful.

8 **NM:** Yes, okay, okay. 022. This was the first time that I was aware of a problem with
9 the non-payment of bills. So they copied me in. This was Clarity, "My head
10 office are not happy, we've..." so it's Mike, again, so he was the person dealing
11 with the printing, the printers, "Please can you contact me or [REDACTED] as a
12 matter of urgency regarding the outstanding invoices?" [REDACTED] is [REDACTED]
13 [REDACTED] from Clarity. "My head office are not happy that we have continued
14 supplying you whilst there are invoices outstanding from January. I understand
15 you've been busy," blah blah blah. So that was then on my radar.

16 **RE:** The date of that?

17 **NM:** That was the 23rd May. On the 26th May, 024, sent at 16.41, the topic is "Office
18 printing," and I've said, "Mike, further to our conversation earlier, can you
19 forward a breakdown of the higher printing costs please? I would like to discuss
20 this Tuesday morning." So in contradicting what Michael Deem's evidence was,
21 I am looking for justification of higher printing bills, which resulted in Michael
22 later calling me "paranoid" about expenditure, and I think the word "paranoid"
23 was used in one of the evidence hearings as well.

24 On page 026, we have Michael justifying the higher printing costs. What I find
25 interesting as well is through this whole process, the whistleblowing policy was
26 available, so if wrongdoing was being done, all the way through, all the way
27 through the process, since before suspension, during Michael's suspension, he

1 could have used the whistleblowing policy and he failed to do so, mainly
2 because this is a political complaint, more than anything else, other than the
3 personal motivation after being sacked. 028, these are the minutes of the team
4 meeting, 19th June.

5 **RE:** I'm sorry, the date again?

6 **NM:** The 19th of... no, wait, there is a... 14th June 2017. This was where the office
7 video came up, the video which had contravened the rules. Office video, "Mike
8 Deem said that [REDACTED] and [REDACTED] had known about the video,
9 having all discussed it as a team. [REDACTED] stated that she had told
10 Michael Deem that she felt it was against the rules. Michael Deem took
11 responsibility for publishing it," I would say eventually, and there's a note here
12 that I was to speak to [REDACTED] when he came back from holidays. I said in
13 the meeting that the office had been politicised when Michael Deem declared
14 himself as the Plaid candidate for Cardiff West in the video. [REDACTED] stated in the
15 meeting that she had already apologised, which she had done. I said that I was
16 disappointed that Michael Deem had not apologised. Michael Deem felt that I
17 was looking for reasons to complain. Anything on expenditure, I say in point two
18 of the minutes, anything at all needs to go through me to be authorised, and I
19 want every penny itemised.

20 The reason for that was because when I... to my horror really, looked at the
21 bills, some of the expenditure was minimal, but you don't need to buy... I just...
22 there was a whole load of stuff we bought as an office which we just didn't need.
23 Ridiculous things, seven rulers or 20 clips for this and that and it just, there was
24 no rhyme or reason to it. I think my daughter could have made a more sensible
25 order for stock, and I felt that even though the expenditure was small on the
26 items, if we had been... if somebody put in a freedom of information request I
27 felt that we would look particularly silly because the emphasis was on saving
28 costs, and yet we have Michael ordering all kinds of things, most of which we
29 have still not used, and my suspicion at the time, which is still my suspicion,
30 which I am unable to prove, was that such as large order of stock was made so
31 that Michael could, I think, furnish his office at home. Because when we did a

1 stock take, there was basically one item of everything missing. For example, I
2 think we had three hole punchers, or the good hole punchers, so they're not that
3 cheap, they're pretty good, one was missing. Three staplers, one was missing,
4 and impossible to prove, but I felt that Michael had furnished his office at home
5 by making a large order of stock and just skimming off one item each for himself.

6 Again, I think that led to the mistrust, because Michael was ultimately sacked
7 because I felt that I couldn't trust him. On point two, again, I say that I want to
8 reduce the photocopying bills and I want a note of amounts of copies made
9 every week at the briefing. So rather than having trust in my employees not to
10 abuse the situation, I felt that I needed to, in Michael's case, be a lot more strict
11 and clamp down. Michael's response in the meeting, as he stated in one of the
12 hearings here, was that I was being paranoid. In other correspondence, he also
13 alleged that I have mental health issues. Moving on, Michael admitted to buying
14 a Satnav and dashcam without telling anybody in the office. The item was kept
15 in Michael Deem's car.

16 **RE:** Can we just pause there, sorry?

17 **NM:** Yes.

18 **RE:** A dashcam and what?

19 **NM:** Satnav.

20 **RE:** Satnav.

21 **NM:** It was, I think, £221, and at the time Michael did not travel around the region, he
22 was based in the office, and nobody else had a car. I didn't have a car, [REDACTED]
23 didn't have a car, [REDACTED] didn't have a car. When the Assembly staff
24 brought up the matter with me, I thought there had been a mistake, because I
25 didn't think that anybody would spend £221 on a dashcam and Satnav. The
26 Assembly then said they wouldn't pay for it, I didn't blame them.

27 [REDACTED]: Just the email with the exact price there.

1 **NM:** Oh, £223.21.

2 **RE:** Sorry, £223...?

3 **NM:** £223.21.

4 **RE:** 21p.

5 **NM:** Because nowadays with smart phones, you don't actually need a Satnav,
6 because every up to date mobile phone has a Satnav on the phone. So all you
7 need is a holder for your telephone, it's the same, which is what the Assembly
8 said, and I agreed with them. So I wouldn't sanction that expenditure.

9 **RE:** Who paid for it ultimately?

10 **NM:** Me, out of my own pocket. This is polite here. I suggested that Mike Deem pay
11 for the item and his words to me were, "Fuck off" which, in itself, would have
12 been reasons for gross misconduct. What I noted in the meeting, and I did say
13 so, was that Michael Deem had shown no contrition at all over the purchase of
14 the Satnav or dashcam. We did spend money on a safe, which was justified,
15 and needed... what we did there, I listed as well, we went through the number of
16 inks outstanding. We needed a cleaner once a week, so Michael was tasked
17 with getting three quotes, which this is something he never did, another thing he
18 didn't do. To get three quotes for the new carpets, that's another thing he didn't
19 do. I'm saying there all staff must fill in time sheets, it's another thing which
20 Michael didn't do as office manager, ensuring that the time sheets were filled in.
21 They weren't.

22 **RE:** I'm sorry, can you just pause a moment?

23 **NM:** Yes, so it's point four, all staff must fill in time sheets. Again, it was another task
24 which just wasn't done. Point five says that I am relaxed about holidays this
25 summer and staff could take extra time due to flexitime built up. Mike Deem had
26 used up his flexitime during the election campaign. I do say as well, I said in the
27 meeting, "I want everyone rested, we need to focus on being the most effective
28 Assembly office as possible." At this point, I am clearly concerned about the

1 operation, because, unusually for me at the time, I'm saying that I want to know
2 every aspect of the office operation because it had fallen apart really, and that
3 was pretty clear. Yes. If we could go forward to 077 and 078.

4 **RE:** Mm-hmm.

5 **NM:** This is, again, Michael calling me paranoid and I think we need to go to the root
6 of the paranoia, as outlined earlier, the root of the paranoia was me wanting
7 detail of expenditure and details of printing done. So in a letter to the chairman
8 of Plaid Cymru I'm called a "poisonous man with long-standing mental health
9 problems in the form of extreme paranoia," and the root of that, as outlined
10 earlier, is me wanting to know about expenditure and printing. On page 074,
11 again, this is a letter to the chair of Plaid Cymru, and it's just another one of
12 Michael's lies really, but it's overt.

13 **RE:** An overt lie?

14 **NM:** Yes, yes. Neil just talks about the state of his physical health, mental health and
15 he says that I have repeatedly drawn out the process, which was the suspension
16 and so on, in the hope that he would gain my submission. So this is the
17 narrative, the political narrative, because the whole point of this and these
18 hearings, as I said, is mainly political. It's what Michael sought to do, rather than
19 whistle blow and use the correct process, if I supposedly did these things that he
20 alleges, instead of doing that he's made a complaint to you, and he's made a
21 complaint to Plaid Cymru.

22 **RE:** Did you say that he was saying that you had drawn out the dismissal process?

23 **NM:** The dismissal process or disciplinary process. If we look at 031 now, or 030, I'm
24 sorry.

25 **RE:** I'm sorry?

26 **NM:** 030 and Mike's gone on sick there, on 20^h June 2017, and I enquire whether or
27 not there are any forms that I need to fill in. This was pre-disciplinary, but this
28 was the period of time when I'm asking for explanations about expenditure and

1 explanations about photocopying. Whilst Mike was off sick, he was too ill to
2 come to work but he... this is page 034, Mike was signed off until 2nd August but
3 he was attending political meetings, so I'm asking the Assembly, "Is that
4 normal?" So, can you be too ill to come to work and yet physically well enough
5 to attend political meetings and... just touch on there, this is just the
6 incompetence really where there was the research part of the budget which I did
7 want used was left unclaimed, so it's just another illustration of incompetence
8 really. It was £2,500 that was.

9 035, what we're looking at now, let me just put a note down for delays, because
10 the delays in the process were down to Michael, not me. We'll come across
11 those emails as we progress. Constituents very, very unhappy, got a case...
12 what we found was that was... those kind of complaints became an avalanche
13 really, and what we had to do was audit every single case that we had any
14 records with in the office, on email, from memory, and there were dozens,
15 dozens of complaints from constituents, dozens. So when, I think, Michael... his
16 whole allegation is that the whole set up off the office was a political office and
17 not really a constituency office. To me, it would seem that Michael was really, I
18 suppose... what's the word? Projecting what his attitude to the job and the
19 office was, because, clearly, from December onwards, given the amount of
20 complaints that we received, it was pretty clear that Michael didn't do any or he
21 did very little Assembly work and he had mislead me and others about case
22 after case after case.

23 **RE:** From December of which year?

24 **NM:** 2016, which is—

25 **RE:** Can I just have a look at that and then ask you to confirm it?

26 **NM:** —pretty clear to me that he did very little work. Again, which is a reason why,
27 one of the reasons why he no longer works with me. Because the whole—

28 **RE:** Sorry, just hang on one moment, sorry. Do you mind just checking I've got this
29 correct—

1 **NM:** Yes.

2 **RE:** —that I understand the point you’re making? The complaints became and
3 avalanche, you have dozens from constituents.

4 **NM:** Yes.

5 **RE:** From December 2016, it was clear that Michael Deem did little Assembly work in
6 the constituency office.

7 **NM:** Mm.

8 **RE:** And turned the office into a political office, as we received complaint after
9 complaint from constituents about lack of progress on their issues?

10 **NM:** I don’t know if I’d say he turned the office into a political office, but as an
11 employer what I’m struggling to understand is what he actually did whilst he was
12 in the office. That’s what I’m struggling to understand.

13 **RE:** Right, okay.

14 **NM:** So I think that the problem with... I think in, well, all the people I’ve known, I
15 have rarely seen anybody... destroy their own careers really, though complete
16 explosion of I’d say political ambition. Because it was pretty clear to me that
17 Michael forgot what his role was as office manager, as case worker, he didn’t do
18 the case work, he didn’t run the office and for a long time he was able to hide
19 those facts because when people would come into the office with issues, with
20 complaints, what would happen, naturally, would be that Michael would take
21 them into the middle room to discuss their issues, and what was happening was
22 that Michael was pacifying people about their issues, “Well, I’ll chase this, I’ll do
23 that, I’ve done this, I’ve done that,” and they would go away happy until the next
24 time, and the reality was the work just wasn’t being done, and when Mike took
25 time off to campaign, when people were coming into the office he wasn’t there.
26 So we then became aware of the scale of neglect, really.

27 **RE:** Right, let me just make a note of that.

1 **NM:** When—

2 **RE:** Hang on just a minute.

3 **NM:** Yes, okay. Have you got the complaints that I wrote? I meant to bring that in.
4 Remember, the one I forwarded for the disciplinary?

5 **RE:** This is what I've noted.

6 **NM:** Yes.

7 **RE:** I'm struggling to understand, I've deleted "turned the office into a political office."

8 **NM:** Mm-hmm.

9 **RE:** You didn't agree with that. "I'm struggling to understand what he did in the
10 office. He has exploded his own career due to political ambition."

11 **NM:** He destroyed his own career.

12 **RE:** Destroyed.

13 **NM:** Due to an explosion of political ambition.

14 **RE:** Right. Constituents would come in to complain and he would take them into the
15 middle office and pacify them and say he would do or had done things which he
16 hadn't, and when he took time off for political work, the scale of what he hadn't
17 done became obvious.

18 **NM:** Yes, so when the time came for Michael to explain really, I wanted to know
19 exactly what was going on, exactly what had happened with cases, I wanted the
20 files in front of me, I wanted him to take me through cases, I wanted an
21 explanation of every bit of expenditure. When I was making those demands,
22 that's when Michael went sick, I think probably as a result of the chickens having
23 come home to roost. The problem that I was facing at the time was that we had
24 done extremely well in 2015, we doubled the votes. We'd done extremely well
25 in 2016, we almost doubled the votes again. Even though we didn't win seats

1 we'd done extremely well in the council elections, and we came second in 20
2 seats, I think. What happened recently in Ely is an indication of that, so we got
3 ourselves into second place, so we did well.

4 Right up until the night of the election for the Westminster campaign, Michael
5 was convinced he was going to be an MP and that was quite delusional, really,
6 and it was pretty difficult for me to tell Michael that he wasn't going to win and
7 there was some tension there outside of the office about political matters,
8 because the problem that I had in trying to run the Assembly office was that
9 Michael didn't seem to have a professional care in the world about the job he
10 should have been doing, because he no longer needed us. He no longer had to
11 be civil to his colleagues because he was going to be an MP and he was the
12 next big thing, if you like, and so what we had to do was just let him go through
13 the process of I suppose "candidate-itis" because when you become a
14 candidate, very often your expectations can be unrealistic, and I think
15 experience teaches you not to go too far down, but Michael was absolutely
16 convinced that he was going to be an MP.

17 There is correspondence in here which we can come to later about me being
18 negative, and that was just basically saying, "Look, unless you do A, B, C, D and
19 E you're going to less than ten percent," because I've worked the area for 30
20 years, more than 30 years, I know it very well, I know political things weren't
21 being done that should have been done, and that was used... me being realistic
22 was used as an excuse to accuse me of bullying. But the problem, as I said,
23 that I had in the office, was dealing with somebody with their head in the clouds
24 really, or you could say their heads stuck up another part of the anatomy to be
25 honest, and unwilling to do what needed doing in terms of the office.

26 We all tried our best, because we tried to support Mike. We... at the time, we
27 covered for him, I did work, lots of casework. In terms of the complaints that
28 were put forward, some of the time there may have been a breakdown in
29 communication between myself and Michael. Some of the fault may have been
30 with me, I was really I'd say conservative in the blame that I allocated to Michael
31 with casework, and if anything could have been not down to Michael then I took

1 that into account, but the problem in the end was there were so many cases and
2 the context is we had [REDACTED], thankfully, working back in the office, [REDACTED],
3 and it took him and [REDACTED] the whole of June, July and August 2017 to get the
4 casework back on track, and every... there were only I'd say... there were only, I
5 don't know, out of probably 60 individuals, there were only two who had had
6 enough of us. There were only two that wouldn't actually re-engage with us,
7 everybody else was okay.

8 There was one particular woman, I'm not sure she's in the file, she'd had a
9 stroke, she had pretty serious issues she needed help with and she'd struggled
10 into the office because she was told that our office was a good office to come to
11 for help, because we'd helped her friend, sorted her friend out with a problem,
12 and what she said to us in June, I think it was, when we contacted her was that
13 Michael had never helped her and he hadn't got back to her, he hadn't written
14 any letters. On the phone I apologised to her, and this was a common
15 conversation at that time, and I will swear, because this is what she said to me,
16 she said, "You were no help, so I went to [REDACTED] because I was
17 desperate, I needed help, and he was just as fucking useless as you." So I said,
18 "Look, I'm really sorry about that." Those were her words, quote unquote. I
19 said, "I'm really sorry about that," I said, "Listen, come back in, we'll prioritise
20 your case, tell us all about it and we'll do our best." So she came in, had a cup
21 of tea as usual, sat down, went through the case with her, helped her and that
22 was a relationship repaired really, because she left, after a few weeks when
23 we'd done the job she left happy.

24 There were so many other cases like that, and what I find frustrating is the
25 cases that I don't know about, because recently in Ely, just delivering some
26 leaflets, there was a pensioner walked out, "Oh, just the man," she said. Oh,
27 right okay, and she said, "I went to your office and you're a waste of time."
28 "Right, okay, well, when did you go to my office and was it a while back?" It was
29 when Michael was office manager, she'd seen Michael and, again, he'd never
30 got back to her and the woman was very vulnerable. We've re-engaged with her
31 now and we're trying to help her out, but that happened twice in the last couple
32 of months, that's happened twice where there was actually no record of those

1 individuals in the office. So I dread to think how many people we had no
2 knowledge of that Mike didn't help, and I think when Mike was accusing me of
3 being completely politically driven in the office, I think and that seems to be the
4 tenor of the allegation, I think he's really talking about himself, because we're
5 clear in our office, and we have been since day one, is that our first
6 responsibility is to ensure that we help as many people as possible.

7 They come into the office, you've got a customer, customer care policy so if you
8 come into our office we'll make you a cup of tea, we'll sit down with you, we'll
9 talk to you. If you're vulnerable [REDACTED] will let me know, I'll either text the
10 person or I'll make a call, it's only a quick call. That's basically suicide
11 intervention training, because what happens when people are very desperate
12 and low, if you just make one single call, one... it's about contact, one contact,
13 then that can stop them killing themselves, and we take... some people, I think,
14 are very snobbish almost in the way that they look at me and the way that we
15 perform our service in the office, and they laugh and they think it's [inaudible
16 00:49:28]... I should be doing other things, but because I'm concerned about
17 potholes, because I'm concerned about minor things in people's lives, which are
18 minor to other people but are huge in people's lives. You know, St David said,
19 "Do the little things." I firmly believe in that, and that's what we do.

20 It just seems that Michael forgot all that in his quest to be elected, and to say
21 that I was initially surprised and extremely disappointed would be an
22 understatement, because we all supported Michael 100 percent. I mean, I don't
23 think there would be any other employer that would let somebody take two
24 weeks off during term time, AMs don't let their staff do that usually, then stand
25 for election using up holidays and flexi, and have me as the Assembly Member
26 doing his job, pitching in with [REDACTED] and [REDACTED]. We pitched in to make the
27 office work, and then when we were doing the nitty gritty we were just horrified
28 to find out how he'd let things slip, and so I think that's the reason he no
29 longer... well, again, it's one of the reasons why he no longer works for me,
30 because he just forgot what the office was about. Maybe he never understood, I
31 don't know.

1 But it just... you know, working for me as an Assembly Member, it's not a short
2 cut to a political career, which I think Michael seemed to think that it was. What it
3 is, it's a lot of hard work, it's a lot of legwork, it's a lot of writing letters, a lot of
4 phone calls, a lot of extra, a lot of work out of hours and sometimes seven days
5 a week because, if we're going to provide the service that I want to provide, then
6 that's what needs to be done. That's where we're coming from and, clearly,
7 Michael didn't do that. If you look at 25th July, 037.

8 ■: [Inaudible 00:51:51].

9 **NM:** Okay.

10 ■: All right.

11 **NM:** Yes?

12 ■: Yes.

13 **NM:** 25th July, 037. It's an email from Michael to us.

14 **RE:** Email from whom?

15 **NM:** Michael to us, saying that he's getting used to the combination of meds the
16 doctors have him on. It says his blood count is on the rise, no longer critical.
17 Still get bouts of exhaustion, needs regular monitoring. "The final day of my sick
18 note is the 4th August, I do feel okay coming back to work after this. I'm not sure
19 how you've been manning," his word, "the office while I've been off, so let me
20 know if you need me in on the Saturday, or to come back on the Monday." So,
21 Michael there is talking about working a Saturday which, again, would indicate
22 the flexible way we had of working. Despite having taken holidays to campaign
23 and flexitime, he's enquiring about taking further holidays. He says he's going
24 stir crazy, and he's looking forward to getting back to the team. I would... in
25 terms of credibility, I would contrast that email, which is cordial, with his later
26 allegation that by this point he saw me as his abuser and that he felt bullied and
27 so on.

1 So the 25th July I had a decision to make, really, in relation to Michael. The
2 decision I took was to suspend him with immediate effect. The letter of
3 suspension is 038/039. Third paragraph, wrote that, "The allegations are that
4 you purchased centrally funded goods without my authorisation." My wife wasn't
5 too happy with me paying £223 for something we've never used, a Satnav. I'd
6 like to introduce that later as evidence as well, as an exhibit. That he, "Used the
7 central resources for political purposes which, if proven, could be considered a
8 breach of the code, and you've absolutely undermined my authority as an
9 employer." Just didn't trust him at all by this point, and as it says here, I think I
10 said 60 off the top of my head earlier, "It's recently been brought to my attention
11 there were some 51 cases, 51 cases, that have not been dealt with an
12 appropriate or timely manner, resulting in a number of complaints from
13 constituents." I say that he hadn't managed my Assembly budgets and misled
14 me, which he did, which obviously didn't bode well for the future.

15 I ask him to return the Satnav, because it wasn't in the office, he was using it for
16 his own personal purposes, and if you look at the... well, I don't know whether it
17 will be necessarily, I just thought I could introduce it as an exhibit, for something
18 which was purchased initially using Assembly funds and then reimbursed by me,
19 the only journeys on the Satnav were Michael's own personal journeys. There
20 was nothing on the Satnav which is work related. I can bring the Satnav in if you
21 wish to see that, or maybe Michael can just concede that he'd used it for
22 personal purposes.

23 **MD:** No, I am not conceding that.

24 **NM:** Okay, I'll bring in the Satnav so you can maybe justify the journeys. Just to say
25 with the Satnav, it's just a simple question of plugging it in and flicking to the
26 journeys from where to where, because they're done by postcode. So you will
27 see Michael using the Satnav to go from his home to the Caerau Plaid Cymru
28 office, which wasn't Assembly work. 040, it's just an email from me getting a
29 handle on everything from staff.

1 **MD:** I know we've only just started, please can I pop to the toilet again, please, once
2 we've finished this—

3 **NM:** Yes.

4 **MD:** Do you want to finish this exhibit first?

5 **NM:** No, it's okay.

6 **RE:** We can break for ten minutes if you want?

7 **NM:** Yes, sure.

8 **█:** Yes, I wouldn't mind [inaudible 00:58:35].

9 **RE:** Mr McEvoy, before you do, apologies from me, I should have asked you to take
10 [inaudible 00:58:43] declaration at the start.

11 **NM:** Oh, right, okay.

12 **RE:** Do you want to do that and confirming what you've said so far?

13 **NM:** Okay, yes, sure.

14 **RE:** I didn't want to ask you earlier because you were in mid-flow, I didn't want to
15 interrupt you.

16 **NM:** Okay, yes. I declare and affirm that the evidence I shall give will be the truth,
17 whole truth and nothing but the truth.

18 **RE:** Thank you, and that applies to what you've said so far?

19 **NM:** Yes, absolutely.

20 **RE:** Thank you. Shall we have a ten minute break?

21 **NM:** Yes.

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[REDACTED]

[REDACTED]: Yes. It's my New Year's resolution. *[Laughs]*

NM: But what happened was I'd... because Mike was out of the office mainly and a candidate, there was a lot to do, so we were trying our best to cover for Mike, and on one occasion we were behind, as we often are, because of the demand, and which is accentuated in any election campaign because politics is high on the agenda, people see and hear about you more during these periods, so they contact you more. So casework generally goes through the roof during election campaigns, and it's, you know, there is a lot of demand there, and what you can't do is say to people, "Oh, sorry, there's an election." What we need to do is continue to provide the service, so, therefore, I wanted [REDACTED] to do some tests in the office and, unbelievably, Michael contradicted her and told [REDACTED] that she wanted him to work on her campaign... wanted her to work on his campaign in Radyr, and there was discussion between Michael and [REDACTED], which wasn't a pleasant discussion I'm told, because I'd wanted Assembly work doing and Michael felt empowered to instruct [REDACTED] to carry out political work.

[REDACTED], to be honest, but it put her in a really awkward position because me as the employer, I wanted things doing, clearly that would have been built up on flexi, and Mike disagreed. So it was a concrete example of, again, Michael driving the political agenda, whereas what I wanted to do was make sure that we took care of business, if you like, because our business is providing a service to constituents.

So, in [REDACTED]'s words she says, at number one, '[REDACTED]', you asked me to go to the regional..." this is page 041. '[REDACTED]', you asked me to go to the regional office to work to ensure that we were maintaining correspondence with casework. This was stated within our team group chat and was the result of concerns over the casework system and ensuring that we were fulfilling our role as an Assembly office." There's a clue about what we are about. "I recall there

1 being strong tensions from Mike towards this decision. He wanted me to go to
2 the Caerau office as a result of it being my free day [REDACTED]
3 [REDACTED]. Mike had rung to check with me about the decision, and I informed
4 him that I was going to the regional office. He sounded let down, which made
5 me feel quite bad. I think Mike should have respected Neil's decision and not
6 made me feel uncomfortable. I knew that going to the regional office was the
7 right thing to do, so I did." There was another occasion, again, which I'd referred
8 to just briefly about a similar set of circumstances where Michael had wanted
9 [REDACTED] to go to Radyr.

10 Paragraph two, this is the printer issue, I was concerned about a whole load of
11 matters, one of which was the printing bills, and [REDACTED], in her words, says that
12 "You were unhappy with some aspects such as invoices, and as a result asked
13 me to contact Clarity." She says Michael's interaction with her was and she
14 says she remembers it vividly and this was sent on the 4th August 2017, "Just
15 leave the printers," this is Michael to [REDACTED], "Just leave the printers to me,
16 okay? It's quite complicated and it's easier to have one point person. Neil
17 doesn't realise how complicated it is," and then she says, "I must note that this
18 wasn't said in an aggressive tone, it was said in a manner which seemed
19 reasonable to me. I found this to be okay as I figured the issue would get
20 resolved, however, as deadlines were passing, you," which is me, "became
21 more persistent in your request to chase up Clarity copies."

22 The bottom paragraph on 041, "As I started preparing invoices," because I'd
23 been onto [REDACTED] saying, you know, "Can you chase this up, [REDACTED], because
24 without these invoices Clarity is still unhappy," blah blah blah. "As I started
25 preparing invoices, Michael popped in very briefly and was quite aggressive. He
26 said, "See, there was nearly a mistake, if I hadn't popped in now we could have
27 got in trouble. This is why I said leave it to me." So Michael was very clear with
28 everyone that dealing with the printing bills was his responsibility.

29 The next page, 042, [REDACTED] says that she had a conversation with [REDACTED],
30 [REDACTED], where she says, "Neil has asked me to carry out tasks but Mike
31 has asked me to carry out completely opposite tasks," this is [REDACTED] to [REDACTED],

1 "I'm really confused because Mike is my line manager but Neil is my boss,
2 what's the best thing to do in this situation?" So [REDACTED] then told [REDACTED], "Neil
3 is your boss, you do what Neil tells you." This clarified the matter, I was grateful
4 to [REDACTED]. So you have my office manager telling my own staff not to do as
5 instructed, which was Assembly work, because he wanted them to do work on
6 his campaign.

7 Further down, [REDACTED] says that Michael shouted at her and, "We could have got
8 into trouble which is why I said leave it to me," it just says that she was
9 incredibly unhappy with this response. What I also had was a further complaint
10 from a constituent about the way Michael would interact with [REDACTED], and there
11 was a similar situation where it was put to me that he was swearing down the
12 telephone at somebody who turned out to be his mother, then shouted at [REDACTED]
13 and then threw a staple remover at her. But when I raised this with [REDACTED] she
14 confirmed to me that that wasn't the only time that she'd been shouted at and
15 had had things thrown at her. I'd witnessed one occasion as well where he
16 threw papers at her, and I told him it wasn't acceptable. But as I said at the
17 time, that was in the election campaign, so a mitigation could have been that he
18 was extremely stressed, but it happened on more than one occasion.

19 **RE:** Just pause a moment.

20 **NM:** Yes, and... what I would say is that goes totally contrary to the culture that we
21 operate in the office. Nobody shouts at each other, nobody gets aggressive, the
22 office has to be a place where people feel safe and I'd say we operate on fairly
23 democratic lines, which does produce challenges. Maybe if my management
24 style were more dictatorial, more of a control freak, as Mike alleged, then I think
25 I probably wouldn't be sat here now. There are benefits to how we operate in
26 terms of mutual respect, discussing decisions, me being questioned about what
27 I'm doing by staff, but ultimately I think it leads to better decisions being made in
28 the end. It can be a bit frustrating to get there sometimes, having to explain
29 things can be a bit annoying sometimes, if I'm honest. *[Laughs]* But it's the
30 culture that I choose as an Assembly Member to operate in the office, so for
31 Michael to shout at people in the office, and throw things at them, it's just not

1 acceptable, and alien to the way that I want to operate things. I know other
2 Assembly Members do shout at staff, but I just think that's quite outrageous
3 really, because everyone deserves respect. This is on 4th April, sorry, 4th August
4 2017, and this ties into the allegation made to the chair of Plaid Cymru that I had
5 delayed the process.

6 ■: That's 043, is it?

7 **NM:** 043, this is, and it says here that the leave of absence through sickness was
8 extended to 31st August. That was after having received the suspension letter
9 for me. The reason that's important is because during this period we were
10 supposed to have a hearing with the disciplinary process, so if Mike was ill that's
11 fine, in the sense that if you're not well to attend such a disciplinary hearing then
12 being ill is a valid reason, but what wasn't valid and isn't valid is for then for
13 Michael to make allegations that I had delayed the process, when clearly there's
14 evidence there that the process was delayed by Michael's illness and not me.
15 Again, it's another lie, there's no other word to use really. Because what you've
16 had here is a twin track approach where Michael's been denigrating me in the
17 party amongst some members, very few of whom have believed him, but it's had
18 an effect on one or two, three or four maybe. But yes, the chair of the party has
19 been told I'm a bully, I'm unreasonable, I've strung out this process.

20 **RE:** One moment. So Mike Deem has had a twin track approach.

21 **NM:** Hmm.

22 **RE:** One, denigrating you within the party.

23 **NM:** Yes, and secondly taking up matters through your office, and doing so in
24 cooperation with the BBC.

25 **RE:** With whom?

26 **NM:** The BBC.

27 **RE:** In cooperation with the BBC.

1 **NM:** Because in a protected conversation hearing, Michael admitted in front of me, in
2 front of [REDACTED] and [REDACTED] that he had been in touch with the
3 BBC about matters concerning Plaid Cymru and Cardiff West.

4 **RE:** When was that?

5 **NM:** When was that, Michael, can you remind me?

6 **MD:** You're talking about...?

7 **NM:** The protected conversation we had.

8 **MD:** A protected conversation?

9 **NM:** Yes, this was a standards hearing, so I'm advised that I can bring it up. Was it
10 in October?

11 **MD:** I can get the dates that we had the hearings, the mediation sessions. I haven't
12 got them with me to hand.

13 **RE:** I think I have got them in my file somewhere.

14 **NM:** Okay, but you did say to [REDACTED] and to me and [REDACTED] that you
15 had been in touch with the BBC?

16 **MD:** Nothing to do with the Standards Commissioner's case. This has got no relation
17 to it at all. I've never discussed this and those hearings, what's happening with
18 the Standards Commissioner.

19 **NM:** But do you recall that you said... it was the Cardiff West meeting in September
20 2017, so do you recall in the October you had admitted that it was you who
21 tipped off the BBC?

22 **MD:** I had talked to the BBC about a vote in the Cardiff West meeting.

23 **NM:** Thank you, okay, that's it, yes.

1 **RE:** [Inaudible 01:16:37]. I'm never very sure about the status of protected
2 conversations, frankly. I don't know what they mean and whether they have any
3 relevance to what I have to decide. If either of you have any objection to what
4 has been said in a protected conversation being said to me, I think you can
5 object. I'm not sure what the relevance of it is, frankly. Not relevance of what
6 was said, but the relevance of it being the protected conversation. I suspect that
7 if you both are happy that I know, anyway it doesn't matter. But if one of you
8 were to object to it I'd have to think of the—

9 **NM:** For me, the point—

10 **MD:** Sorry, yes, my initial thoughts are... I mean, this is a protected process, so, I
11 mean, what we discuss in this room is within this room so I'm—

12 **NM:** For the time being.

13 **MD:** So I've got no objections at this stage, no.

14 **RE:** Right, anyway, can I just make a note of what is being said about it? So in
15 October 2017, now that was when the disciplinary process was quite well
16 advanced in time if not in the process.

17 **NM:** We were mediating.

18 **RE:** Yes.

19 **NM:** Because what I wanted to do was not end up here, not end up in a dispute. So I
20 offered Michael quite a good package to leave, in terms of I think I'd said he
21 could be paid up until the December and take any holidays owing.

22 **RE:** Yes, in October 2017 in a protected conversation in the disciplinary process,
23 Mr Deem said that he had spoken to the BBC... about what?

24 **MD:** It was about a vote in the constituency meeting.

25 **RE:** Right. Okay.

1 **NM:** The reason I raise that is one of... is the reason of credibility, because earlier in
2 the hearings, Michael denied having been in touch with the BBC about anything.

3 **MD:** No, I didn't.

4 **RE:** Well, I don't know whether that—

5 **NM:** Okay, all right, okay.

6 **RE:** All I was after was people being in touch with the media about this process. But
7 that's [inaudible 01:19:39]—

8 **NM:** Okay, I... all right, yes.

9 **RE:** —saying, Mr McEvoy, is that Mr Deem has used my office in cooperation with
10 the BBC to denigrate you?

11 **NM:** Yes, as you see with the publicity.

12 **RE:** I'm sorry?

13 **NM:** As you've seen with the publicity last year before Christmas, a story on the 22nd
14 December 2017 and also a story around the 22nd December 2018 on the BBC.

15 **MD:** That wasn't me, Neil.

16 **NM:** I just think, given that Michael has now admitted that he was in touch with the
17 BBC about constituency matters, then I don't think it's pushing the boat too far to
18 conclude that there is a possibility that he was also the source of the leak to the
19 BBC about these matters.

20 **MD:** You know, the possibilities are endless—

21 **NM:** Yes.

22 **MD:** —I... you know, I said I spoke to the BBC about the constituency meeting, I'm
23 telling you I did not speak to the BBC about this process.

1 **RE:** I have no idea what these stories are.

2 **NM:** Okay, I will introduce them as evidence later then. I think I introduced them last
3 time, I think.

4 **RE:** If somebody brings a story about my office to my attention then I look at it.

5 **NM:** Yes. It was an attack—

6 **RE:** I try to avoid it as much as possible.

7 **NM:** Two attack pieces on me on the BBC; an attack piece on me through Wales
8 Online as well. So, clearly, I wouldn't have been the author, I wouldn't have
9 been the source of the leaks, because there were uncomplimentary stories to
10 me, basically.

11 **RE:** Well, if you want me to look at them—

12 **NM:** Yes, I'll... yes.

13 **RE:** Could you print them out or something?

14 **NM:** Yes, yes.

15 **█:** Yes, I can...

16 **NM:** Yes.

17 **RE:** If I did see them [inaudible 01:21:32].

18 **NM:** 046 as well, this is an email from █. This was on 8th August. I'd
19 asked him to go through the budget as well. He says in the first paragraph that
20 it'll take some time because the budgets were a mess really. Again—

21 **RE:** This is from you to █, is it?

22 **NM:** Yes. The budgets were a mess. We'd... there was £5,500 unclaimed. We
23 could have really done with using the money.

1 **RE:** Unclaimed from whom for what?

2 **NM:** The Assembly, the Assembly. I wanted research doing on the LDP, so I'd
3 agreed with [REDACTED] at the Commission, a legal view on aspects of
4 the Wellbeing of Future Generations Act, the paperwork was never given in to
5 the Assembly. So [REDACTED] didn't complete the work, didn't do the work in fact,
6 [REDACTED], and there was £2,500 which was unclaimed. So it was a
7 major piece of work I wanted doing, specifically on the legal aspects of the local
8 development plan, which wasn't done, and that was down to Michael as office
9 manager, managing the budgets, or supposedly managing the budget. The
10 other one as well, there was I think about £3,000 left in the office budget. I say
11 £3,000 from memory. We'd put the office together on the cheap really, and it
12 was a bit of a mess, if I'm honest. It still is, to an extent, so we're using this
13 year's budget to upgrade it again. It's functional, it does the job, but basic stuff
14 like the carpet was terrible, I mean really grotty, so when people come into your
15 office it's not really the first impression you want them to have that there's a
16 really grotty carpet and the walls need painting.

17 So, what I wanted to have done was have a new carpet, get the place decorated
18 and make it look a lot more professional. Because when we initially moved in
19 there were a lot of changes we did to the office to make it what we wanted it to
20 be, so we put a partition in to create the second room, and what made it more
21 expensive was we had a window, because we wanted transparency, people to
22 see in. But anyway, so that was the budgets.

23 This is another time when Mike was... This is his first day in hospital, this is from
24 [REDACTED], and [REDACTED] says, "There was a lot of office work to be done on
25 Friday," again it's a Friday, that was stacking up, [REDACTED] was completing this
26 work, but Mike wanted her to go to Radyr to campaign for him using flexitime. I
27 told him that if [REDACTED] went to Radyr then other necessary work would not be
28 carried out that would benefit the office."

29 [REDACTED]: Just put the number as well.

30 **NM:** Yes, 046 this is.

1 RE: Mm-hmm.

2 NM: "He became..." this is Michael, "Became very agitated and sent me a message
3 that he was too stressed to deal with this, and to just send [REDACTED] to Radyr."
4 This is contrary to my instruction. [REDACTED] says, "I remember this because I felt
5 the message was very rude. [REDACTED] didn't want to go, but since Mike was
6 getting so agitated I suggested she go, which she did. I did not like the way he
7 addressed me, and sent him and message back telling him that." This was one
8 of the messages which Michael referred to criticising [REDACTED], because it was
9 sent from Radyr that particular day to Michael saying the leafleting had been
10 completed. So there was a lot... there was a time when I wanted stuff doing in
11 the office, Michael would kick up a fuss, [REDACTED] without speaking to me said,
12 "Oh, maybe it's easier if [REDACTED] went," she went and did the leafleting in her own
13 time, then went back to the office, and yet is the subject of a complaint in one of
14 these earlier hearings about the work that she did for Michael that day.

15 There's another instance about the way that Michael behaved in the office. He
16 was taking time away from his casework duties. The agreement that he would
17 just simply keep things ticking over and we would deal with any new stuff, which
18 is demanding because we've got all our things to do, and I wasn't here then but
19 [REDACTED] was in the office. [REDACTED] says that Mike walked in and just said,
20 "[REDACTED], you're the caseworker now." Didn't ask her if she was happy to change
21 to that role, didn't go through cases with her or offer any kind of training. These
22 are [REDACTED]'s words, "He just announced it and then left."

23 [REDACTED] continues, this is 046 again, that, "Our office puts a high stock on
24 delivering for our constituents, giving up his casework and assigning [REDACTED] to it
25 in that way didn't show much respect for the constituents we represent," and
26 [REDACTED] says he wasn't happy about it. "I was more unhappy with the way he
27 had addressed [REDACTED]," he says. "As it transpired, he hadn't offered any kind of
28 handover to go through existing cases," and [REDACTED] says that he felt, "It was
29 highly unprofessional to speak to her in that way, to change her role without
30 even consulting her." He says that [REDACTED] engaged him in a private
31 conversation in a somewhat distressed manner. He says that she was having

1 issues because I'd asked her to do certain things, Assembly tasks, basically,
2 and Mike had told her not to do that and not to do as I had asked. So you've got
3 [REDACTED] saying that, you've got [REDACTED] saying that. We're up to our necks in
4 work in the office, which Mike alleges we weren't, basically, and yet Michael was
5 encouraging [REDACTED] to do political work instead of the work I've asked her to do.

6 [REDACTED] continues, and he says that, "[REDACTED] wanted my advice as to whose
7 instructions she should take. [REDACTED]
8 [REDACTED]

9 **RE:** This was in August 2017, was it?

10 **NM:** No, this refers to... this was sent in August 2017.

11 **RE:** Yes.

12 **NM:** But this refers to the March/April time.

13 **RE:** Yes.

14 **NM:** In 2017.

15 **RE:** During the election campaign?

16 **NM:** Yes.

17 **RE:** Yes.

18 **NM:** And [REDACTED] says, "[REDACTED]
19 [REDACTED]
20 [REDACTED]. I told her something to the effect of
21 'It's Neil's name on the front of the building, not Mike's. Neil is your boss so do
22 as Neil asks you... or do, yes, do what Neil asks you to do.'" He says, "She was
23 satisfied with that response, but [REDACTED] commented it's not a good situation
24 when he was having to give advice to a person Mike was line managing."

1 Just I think really the next... it is work related, but I think it's relevant to Mike's
2 overall attitude to the role, which he just didn't really undertake as he should
3 have done. [REDACTED]'s comment is that, "I don't think Mike has mentored her,"
4 that is [REDACTED], this is 047 now. "I don't think he has supported her, and he didn't
5 seem to have a basic grasp over what it means to manage a person. I can see
6 no evidence that he provided her with the necessary information about her
7 contracts, her probationary period, her working conditions or provide anything in
8 terms of professional development. She has often come to me instead for
9 answers to these questions. To my mind, [REDACTED] has shown a very strong
10 enthusiasm to do what is right for the office and has become a valued member
11 of staff. I think she deserved better treatment under Mike's management."

12 So, I think the whole point of me getting Mike a pay increase and changing the
13 way the Assembly did things, I think I've outlined that previously, because Mike
14 was taken on at a certain level, I think it's £7,000 or £8,000 less than he ended
15 up earning, because I wanted to be treated in an equal way with the likes of
16 [REDACTED], for example. So [REDACTED], as returning staff, could go in
17 at a high level because he'd already been an Assembly Member, so they were
18 further up the scale, and I didn't think it was right for somebody like Mike to
19 come in as office manager with a lot of responsibility and yet have a junior pay
20 grade. So they changed the rules and Michael was allowed to come in with a
21 substantial salary, over £30,000. And so as a result of having been awkward
22 with, I suppose, the Commission, if you like, me being awkward with the
23 Commission and having fought Michael's corner, ensuring that he was paid the
24 equivalent of what he was on before more or less, over £30,000 a year, I
25 expected a professional job from him. What I discovered, to my surprise, and I
26 think it was certainly a lesson for me in terms of the way that I manage things,
27 what I assumed was happening and what I'd been told was happening wasn't
28 and I think [REDACTED]'s words there about the lack of management of the junior
29 member of staff is quite telling and just bears that out really.

30 Yes, 048, this is [REDACTED], and just the dates that he covered for Michael.
31 [REDACTED] was a godsend really, because he had done the casework previously, he
32 knew what he was doing, and he came in and turned the situation around really.

1 Everything I've put in here I want to submit as evidence, just for clarity. Page
2 051 I'm checking [REDACTED]'s dates for employment there, because, again, what
3 was a recurring theme with Michael's employment with me was the fact that very
4 simple things became complicated, and what I had with [REDACTED] was
5 somebody who I had employed, [I'm? 01:33:58] thinking that he'd not been paid
6 for work that he'd done, and it turned out that he wasn't employed by me, but yet
7 he'd worked I think it was three weeks full-time on Michael's campaign, working
8 politically, and he was never reimbursed for that, even though he thought he
9 would be. So if you go now to 053, what I would hasten to add is the reason I
10 couldn't pay [REDACTED], because he was working with Mike and was carrying out
11 political tasks, so therefore wasn't down to me to pay him. When [REDACTED] was
12 working in the office, clearly that was my responsibility.

13 This is an email from Mike to I think it's [REDACTED] or [REDACTED], me, [REDACTED]. It just says
14 that [REDACTED] throughout this time, paragraph two, was predominantly doing case
15 work. If we move onto the penultimate paragraph, it says in relation to the
16 contract with Clarity, these are Michael's words by the way, this was originally
17 negotiated between myself and [REDACTED] in December of 2016. I
18 approached him for a copier that was capable of a speed in excess of 50 sheets
19 a minute, producing half a million at cost of less than 1p per leaflet, and the key
20 point here is, "As this is what we could already get from Tŷ Gwynfor." So
21 contrary to what Michael has said in earlier hearings, if you check the notes, he
22 was well aware of the price from Plaid Cymru's central office, which was 1p per
23 copy, and we needed a copier going towards the council elections that was fast,
24 really.

25 Again, with the issue of the printer, again, as with everything with Mike, there
26 was a problem about money being owed, and I think it was ultimately... I think
27 [I'd have paid? 01:36:45] in the region of £3,000, again, from my own pocket
28 because of the bill that Michael had racked up. That wasn't to do with his
29 Assembly role, it was with his political role.

30 **RE:** Just pause a minute, you had to pay about £3,000—

1 **NM:** £3,000. I can give you the exact figures if you want them. It was thousands.

2 **RE:** For printing, or to whom?

3 **NM:** Clarity.

4 **RE:** To Clarity?

5 **NM:** Because of the bill that Michael had run up, in my name really. You know,
6 there's dispute over Michael denies that amount of money was owed, he said it
7 was [inaudible 01:37:36], but ultimately there was a bill of I think about £6,000 to
8 pay and I didn't feel that I could sacrifice my good name really, and reputation by
9 not paying the bill. So I paid a few thousand pounds to cover the Clarity bill.

10 **RE:** So could you tell me which bills they were?

11 **NM:** Oh, for the other printer, they're for the political printer. Not the Assembly
12 printer, so none of the bills there.

13 **RE:** So we don't have those bills?

14 **NM:** No.

15 **RE:** Right.

16 **NM:** No, they were purely, purely political bills for the political printer. But the point
17 I'm making, again, it's one of credibility where a company that we've been
18 working with and were pretty good to us said that £6,000 was owed, and
19 everybody had a different recollection other than Mike, and we were faced with a
20 bill which I ultimately chose to pay. That was on behalf of Plaid. Plaid paid
21 some as well, but the point is that there was a bill racked up, which was
22 disputed. One of the main points there on 053—

23 **RE:** Hang on, I think you need to explain that to me. I'm not sure I fully understand
24 the detail.

1 **NM:** Okay, right. Basically, as a result of the way Michael treated the printer, God
2 knows why it was running for so long, he burnt out parts... this is not the
3 Assembly printer, this is the political printer in Caerau. He burned parts out of
4 the printer, which is quite difficult to do. So, on a number of occasions, there
5 were emergency repairs for parts that Michael had blown up, I suppose, for want
6 of a better phrase, and they wanted the bills for not only the printing but the bills
7 for the parts, bills for the engineer to be paid. I suppose what I am saying here
8 is yet again, I'm faced with Michael saying something completely different to
9 what everyone else is saying, and that's a recurring theme. So what I'm saying,
10 in essence, is for me it's another example of him telling lies to protect himself
11 and the upshot of it was that I had to pay about £3,000 out of my own pocket to
12 clear the bill.

13 **MD:** Do you just want to read that few paragraphs?

14 **RE:** I'm sorry?

15 **MD:** Did you want to read through that paragraph?

16 **RE:** Yes, please.

17 **MD:** So it goes from this is the [REDACTED] bit, this is the Clarity bit, and it goes on to
18 the other page.

19 **RE:** Right, okay.

20 **[REDACTED]:** Do you want me to go and print that off now?

21 **NM:** [Inaudible 01:41:57] get the Wales Online stuff as well. Maybe put it up, try to,
22 the [REDACTED] one.

23 **[REDACTED]:** Mm-hmm.

24 **RE:** Right, okay.

25 **NM:** Okay—

1 **RE:** Just hold on a minute there. Just so I'm clear, this bill has got nothing at all to
2 do with the bills we've discussed already?

3 **NM:** No.

4 **RE:** And the purpose, or the point you're making on this piece of evidence is that this
5 is what you say is another example of Mr Deem telling lies?

6 **NM:** Yes.

7 **RE:** And not running the office properly?

8 **NM:** It wasn't connected to the office, our office here, but whatever he was given to
9 do he would basically mess up and instead of, for example, instead of telling me
10 the bill was £6,000 early doors and then I'd have been prepared for it, he told
11 me the bill was a couple of hundred pound. So then to discover that there was a
12 £6,000 bill was quite a shock and, again, even though it wasn't Assembly
13 related, it certainly diminished my trust in him. Ultimately, there was a bill to pay
14 and I ended up paying it. In terms of—

15 **RE:** Just hang on a minute, I want to make a note.

16 **NM:** Yes.

17 **RE:** Right, I've got that noted. Now that we're looking at Clarity bills, it reminds me,
18 can you at some stage deal with the Clarity bills that we had earlier?

19 **NM:** Yes, yes.

20 **RE:** And the additional ones which somebody provided? My office contacted Clarity,
21 as you are aware, and provided the same bills as either you or Mr Deem
22 brought, I think, on the second or third day of the hearing.

23 **NM:** Yes.

24 **RE:** So we have those from two different sources.

25 **NM:** Yes.

1 **RE:** Can you at some stage, which is convenient to you, deal with those?

2 **NM:** Mm-hmm, yes. Can I just say I wasn't aware that you'd contacted Clarity until I
3 spoke to Clarity about other matters, and then they did tell me that your office
4 had been in touch with them.

5 **RE:** Yes.

6 **NM:** Yes, is it—

7 **RE:** I think you queried whether I could do that.

8 **NM:** Is there a record of the conversation you had, or any record of it?

9 **RE:** Oh, I didn't have a conversation, we simply asked for—

10 **NM:** Yes, okay.

11 **RE:** For invoices, which they gave us.

12 **NM:** Okay, yes, okay. 053, what I want to highlight from the last paragraph is that we
13 made on the political printer, so no bills to the Assembly, political printer,
14 476,928 copies which, when I looked at the figure I couldn't understand where,
15 how we'd made so many copies. Because I felt, on my calculation, there were
16 roughly 80,000 copies too many there.

17 **RE:** So many what?

18 **NM:** 80,000 copies too many.

19 **RE:** Too many?

20 **NM:** Which some you could explain by mistakes and spillage of numbers, but there
21 were 80,000 copies, so I have no idea how we reached that number on one
22 printer. Again, in terms of the reason for Mike being sacked in terms of trust, I'm
23 thinking well, I've gone through all the amounts, all the leaflets delivered, all the
24 leaflets we did, and I still can't understand why there were so many on this
25 printer. So to me it just begs the question what he was actually doing.

1 **RE:** So this printer was used for the local election?

2 **NM:** Yes.

3 **RE:** And Westminster election?

4 **NM:** Yes. I'm on page 055. This is the BBC stuff, really. A BBC television crew was
5 waiting outside. Paragraph... one, two, three, four... five paragraphs up from
6 the top... from the bottom, I'm sorry. This was a complaint from [REDACTED], which
7 was sent on 21st September, ultimately led to Michael's departure, where...
8 again, this is the politics of it really. [REDACTED] says there was clearly
9 overwhelming support. We're back to the position with [REDACTED] and
10 what was unanimous, the difference between full support and unanimous
11 support, because there was clearly overwhelming support from the many Plaid
12 Cymru [meeters? 01:52:29] there to give a supporting statement. However,
13 Michael publicly argued that no supporting statement should be given. He
14 argued that not enough information had been provided on your suspension in an
15 email from [REDACTED] [REDACTED]. So, what you've got here is my office
16 manager involving the intrigue of politics against me, is the best way to put it.
17 And the meeting, [REDACTED] said, was very keen there should be a vote to support
18 me, but Michael repeatedly called for no supportive statement to be given.
19 When the vote was taken, he was one of only three people who voted against
20 supporting, or providing the supportive statement. So he had a room full of
21 people packed with members, just three didn't want to give a supporting
22 statement. So that was the crux of the matter with [REDACTED] in one of the last
23 hearings, that the vast majority of members wanted to give full support, three
24 people didn't, each of whom have been sat in this room.

25 **MD:** Who was the third? Who was the third, Neil?

26 **NM:** You can cross-examine me later, yes?

27 **RE:** Well, it would help me to make a note now if you could tell me the third.

28 **NM:** [REDACTED]. Oh, it was the other, [REDACTED] wasn't it?

1 **RE:** So one of three people who did not [inaudible 01:54:13]—

2 **NM:** [REDACTED], [REDACTED] and yourself.

3 **RE:** —support you, so—

4 **NM:** I wasn't in the room, enlighten me.

5 **RE:** Mr Deem was one, you say?

6 **NM:** I'm advised that... I wasn't in the room, but I'm only going on what I was told.

7 **RE:** Oh, I see.

8 **NM:** Yes, [anyway... 01:54:30].

9 **MD:** [REDACTED] she didn't vote in the vote.

10 **NM:** Okay, all right. Right, 057. This is... the date here is significant, it's 9th October
11 2017. This was around the time, during the time where, up until the end of
12 October I was meeting with Mike, I'd met with Michael in good faith, and I
13 thought that we were having mediation sessions to resolve all these matters,
14 and yet, unbeknown to me, until I did a subject access request, Michael had
15 already complained about me to Plaid Cymru and he says that my actions,
16 interestingly, he believes that my actions only since May 2017 have been
17 unfitting, both as an Assembly Member and a member of Plaid Cymru. So
18 saying that my behaviour constituted bullying and harassing in nature, so,
19 according to this letter I've only done something wrong since May 2017. So it
20 just begs the question why all the things that have been raised with you were not
21 raised in this letter. Paragraph two—

22 **RE:** So you're referring to the letter of the 9th October?

23 **NM:** 2017, yes. First paragraph. "It is my belief that action since..." Pass that over.

24 **[REDACTED]:** Oh, I didn't get... do you want me to go [inaudible 01:56:55]?

25 **NM:** Yes, have you got these, Sir Roderick?

1 **RE:** Yes, I have those, yes. So...

2 **NM:** According to Michael I was misbehaving in August 2016, even though I was on
3 honeymoon then, actually. September 2016 and so on, but according to him on
4 the 9th October, my behaviour was only grounds for complaints, or my actions,
5 only since May 2017.

6 **MD:** The complaint is about bullying and harassing, it's not about this case.

7 **RE:** Yes, well, I've read this letter, obviously.

8 **NM:** Mm-hmm, okay.

9 **RE:** And the point you're making, you said that it begs a question?

10 **NM:** Yes, well, if all the things I've done wrong, according to him, why weren't they in
11 the letter?

12 **RE:** I see.

13 **NM:** That's my question, really. It's more of... well, if I could make progress, again,
14 this is one of credibility.

15 **RE:** So why aren't all the things he's now complaining about—

16 **NM:** Well—

17 **RE:** In the letter to Plaid Cymru?

18 **NM:** Regarding the behaviour. "His actions since May have been unfitting of both an
19 Assembly Member..." so... paragraph two, he...

20 **RE:** That's the point you're making, is it?

21 **NM:** Yes, I just—

22 **RE:** Yes, right-o.

1 **NM:** So, interestingly, he says that I've only bullied him since May 2017, when in fact
2 I didn't actually see him, hardly, after that point.

3 **RE:** You what?

4 **NM:** I didn't actually see him, hardly, after May 2017. In the second paragraph he
5 confirms that he was community caseworker and then the role of senior
6 caseworker and office manager. He says that, "For most of the time, or the
7 majority of that time, our relationship has been a positive one. In the days
8 immediately after my selection as the candidate for Cardiff West, the relationship
9 began to break down." So that was roughly the end of April. It says my attitude
10 was hostile, and again, this is one of credibility because this was accepted by
11 the chairman of the party, who then went on to make a complaint about me, this
12 was accepted as a complaint, and if you look at the second paragraph, four lines
13 from the bottom—

14 **MD:** Can I just make one point that, obviously, the party then decided to refer this
15 complaint to yourself for investigation. I mean, that's still awaiting investigation,
16 so is it appropriate to be going through this? It may be that it's... that's the case.

17 **NM:** Well, the party are... they're not looking at this.

18 **MD:** No, they've referred it to Sir Roderick.

19 **RE:** This has been referred to me.

20 **NM:** Yes, yes.

21 **RE:** Yes. This, I didn't intend initially to have this as part of the present procedure.

22 **NM:** Well, I'd submitted it as evidence, it's important.

23 **RE:** Yes, well, you're perfectly entitled to.

24 **NM:** Yes.

1 **RE:** But it may be that it would be a bit late in the day now to include it as a
2 complaint in this procedure. But you're certainly entitled to refer to it if you want
3 to.

4 **NM:** Yes, I do, yes, absolutely. If you look at the second paragraph, four lines up,
5 again, this is the dishonesty, even fantasy of Mr Deem. "This culminated in a
6 violent confrontation," "violent", which I would suggest that maybe I'd put my
7 hands upon him or... "violent" is specific. Violence is physical and he says a
8 "violent confrontation." If you look at the evidence which has been submitted so
9 far, there's absolutely no evidence of any violent confrontation because it's
10 simply another lie. I'll back that statement up later, but I did want to flag it up.
11 This is another example of another quite despicable lie really, from Mr Deem.
12 So because of the violent confrontation he's had to leave the office and he's yet
13 to return.

14 What actually happened was I wanted to make him accountable for his lack of
15 work, for the fact he's let people down, for the fact that the printing bills weren't
16 in order, for the fact that the budgets were all over the place and he cost us
17 £5,500. So that's what the incident was all about really.

18 If we move on, next paragraph, line three, line two says I was supportive of
19 Michael's candidature and I gave the endorsement for him to stand, yes, I did.
20 I'm not sure if it's totally relevant really, but Michael makes it clear there that he's
21 very much his own man and didn't want me running his campaign.

22 058, "There were a number of incidents during this period, that I can reference
23 as times in which I felt under attack by Neil, the first of which being on the
24 12th May," so we're back to the video, "when I filmed a short social media video
25 in the regional office." So, "The video consisted," this is Michael speaking, "of
26 me openly talking about my issues, battling a mental health condition,
27 recounting when two of my cousins and a friend committed suicide. This was
28 not done in an intentionally political manner. I made the mistake of introducing
29 myself as Plaid Cymru candidate." Well, that's it really, that was politicising the
30 office, and that was the bone of contention. So, as Michael says, "Within a few

1 minutes of posting the video, Neil sent a message via the messaging group
2 telling us to remove it ASAP.” So, again, in terms of the reasonable
3 expectations of me to try and ensure the office wasn’t used politically, in
4 Michael’s own words, in his own letter to the chair of Plaid Cymru, he says that
5 within a few minutes of posting the video I sent a message telling him to remove
6 it as soon as possible.

7 He goes on to say, “I didn’t see it as a political video, and wasn’t entirely happy
8 about taking it down, but as it was Neil’s office I did so within minutes.” Michael
9 goes on to say that, “To say this video...” ten lines up from the bottom.

10 **RE:** Mm-hmm.

11 **NM:** 058. “To say this video caused tension between us is an understatement.” So,
12 what you have there is my office being used politically, overtly, Michael
13 announcing himself as a candidate from the office, for some reason not thinking
14 that was political. When I tried to talk to him about it in a constructive way... I
15 think the only time I was alone with him was the launch of the Plaid Cymru
16 election campaign, up in the Rhondda. Tried to speak to him in the car about it
17 in a relaxed way to say, “Look, you shouldn’t have done that,” and, you know,
18 “We need to do better in future.” And his reply to me was that I’d overreacted
19 and if he had been complained about, which I actually thought he wanted to be, I
20 think he did it as a polemic to get some attention, he said he would have spun
21 his way out of it. That’s exactly what he said to me, and at that point I looked at
22 him and thought that he was losing the plot really, because if a complaint would
23 have been made to you about it, it wouldn’t have been public. I just would have
24 received a letter which I wouldn’t have been able to talk about in public. So
25 there would have been no PR value of a polemic, if you like, he’d misunderstood
26 the process. Because some polemics can be used to get attention, and I was
27 really annoyed, really annoyed, and my concern in addressing it with him in a
28 constructive way, in a friendly way, was he just didn’t seem to be in touch with
29 reality. To say that he could have spun his way out of it, well, not really.

1 But then he was... again, this is where it was pretty clear to me that he lost
2 contact with reality. He was mixing with the party leader, who I think it's not a
3 secret to know that she's... [inaudible 02:07:46] the former leader was very
4 much opposed to me personally and politically and the reality is that I'm a
5 competitor, or I was a competitor of hers for the regional votes, so there was a
6 competition between me and her about who would become the number one on
7 the party regional list. I'd beaten her first past the post actually when she was
8 leader with the votes of party members, and that did cause a lot of tension and
9 Michael went from... well, probably misjudged it actually because as things were
10 transpiring it was clear that he'd not done work, as I said to you, from the end of
11 December really, 2016. But he very quickly seemed to have his head turned by
12 mixing with people who were not very well disposed to me, and I think he forgot
13 where his bread was buttered really, because we'd supported him and he just
14 completely lost the plot, and when I had him telling me that he could have spun
15 his way out of a political video in an Assembly office, it was just nonsense. Just
16 it was absolute nonsense.

17 But to go back to the... I suppose the crux of the matter, in his own words, so as
18 an Assembly Member I'm trying to police my own office to make sure that it's not
19 used politically, even though Michael has maintained all along that I'm the driver
20 in it; I'm the one who is trying to use the office politically, in his own words he
21 said that the video, "To say the video caused tension between us is an
22 understatement." He says I wanted a reason to berate him and it was a
23 repeated source of anxiety and emotional pain. "I admitted during the
24 investigation that under normal circumstances I would have handled the
25 situation a lot differently, but the situation at the time was anything but normal."
26 All I wanted really was just an apology, and an undertaking not to do it again and
27 just hands up. You know, we all make mistakes, we all make mistakes. We can
28 all do things better at times, we can all make mis-judgments. When you do that
29 you've got to say, "Yes, I've done it. My fault, I won't do it again, I'll try and learn
30 from the experience." Instead of that, the reason that the matter wasn't done
31 and dusted really quickly was because Michael sought to blame others in the
32 office for something which was his, his alone. He was solely responsible for it.

1 It was around this time, this is the 20th April, a few weeks before the incident,
2 Mike was released from hospital. He says he had a massive internal bleed
3 caused by rupture of a stomach ulcer, which nearly cost him his life, he says.
4 My advice to Michael then was to not be a candidate in the election, but he
5 didn't listen to that advice. But I wanted to support him in whichever decision
6 that he took, really.

7 Okay. A lot of medical assertions there are made by Michael. None of those
8 are actually ever supported with evidence in the disciplinary process. What
9 Michael does admit to here is that he found it hard to concentrate, he was prone
10 to mood swings, which eventually developed into depression, and these
11 symptoms coupled with the previously mentioned emotional stress of filming the
12 video made the subsequent barrage of negative comments from me even more
13 difficult to manage. I suppose what I would take out of that in Michael's own
14 words, again, is that there he admits he was prone to mood swings, which would
15 explain his aggression in the office, sometimes to me, other times to [REDACTED],
16 [REDACTED] on occasion. But, again, I've sat here in these hearings and Michael
17 has denied that kind of behaviour.

18 He goes on to say that I would constantly tell him that he'd let the office down,
19 how it exposed him, how we could all lose our jobs because of his actions. Face
20 to face, over the phone, in team meetings, any opportunity I could find, he says.
21 So what... again, these are Michael's words, at the very least what you can take
22 from that is I was really unhappy with the way that Michael was performing, the
23 way that he politicised the office and, again, this... his words to the chair here in
24 October 2017, the 9th October 2017 fly in the face of all the narrative, flies in the
25 face of the narrative that he has tried to present to you in these hearings,
26 because I think it is extremely clear there that I am really unhappy with his
27 behaviour. But if I saw the office as a political weapon, if you like, and not a
28 constituency office then I would put it you that I wouldn't have been unhappy
29 with such behaviour from him.

30 The last paragraph he says when the attacks over the video didn't break him,
31 again, strange word to use, "He'd look for other opportunities to criticise." So

1 what he's saying here in his letter to the chair is that I've criticised him. He
2 mentions the bill here, submitted in relation to the Assembly printer. So he's
3 admitting here to the chair that my concerns raised with him were serious, he
4 says the bill was higher than normal and I was demanding answers. So, again,
5 they are Michael's words, I am demanding answers. "At this time I was taking
6 flexitime from the Assembly to campaign." So Michael confirms there that he
7 was taking flexitime. "I explained to him that there was likely to be a perfectly
8 good reason, I would investigate and inform MBS accordingly." But he says that
9 that wasn't good enough for me and, "He informed me," so I informed him, "that
10 he was to stop campaigning immediately, go to the office where he was going to
11 call an emergency team meeting." That's me, so I'm that upset with everything
12 that's going on, I'm telling him that his responsibility is not to be campaigning at
13 that particular time, but for him to get himself to the office and explain himself.

14 So I think in Michael's words there, what he's doing is illustrating where my
15 priorities lay. There was actually some problem here in getting hold of Mike, in
16 getting a reply on the phone, and I remember leaving a message with [REDACTED]
17 and they didn't get back to me, and I would admit to being agitated on that day
18 because a number of things... well, I think the phrase we used, "the wheels of
19 the office seemed to be coming off." That was the phrase used by [REDACTED] to
20 me, because we'd had a number of people in complaining about casework not
21 being done.

22 The Cardiff West campaign was just abysmal, to be honest, outside of my
23 frustration with the office, the political campaign was abysmal. It was the worst
24 that we'd run in ten years, even though we had a paid organiser who Michael
25 appointed, [REDACTED] appointed her without consultation and agreed to pay her
26 £1,500 cash for four weeks' work, which was just incredible. And because I
27 couldn't... because of my anxiety I would say and a lack of a response, I went to
28 the Caerau office. And, as Michael says here, "Within a few minutes Neil arrived
29 at Caerau in an awful mood." Yes, you're damn right I was in an awful mood,
30 because ever since I started doing political work in a representative capacity,
31 which was just before I got elected in 1999 to the council, so I started during
32 1998 where you just basically pick up cases, do people's casework, and try and

1 help solve their problems or alleviate the stress that they're going through by
2 counselling, which is basically talking to people, or taking up the case, making
3 phone calls for them, writing letters for them. Since that, since I started doing
4 that in 1998, I can count on less than one hand the number of complaints that
5 I've had, because sometimes, very, very rarely cases may slip under the radar, it
6 is possible. And it can happen, but what I've always prided myself on is being
7 diligent, working hard and just doing the casework, doing the nitty gritty. Some
8 people... as I said to you, some people laugh at me because of that, because
9 they feel that it's beneath them as politicians to go into detail that I go into, but I
10 think, you know, in defending myself there in that sense, I just flag up my track
11 record really in elections. But to go back to the substantive point, I'm really
12 annoyed, and what I would say to you is in Michael's words I'm in an awful
13 mood. If I was carefree and didn't really care about the office and it was all up,
14 all down to politics and we had to be a political office and so on, as Michael is
15 alleging, then why on earth would I arrive in such an awful mood?

16 The reason I was in an awful mood was because I hadn't had an explanation
17 about the bills. There was a good explanation in the end because they were two
18 months' bills. I had wanted to reduce printing, and yet printing had increased.
19 The budgets were all over the place and casework was a mess. So, in the
20 words of ██████████, the wheels were falling off and ██████████ had asked
21 why... it says here, "██████████ asked him why they had to go to the office. He
22 exploded in front of the entire group." I wouldn't say I exploded, but my
23 demeanour was far from pleasant and in trying to be polite to ██████████, I said to her
24 "There are things going on here you have no idea about." So that was a very
25 polite... I thought the politest way possible, given the circumstances, that I could
26 tell her to be quiet really, because ██████████ is not the kind of people who can be quiet
27 often, and I didn't want to explain to her that we had case after case after case,
28 complaint after complaint after complaint, and as I said, the irony, the only time
29 in all those years, in 30 years of casework, that would have been 28 years then,
30 29 years then. In 31 years of casework the only time I've had complaints was
31 when that man over there was paid to do the casework. That's the only time I've
32 had complaints, other than one or two stray ones.

1 Michael goes on to say that, "█ could testify to the rage he showed towards
2 me," so he says I was enraged. I wouldn't quite say I was enraged, I was very
3 annoyed. Michael says when he arrived in Canton to inspect the receipts he
4 could see straight away what the issue was, the bill was two months printing, not
5 one, hence it being higher than usual. "As I had suspected, there was actually
6 no issue." No issue. So you have, through your office, Michael making a fuss
7 about the bills and the printing, and yet he's telling, I would emphasize in a
8 complaint about me to the chair of Plaid Cymru, that there was no issue with the
9 bills, which is contrary to what Michael has told you previously.

10 "When Neil opened the..." where is it? Excuse me. Yes. "When Neil opened the
11 emergency team meeting, I had the distinct feeling that he wanted a
12 confrontation." So, clearly, I'm unhappy, that's what I can take from that, visibly
13 unhappy I would say. "By this stage, I'd already informed him there was no
14 problem, and I had informed MBS, but you could see from his body language
15 that he still wanted to make an issue out of it." So what you have there is
16 Michael giving me an explanation, but I suppose really, if I'm honest, I'm not
17 buying it 100 percent, because by that point I've lost trust in him would be the
18 conclusion. So in the team meeting, Michael says he didn't rise to it, he calmly
19 pointed out the mistake to the team how to spot it in future. So Michael, in his
20 own words to the chair of Plaid Cymru, has said about the disputed bill he calmly
21 pointed out the mistake, and because he had an explanation he said in his next
22 bit, "I could sense him getting more and more frustrated." So the allegation there
23 is because Michael had a reasonable explanation, that I was annoyed because,
24 according to him, I wanted a confrontation.

25 "Neil had seen this as a prime opportunity to reprimand me in front of his
26 colleagues, and when I had given a perfectly reasonable explanation, he was
27 clearly unhappy. After that meeting, Neil spent ever increasing periods of time
28 looking for evidence of my failings. It now felt like he took attacking me
29 personally. Again, what this illustrates here, I would say, Sir Roderick, is that I'm
30 just trying to do my job as an Assembly Member, because I've got an office
31 manager who, frankly, was out of control. I would take responsibility for... up to
32 that point I wouldn't say poor management but I would say not good enough

1 management of him, and what I was seeking to do at that particular time was to
2 get a grip on the office and make sure that the wheels were put back on, so we
3 did respond to casework, the budgets were in order, the bills were paid and the
4 photocopying was reduced. It wasn't long after this that we went to a paperless
5 system and we also discovered, as I said in another hearing, that we realised
6 that if we planned the printing seven days in advance we could get it done free
7 by central services. So in terms of producing... if I wanted an Assembly street
8 surgery notice, a couple of thousand of them, order it upstairs, pick it up a week
9 later. I didn't know we could do that.

10 I suppose, in mitigation, what I could have done in May 2017, probably would
11 have been better, 2016, read through absolutely everything, make myself fully
12 aware of every single budget line, every single way of doing things and if I'd
13 have done that there'd have been a lot of other things that I wasn't doing. So by
14 getting Michael substantially put up the paygrade I delegated that to him, and I
15 thought it was reasonable as office manager for him to have a handle on all
16 those kind of things, but unfortunately he clearly didn't and it was remiss of me
17 to not be controlling enough to have realised until it was way down the line.

18 What we have in this letter, in Michael's own words, as I said, is I'd say a fairer
19 impression of my management, attempted management of him. He then goes
20 on to raise the investigation into purchases which I did, mainly because I was
21 flabbergasted, flabbergasted would be the right word to use, about the purchase
22 of the Satnav device, Satnav/dashcam. Michael says, "It was my understanding
23 that they required additional information regarding the purchase before they
24 would authorise payments." Well, his understanding and my understanding are
25 completely different, because MBS flatly said to me in a meeting, face to face,
26 that they would not pay for a Satnav because it wasn't needed. They'd pay for a
27 holder for a phone, but they wouldn't pay £223 for a Satnav. But more to the
28 point, Sir Roderick, I actually agreed with them. I agreed with them, because I
29 don't think it was a valid purchase, and what Michael couldn't understand was
30 that it was my decision as his employer that this was not a correct use of
31 resource, and he couldn't seem to understand that. Because he says that I had
32 raised the matter at a team meeting held on 14th June, six days before he went

1 on the sick. He said he explained exactly what the product was the reason for
2 the purchase and was confident that if given the opportunity to explain to MBS
3 that there wouldn't have been an issue. "Neil, however, didn't see it this way."
4 No, I didn't actually, and neither did MBS.

5 So what you have here again, it's back to the issue of the video where Mike
6 says he would have... if there would have been a complaint he would have span
7 his way out of it. Well, what he seemed to be suggesting to me was that I give
8 him opportunity to sit down with MBS and sell, almost, sell the purchase of the
9 Satnav to them, and try and get a different decision from them. I didn't want to
10 do that. It was not an acceptable purchase. He said why he wanted to explain to
11 the Assembly why it was needed for the safe operation of the office, no, it
12 wasn't. He didn't travel around the region as a job. "He reluctantly agreed to let
13 me sit in on a meeting he was to have with MBS." I don't recall that at all. What
14 he then says later, which is *[counts]* five lines up from the penultimate
15 paragraph, "Ten minutes later he called me back in to resume the meeting."
16 True, yes, and I "proceeded to scrutinise, line by line, every single purchase"
17 that he had made during the month of March. Correct. "He challenged me the
18 fact that I had spent 12p on rulers, reiterating that his belief, my reckless
19 spending had left the office wide open. At this point I told him that I thought he
20 was being paranoid."

21 Back to this accusation of paranoia again, that I'm paranoid because I was
22 actually doing my job in going through the purchases. The purchases, I think I'll
23 provide them as evidence because they were ridiculous. It might have only
24 been a 12p ruler, but why do you need seven of them? Or was it five, I don't
25 recall. They were ridiculous items which we didn't need and there was a whole
26 load of them. It just... you know, I mean, I just couldn't understand why we'd
27 bought all these things and I wasn't happy. So that was June 14th. It says, "The
28 next time I would see Neil would be the following Monday, the 19^h." Okay, so
29 this ties into my narrative, my recollection, that I rarely saw him and actually I
30 wasn't in the office much in those days. So you've gone from the 14th of... was
31 it the 14th the team meeting? Team meeting was on the 14th, I didn't see him

1 again until the 19th. So I'm not in the office, not interacting with him. This was
2 the clincher really, because you had ██████████ in the office.

3 It says, "On the following Monday, the 19th, this was Michael's last day in the
4 office, the morning began like any other. I was early, catching up on some
5 casework. Neil came in around 9.30 and said very little when he arrived. Again,
6 from his body language and tone, I got the impression that he wasn't in the best
7 of moods." Probably correct, because what I thought was a really tight knit team
8 working together, providing a great service, doing the best for our constituents
9 clearly wasn't the case. That wasn't happening. Then ██████████ appears in
10 the office. What ██████████ said actually was it's easier to get... I think it was, I'm
11 sure the words, this is from memory, "It's easier to get an audience with the
12 queen than it is to see you," or to get hold of you, words to that effect. I think it's
13 in the statement later, and I was quite shocked by that. I thought, "Oh God," you
14 know? When has he phoned and left a message and I've not got back to him,
15 when has that happened? And my God, I said, you know, something like, "What
16 do you mean, ██████████?" And he said, "Oh, not you, him," and he pointed to Michael.
17 And I thought, "Right, here we go," and they were discussing ██████████'s case, and
18 as he says here, "I remember Neil coming from the back office to stand in the
19 doorway to listen to the conversation." You're damn right I did, because by this
20 point I had absolutely no trust in what that man across there was telling me,
21 none. "He said very little to ██████████, but after he had left called me into the back
22 office and asked for an update on the case. I pulled out the file and started to
23 explain."

24 It just says I sat at the head of the table, I don't recall whether I did that, "turned
25 the seat to face me." Well, if I'm sat at the... just I suppose a minor point there,
26 if I'm sat at the head of the table I don't see why I'd have to turn the seat to face
27 him, but it's a minor thing. It says I was bearing down on him. Well, I was
28 certainly curious about what was going on with the case. He said he felt
29 intimidated. "He then began going into a barrage of accusations. All the
30 negative things he'd attacked me on over the past few weeks came out in a
31 steadily increasing rage." I wouldn't say it was rage, I'd say frustration really,
32 from my recollection. "He brought up the video, the printer bills, the office

1 costs.” So here, according to Michael in evidence to you, is an AM who doesn’t
2 give a hang for procedure, I don’t care about the nitty gritty of what I should be
3 doing because I’m just focused on politics, and yet in a separate letter to the
4 chair of Plaid Cymru he’s saying I’ve brought up the video, I’ve brought up the
5 printer bills, I’ve brought up office costs. So I’d admit to giving him a hard time
6 there.

7 Leaflets had gone out with the office address on, he’d been warned about. That
8 was the first month in 2016, that that couldn’t happen. He says that yes, it was
9 always accepted that that was [REDACTED]’s mistake, so [REDACTED] had held his
10 hands up to that one, it was an error, just after he was employed in 2016. But
11 he accepted it was a mistake and that kind of thing couldn’t happen. So Michael
12 says that, “This was the most agitated I had ever seen Neil. I tried to fight my
13 corner, but whatever I said made absolutely no difference.” So I think there’s
14 evidence there in his own words at how upset I am at money being wasted,
15 printing bills having to be explained, the office being politicised. So if, as was
16 being said in the other hearings, if all that drive came from me and I wasn’t really
17 interested in using the office properly, as per the rules, then I would simply as
18 you the question why was I so agitated, as Michael says in his own words? “He
19 was the most agitated” he’d ever seen me.

20 Just a little correction here, so I was talking again about freedom of information
21 requests and I didn’t feel we could justify spending £223 on a Satnav. Michael
22 replied, for some reason he says he’s regretted this comment ever since. I don’t
23 know why really because it was nowhere near the worst thing he said to me. “If
24 a member of the public were to make an FOI request I’d be more concerned
25 about the £130 you spent on a phone charger.” Actually, that was wrong, I
26 didn’t spend £130 on a phone charger. Again, Michael had misread the bills.
27 What I actually spent, it was £130, but it was for a number of items for my
28 telephone, which I needed to use.

29 I think what I want to do next is just highlight how Michael embellishes things.
30 He’s already talked about a violent confrontation, well, everything is on CCTV,
31 that was never asked for. No police were called, there was no violent

1 confrontation. But he's told the party that there was, but apparently now, I stood
2 up in my chair, or "Stood up in his chair, towered over him, raised his hand and
3 outstretched his finger, which was now approximately three to five centimetres
4 from my eye and said, 'Don't you ever threaten me again, do you understand
5 me?'" With the best will in the world, I would love to be able to tower over
6 somebody but I'm five foot six, so it's not really within my gift. Again, it's... as I
7 said, embellishment really. He goes on to say that he felt genuinely scared that
8 I was about to physically assault him. He was paralysed with fear. He said he
9 wasn't threatening me, so clearly he had threatened me in some way.

10 The next page is 062. I said nothing more, took out my laptop and started
11 typing. So I've said what I've had to say, I'm really unhappy, want an update on
12 the case with [REDACTED] urgently. I've told him I'm not satisfied with his
13 purchasing, not satisfied with a load of other things, and I've gone back to what
14 I'm doing workwise. Mike's given his story about how he said he felt. I went to
15 the Assembly. Again, in terms of embellishment, "Neil emerged from the back
16 office and said he was going to the Assembly and abruptly left through the front
17 door." Well, the only way I can go to the Assembly is through the front door, and
18 I just remembered as usual just going to the Assembly, but "abruptly" is quite a
19 pejorative word to use there. Mike said he broke down on the floor, cried,
20 shaking, palpitations, threw up, head between his knees breathing. He told
21 [REDACTED] he wasn't feeling well, went home and hasn't returned since. So he
22 didn't go back to the office after that.

23 Last paragraph, a month of complete rest, began to feel improvements. 25th July
24 he felt able to go back to work, you've seen that email. The suspension letter
25 was sent on the... well, arrived on 27th. He said [inaudible 02:43:33] depressed.
26 So third paragraph up, he complains about my actions following his selection, so
27 that's the timeline. He then goes on in the penultimate paragraph, again, this is
28 the embellishment really, "I see him as my abuser." It's a really strong term to
29 use, and I would say doesn't really tie in with the email that he sent on the 25th
30 saying that he's looking forward to coming back to work. I would say his view of
31 me there is a retrospective view of me, after having been suspended by me.

1 **RE:** Right, well, that's the end of that letter, isn't it?

2 **NM:** Yes.

3 **RE:** Shall we break there? It's now just gone one o'clock. Quarter to two?

4 **NM:** Yes, sure, yes.

5 **RE:** All right, thank you, quarter to two.

6 *Egwyl / Break*

7 **RE:** Right. Okay, Mr McEvoy, where do we go next?

8 **NM:** Okay. So we dealt with 063, and that was the letter from Michael Deem to the
9 chair of Plaid Cymru. Okay, 064, just this is an updated statement from [REDACTED]
10 [REDACTED]. I think a lot of it reiterates what was said previously. I was just
11 [inaudible 02:46:14] add there really. So on 065, paragraph three, it's just
12 reiterating when Michael's instructions contradicted mine, when I wanted
13 Assembly work done and Michael wanted [REDACTED] to do political work. Number
14 four, and we're back to the video again, it's more about credibility really,
15 because I think we've established that a political video was done and I warned
16 him about the video. Do you remember that Michael, me warning you? I gave
17 you a verbal warning about the video initially.

18 **MD:** I remember we had a number of conversations [inaudible 02:47:06].

19 **NM:** Okay, right. I thought I'd warned you, but... these are [REDACTED]'s words.

20 **RE:** Well, she can give her evidence in due course.

21 **NM:** Yes, okay, it's written there. Because she did tell him not to go ahead with it and
22 he seemed to have forgotten that she told him not to do it. This is important,
23 second paragraph, because this was the team meeting that I was in, and where
24 Michael was slouched, casual, arrogant in demeanour, this is according to
25 [REDACTED], "I recall the same spoke aggressively to me, we all," referring to
26 [REDACTED] and [REDACTED], "Agreed that the video was okay." But she says she was

1 absolutely gobsmacked, well, "I was absolutely gobsmacked by his actions and
2 could not believe he could sit so casually in a formal and very serious meeting
3 and expect me to sit there and not say anything. It concerns me that Michael
4 felt that I, as a junior, female colleague would not challenge her line manager. I
5 interrupted straight away to state that actually, 'I did tell you not to, Michael, and
6 I'm very glad that I did.'" So there's a clear breakdown of a relationship there,
7 and also again we're back to this credibility aspect of things, because I clearly
8 remember Michael blaming the others, and I clearly remember [REDACTED]
9 contradicting him in front of me, and then Michael agreeing that [REDACTED] was
10 actually correct.

11 I think this explains a bit about Michael's attitude to me, and I said earlier that I'd
12 felt that he'd lost the plot and so [REDACTED] says that he was behaving aggressively
13 towards me, it was uncomfortable for her and she felt that Michael should have
14 addressed the issues in private as I had encouraged, as opposed to shouting in
15 the open office. Michael was said to be uncooperative when our collective
16 accountability in certain tasks was justifiably and calmly questioned. So we're
17 back to one of the crux of the matters where I know things are not going well,
18 trying to address matters and as [REDACTED] said in a calm way, and Michael's
19 reaction is just to slouch back in his chair, fail to answer questions and be
20 aggressive and shout. That's, I think, supported by his own words where he
21 said about his mood swings and how he said his illness had affected him,
22 although there was no actual ever any medical explanation for that.

23 [REDACTED] had concerns about being scapegoated, being blamed, as she was. I
24 don't think there's much more to add there. This is about leave, outstanding
25 leave. If we were to put a package, Michael was entitled to all his holidays and,
26 again, we're back to the credibility matter and honesty, really. Michael was
27 obliged to disclose his holidays that he'd taken and he failed to do so. There's a
28 whole load of emails. I think on 069 straight into the employee issue really.
29 Because, given Michael's behaviour, admitted behaviour I would say towards
30 [REDACTED], I was obliged to take that into account in deciding whether or not people
31 could work together in an office setting. For example, if I'd have allowed

1 Michael to remain then that would have been problematic, possibly legally, at a
2 point further down the line.

3 On 070, this is the 1st November. So, unbeknown to me at this time, I'm trying to
4 act in good faith to mediate to try and solve the problems which exist and yet
5 there were complaints made by Michael about me to Plaid Cymru already at this
6 stage.

7 **RE:** [Inaudible 02:52:52] on the 9th October?

8 **NM:** No, yes, that's that. There was one on the 9th and there was a further one then
9 on 17th November. But I thought it was fair to offer Michael to be employed until
10 Christmas, but as I say here, "I still need to pay for the Satnav, can this be done
11 through payroll?" So we're at the point there where there was a complete
12 breakdown of relationships. I didn't trust Michael at all, for very good reasons,
13 and I had to pay for the Satnav, £223. Never used it, never used it.

14 Here we go, this ties into the lie he told to the chair of the party, we're on 072,
15 and we're supposed to have a hearing and, again, it's delayed. "Just to let you
16 know, Michael is unable to attend the hearing on Friday because he's receiving
17 hospital treatment from Thursday onwards which will prevent him from doing so.
18 I wrote back and asked if there was any proof of any hospital treatment, whether
19 there was or not and whether or not he was ill or wasn't ill is not so relevant.
20 The point I'm making is that to all concerned, Michael has inferred... or not
21 inferred, he's stated that I've drawn out the process, but actually the process
22 was drawn out because of Michael's illness.

23 The next one is the 13th November, 074. So, you know, at this time, I'm talking
24 to Member Business Services hoping to get a resolution and he's filing
25 complaints in. Second paragraph, I'm accused of using the disciplinary process
26 as an extension of bullying and harassing behaviour where I've manipulated
27 Assembly commission procedures to continue the abuse, this is to the chair of
28 the party. "Neil is aware of this and has repeatedly drawn out the process."
29 Well, no. On the same day that he's cancelled a hearing he's writing to the chair
30 of the party saying that I'm drawing the process out, on exactly the same day.

1 As I said, I'm not disputing any of the question of validity, that's no so relevant,
2 but what is relevant is that I'm being lied about, that's relevant.

3 075, Michael says, top of the page, he's never before had so much as a verbal
4 warning. Well, that's not the case. He confirmed a few minutes ago that I'd
5 spoken to him several times about matters.

6 **MD:** That's not a verbal warning though, Neil, is it?

7 **NM:** I gave you a—

8 **RE:** Excuse me?

9 **MD:** I said though that we differ in Neil says a verbal warning and I said we had a
10 conversation.

11 **NM:** Okay. I gave you a warning, but it doesn't matter, you don't have to agree. I
12 think really on page five, this is where we get really to Michael's state of mind,
13 and he describes himself as somebody who'd been in the public spotlight in
14 Cardiff for the first year, which is quite a strange thing to say really. He goes on
15 to say that he has no... "The month of August is one I have very little
16 recollection of," he says, that was August 2017. This is interesting as well, again
17 it's this whole contrived story. The Assembly Commission Business Member
18 Services on 20th September outlining three complaints. So those were my
19 complaints, are they? No, no, this is [REDACTED] ? 02:57:20], sorry. And he
20 talks about "hundreds of emails which were deleted from my Assembly account
21 following my suspension from work." So this is the embellishment, this is the
22 intrigue, this is the idea that we had something to hide, Sir Roderick, do you
23 remember in the last hearing, and Michael claimed that hundreds... as it says
24 here, hundreds of emails were deleted from his account? And yet, as I would
25 hope [REDACTED] can confirm, when we were sat in here with the IT people, they
26 told us that even when things are deleted from your account they remain on the
27 system. They are retrievable for 12 months. So Michael, in August 2017 had
28 access to his emails, he claimed that hundreds had been deleted, which was in

1 my view nonsense, I hadn't had access to his emails. So, my very simple
2 question is if they were deleted as he says, why weren't they retrieved?

3 **RE:** Do you know by whom they are retrievable?

4 **NM:** [REDACTED]?

5 **[REDACTED]:** I think it was with the assistance of ICT, that you managed to look at those
6 emails, wasn't it?

7 **MD:** Yes, but we're talking about, you know, not just months and months later, this is
8 almost a year afterwards. You know, I was never given that opportunity at the
9 time during my suspension to go back and look through deleted emails. It's only
10 after yourself was involved in the process and spoke to IT in more detail that this
11 came to light. You know, I've got those initial screenshots of the emails that
12 were deleted on a date after I'd left the office, so clearly they weren't deleted by
13 myself. You had access to my emails, [REDACTED] had access to my emails—

14 **NM:** No, I didn't have access to your emails.

15 **MD:** Well, you did, because you replied to a constituent—

16 **NM:** I didn't have access to your emails.

17 **MD:** From an email that was sent to my email address, so I've got the evidence to
18 prove that. Why, you know, concerned about—

19 **NM:** That's a really important point. I didn't have access.

20 **RE:** Just one at a time though, otherwise I can't hear.

21 **NM:** Oh, right.

22 **MD:** What I'm concerned about is that, you know, this wasn't presented in my initial
23 evidence because, as far as I was concerned, this is to do with my disciplinary
24 and the investigation, so there was no need for me to present any of this
25 evidence as part of this investigation. If you want me to go back over, you know,

1 old ground in relation to my disciplinary, which is what you've done a lot today,
2 then I'm prepared to provide that information, but I am not in a position to be
3 able to do that today.

4 **NM:** The point I'm making, Sir Roderick, is, again, we've got the voice of the... I'll be
5 polite, fantasist again, because we were told in August 2017 that hundreds of
6 emails had been deleted. [REDACTED] had access to the account for one single day,
7 I believe. It was a short amount of time. I didn't have access to it myself, and
8 the reason was because of the chaos with the casework, we needed access to
9 check what had and hadn't been done. So that's what happened there, but the
10 point I'm making is that everyone knew very well from August 2017 that those
11 emails were there... if they were supposedly deleted, right, I do say supposedly
12 deleted then they were still available. So my reasonable position, because we
13 all know that they're on the system for a further 12 months, my reasonable
14 position, if there really was anything then why weren't they retrieved then, when
15 they were able to be retrieved?

16 **RE:** Well, can we go back to the start of this?

17 **NM:** Yes.

18 **RE:** First of all, what is being alleged, or what is being suggested is in these emails
19 that would be of relevance to me?

20 **NM:** I've no idea.

21 **RE:** Right.

22 **NM:** I've no idea.

23 **MD:** So yes, I mean, this issue was originally raised during the investigation process
24 for the first complaints that were made against me. That was being performed
25 by an independent Assembly Commission officer who was looking into Neil's
26 initial allegations of my conduct. During the course of that investigation, I was
27 allowed access to my email account again in the Assembly. When I was going
28 through my account I noticed that there were hundreds of emails that had been

1 deleted at a time after my last point of leaving the office. There was no way I
2 could have deleted those emails because I didn't have access to the Assembly
3 systems in order to do that.

4 While we were in the process of looking into this, and I had raised a grievance
5 with the investigating officer in relation to this, the investigation was put on hold
6 by Neil because a fresh allegation was brought by [REDACTED]; this was in
7 relation to my conduct in the Cardiff West constituency meeting. As a result of
8 that, the entire investigation was shelved. We didn't look any further into the
9 grievance, we didn't investigate the emails any further, and the only thing from
10 that point onwards Neil would look at was [REDACTED]'s complaint.

11 In relation to that, he decided to skip the independent investigating officer, he
12 put that part of the process out completely and moved directly to the disciplinary
13 hearing, which he had sole control over. So, you know, my thoughts on why he
14 chose to do that is, you know, it's my own speculation. Maybe Neil wants to
15 enlighten you as to why he took out that investigation stage, but I was not given
16 the opportunity to properly look into my grievance.

17 **RE:** Right, well, I wonder what the emails... what might there been have in the
18 emails, if they were recoverable, that would be of interest to me in this particular
19 investigation.

20 **MD:** I really couldn't tell you.

21 **RE:** Well—

22 **MD:** You know, as I said, this is predominantly in relation to the investigation my...
23 the investigation into my work.

24 **RE:** Hmm.

25 **MD:** You know, a lot of those emails that were deleted were from constituents or...
26 you know, they were casework related matters, and all of a sudden I'm
27 suspended, I have no access to my email account, Neil and [REDACTED]'s got access
28 to it and then suddenly hundreds of emails start disappearing.

1 **RE:** Right, so it seems to me, from what you're both telling me, is that what you're
2 saying is that these may have been deleted to make you look bad, because they
3 were from constituents and you're being accused now of not... or not now, but
4 you had been accused of not answering emails [inaudible 03:04:20].

5 **MD:** Mm-hmm.

6 **RE:** So that would be relevant to that. You don't know what's in them, you say.

7 **NM:** No.

8 **RE:** And you don't know who deleted them or why.

9 **NM:** No, they weren't deleted. I don't believe they were deleted.

10 **RE:** But none of it, appears to me, from what you're telling me, to impact upon this
11 investigation. Is that a fair summary?

12 **MD:** I think so.

13 **NM:** What impacts upon the investigation is the... it's the credibility or lack of
14 credibility of this witness, because as far back as August 2017 there are... I'd
15 say we've been told stories of hundreds of emails being deleted, but I'm making
16 a very reasonable point that at that point they were recoverable.

17 **RE:** Well—

18 **NM:** I don't know what was in them, but they were recoverable.

19 **RE:** I understand that.

20 **NM:** So it's the spin of this witness that I'm commenting on.

21 **RE:** Well, just a moment, [inaudible 03:05:06] I just want to be sure that I don't miss
22 anything here that is of relevance to either of you.

23 **NM:** Well, we've looked at... well, I didn't look because Michael wouldn't give me
24 access to the emails which were recovered, so I don't know what's in them.

1 **MD:** You sat here and went through the emails.

2 **NM:** I... if you recall, [REDACTED], I asked... I'll ask again now. I asked for access to all
3 those emails, you refused me access. Can I... I'd be delighted to have access.
4 Can I have access?

5 **MD:** No.

6 **NM:** Okay.

7 **MD:** Because I'm not satisfied that your intentions are solely to do with this case. If
8 it's in relation to this case then by all means you can have access to anything in
9 relation to this case, but outside of that, I'm not going back there, you know?
10 I've been... you've drawn me through this so many times, I'm not going back
11 there now, I've had enough of it.

12 **NM:** You've drawn yourself through it. The reason I'd like access is (a) there may be
13 something relevant to this case, but more than anything else, I might find, like,
14 the couple of ladies who I spoke to in Ely, for example, recently, I might find an
15 email from her, so maybe I could then... or I may find the emails from other
16 people that have not been dealt with. So that's my motivation for asking for that.
17 But you won't grant me access.

18 **RE:** Fine. [Inaudible 03:06:23] to make my position clear, I am not going to be
19 dealing with any allegations relating to emails going missing or their content. It
20 doesn't appear to me to progress for either [of you? 03:06:35]—

21 **NM:** No, the only thing relevant, Sir Roderick, is his allegation that they went missing,
22 because when he alleged that they were recoverable, we all know they were
23 recoverable. So if they did go missing he could have recovered them, that's all
24 I'm saying.

25 **RE:** I'm not sure that's right, is it?

26 **NM:** Yes, it is.

1 **MD:** No, no, it's not. I wasn't given the opportunity.

2 **█:** He needed the... he needed the intervention of ICT to get that, so...

3 **NM:** Absolutely, of course it did, yes.

4 **RE:** Not recoverable by him, they are recoverable—

5 **NM:** Yes.

6 **RE:** But not by Mr Deem?

7 **NM:** Yes, yes.

8 **RE:** Right.

9 **NM:** So why didn't he get them recovered?

10 **MD:** Because you closed down the investigation. You went to disciplinary, you
11 skipped out that entire stage—

12 **NM:** No, I want—

13 **MD:** —you were the one that bypassed that, Neil, not me.

14 **RE:** Well, you made—

15 **NM:** You didn't want them recovered, because they weren't actually deleted, that's
16 the issue.

17 **RE:** Well, maybe, maybe not—

18 **NM:** Can I make progress?

19 **RE:** —but it doesn't appear to me to be relevant to what [inaudible 03:07:25]—

20 **NM:** The relevancy is in the allegation.

21 **RE:** Yes, right.

1 **NM:** Again, just another allegation to throw out there without any substance.
2 Paragraph three, this has just been contradicted, what I read out. Michael,
3 again, this is credibility, "I've never blamed [REDACTED] for anything related to
4 casework." Complete nonsense. I know that's nonsense, [REDACTED] knows that's
5 nonsense, [REDACTED] knows that's nonsense. They can give evidence when
6 they're in. This is... I find this interesting, again, I think last paragraph, "I
7 genuinely believe Neil has used..." this is Michael to the chair of Plaid Cymru
8 when we were supposedly in mediation, I would say. "I genuinely believe Neil
9 has used this time to exploit [REDACTED]'s naivety, spread lies and manipulate the
10 [REDACTED] understanding of the facts for his own political gain." This goes on
11 to say that feels, "Truly devastated that such a bright and energetic young star of
12 the party, as [REDACTED] is in my eyes, has been subjected to these divisive and
13 ultimately destructive tactics." And he basically more or less says that I've
14 written [REDACTED]'s complaint for her. Again, I think that just... more of a statement
15 about his state of mind really.

16 **RE:** Is that the end of the letter?

17 **NM:** Yes, well, I don't think there's anything else relevant, is there?

18 **RE:** Right.

19 **NM:** No. The only thing I would comment on what Michael said there about the...
20 once he behaved as he did in the Cardiff West meeting, it was pretty clear to all
21 concerned, with all the allegations raised about Michael's behaviour that, in my
22 view, he was unable to work again in the office. I felt there'd been a complete
23 breakdown of trust. So the advice from officials was the way to proceed was on
24 that basis. 081, which is just the media. There was another leak about these
25 matters concerning me. Plaid Cymru said it was nothing to do with them, Mike
26 said it was nothing to do with him. As [REDACTED] former member of staff said,
27 "When I spoke with Mike he mentioned he was surprised at being contacted for
28 a quote, he didn't though indicate who he thought may have leaked the
29 information." So, again, back to leaks and...

30 **RE:** [REDACTED], if you're not using your file do you mind if I borrow it?

1 ■: Oh, yes, I—

2 **NM:** Just this one here?

3 **RE:** Yes.

4 **NM:** Oh, have you not got a copy? Because they're... I'm sort of using both because
5 I've worked on both.

6 **RE:** Oh, sorry, that's fine. You go ahead. I—

7 **NM:** Because I've commented, I've made comments on both actually.

8 **RE:** That's fine.

9 ■: Can I take any photocopies in the meantime?

10 **RE:** No, no, don't worry.

11 ■: You okay?

12 **RE:** No, no, that's very kind of you, no.

13 **NM:** These are the minutes of the disciplinary hearing on the 22nd February 2018. It's
14 numbered page one and for the purposes of this hearing it's 083.

15 **RE:** Can you put into a sentence what you say is the importance of disciplinary
16 hearings in this [inaudible 03:11:24]?

17 **NM:** Oh yes, well, I'd like to go through it now.

18 **RE:** Give me a headline first though.

19 **NM:** Well, there's a nailed on lie in here.

20 **RE:** It's what, layers of lies?

21 **NM:** No, a nailed on lie which I'd like to address now.

1 **RE:** Right, so it goes to credibility?

2 **NM:** Yes, yes. Yes, it's not so relevant really that Michael thought he... or claimed to
3 be supporting me by asking people not to support me, because that was the gist
4 of what happened. But if we go over to... the main thing is on page 086, and
5 this is the meeting I touched upon earlier with regard to the BBC. So this was
6 Michael on the 22nd February 2018, and I say, it was a big story the next day,
7 the BBC did cover, it's the second paragraph, did cover reference the meeting,
8 which is the meeting Michael admitted briefing the BBC about. There were
9 details from the meeting which emerged in the press. "Have you any idea how
10 these comments appeared on the BBC website?" Michael Deem: "No. There
11 were a number of people in the room that obviously had direct contact with
12 family ties with the BBC, but I don't know how they got these just [going back to?
13 03:13:24]," so I then say, "So you've no idea how the BBC got hold of the story
14 and what happened in the meeting?" And Michael's reply on page two of the
15 disciplinary hearing on the 18th February 2018 is, "No."

16 So, the point I would make to you there, Sir Roderick, either Michael was lying
17 earlier this morning when he said he briefed the BBC about the meeting, or he
18 lied in the disciplinary hearing.

19 **RE:** That's what you referred to earlier as the protected conversation, [inaudible
20 03:14:04]?

21 **NM:** Yes, yes. We had a protected conversation, Michael admitted speaking to the
22 BBC about the meeting, and yet in the disciplinary hearing Michael denied all
23 knowledge so—

24 **MD:** I denied how they got hold of the story. You know, they approached me for a
25 comment on it and I did speak about it, but I don't know how they got hold of the
26 story originally. As I said in the initial protected conversation that there was a
27 number of people in that room with direct ties to BBC journalists. They already
28 had the story when they came to me.

1 **NM:** Back to 085, credibility really, and this was the crux of dismissal, to be honest,
2 because the position of Michael in the meeting and to personnel here in the
3 Assembly was that he supported me in the meeting by arguing strongly that I
4 shouldn't be supported and, again, I think that is about credibility. [How it
5 occurred? 03:15:48], page 086, I'm asking questions about the van outside and
6 what Michael told the disciplinary hearing. Again, we're back to credibility. I
7 don't think for a second that the BBC van was there to pick up any statement
8 that was made by the Cardiff West group. The BBC van was there to get your
9 comment as you went into the meeting. They sort of badgered Plaid Cymru
10 members as we were entering the meeting for our own personal comments. We
11 all said, "No comments." But you've just said you made a comment, so did you
12 make no comment or did you comment?

13 **MD:** No, Neil, you're twisting it. On the way into the meeting we all gave no
14 comments.

15 **NM:** Okay, I think... do you accept the point I'm making, Sir Roderick, or do I need to
16 expand?

17 **RE:** Well—

18 **NM:** He's been caught out with a barefaced lie, basically.

19 **MD:** No, Neil, that's what you say, Neil.

20 **RE:** [Inaudible 03:16:45]. What he is reported as saying in that document is that on
21 the way into the meeting they were asked for a comment and they made no
22 comment.

23 **NM:** Yes.

24 **RE:** Now, that isn't a lie, is it?

25 **NM:** What he did say though was that he didn't make a comment—

26 **RE:** No, no, I think that's different. Let's take it stage by stage.

1 **NM:** That's not... it may not be a lie, no, because he maybe didn't comment going in.
2 But he's already said here that he commented.

3 **RE:** Yes.

4 **NM:** We agree that? Okay. So, if you look at his words to the disciplinary hearing,
5 "Have you any idea," and I'm not talking about the van arriving and them being
6 tipped off about the meeting, "Have you any idea how those comments
7 appeared on the BBC website?" And you say no.

8 **MD:** No, what comments are you talking about now?

9 **NM:** Comments made about the meeting which you admit having commented about.

10 **MD:** No, I... you've previously quoted the article, so, I mean, let me see the article.

11 **NM:** Can we adjourn so I can produce the article, Sir Roderick?

12 **RE:** Yes, certainly, but I mean—

13 **NM:** He's [inaudible 03:17:59]—

14 **RE:** Just pause now. I see the relevance of credibility, obviously.

15 **NM:** Yes, yes.

16 **RE:** And therefore I will look at anything that you suggest is relevant to credibility, but
17 I'm going to have to be very careful to identify precisely what it is which indicates
18 credit or lack of credit.

19 **NM:** Yes, okay.

20 **RE:** And simply saying, "You made a comment, you said this..." Unless you can
21 point to me two conflicting statements.

22 **NM:** Okay.

1 **RE:** It's very difficult, isn't it, for me to come to any conclusion on credibility unless it
2 is precise?

3 **NM:** Yes.

4 **RE:** So saying that he, for example, whatever the words you quoted that I can't
5 remember precisely what they are, it's very difficult to come to a conclusion on
6 credibility on that kind of thing unless it is precise.

7 **NM:** Yes, I need to get the article then. Yes, could we adjourn for ten minutes so I
8 can get the article, is that's okay?

9 **RE:** Yes, certainly. I've not got my computer here, [could I? 03:19:17] borrow your
10 computer?

11 **█:** Yes.

12 **NM:** Yes? Okay, can we—

13 **█:** Oh yes, yes, sorry, yes.

14 **NM:** Because **█**'s got it in the office.

15 **█:** Okay, no problem.

16 **NM:** So that's what we'll come back to because the—

17 *Egwyl / Break*

18 **NM:** ...098. This is more corroboration about me being upset over the printer bill.

19 **RE:** I've got it here.

20 **NM:** This is in the disciplinary hearing on the 22nd February 2018. So on page 16 of
21 that report, and it's 098, this is Michael's recollection of events. So, basically,
22 we were in the Caerau office, you'd obviously rung me four or five times about
23 this printer bill, which is what I said earlier. I told you that it was in hand and
24 there was nothing to worry about and there was no issue. You didn't accept that

1 and then you came to the Caerau office, barged into the Caerau office, shouted
2 at me in front of [REDACTED] and all the other volunteers were in the room that,
3 “There’s things going on here that you don’t know about.”

4 Again, it’s slightly different because what’s being alleged there is that I shouted
5 at him in front of others, that wasn’t alleged in the other letter, but the crux of it is
6 the same in that I did say, “There are things going on here that you don’t know
7 about,” to [REDACTED]. Michael continues that I felt, he said, “And I felt absolutely
8 dreadful, you know, in that situation. You made me feel like this was the
9 bullying, the harassment, I was in an awful feeling after that. Can I just finish
10 what I’m saying? So, basically, I then explain to the volunteers that I had to go
11 to the Canton office to sort this problem out. So I took the bus over to Canton,
12 went in, asked [REDACTED] for the printer bills, wasn’t agitated at her in any way,
13 wasn’t agitated at her in any way, but I was agitated at the way I’d been spoken
14 to at the Caerau office. So, I had a look at the bills, I realised the mistake, that it
15 was for two months not one month. I explained that and threw them down. This
16 was at [REDACTED]. It wasn’t like I chucked them, I just put them down on my desk in
17 that sort of motion, so it wasn’t at her.” Because I’d alleged that he’d thrown
18 these bills at her, that was my recollection. That doesn’t really matter. The point
19 is here, what I’m talking about, is that there’s further corroboration of me being
20 very upset over the printer bill. So he’s said it in a letter to the chair of the party,
21 he’s mentioned it in the disciplinary, so yes, I was upset, and what I was doing...
22 there’s further evidence here with Michael’s own words in the disciplinary
23 hearing that I wasn’t happy with what was going on with the printing.

24 Page 100, Michael confirms that he was prone to mood swings and he says that
25 he, “Wasn’t the character that she knew for a vast time that we were working
26 together.” So he confirms a change his behaviour and talks about the “old Mike”
27 and the “new Mike”. 101, Mike confirms what [REDACTED] was saying in her written
28 statement that was submitted in the autumn, and one in the summer, about the
29 meeting when all these things were being addressed, the printing, the video, the
30 really ridiculous orders that were put in, and Mike says, “Yes, I was slouched,
31 casual, arrogant...” this is 101 of the bundle. “I wouldn’t say arrogant is the right
32 word, yes, potentially I could have been seen as aggressive towards you in that

1 meeting.” So there’s a little snapshot there of confirmation about what [REDACTED]
2 was saying and my submission that that’s Michael in his own words confirming
3 what [REDACTED] said was right about that little aspect of matters, so I would suggest
4 that I think there’s further evidence of the rest of it being right as well, or would
5 that be too much of a supposition?

6 **RE:** No, I think if you indicate credibility and consistency that can be read across, in
7 the same way as lack of credibility can.

8 **NM:** 106, page 24 of the disciplinary hearing, 106 in this bundle. The flexible working
9 which Michael denied applied to [REDACTED] and [REDACTED], as I said earlier, Michael
10 was given two weeks off in the autumn, so I say to him, “Two weeks,” okay,
11 “You went to America in the autumn of 2016,” and he said it was for two weeks
12 so I say, “Two weeks, okay, you had two weeks off in the autumn. Do you think
13 I was being flexible there?” And he says, “Yes, we all were.” In his words, “We
14 worked on a flexible basis. So I put the hours in and you’d let me, as long as I’d
15 done the hours,” which is how I’ve said from day one about how we work in the
16 office. What was missing there was the time sheets that he confirmed in
17 another hearing that he... that was one part of his duties he neglected as office
18 manager. So just to reiterate your point, flying in the face of a lot of what was
19 said about the denial of our flexible working, in a disciplinary hearing Michael
20 himself said, “We all were,” in terms of being flexible, flexible working. “Yes, we
21 all were,” “we”, crucially, “we.” First person plural, “We worked on a flexible
22 basis.” Page 27 of the report, page 109 of the bundle... was [REDACTED]
23 statement submitted as evidence in the end?

24 **RE:** [REDACTED] ?

25 **NM:** [REDACTED].

26 **RE:** Do you think he gave evidence?

27 **NM:** He gave a statement, he didn’t come in to give evidence. Was that submitted? I
28 can’t remember.

1 **MD[?]:** It was initially, but it couldn't be formally submitted because he couldn't come in
2 to give a statement at the hearing, so that evidence wasn't formally submitted to
3 this hearing. It was during the first submission stage, but not formally to the
4 hearing.

5 **RE:** I see, right, okay.

6 **NM:** Because on page 109 of the bundle, Mike rightly confirms that he was constantly
7 around the Caerau office, which was flatly denied by ██████████ in his
8 statement. But since, I suppose, that ██████'s wasn't formally submitted, maybe
9 it's not too relevant, but there's a direct contradiction between the evidence
10 given by Michael in a disciplinary hearing and the statement he submitted then
11 later from ██████████. That's on the second paragraph, it's four lines down.
12 "I was constantly around that Caerau office."

13 Next page 113 and what we're doing here is looking at holidays and budgets
14 and how much Michael was to be paid. So it's really 27th of... 115 is the
15 outcome of the hearing where Michael was dismissed, mainly because of a
16 complete breakdown of relationships between him and everyone in the office
17 and a complete lack of trust. That was the... just no trust left in the end.
18 Initially, Michael didn't clear his leave... well, holiday in Catalonia, so that's an
19 indication of the way that he works. He was asked to disclose any holidays he'd
20 taken during the period and through his social media output we had evidence
21 that he was in Catalonia, which I then put that to the commission and they then
22 deducted ten days' leave, holidays in Catalonia and also a day where he worked
23 the Plaid Cymru conference as well, whilst on the sick.

24 But the point is that Michael didn't declare those things. It was only when I
25 evidenced it that he then admitted that he did in fact take holidays.

26 **MD:** Which I [inaudible 03:31:30] admit that I took holidays.

27 **NM:** Which he should have declared at the outset.

28 **MD:** [Inaudible 03:31:33] I went there, but I didn't consider it as holidays.

1 **NM:** You weren't available for work.

2 **MD:** No, no, I was available.

3 **NM:** You were in Catalonia.

4 **MD:** Yes, no, we've had this discussion through the disciplinary process.

5 **NM:** Okay, just—

6 **MD:** I was fully available and I would have attended any meetings that you requested
7 me to go to.

8 **NM:** Just to be clear, when the Assembly staff had evidence that Michael was in
9 Catalonia, those days were deducted from the pay that he received, and there's
10 an ongoing matter with another time away which wasn't declared either, with
11 time away in Finland without... which was not declared. But that's an ongoing
12 matter which can be dealt with. It was fraud actually, and I've made a complaint
13 about that, but that will be... that'll go through the formal process of being
14 investigated that way.

15 **RE:** So the days are deducted from his outstanding leave, is that what you're
16 saying?

17 **NM:** Yes, he was asked to declare any time he wasn't available for work, and he
18 admitted them to being in Catalonia, so they deducted ten days holiday pay,
19 which wasn't insubstantial in terms of the finance, and they also deducted a day
20 when Michael wasn't available for work because he was working the Plaid
21 Cymru conference as a steward. So he had 11 days less. What was further
22 brought to my attention not so long ago was that there was another period of
23 time where he was unavailable for work, again, through his social media output,
24 when he was in Finland. That wasn't declared, so that's an ongoing matter and
25 I'm saying it's fraud. That's being dealt with separately. This is page 125.
26 Credibility. So this was the 2nd June, Friday, 2nd June.

27 **RE:** 2018?

1 **NM:** 2018, yes. No, wait, 2nd June 2017, it's at the end of the election campaign and
2 all I'd say is at this point I'm... I was accused of being his abuser,
3 retrospectively, and yet when Michael felt he was being unfairly dealt with by a
4 journalist then I was one of the people he came running to, actually, and he also
5 alleges here that there was an intimidation campaign run against him by the
6 Labour Party in recent months. So it's the same victim narrative really, I would
7 say. In a sense it was correct, because Michael received a pre-action protocol
8 letter from a Labour councillor in April 2017 threatening to sue him for things
9 he'd said about him and written about him, and it was again the abuser who he
10 turned to, me. In his words "abuser" and it was me who instructed a lawyer, it
11 was me who got the work done, and it was me who ensured that I got the
12 Labour Party off his back. So that's all, so... in the time when Michael alleged I
13 was bullying him—

14 **MD:** No, no, a long time before the bullying and harassment started.

15 **NM:** What date did the bullying and harassment start?

16 **MD:** During the Westminster campaign.

17 **NM:** Okay, okay.

18 **MD:** So this was a long time before that.

19 **RE:** [You say? 03:36:12] just after your nominations in June '17?

20 **MD:** Yes, June... slightly before that. So the vote was June 8th, so May, middle of
21 May to late May. I'd had the letter from the Labour councillor's lawyer, you
22 know, maybe February, March time. It was a long time before the issue started.

23 **NM:** It was March, because you were going to withdraw your nomination as
24 candidate and I asked you not to do that. That was for the council ones. But the
25 point I want to make is I supported you in a libel issue and got it resolved. So,
26 the bullying only took place from the middle of March? Middle of, sorry, May,
27 wasn't it, you say—

1 **MD:** Yes.

2 **NM:** Until June the 8th, because I'd... in that period I rarely saw Michael, barely did.
3 Page 126, this was 4th March 2018, Michael to Assembly staff [REDACTED] and
4 he says the holiday figure is... this is the settlement figure, "The holiday figure is
5 wrong," it's page two of the email, 4th March 2018, 19.54, and he says, "I haven't
6 taken any holidays this year. The two weeks talked about in my disciplinary was
7 when I went to America. This is just the email I couldn't find earlier. I'd say that
8 relates to Michael not being completely open about his whereabouts for
9 settlement pay.

10 **MD:** It's not though, is it? It's a dispute with the Assembly Commission about what
11 my requirements were when I was under suspension. The requirements were
12 that, if requested, I would attend meetings, and I attended every meeting that
13 you requested me to, and this is a dispute with the Assembly Commission, you
14 know, none of this is proven in any way.

15 **NM:** It's one of credibility, because you knew you were obliged to declare any time
16 you were not available for work. You were in Catalonia for ten days, you didn't
17 declare it. It was only when we checked on social media that [we picked you
18 up? 03:38:56]—

19 **MD:** No, no, no, no. No. You're getting mixed up between times when I was on the
20 sick and I was recommended by the occupational health therapists in the
21 Assembly to get out of the country, to go and have some time to myself. You
22 know, this is all well-documented back and fore with [REDACTED] and the other
23 Commission staff. You're using this against me, but it's just factually incorrect.

24 **NM:** No, no. Okay. Well, the fact of the matter is you lost ten, 11 days. On page
25 136, this is the email from [REDACTED] concerning what you've just talked about,
26 Michael, and he says, "I'm not sure he's denying he's been away. He is saying
27 that he fulfilled the terms of his suspension, i.e. that he was available to attend
28 meetings and answer questions. I have said that being abroad does not appear
29 to fulfil the requirements to attend meetings, and it constitutes a holiday," and

1 that's when you lost your 11 days. So it is documented and I am correct in that,
2 because I've just read it out.

3 **MD:** No, you're not, Neil. Because it is a disputed fact, you know. We've gone
4 through this during the disciplinary stage. The wording on my suspension letter
5 was that I was available. I asked if I was needed on any of those days and I
6 wasn't, you know, and I booked a last minute trip away. It's the interpretation of
7 the rules about what I was required to do. You know, I haven't tried to deceive
8 anyone. You know, I've told people that I was away, like, I've never disputed
9 that.

10 **NM:** At this point am I [inaudible 03:41:17] to give evidence or...?

11 **RE:** Well, you have asked questions, obviously, about this, you've engaged in an
12 exchange—

13 **NM:** You've got the head of Member Business Support saying that—

14 **RE:** Well, I can look at it in due course.

15 **NM:** It's page 136. It's straightforward, and according to him it constitutes a holiday,
16 therefore the 11 days were deducted.

17 **MD:** And it also says that I'm not denying that I'd been away. So what is your point,
18 that I'd tried to deceive yourself, Commission staff?

19 **NM:** Yes.

20 **MD:** But it says there that I've not, I'm not—

21 **NM:** You didn't declare Finland either, did you?

22 **MD:** I was... it says here I'm not denying when I've been away, you know, and I've
23 been open—

24 **NM:** Do you deny you were in Finland as well and weren't available for work then?

25 **MD:** I went to Finland, yes.

1 **NM:** Okay, you didn't declare that either. So that's what they'll chase you up on.

2 **MD:** Yes, I did though, we've had this conversation.

3 **NM:** Okay. Page 138, this is [REDACTED] Again, this is credibility. [REDACTED] will be a
4 witness. I'd like to submit his statement.

5 **RE:** So he'll be coming along, will he?

6 **NM:** Yes, yes. I'll confirm the date tomorrow.

7 **RE:** That's fine.

8 **NM:** I think it's worth going through.

9 **RE:** Well, if he's going to give evidence, is it necessary? You'll have an opportunity
10 of commenting on his evidence at the end of the case if you want to?

11 **NM:** Okay, yes, that's a good point, yes.

12 **RE:** It's up to you.

13 **NM:** I think that will save time. The next one is Michael's mitigating circumstances
14 letter to me after dismissal, and what I want to do here is illustrate the two
15 Michaels, if you like, because in terms of the Plaid Cymru facing Michael, I've
16 been a bully, I've been his abuser, all the allegations made to the chair of the
17 party, and yet, in his own words now in the mitigating statement he says that,
18 second line, "As you well know, I have previously accepted that I was somewhat
19 out of character at the time," so the time that he alleges I've bullied him, he was
20 out of character. He goes into the physical aspects of that there and half way
21 down, [counts] 18 line down, Michael says that his condition, again, which was
22 never actually evidenced, and that was what the Commission picked up on as
23 well, "This can manifest itself in irritability, short-temper, mood swings, all of
24 which I was subconsciously demonstrating at the time." So, again, in terms of
25 the credibility or the thrust of my evidence, the thrust of [REDACTED]'s evidence in
26 writing, the thrust of [REDACTED]'s evidence in writing, Michael appears in his own

1 words of mitigation to support what we were saying about his behaviour at the
2 time.

3 In paragraph two, Michael says that he risked the permanent degradation of not
4 only our own relationship, my relationship with him, but, "That of a colleague I
5 have the utmost respect for, [REDACTED], although I maintain that it took many
6 months for this realisation to set in." So, this was written in February 2018, after
7 the complaints were sent to Plaid Cymru, after they were forwarded to you, and
8 he seems to be, for the first time really, accepting responsibility, or some
9 responsibility, in that he's outlined that he was somewhat out of character at the
10 time. His final paragraph is, "During our mediation sessions I remember you
11 telling me that [REDACTED] said, 'I just want the old Mike back', I can assure you that,
12 having been on the journey I have and come out the other side, the old Mike is
13 back and more passionate than ever." Well, what that doesn't do is tie into the
14 representations made in writing about me previously, that he's forwarded to you.
15 It just doesn't tie in at all, it's a huge contradiction.

16 So all I would say to you, Sir Roderick, is which one is it? Is it this person who
17 was treated awfully, who then makes allegations of all this bad behaviour, or is it
18 the person here in mitigation which... where he's saying he was out of
19 character? I don't think he was out of character actually, he just got caught out
20 by circumstance.

21 On... there's the witness statement of Cardiff Plaid [inaudible 03:47:36]
22 candidate. I'm not sure if you want to accept this because it was the
23 13th November 2018, a stack of them basically just said that the campaign HQ
24 was Caerau Lane and that I was clear... "Neil McEvoy AM was clear to us all
25 that his office on Cowbridge Road East in Canton was for constituent"—

26 **RE:** Are those going to come to give evidence?

27 **NM:** Hmm, maybe some could. So some of these need to give evidence for me to
28 put it in, do they?

1 **RE:** Well, the whole purpose of this procedure is that one person's word can be
2 tested by the other side.

3 **NM:** Yes, okay, sure. All right, yes.

4 **RE:** Yes.

5 **NM:** Okay, so I think that the evidence I've already presented, that takes care of that,
6 I think, more or less. How much longer have we got today, now?

7 **RE:** Well, how much longer do you want to [continue today? 03:48:34]?

8 **NM:** So I've got some other stuff to go through, I wonder whether it's sensible to
9 maybe come to an end today and pick up... I think I'll need another half day on
10 it.

11 **RE:** Are you content to finish today, now?

12 **MD:** Erm...

13 **RE:** We've got another date fixed, haven't we?

14 **NM:** Yes.

15 **RE:** 29th, isn't it?

16 **NM:** Yes.

17 **RE:** I'm content to fit in with whatever is convenient to you two.

18 **MD:** Personally I think I'd rather, you know, deal with as much of this as we can
19 today, just I'm conscious of the days we've lost so far.

20 **NM:** Hm.

21 **MD:** So if you... I'm happy if you want to just carry on going.

22 **RE:** Well—

1 **NM:** I'd like to adjourn, because there is another reason that I've got two contracts
2 which... and I didn't realise it had to be in today.

3 **█:** It's also... it's all under [inaudible 03:49:33].

4 **NM:** What about the other one? Because I've got to get the other one through as
5 well.

6 **█:** Yes.

7 **NM:** I've got a contract I need to pick up in Cowbridge Road East that I'd like to
8 submit to MBS so then we can get two weeks' work, basically.

9 **RE:** Well, it's quarter past three now.

10 **NM:** Yes.

11 **RE:** I wouldn't go on longer than four anyway. I think it's probably best if we draw a
12 line today.

13 **MD:** Okay.

14 **RE:** I appreciate [inaudible 03:50:01] agree with you, so that's difficult in the
15 circumstances. Ten o'clock on the 29th.

16 **NM:** Yes, I didn't realise today was the last date to get the contracts in.

17 **RE:** Right-o, thank you.

18 **NM:** Thanks.

19 **█:** I was going to say on the 29th it's in [inaudible 03:50:18], you know the first one?
20 It's not in here, we couldn't get this, so...

21 **RE:** Back in the room [inaudible 03:50:23].

22 [Diwedd y recordiad / End of recording]

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

29 March 2020

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
NEIL McEVOY**

Transcript from [00:00:00] to [04:24:04]

PRESENT:

- **Sir Roderick Evans, then Standards Commissioner (RE)**
- **Neil McEvoy AM (NM)**
- [REDACTED]
- **Mike Deem (MD)**
- [REDACTED]

-
- 1 **NE:** Erm, I'd like to commit to written evidence every document originally submitted
2 by Michael, because the allegation from Michael is that he undertook a certain
3 type of behaviour, in using the resource allegedly at my behest, and the
4 evidence then stops after the local elections. The evidence which Michael
5 initially submitted, but didn't actually submit to the formal... to the hearing
6 because he withdrew it, indicates that that kind of behaviour continued until
7 June. The alleged behaviour I dispute and I don't accept it, but it's logical to, I'd
8 say, assert that if that kind of behaviour happened up until the date of the May
9 elections, with the evidence presented, then with the evidence initially
10 presented, but then withdrawn, would indicate that the same kind of behaviour
11 happened right up until the June election.
- 12 **RE:** Let me just pause a minute. You want into commit into evidence all the
13 documents originally—
- 14 **NM:** Submitted by Michael. I don't think there's any point in going through them.
- 15 **RE:** Well, hang on, you might have to take me through them. I would need to know
16 what point you're making on them, what they are, but hang on, let me just make
17 a note what you want.
- 18 **NM:** Everything, the whole file which was submitted originally by Michael, and then
19 big parts were withdrawn. It's easier just to say, "Submitting all of his evidence,"
20 so I'll submit that as my evidence.
- 21 **RE:** There's some he withdrew at the hearing.
- 22 **NM:** Yes.
- 23 **RE:** "He wanted to show that he behaved in a particular way at my behest, at the
24 time of the elections." Is that right?

1 **NM:** Yes, the May elections, yes, which I dispute and don't accept.

2 **RE:** And the documents he did not rely on—

3 **NM:** Indicates—

4 **RE:** —show that the behaviour or way of working, whatever you want to call it,
5 continued into June?

6 **NM:** Into June, until the general election.

7 **RE:** I'm sorry?

8 **NM:** Until the general election in June.

9 **RE:** Well, now, can you give me a list at some stage?

10 **NM:** I will do, yes. Erm, the point I'm making is that if such... because what Michael
11 forgot was that he was a candidate in the general election and he had made
12 legal submissions to the Electoral Commission and to the council, about the
13 resources used in the election, so if Michael is saying that resources were used
14 up until May only, then I think it begs a question as to why the documents were
15 withdrawn in June. I'm not explaining myself very well, am I?

16 **RE:** I'm sure you are.

17 **NM:** No, I'm not.

18 **RE:** It's just that I want—

19 **NM:** Let me be clear. Basically, what I'm showing is an inconsistency in the evidence
20 because I dispute, to the best of my knowledge, that what Michael says was
21 going on, but I think it's unrealistic for him to say that that then stopped at the
22 end of the council election, and did not continue during the general election,
23 because the evidence is virtually the same. It's the same kind of evidence.

24 **RE:** It's unrealistic for Mr Deem to say the conduct of which he complains stopped in
25 May. It carried on?

1 **NM:** The evidence that he initially presented showed that that kind of behaviour that
2 he alleges, with the same kind of evidence, continued until June. The point I'm
3 making is if he truly is telling the truth, then submit the... The return that he
4 submitted to the Electoral Commission were fraudulent.

5 **RE:** Hang on. It carried on after May until the general election, in which he was a
6 candidate and what, it does show or might show?

7 **NM:** Well, I dispute it but if he's saying he's telling the truth about everything, it
8 seems to be quite strange that there's a dividing line in May, then none of that
9 happened after May because none of it was mentioned on... What I'm saying is
10 he signed electoral returns when none of this was mentioned.

11 **RE:** Yes, and if he was telling the truth, it means that he signed—

12 **NM:** Electoral returns—

13 **RE:** —electoral returns.

14 **NM:** —knowingly, knowing that they were wrong, which is criminal.

15 **RE:** Electoral returns in respect of which election?

16 **NM:** Westminster 2017.

17 **RE:** But you will produce for me, will you, a list of the documents which you now
18 want in, which are not in so far?

19 **NM:** Yes.

20 **MD:** So just on that point, obviously, I get the wholesale production of the evidence
21 that I submitted initially during the fact finding stage, to this hearing. When we
22 were going through my evidence, I explained that I didn't want to look after the
23 council election campaign because I hadn't had an opportunity to sit down with
24 my agent at the time, and I still don't envisage me being able to sit down with
25 him, because he lives up in North Wales now.

26 **NM:** I thought it was my evidence, Sir Roderick?

1 **RE:** Just pause there.

2 **MD:** Yes. I mean if you want to provide specific documents, by all means, you're
3 within your rights to present those as evidence, but it was just to see that you're
4 going to put the entire file in as evidence without any sort of backup as—

5 **NM:** Everything.

6 **RE:** Just one at a time.

7 **MD:** —what the relevance to each document is, what the points you're trying to
8 make, by all means, go through it and if you want to present individual pieces of
9 evidence, then that's fine but I object to the entire file being put in, in a job lot,
10 with no strategy or no reason for actually submitting those documents.

11 **NM:** I'm not doing that.

12 **RE:** Mr McEvoy isn't I think now putting it in as a job lot and explained he'll produce a
13 list of documents, and explain to us what their relevance is. Is that right?

14 **NM:** Yes. It's quicker to do in writing, Sir Roderick.

15 **RE:** Sorry?

16 **NM:** It's quicker to do it in writing. If it's a couple of lines, it's not a long job. You can
17 [inaudible 00:10:24] and it's clear evidence. It's evidence for everybody to look
18 at. These are the evidence... This is evidence I submitted previously about the
19 publicity sorts over this case. This is just a reminder because I think you've
20 forgotten about this in the last hearing, and this is the... These are documents
21 of the BBC being breached... sorry, briefed about the case, because in no way
22 is that article favourable to me.

23 **RE:** I'm sorry, I'm definitely hearing you and—

24 **NM:** Yes, okay.

25 **RE:** —I understand what this is about at the moment. So you say this does what?

1 **NM:** It shows the principal context of this case. This is a political case so the BBC
2 were briefed by persons or... person or persons unknown, confirmed they knew
3 who it was and there's all... There's the details there of the complaints. So
4 where did the BBC get those details from? I'm also submitting an article from
5 the BBC website, on the 22nd of December 2017, which illustrates the same kind
6 of behaviour. The article reads that complaints have been passed to the
7 Assembly Standards Commissioner. Again, this is not a very favourable article
8 for me. On the second page, it says that a complaint had been transferred to
9 the Assembly Standards Commissioner. The only people who knew that were
10 the Chief Executive Plaid Cymru and the complainant and, again, that is
11 evidence of the political nature of this hearing.

12 I want to move on now to what we discussed in the last hearing. So I've actually
13 got the article here from the 20th of September 2017, and this is the... This is
14 the article where Michael admitted briefing the BBC. This article covers the
15 Cardiff West meeting, so the source, thanks to Michael, is now confirmed as
16 being him. The votes was... It says here... Again, it's an attack piece. The
17 vote was not unanimous. On the third line of the actual article it says, "A
18 statement from Cardiff West members said, 'Neil McEvoy has our support'."
19 This was the discussion we were having with [REDACTED], whereby the
20 word, "Full," was deleted and this was on the BBC website, read by thousands
21 of people.

22 In terms of a political context, there's a huge difference between saying that
23 somebody has support and somebody has full support, so [REDACTED], [REDACTED]
24 and Michael Deem decided, despite the vast majority of the meeting saying that
25 they fully supported me, that was the vote. Only four people didn't vote in that
26 way, I'm advised, so at that stage they were looking at the 20th of
27 September 2017. That shows political collusions between the leaker, now
28 confirmed as Michael Deem, [REDACTED] and [REDACTED] right the way back
29 then. If you want to go back further, as I mentioned in the last hearing,
30 [REDACTED] also forgot to nominate me to Clive's chief... national executive in
31 election. The article goes on to say—

1 **RE:** So you say these documents show the political nature of the complaints, which
2 were orchestrated by Michael Deem—

3 **NM:** [REDACTED]—

4 **RE:** — [REDACTED] —

5 **NM:** —and [REDACTED].

6 **RE:** —and [REDACTED].

7 **NM:** But in a sense, I'm very glad that he made these complaints because it just
8 makes my job a lot easier in the future, because these people won't be playing
9 much of a role in the party so... which is why I was a bit upset with [REDACTED]
10 getting in touch with [REDACTED], because actually I wanted her to testify, because
11 she's been very obstructive since for a very, very long time. Erm, on the fifth
12 line, "The mood of the meeting was said to be heated," so therefore, it's not very
13 positive for me and, "The source," which we know now was Michael, "added, 'It
14 was very different to the last time he was suspended,'" because the whole thrust
15 of the... the whole thrust of the drivel by journalist was that I did have the
16 support of the constituency, but not now, which was absolute rubbish because
17 you're talking about a handful of people for a meeting of [inaudible 00:16:59] 40,
18 45 people, which is a huge, huge majority, and the dozens of other people who
19 voted to mandate [REDACTED] to send out a statement that I had their full support,
20 even though it wasn't unanimous. It was the full support of 90 percent of the
21 meeting. They were very upset that that didn't appear in the press. I want to go
22 back to my evidence on... It starts at 083, it's the 22nd of February 2018.

23 **RE:** 083?

24 **NM:** Yes. Erm, do I need to go through this word by word because, in the
25 disciplinary hearing, Michael clearly stated time after time after time, on the
26 22nd of February 2018, that he was supporting me. It's all these documents. Did
27 you... Would you like me to read through it and highlight those places?

28 **RE:** If you would, yes.

1 **NM:** Yes, okay. It's going to take some time though.

2 **RE:** And the relevance of it?

3 **NM:** Well, the relevance is that we now know that he wasn't supporting me, because
4 he was the source of this leak. The leak is very uncomplimentary to me and
5 was in fact an attack piece, and yet a few months later he's saying to a
6 disciplinary committee that he... first of all, that he didn't say anything to press
7 and then that he supported me.

8 **MD:** I don't know if I should say it now or wait till cross-examination, but I didn't say I
9 was the source of the leak, by any stretch, but I'll deal with that.

10 **NM:** Well, in the last hearing... That's a really important point, Sir Roderick. In the
11 last hearing, if you look at the notes, Michael said that he spoke to the BBC
12 about the Cardiff West meeting.

13 **MD:** I was asked for a comment on the meeting, but we'll deal with it in cross-
14 examination.

15 **NM:** Well, in—

16 **MD:** I said I wasn't the source of the story, and I don't know where the comments
17 came from.

18 **NM:** But you admit commenting to the BBC and these are the only comments about
19 that meeting, which—

20 **MD:** No. They asked me about your vote.

21 **NM:** Just for clarity, there's only one source quoted here. Michael admits to
22 discussing the vote. That's mentioned here. There's a lot of mention of
23 sources, who—

24 **MD:** Actually, if you read the article, you talk about the vote right at the start the next
25 day, when you're giving a press conference.

26 **NM:** Because the BBC told me that it wasn't unanimous. That was on Facebook.

1 **MD:** No, because that's what you say in the start of the article, only in the press
2 conference the next day you're the one who tells them the BBC—

3 **NM:** Is this my evidence, Sir Roderick? Or is Michael here to give evidence?

4 **RE:** Well, at the moment, I'm just trying to read this document. If you want to talk
5 amongst yourselves, you can but I'm—

6 **NM:** I've no interest in talking to Michael, please. So from now on, can you desist in
7 addressing me and maybe go to the chair?

8 **MD:** Of course I can.

9 **NM:** Thank you.

10 **RE:** Yes, right, I've read it. So you're saying that on the 22nd of February '18,
11 Mr Deem said at a disciplinary panel that he was not the source.

12 **NM:** Yes, that he hadn't spoken to the BBC.

13 **RE:** I'm sorry?

14 **NM:** He said that he hadn't spoken to the BBC but, in this hearing, he said he had
15 spoken to the BBC.

16 **RE:** Well, my note of what he said last time, when you were referring to page 86 of
17 this document, "I don't know how they got hold of the story initially. They
18 already had the story when they came to me. They had a van outside."

19 **NM:** But he admits to talking to them.

20 **RE:** Well, that's right, yes. At some stage, it's a matter for you when, it may be at the
21 very end when you want to make submissions, but there may be a difference
22 between talking to them and being the source of the story. I think that's the
23 distinction that Mr Deem is drawing.

24 **NM:** Are you here to explain Mr Deem's evidence?

25 **RE:** I'm sorry?

1 **NM:** Are you here to explain Mr Deem's evidence?

2 **RE:** No. I'm trying to get... I'm trying to understand what people are saying about
3 different things. I'm not accepting or rejecting anyone's evidence, and I think
4 the... One of the things I find difficult at the moment... Mr McEvoy, are you
5 concentrating on what I'm saying?

6 **NM:** I am, yes.

7 **RE:** One of the things I find difficult at the moment is someone says one thing,
8 another says something different, and there is an illation of concepts, not
9 distinguishing between different aspects of it. For example, you say he's the
10 leak and he admits to being the leak, well, he says—

11 **NM:** Well, he admits though... I'll be more precise, he admits to speaking—

12 **RE:** Yes. I just want you to understand this because it might be important at some
13 stage in the future. When I have to come to a decision, I have to know the detail
14 and I have to have precision on what people are saying.

15 **NM:** Okay. So what decision would he be making though?

16 **RE:** Well, whether these complaints are made out or not.

17 **NM:** Whether the complaints are?

18 **RE:** Are made out.

19 **NM:** Right. So whether the complaints are... So judgement on the actual... on my
20 guilt, essentially?

21 **RE:** I'm sorry?

22 **NM:** So a judgement on my guilt, essentially? Is that right?

23 **RE:** On what?

24 **NM:** My guilt or my innocence. Is that what you're judging?

1 **RE:** No, I'm not. This isn't a case of guilt or innocence. I have to decide whether the
2 complaints are made out.

3 **NM:** "Made out," what do you mean by that?

4 **RE:** Whether they've been proved.

5 **NM:** Right, okay.

6 **RE:** Isn't that what you understand my job to be?

7 **NM:** I'm not sure. I'm confused. Listen, I'll try and make it less—

8 **RE:** No, let's get the confusion sorted out. What is your confusion?

9 **NM:** About this whole... I'm confused with this whole process, really, but I think it's
10 better if I... I don't really want to comment on it at the minute. I'd like to see
11 where we are when... So when you have to produce a report, what happens to
12 that report? Is it sent to me to give to the committee? Or is it sent to me?

13 **RE:** Well, we have to discuss that, but my present view is I have to come to a
14 decision and write some kind of conclusion, to all this evidence, saying whether
15 something has been shown to my satisfaction on the balance of probabilities.
16 That's the standard, apparently, whether they've been made out or not.

17 **NM:** Okay. Do I see the report first? Or does it go [inaudible 00:24:48]?

18 **RE:** No, you will see it.

19 **NM:** First, okay.

20 **RE:** Now, is your confusion resolved?

21 **NM:** More or less.

22 **RE:** Well, which part isn't because it's important that it isn't and remaining in this
23 confused state?

24 **NM:** I'd sooner take advice before commenting, really, to be honest, Sir Roderick.

1 **RE:** What's your next piece of evidence? Where do we go next?

2 **NM:** Erm, okay. In here he says he supports me but, judging by what you're saying,
3 the fact that he spoke to the BBC... Well, when we live in the real world of
4 politics, if you speak to journalists, it's on the record, it gets into an article.
5 Whether or not... I'll leave that to the committee to decide. They're perhaps
6 better judged to look at this matter because here, in the disciplinary meeting,
7 Michael is saying he's supportive. The article in the BBC, which Michael admits
8 to perhaps having contributed in an indirect way, possibly, if what you're saying
9 is correct or not correct, who knows? This story, whether or not Michael's input
10 was direct or indirect, so I think I appreciate my need to be more precise, to be
11 frank, another lesson learnt today, that was a negative story. That was a
12 negative story. In the disciplinary, he's eliciting he is expressing support.

13 **RE:** And you say, therefore, that he—

14 **NM:** There's a contradiction and it's, again, another contradiction and, erm, I've no
15 further comments on that, really. Erm, the next set I'd like to introduce, I'd like to
16 deal with [REDACTED]. Erm, am I able to bring [REDACTED] for more questioning or
17 not?

18 **RE:** No.

19 **NM:** So I'd like to... Am I able to... I'd like to formally request that she comes back
20 to be questioned.

21 **RE:** She's given her evidence on behalf of Mr Deem. If you want to ask her to come
22 back on your behalf, it's a matter for you.

23 **NM:** Well, I'd just like to continue the cross-examination or restart it, because it's
24 quite an important matter, because this is [REDACTED]'s job description in front of
25 you. Have I given you the last two pages? I'm sorry. I'm giving you the full job
26 description.

27 **RE:** Thank you.

28 **NM:** I think I've given... I've got too many.

1 **MD:** There are three pages?

2 **NM:** Yes.

3 **RE:** So this is the job description for which [REDACTED] was appointed?

4 **NM:** Yes. At the time the office was running for... It was open seven days a week,
5 which has been confirmed, not a realistic thing to try and do, to be honest, but
6 we tried to do it on... it's just not really worked.

7 **RE:** Let me just read this first.

8 *[Short pause in audio]*

9 **RE:** All right.

10 **NM:** Yes. Erm, [REDACTED] admitted to being in the office often. In terms of the
11 translation, translation isn't mentioned in this. That would have come under,
12 "General admin duties as may be required," because clearly having someone
13 with Welsh language skills is useful. She denies that she used the Welsh
14 language skills.

15 **RE:** Yes, just pause a minute. Translation would come under what?

16 **NM:** "General admin duties as may be required."

17 **RE:** Yes, and having somebody—

18 **NM:** Did the whole load... Yes, having somebody with Welsh language skills is
19 clearly helpful but, if you look at 1.6, "Maintain filing systems, associating
20 previous papers with current correspondence, extracting documents on request,
21 answer the telephone, taking messages, dealing with enquiries/requests,
22 investigating issues, raising consistent correspondence, follow up on such
23 cases, ensuring a timely resolution, extract and compile papers and briefing
24 notes for meetings, draft basic letters, briefing notes and any other documents
25 as required by the Assembly Member. General admin duties as may be
26 required." She was employed as an administrator. Sometimes an admin duty is
27 just being sat in the office, because the office just needs to be open.

1 Erm, so even if none of those duties were being carried out, just being in the
2 office is a duty and it keeps it open so when people come in, they can speak to
3 you and I just think that it's inconceivable that having signed this, signed this job
4 description in good faith on my part, clearly... I think it's inconceivable that she
5 says that she was in the office often and didn't do any work, which just doesn't
6 make sense, so I think, erm, if I employ somebody, albeit for only four hours a
7 week, which I think is the nut of the matter—

8 **RE:** It's inconceivable that having signed up to this job, she could be in the office—

9 **NM:** For four hours a week—

10 **RE:** —for four hours a week—

11 **NM:** —and not carry out any of these duties. It's just inconceivable. As I said, I've
12 employed... I employed the woman in good faith, I only allocated four hours a
13 week, which I think is the problem because [REDACTED] wanted more money, and I
14 decided that I didn't want to continue the employment when the purdah came to
15 an end in April. Keeping the office open seven days a week is not realistic, and
16 everybody needs a break at some time, so it's open five days a week. Er, in the
17 near future, we may open up Saturday morning, again, for a short period. I don't
18 know but, at the minute, probably not. Five days suffices. We open... It
19 wouldn't affect people anyway if the office isn't open outside of hours and people
20 tend to contact us differently now. It's a whole job to keep on top of casework
21 via Facebook. We probably pick up most work from Facebook now, so people
22 don't actually have to come into the office. They'll just send us a Facebook
23 message, and what we will do then is bring them into the office, Monday to
24 Friday.

25 **RE:** But you decided not to keep her on when the contract came to an end?

26 **NM:** Yes, no, we didn't want to. Erm, she wasn't [inaudible 00:34:16]. I think there
27 was an email from [REDACTED] where she was described as been steaming, and
28 [REDACTED] said in evidence that that meant that she was angry. Well, my evidence is
29 that no, she was drunk and, erm, whether she used to be a very active person,
30 at that particular time she wasn't and I think there was a great deal of

1 resentment that I didn't structure the office around her, because she was [REDACTED]
2 [REDACTED].

3 **RE:** I'm sorry, say that again?

4 **NM:** There was a great deal of resentment that I didn't structure the office around
5 her, to award her more hours, because she was [REDACTED]
6 and I think she felt that she was owed more by me than what she was given.

7 **RE:** So she resented that?

8 **NM:** I think I've already... Well, I think I've said this before.

9 **RE:** You had not given her—

10 **NM:** More hours.

11 **RE:** —more hours?

12 **NM:** Erm, but again, the whole point here is that as an Assembly Member, I'm unable
13 to micromanage every aspect of the operation, so what I need to do is to be able
14 to trust staff to do what they should be doing. Again, this goes back to the idea
15 of good faith. I employ people... Michael was a very well paid office manager,
16 so all the tasks of managing [REDACTED]'s employment wouldn't be down to me. They
17 would have been down to him as the office manager to do, to manage her and
18 ensure things were done, and clearly things were not done to my satisfaction, so
19 every person who has been sat in here, including [REDACTED], wouldn't
20 have been because there's no way [REDACTED]
21 [REDACTED]
22 [REDACTED],
23 erm, what I'm saying is that as an employer, I feel that I've done the right thing
24 because I terminate... I didn't renew [REDACTED]'s contract and I terminated Michael's
25 contract, so in terms of my carrying out the duties that I'm expected to do, I think
26 I did it because these people no longer work for me and having listened to
27 evidence, erm, I've clearly made the right decision but to go back to this, this
28 is... She signed to be an administrator. It's inconceivable that she can come in
29 here and say that she didn't read the contract, didn't read the job description and

1 didn't do any work. It just doesn't make... It's not realistic, erm, but what I'm
2 going to deal with now I think is the specific issue of the Beastgrip. I'm hoping
3 we can save some time, if not we can... well, we'll have to go through the
4 paperwork.

5 Allegation four, you used an audio visual... These are the allegations. You
6 used an audio visual recorder over Beastgrip, which was paid for from the office
7 costs, to shoot political videos promoting your own re-election to private counsel
8 and the re-election of other candidates. The only person who was said to have
9 used this was [REDACTED] and, in [REDACTED]'s own evidence, she said that no
10 video was actually published. I would point out that she couldn't—

11 **RE:** I'm sorry?

12 **NM:** I would point out that... I was going to let you finish writing.

13 **RE:** Sorry.

14 **NM:** I was going to point out that she had said, when she was here, she wasn't even
15 able to describe what Beastgrip looked like, if you look at the notes previously,
16 but the point is so therefore there was no evidence of it being used, none at all,
17 so I'm wondering why it's still... at least, there's an allegation made because on
18 the evidence of the complainant's, it wasn't used to produce any political videos
19 and none were published, on their own evidence.

20 **RE:** You what?

21 **NM:** None were published, but that's on their own evidence. Does that mean that
22 could be withdrawn from these proceedings? Or do I need to go through the
23 documents?

24 **RE:** I think it would be helpful if you went through it.

25 **NM:** Okay, fine. I'll come to that afterwards. Erm, the other thing alleged is, erm,
26 that [REDACTED] and [REDACTED] did not complete duties outside of
27 working hours, to build up flexi time. That was one allegation from my point of
28 view, unless I've misunderstood, but I believe it was said in one of the earlier

1 hearings that Michael was the only one who built up flexi time, and the others
2 didn't, so, therefore, he could not have been able to use flexi time to take part in
3 campaign. Is that... Am I correct in recalling that?

4 **RE:** Yes, that I think is one of the allegations that were raised in evidence.

5 **NM:** Erm, there's evidence here relating to [REDACTED]
6 [REDACTED] That's been established
7 already.

8 **RE:** Now, have you got new documents?

9 **NM:** Yes, new documents. So the—

10 **RE:** Document five then today?

11 **NM:** Yes, okay. Erm, there's no evidence for Michael's testimony that [REDACTED] did no
12 work outside of hours, to justify building up flexi time, other than his work.
13 That's the only evidence. Erm, it's been presented already that [REDACTED] [REDACTED]
14 [REDACTED] and very often, on a Friday, both, erm, during office
15 hours and also after office hours she was doing Assembly work, so [REDACTED] 1...
16 What we have here is just some examples. Hopefully, erm, I won't need any
17 more detail after presenting these, so there's... The subject is, "Launch of Care
18 and Repair Cymru, managing better service," erm, the message from [REDACTED] is,
19 "Have a think about going to this if you're free." This is the company we
20 emailed, well, just for something else." So [REDACTED] is doing my diary there and
21 saying, "Do you want to go to this?" basically. That's the 9th of September 2016.
22 That's a Friday. The time of the message, when she's doing Assembly work, is
23 six minutes or seven minutes past 6.00pm. If you turn over the page, erm, [REDACTED] 2,
24 that's the event. It's Care and Repair Cymru and if you look, [REDACTED] 3, erm—

25 **RE:** What do I get from [REDACTED] 2?

26 **NM:** Well, it's just the event, but it was an Assembly event so that's not... It just
27 confirms that actually there was an event on the 30th of September, which
28 [REDACTED] was thinking about putting in my diary at 6.07 on a Friday evening. Erm,
29 the 21st of August, again, this is at 5.45, also the evidence given was that my

1 office didn't work flexibly, that we were tied 9.00 to 5.00, so anything done in
2 those hours was on Assembly time, which was nonsense, and this was sent on
3 a Sunday by [REDACTED] at 5.45 or 17.44, so 5.44pm. The issue is report for school
4 admissions case, so she's sending Michael, on a Sunday, a detailed report for
5 the case on the case for schools admissions, which indicates that [REDACTED] was
6 working on a Sunday at home, and she's emailed it to him at 5.45 on a Sunday.

7 [REDACTED] 4, this is the 8^h of October, erm, 2016. This is 18.43, so roughly 6.45.
8 [REDACTED]'s working on the [REDACTED] campaign. This is now in
9 correspondence so, therefore, I assume that she, at this time, had written a
10 letter, "I thought I'd keep you all updated." So fair play to [REDACTED], at 18.43 on
11 the 8th of October, she's doing stuff on a campaign and letting us know that
12 she's done it. Erm, below that one—

13 **RE:** So this is just after hours?

14 **NM:** After hours, which we were told that she didn't do, and it's Assembly work. It's
15 not political work, it's Assembly work, which again we were told... As I said, we
16 were told that she didn't do it. [REDACTED] 5, erm, there's a case there and clearly
17 [REDACTED]'s answering mails. It's on a Friday and it's Assembly work. [REDACTED] 7, this is
18 the 28th of October, we deleted who it was to there and again, this is [REDACTED]
19 doing Assembly work on a Friday at 14.47. [REDACTED] 8, [REDACTED] is doing work on a
20 Friday again there at 12.51. It's Assembly work, "Letter from your constituent."
21 [REDACTED] 11, if we fast forward, this is a Saturday, it's when Michael was in America,
22 19.46. So at 7.45 on a Saturday [REDACTED] is, erm, talking around events, which
23 are put in the diary provisionally, erm, "I'm pushing you to go to it, definitely
24 something to consider."

25 So Michael then, as evidence he did do a bit in the US, there's an email there.
26 Erm, it's all planning my diary. Again, it's a Saturday. I would say that I
27 encourage my staff not to do this now, because I think it's important they have
28 breaks. When we first started it, we were very enthusiastic about doing the best
29 we could. That was the ethos of the office, contrary to what is being put in
30 evidence here, but if I get messages like this... Well, I don't get them now,
31 really, do I?

1 ■: You did tell me off when I was sending them too late.

2 **NM:** Yes, I tell staff off who do it. It's okay for me to message them, then when they
3 get in, [inaudible 00:48:50] list of things they should do, and I don't want them
4 spending their Saturday nights filling my diary, because I just need [inaudible
5 00:49:00]. I want them to be around for a long time. Erm, BP13, there's an out
6 of hours email there. It's a Monday, it's for Cowbridge business rates, again,
7 ■ and it's 19.07 so these people... What I'm showing here, these are
8 people that are dedicated, who are working Saturday, Sunday and evenings and
9 yet I've got to sit here in an earlier hearing and hear, in evidence, that these
10 people did not work after hours on Assembly work. There'll be the transcripts.

11 **MD:** Neil, I know what's in the transcripts.

12 **NM:** If you look at ■ 15, again ■. Erm, this one, it was a policy forum, erm, it's
13 a Friday and ■ is carrying work out there on a Friday, Assembly work.
14 That's the 11th of November. ■ 16, it's the 25th of November and this is 8.36,
15 it's before nine o'clock, as I said was, erm, not unusual. It's a Friday and
16 ■'s emailing me about the Welsh Football Museum, [inaudible 00:50:28].
17 Erm, if we look at ■ 18, 29th of November, erm, this is... Again, looking back,
18 I'm thinking, "This is just ridiculous," to be honest, the way that... We're all
19 experienced now. It's 20.54 and ■'s emailing me about stuff. She's
20 working, something is attached, the issue is... so she's clearly working and the
21 response is there and it's 8.55 in the evening. Erm, this is the 8th of January
22 2017 and ■'s emailing again. This one has got a break in. It's 9.20 in the
23 evening on the 5th of January. Does it say the 5th? Yes.

24 ■ 20, 6th of January, ■ is, erm, writing to a head teacher, erm, and it's a
25 Friday and it's Assembly work being done there. Erm, ■ 21, this is the
26 following week, so the Friday, ■'s again evidenced there as doing
27 Assembly work.

28 **RE:** On a Friday?

29 **NM:** Yes, Friday, ■ 21. Erm, ■ 23, "To do list next week," so, erm, if you look at it,
30 Michael's actually emailed at 7.52 in the morning, so these guys are talking

1 before nine o'clock, which again which was denied, and as in a work sense,
2 they were talking about an issue there, erm, and ██████'s sent an email there
3 on the 26th of January, so 16.35, and the day is a Sunday. Erm, ██████26,
4 "Petitions committee tomorrow," erm, ██████'s emailing at 19... the 30th of
5 January, 19.46. She was also emailing there at 18.04, which would suggest,
6 erm, she was doing quite a bit of work that night. ██████28, erm, ██████ erm, it
7 just looks like she's just checking a letter there. Erm, it's a Friday again so
8 she's... I've probably asked her to draft something and she's drafted it and,
9 erm, there it is there, Friday. ██████29, the 3rd of February, erm, this is another
10 Friday and it's Assembly work again, but this time it's the Royal British Legion.
11 Erm, ██████31, it's the 10th of February, again it's a Friday, erm—

12 **RE:** If it helps you, do we need to go through these individually?

13 **NM:** No.

14 **RE:** They all seem to be saying the same thing.

15 **NM:** They're all the same thing. Erm, one thing I do want to point out there, again,
16 we're talking culture of the office, there's a meeting on the 16th at 7.00pm, so I'm
17 going to be attending that, the team... somebody from the team will be attending
18 it and the way that I... It just goes on and on there. The way that I look at it, in
19 terms of the flexibility that I offer as an employer, I'm lucky to have staff
20 prepared to do this and I appreciate it and, therefore, I'm extremely flexible in
21 my approach and to the point of having to tell them to take... that they need to
22 take holidays, having to tell them that they should not be doing stuff, erm, so
23 much and sometimes there's an option. Clearly, we still work like that, but it got
24 to the point where it was so intense, I didn't think it was realistic, erm, and in the
25 long term that's not... So I just told them to make sure they spend... have more
26 time for themselves, really, so you're talking very conscientious people who
27 want to do their best.

28 **RE:** You've got this—

29 **NM:** [Inaudible 00:56:38] to ██████. I think I presented that before.

1 **RE:** I see. Is there anything in here?

2 **NM:** Yes. It's just it's all on the same vein really, it's just to... What I've done is I've
3 just printed out some emails to prove that... well, I suppose disprove really the
4 allegation that... the verbal allegation, which is not backed up, that my staff
5 didn't do work outside of hours on Assembly work and, therefore, couldn't build
6 the flexi time.

7 **RE:** All I'm asking really is whether this is a divider between different types of—

8 **NM:** It's all the same stuff. I can go through it but if you read through, it's all—

9 **RE:** No. If it's all the same, you need not. I don't want you to... I don't want, well,
10 myself in particular, not just you but myself in particular, to miss anything.

11 **NM:** Is that [REDACTED] 1? I think I presented that before.

12 **RE:** It's between page 40 and 41, but 41 looks to be the same as before.

13 **NM:** Yes, it's all the same and [REDACTED] 45 is 48, erm, I think there's [REDACTED] 1. For some
14 reason, I put it in later. [REDACTED] 82 is 22.22, so it's 22 minute past 10.00.

15 **RE:** What page is that?

16 **NM:** [REDACTED] 82. It's just the same, Sir Roderick. [REDACTED]'s, for some reason, is
17 emailing—

18 **RE:** Hang on, let me just get it.

19 **NM:** [REDACTED] 82, it's all the same. It's the same kind of stuff.

20 **RE:** Where do I find that page?

21 **NM:** Erm, is it further on?

22 **RE:** I've got page [REDACTED] 50, [REDACTED] 52—

23 **NM:** [Inaudible 00:58:31] gone into those, have I? Sorry, that's the next lot.

24 **RE:** Okay, that's all right.

1 **NM:** Yes, but—

2 **RE:** But you're referring to a page I don't think I've got.

3 **NM:** Right, okay. Erm, I think—

4 **RE:** The last [REDACTED] document I've got is [REDACTED] 52.

5 **NM:** For some reason, it hasn't been copied then. Right, of course, there we go. It
6 was my fault entirely, erm, but it's all the... It's just all the same stuff, to be
7 honest. Erm, [REDACTED] 1,2, erm, if you... So [REDACTED] 2, it's [REDACTED] and, erm—

8 **RE:** Let me just get it.

9 **NM:** [Inaudible 00:59:57].

10 [REDACTED]: [Inaudible 00:59:56].

11 **NM:** No, I'm fine. Erm, yes, so this one, [REDACTED] 2, it's just another example. It's a
12 Thursday night and for some reason, [REDACTED] s emailing about, erm, work at 22
13 minutes past 10.00 in the evening.

14 **RE:** Which one is that?

15 **NM:** [REDACTED] 2. So it's 22.20 for God's sake and, erm, she's emailing about work.

16 **RE:** [REDACTED] 1 is 11 o'clock.

17 **NM:** [REDACTED] 2 then in there. There's one later, is there?

18 **RE:** Yes.

19 **NM:** There we go, 11 o'clock, yes—

20 **RE:** Well, 22.59.

21 [REDACTED]: Bloody hell.

22 **NM:** —and that's a different day. It's a different day. That's Tuesday, the 25th. A2 is
23 Thursday, the 27^h, so for some reason... well, [REDACTED] is emailing on a regular

1 basis then at that time and clearly taking work very seriously, and it's all
2 Assembly work. It's all Assembly work.

3 **RE:** So this bundle does the same, does it?

4 **NM:** It's all the same, yes. It's like I think I stopped at some point, it just proves the
5 point that there's evidence there that the working routine was extremely flexible
6 as stated, and they were doing Assembly work after hours on flexi, which was...
7 We were already told that they didn't do that, but there's the evidence they did. I
8 think I gave you the MD stuff, Sir Roderick, there?

9 **RE:** MD, yes. So I can just say, can I, about these, they all prove working outside
10 normal hours?

11 **NM:** Yes.

12 **RE:** Outside, I don't know—

13 **NM:** Well, not so—

14 **RE:** —Monday to Thursday, 9.00 to 5.00, say, would be normal so Friday and after
15 hours?

16 **NM:** Yes, and again it will go back to... Even though I did ask for timesheets—

17 **RE:** I'm sorry?

18 **NM:** Even though I did ask for timesheets to be kept, which was Michael's job, which
19 we then found it wasn't done... Erm, if we didn't operate on the basis of trust in
20 the office and trust in their professionalism, we couldn't really operate, so there's
21 ample evidence of a huge amount of flexi time being built up over the period.

22 **RE:** How did you keep any kind of check on flexi time?

23 **NM:** Well, that was Michael's job, wasn't it, and clearly it wasn't done to the extent it
24 should have been done? Erm, so really, there's a trust element there and a
25 good faith element. I was happy as long as I felt all tasks were being
26 completed. Erm, I'm tighter now. I'm tighter on management because there

1 was no management from my office manager, so maybe I do... Well, we do
2 have timesheets now but, again, you say how do I cope. To answer your
3 question more precisely, how did I keep a check on it? I would speak to my
4 office manager, who would tell me that everything was fine and things were
5 done perfectly, and a lot of flexi time was being built up.

6 **RE:** So those are the [REDACTED] documents?

7 **NM:** Yes, and these are some emails from Michael Deem, MD new evidence, MD1,
8 because I think the evidence previously was [inaudible 01:05:34] to the hearings
9 was that... Erm, I can't remember. You said you did political work after work,
10 wasn't it, or... Anyway, well, I won't bother you. There's evidence that
11 Assembly work was being done after hours as well, so I can go through MD1.
12 There's an email there, 18.43, on a Friday so again, it's 6.45 on a Friday and
13 we're discussing sending a personal letter to all Welsh [inaudible 01:06:12]
14 medallists and... Did that have to go, Michael?

15 **RE:** Sorry?

16 **NM:** Did the letter... I'm just enquiring if the letter went. I don't think it did actually,
17 but it was drafted because I don't remember getting a reply from any of the
18 athletes, I don't know, maybe... I don't know, anyway. MD2, just again
19 [inaudible 01:06:39], erm, 6.15 on a Thursday, 5.50 on Thursday the 25th, erm,
20 9.35 on the 5th of August, a Friday, a housing case, so just some examples
21 there of afterhours work. 9.10, MD6, on the Thursday night. MD7, 10.07 on a
22 Wednesday night, so you get the pattern there. Now, it's the same set of...
23 Erm, [REDACTED], I presented the [REDACTED] stuff already. Erm, it deals with [REDACTED]
24 [REDACTED], some new evidence. Erm, what this is trying to show is that, again, this is
25 the way we've always worked. Erm, the 10th of September 2013, now, there's a
26 checklist, erm, "How's that coming along? I haven't seen anything so far. I
27 really need the pics and an email for the petition really needs to go out." So
28 [REDACTED] was working elsewhere here at this point, and to send an email there
29 during work time, erm, because I think it's... Working in politics, it's unrealistic
30 to expect people to completely divorce what they're doing politically during the
31 day, and not send any political emails. It just doesn't... It's totally unrealistic.

1 **RE:** I'm sorry, what does this show me?

2 **NM:** Erm, it's just it shows the way we've always operated, really. So clearly he's
3 working for somebody else, and they've sent me a political email during the day.

4 **RE:** I'm sorry, I'm not sure I understand. Who's been working for whom?

5 **NM:** I don't know. I've no idea.

6 **RE:** I'm not sure what... I don't understand the message and I don't understand—

7 **NM:** Right. Well, the message is that you... I think I've demonstrated that, erm, a lot
8 of work was going on after hours. What I'm demonstrating here is I've worked
9 with [REDACTED] for a number of years, erm, and when you're involved in politics,
10 it's unrealistic and actually dishonest to say that during a whole days work, you
11 will not open an email on something political and respond, so here he's not
12 working for... He might be working for [REDACTED], I don't know. It was a
13 different job and—

14 **RE:** I'm sorry, I'm confused. I thought he worked for you.

15 **NM:** Yes, but this is 2013. He didn't work for me until 2016, so what I'm showing is
16 that even when... During the day, whoever you're working for, there will be... If
17 you're involved in politics, it doesn't matter if you're working for the Catholic
18 Church, the Royal Society for the Protection of Birds, you could be working for
19 anybody. If you want to go into politics, at some point during the day, you're
20 going to send a political email in the time of your employer, and then what you
21 will do then is probably maybe stay a few minutes after or ensure that the task is
22 completed. So what I'm showing here is that [REDACTED]'s paid no differently to
23 [inaudible 01:11:38] as anybody does in politics, and I tell him, "What you want
24 to do is get every AMs support staff in here, check their emails and see how
25 many political emails they've sent during the day." Everybody will send an email
26 related to something in politics during the day. The key point is that the work
27 needs to be done. I'll leave that, actually.

28 **RE:** Well, I'm not sure that this is [inaudible 01:12:11].

1 **NM:** No, I'll leave it, Sir Roderick, it's not. Erm, when was this one... and also
2 relevant is... All I'm trying to do is show that this is the way we've always
3 operated. Erm, just if you go forward to [REDACTED] 15.

4 **RE:** What about [REDACTED] 2 to 14?

5 **NM:** No, I'll leave... We're making the same point, so I don't think it's... All I'm
6 saying is that whoever anybody in politics is working for, there will be times
7 during a given day when you're going to send a political email, and what we
8 deem... What has been alleged here is that somehow by these guys during the
9 day sending an email, about something political, that they've somehow, erm,
10 been paid to do that by the Assembly, but I've demonstrated... I think I've
11 demonstrated that, erm, they've more than made up for it with the time they do
12 after hours.

13 **RE:** So when did [REDACTED] start working for you?

14 **NM:** July 2016. So if we look at, erm, [REDACTED] 13, this is a fairly typical Monday night
15 because we would spend time, erm, talking on the phone, erm, usually and
16 going through the next day's questions in the Assembly, going through the
17 agenda, because, erm, I think we've done quite a lot of questions in the
18 Assembly. It doesn't happen by accident, it takes a lot of work, so—

19 **RE:** So was this before or after?

20 **NM:** [Inaudible 01:14:31] now, yes. So if we look at—

21 **RE:** So what are we looking at now?

22 **NM:** [REDACTED] 13, but the impression given to the hearing previously was that I think even
23 though Michael wasn't in the Assembly, he said that [REDACTED] left early and then
24 just went on home, but it doesn't work like that because if you look at... This is
25 10.07 on a Monday night. It's the 11th of July. We've got stuff coming up the
26 next day, we want to get it right. We discuss things or generally discuss things
27 on the telephone anyway, erm—

28 **RE:** This is [REDACTED] 13—

1 **NM:** 13, yes.

2 **RE:** —and the time, you say? I've got it, the second one. I'm sorry, I'm looking at
3 the wrong heading.

4 **NM:** Okay.

5 **RE:** The 11th of July, 10.07?

6 **NM:** Yes. So [REDACTED]'s giving me advice here and he's saying... because I'm
7 saying, "Well, actually we discussed things anyway," but ultimately he's saying,
8 "Well, I think this question leaves you open to attack. If I was him, I'd comment
9 on blah, blah, blah, blah, blah, blah," whatever is unsubstantiated with two, with
10 no evidence given, so we talk. "Well, you're making wild allegations. You've
11 been robust before, but you've always had facts to back it up. I don't want to
12 lose that. Also, I would like to have blah, blah, blah." So this is just a snapshot
13 really, an example of what happens on a Monday night, because the impression
14 given to the hearing was that it's 9.00 to 5.00, "Off you go," but a Monday is
15 really important. Monday's are really important to prepare.

16 Erm, sometimes things don't come through until late on, erm, and we may well
17 be too busy with case work to address these matters, so what we very often do
18 is work until late Monday night, going over things. So what I don't want it to be
19 is caught out, so obviously what I've suggested to [REDACTED], he didn't think it
20 was a good idea and he's come back with that advice. We've discussed it and,
21 erm, I may or may not evolve to go and do it. Erm, we tend to deal with most
22 things anyway, so think out loud really and, erm, so that's just a snapshot really
23 of the job that he actually does and it's not 9.00 to 5.00. It impinges a lot on
24 your family life, erm, because when you have an advisor, this is absolutely
25 essential.

26 You can't exist in politics without somebody who's prepared to go through things
27 if it's 10.07 on a Monday night. If it's admin, it's different. I don't want them
28 doing those kinds of things, erm, that could be done at other times but these
29 things, they're time sensitive and what we aim to do is perform the best we can,
30 so we've got to have these conversations. It's got to be done and here's

1 evidence here of just of it being done on email. Erm, again, it can be immensely
2 frustrating for the family, but this is the life that we've chosen. Erm, the next one
3 is [REDACTED] 14, it's not very well noted, at the bottom there. Erm, this is me on the 20th
4 of June emailing [REDACTED] on his private email, and we're discussing him
5 working for me or not working for me, erm, and I'm saying, as I've maintained
6 from the beginning, "Yes, I imagine the job..."

7 This is the job of advisor. "Yes, I imagine the job will require a lot of flexibility.
8 We should have a chat soon. I'll drop the contract off at the office on my way
9 back from work tonight, by the way, so you can take a look at the contract," erm,
10 and that's [REDACTED], erm, but what I've said is, "Yes, fine, mate. Let's talk about
11 that," because this is the 20th of June. "Fine, mate, let's talk about that kind of
12 stuff. I'm up for being as flexible as possible. It's not a 9.00 to 5.00, is it?
13 Sometimes you might need more or less time off." So what you have here is an
14 email evidencing on the 20th of June 2016, exactly what I've said from the
15 beginning. It's not a 9.00 to 5.00 job and it never will be a 9.00 to 5.00 job.
16 What we want to do is the best we can, we want to make a difference, we want
17 to change Wales, there are sacrifices you make. You put in the bloody hours.

18 You put in the hours and as an employer, I'd say I'm very demanding, even
19 though I've said I tell the guys not to do this, that and the other, which doesn't
20 need doing and can wait, there are some things which they're time sensitive and
21 there is a deadline. It's got to be done, it's got to be discussed, you've got to do
22 this, you've got to get a response. We deal with tremendously serious things,
23 tremendously serious, life and death matters, to be frank.

24 **RE:** Life and death?

25 **NM:** Life and death matters. Life and death and [REDACTED], for example, me as well,
26 erm, sometimes you will give... I encourage them not to, but it depends on the
27 circumstances. I'll always give my mobile number out. That's my job. I'm there
28 to listen to calls one at a time, within reason, but sometimes it will be well after
29 hours. I mean you were talking about it the other day, because you were
30 discussing whether or not [REDACTED] should have given the person her number,
31 because they called you at a really antisocial hour, but it was somebody in need

1 so you just do it, erm, and [REDACTED] felt comfortable giving the person her number
2 because she wanted to give the number. She felt the person was vulnerable
3 and was assisting that person well after the hours of work, and that's her job as
4 well, and look at the...

5 I don't know whether I mentioned at other hearings, I think I've said in the
6 chamber. The context is we get people, erm, contacting our office, telling us
7 that we've stopped them killing themselves because, erm, the Assembly has
8 done suicide intervention training. That's because of us, because I felt that that
9 would be useful for Assembly Members, because there are certain things that
10 Assembly Members can do and their staff that will stop suicide, and one of
11 those things is intervention, erm, so it may be that you may text somebody late,
12 it could be nine o'clock, "It's really tough for you. It must have been difficult
13 today coming in and saying all of that, I'm just checking, I hope you're okay, see
14 you tomorrow," and that's it. They may or may not respond properly and just
15 say, "Thank you," erm, but we do that kind of stuff because, erm, that's what the
16 office is about.

17 The impression you've been given is that this is the political campaign centre,
18 we produce thousands of leaflets, we spend 800 hours a month printing them
19 because that would have been the time, over this 2016, that we would have had
20 to have spent, 800 hours, and actually this is our job. This is what we do and if
21 I'm speaking I suppose politically, party politically, erm, by doing all this social
22 work, this is social work... There's no other word for it, when somebody phones
23 you in distress and it's nine o'clock in the evening, and you're deciding whether
24 or not to pick the phone up, and you go [inaudible 01:22:41] answer this, and
25 you do, it's social work, but the most successful political movements in history
26 have been so successful because they've been socially influenced, and they've
27 done the social work.

28 Erm, sometimes that's a bad thing because if you look at some of the small
29 student groups, they're great on social provision. They'll provide the bread,
30 they'll provide the housing, they'll do this, they'll do that but, unfortunately,
31 they're like [inaudible 01:23:09] extremists. What I'm saying what we do, do I
32 promote... Have I promoted Plaid Cymru? In one of the years, I was accused of

1 using my office to promote Plaid Cymru, absolutely 100 percent correct.
2 Absolutely 100 percent correct, I have absolutely used my office to promote
3 Plaid Cymru, without a shadow of a doubt. I'm very proud to have done so,
4 because that's what I'm elected to do, so when all of these things are happening
5 after hours and, as I said, it's social work... Any [inaudible 01:23:44] me
6 personally and or ██████ personally, but what they will do is identify with the
7 brand, which is Plaid Cymru or what we've... The brand down in Cardiff is
8 Cardiff Plaid, and then what happens then after... Well, we continue to do the
9 Assembly work, which has a knock on effect on the political support, because
10 we've done a really good job with the casework. Erm, we took how many
11 months to get that bloody... and we had the result last month. Can you
12 remember the bollard?

13 ██████: Yes, it was fantastic. It took a lot of graft, didn't it?

14 **NM:** Yes. We had a bollard... Believe it or not, it's taken 18 months for a bollard to
15 be put in, and this is the woman who emailed or messaged me and ██████.
16 Erm, she's in Dorset. I can produce evidenced letters if you want. Erm, "Oh my
17 God, thank you so much. Yeah, so happy did not my name to photo, ██████.
18 I'm down in Dorset, my daughter sent me a photo, I really cannot believe it,"
19 blah, blah, blah, "Thanks for all of your hard work." If I can just present that as
20 evidence to show you? There's a huge, huge... That's all it is, it's a bollard
21 and—

22 **RE:** So where was this?

23 **NM:** That's in Caerau because the woman has terrible trouble with being unable to
24 get out the drive. She's basically blocked in continuously. There's a very busy
25 Tesco's next to her house and they didn't put a bollard, erm, to the side of her
26 property.

27 ██████: She's allegedly [inaudible 01:25:17] by customers as well. She's been harassed
28 by customers.

29 **NM:** Yes, harassed by customers. She's gone to get her car and they tell her to,
30 "Piss off," because they're going into the supermarket. People are not always

1 pleasant. Tesco wouldn't do it, the council wouldn't do it. Erm, [inaudible
2 01:25:34] my councillor allowance. I can use it for, erm, issues, good causes,
3 so I paid £150. I paid £150, erm, from my allowance to get the zigzags done
4 and that didn't work, so I went back to the council and said, "Look, this isn't
5 working," and eventually just by being a pain, to be honest, that's the result. It's
6 got a bollard in place, erm, people weren't allowed to park in front of the drive,
7 because she has a doctor's appointment, she'll be able to get out now and that's
8 the type of work. That's council work, it's everywhere, but it's actually ultimately
9 pursuing political, because this person now will put a board up for me and I get
10 [inaudible 01:26:16]. That's the knock on effect so, erm, the knock on effect of
11 all the work we do in the office, which is helping people...

12 I suppose I was educated as Catholic, I went to the Holy Family, I went to
13 [inaudible 01:26:31]. My background is very mixed, part of my family is Muslim
14 and my side of the family, erm, is Catholic and that's the way that I was brought
15 up. I use this office to try and help people and a large part of it is mundane, but
16 it works and the knock on effect is by getting that bollard in place, I'm doing my
17 job as an Assembly Member and as a councillor. The council should have done
18 it really, but it's a Labour council and they're very lazy and didn't do it. Erm, I'm
19 promoting Plaid Cymru by doing that. That's all I use my office, to promote
20 Plaid Cymru. When people come to me, they know they're going to get a good
21 service.

22 **RE:** When you say, "Office," do you mean the physical office?

23 **NM:** Yes, because the phone calls to the council moaning meant having to go to the
24 offices, because they haven't put the bollard in, erm, so then I suppose some
25 people said I'm a bully because I'm saying, "Look, this woman's life is a
26 nightmare, blah, blah, blah," so have I raise my voice to the officers? I've been
27 stern with them because I'm not happy that she's not got any cooperation. I'm
28 unhappy with Tesco because they're not paying for it, but ultimately it's worked.
29 So then, yes, that's my office because it's Assembly work, but the upshot of it is
30 political support, which is what we're all in the business of giving.

31 **RE:** Well, yes. I mean this is, obviously, a highly critical development.

1 **NM:** The reason being though that we do all that is because... or the reason we do
2 all this is because when I was a kid and growing up, seeing these little mundane
3 things not being done is really bloody annoying actually, and all you need is
4 somebody just to care, to take the time, take the effort, write the letters, make
5 the phone calls and you get all these little things done and, erm, I'm a firm
6 believer in what Saint David said because you've got to do the little things. It
7 does work, erm, and that's what our office is about and in terms of the high
8 level, erm, triggering out leaflets, getting them all delivered, getting a team out
9 there, knocking on doors, you need an office to do that, which is what we have
10 in Caerau. Erm, right, erm, [REDACTED]—

11 **RE:** Do you draw a distinction... You haven't got to answer this now, you can do it in
12 the course of your evidence. I fully understand the political nature of casework,
13 for example. I mean casework is done because it is an essential part of the
14 work of an AM or any elected member, it should be, and I fully understand the
15 dual motivation is to help people, but the knock on effect is to obtain political
16 support. That's what we're involved in. You say you need an office and you
17 used the Caerau office. Is a distinction drawn between the Caerau office and
18 the Cowbridge Road East office?

19 **NM:** Yes, of course, yes. The Caerau office also served Caerau actually. I used
20 to... I started to say, "Caerau." Caerau is the original [inaudible 01:30:07]
21 pronunciation so I'll say, "Caerau," again now. Caerau, yes, that was the
22 political office because that was... We were having the campaign from there.
23 This is what we do from here really, there's a low level I suppose social
24 campaign, 24/7 really, but what we had in Caerau is a high level political
25 operation, where there were tens of thousands of leaflets being printed, and
26 tens and thousands of leaflets going out. It was also a centre. People did come
27 in anyway because they didn't distinguish between my office in Caerau and my
28 office in Cowbridge Road East, so those that want help will go to either office.

29 **RE:** But is a distinction drawn then from the way you operate from either office?

30 **NM:** Yes, of course, yes.

31 **RE:** But what is that distinction?

1 **NM:** Erm, well, the office in Cowbridge Road East is the Assembly office, it's the nitty
2 gritty, takes work. We've got the systems there. We put Treeware on there, we
3 have the caseworker system. That's the day job. To be honest, we're too busy
4 doing the day job there to have time to do the high level political stuff, because
5 we haven't got time to print tens of thousands of leaflets for an office. We just
6 can't do it, other than the fact we've got people coming in day after day after
7 day, hour after hour. Erm, it's a completely different operation and so it's the
8 point that what we've had to do now... It's got to the point where we've said,
9 "Look, we can't work in our office in Cowbridge Road East," because too many
10 people come in. It's too invasive as well, the set-up of it. People just walk in so
11 they're right—

12 **█:** Sometimes you have three people walk in straight off [inaudible 01:32:00].

13 **NM:** So what we did we've, erm, brought some new furniture, which is arriving
14 tomorrow sometime between 7.00 and 11.00, erm, I'll see if **█** wants to
15 get up at 7.00 and go in the office or whether I'll have to do it, erm, so we can
16 just shake the office around so, erm, we're going to have a set of chairs, but
17 angle the furniture so that people will be directed to sit down, instead of
18 wandering into the office, and what we've got at the back is... We've thrown the
19 furniture out in the third room, and we're having a workstation on it for three
20 people, so we can go through the back office, close the door, and just get on
21 with some work. As it is now, the set up doesn't really allow that. So if we work
22 in the second room, there's a window, which can't work because too many
23 people come in, so actually a lot of the work as well of us we've done... For me
24 it's [inaudible 01:33:01], I can from anywhere and a lot of the work is done by
25 telephone. Erm, I've started having... Well, for a while now I've lost a bit of
26 weight because every time I make a phone call, I go for a walk so I'm walking
27 about eight kilometres a day extra, erm, and I've dropped a stone.

28 **RE:** That's clever.

29 **NM:** Erm, but the coverage or reach, really, I suppose is the [inaudible 01:33:30] so
30 what we... It's the process in place. A lot of the work will happen outside so,
31 erm, emails can be written anywhere, phone calls can be written anywhere,

1 work still goes on after hours, not to the same extent as it did before but it still
2 goes on, but that's the hub, really. I mean it's a community hub and at the end
3 of every term, we have a party, erm, and we invite all the people we've done
4 casework for and it's, erm, always busy so that's what we do there. It's the
5 heart of the operation, but the operation as I see it there and as Michael didn't
6 see it, which is why he doesn't work for me now, is providing a service.

7 **RE:** I think at an earlier hearing, I said that I'd come to a provisional view when
8 possible division of work was in the three categories, and I'd like both of you to
9 give your view on whether you agree or disagree. There is totally political work,
10 there is canvassing etc. etc. On the other end of the spectrum, there is work
11 that is entirely Assembly work, that is being here, speaking in the [inaudible
12 01:35:08] etc. and in the middle, there is work which is taken, for example...
13 Well, perhaps casework comes into the strictly Assembly work, but there is a
14 political element, which you just mentioned, that is—

15 **NM:** To a consequence, I would say.

16 **MD:** Yes. So I would say the majority of casework was kind of the strictly Assembly,
17 but then there's the odd few cases where you can make some real political
18 capital off the back of those cases. Those could stray into the middle ground
19 and those could be used to be promoted through leaflets or social media, attack
20 campaigns. The majority, I'd say.

21 **RE:** Yes, I think you're right. I think you agree with that, don't you? Yes. The kind
22 of thing that falls in the middle, it seems to me, would be your needle campaign.

23 **NM:** I disagree. That's absolutely wrong [inaudible 01:36:15], nobody does that.

24 **RE:** But what if you hold a meeting under the offices of Plaid Cymru?

25 **NM:** That's different.

26 **MD:** With a candidate for the election as well. It was him that was promoting it. For
27 me that's where it moves into the grey area, because you've then got [REDACTED],
28 who's standing for election in Butetown, and this is his main message that he's
29 pushing, so that small room, we can use the political capital.

1 **NM:** There's no evidence of any resource being used.

2 **RE:** Well, I'm not talking about evidence now—

3 **NM:** With me calling—

4 **RE:** No, I'm not talking about evidence.

5 **NM:** [Inaudible 01:36:55].

6 **RE:** This is just a matter of principal. So what would you say falls into that middle
7 category then, which is not completely political, which is not completely
8 Assembly work?

9 **NM:** I wouldn't say it is, really. I think what you're looking at there is, if we're being
10 honest, Assembly work absolutely, because I'm the Assembly Member calling
11 the meeting. I'm the Assembly Member, erm, doing all the background work
12 with the needles. That's progressing as well, by the way. I saw a report
13 yesterday that, well, the committee is now discussing it to have... Erm, what I
14 was talking about in 2017, to have that going forward because it'll take people
15 off the street, take the addicts off the street and put them in a safe environment.
16 It's actually Assembly work. I think the consequence of undertaking that work is
17 that you get political benefit, so it's absolutely Assembly. You could not do that
18 kind of work and not get that support, but the way that I operate is I'll undertake
19 that Assembly work, I'll undertake that community work and the upshot of it, the
20 consequences, you get peoples support.

21 **RE:** So do you think there is a middle grey area?

22 **NM:** No.

23 **RE:** So it's a hard line?

24 **NM:** Yes, I think so because, erm, I'm elected to represent people's views. I'm
25 elected to do what they want me to do. They don't want to sit in traffic jams for
26 half hour every morning, therefore, we've got to do something [inaudible
27 01:38:29]. That's what they elected me. If I wasn't doing that, I'm not doing my

1 job. Erm, the consequence of doing that job is that they gain more political
2 support, erm, but when I first started off, erm, I used to hold peoples forums in
3 the area because lots of casework wasn't being done and, erm, I do casework
4 without being elected.

5 **RE:** So do you think—

6 **NM:** That was community work, volunteering work.

7 **RE:** So do you think there's a middle—

8 **MD:** I do, yes. I just think there's obviously a middle ground. I just struggle to see
9 Neil's point and I can't see why he's trying to make this point that there's a line
10 in between because, for me, common sense tells you that there's got to be
11 some sort of middle ground that goes from one to the other. The nature of this
12 work is so complex that there has to be some sort of crossover in the middle. I
13 don't dispute that at all.

14 **NM:** So during the needles campaign.... I'll print this out for the next session, [REDACTED]
15 has helpfully found it, because there's so many emails demonstrating stuff. So
16 Michael will say that it's political, me being party political, correct?

17 **MD:** I said we're in that area of straying into it. When you involve [REDACTED] as the
18 candidate that's pushing that, he's the face at the public meetings, that's when
19 you're in dangerous—

20 **NM:** [REDACTED] wasn't the face at public meetings. You've presented actually no evidence
21 that proves that [REDACTED] was the face of the public meeting. [REDACTED] was invited, he
22 took part clearly, erm—

23 **MD:** Okay, sorry. So he was on the panel or in the audience?

24 **NM:** Can I finish now? Erm, on the 10th of November 2016, at 9.49, I've invited the
25 local Labour AM and I've said, "Dear [REDACTED], I know you're aware of the
26 community meeting at Butetown Community Centre..." They know, I've tweeted
27 them. They know about it but I thought, 'If I don't hear... If I don't write to them
28 formally, then they've got an excuse to say, 'We didn't know about it'.'" So the

1 meeting which Michael said was political and you said that strays into the grey
2 area, I've invited the Labour AM and I've said, "I know you're aware of the
3 community meeting, but I wanted to formally invite you," so there's no excuse
4 for him not to be there. "I'm consulting the community as the southern central
5 AM, but I think it is appropriate for you to come also."

6 **MD:** Which he took regularly. I mean you would invite other candidates, other AMs,
7 other people in the council for the reason of attacking them in that forum, and
8 gaining political capital on scoring points over them in those sorts of forums.
9 That was... The point of inviting them was so you could throw some punches at
10 them.

11 **RE:** I can see both arguments on this. I would have thought that having a middle
12 ground is in your favour, actually.

13 **NM:** Right, okay, but I've invited... a councillor, being party political, but I've invited a
14 Labour AM. Come on.

15 **RE:** I thought that was something favourable, so you could have this middle ground,
16 but if you don't want it—

17 **NM:** I don't. I want the spectrum of it because it's black and white.

18 **RE:** Well, very few things are black and white, even in this case. Shall we have a
19 break?

20 **MD:** Yes.

21 **RE:** A quarter of an hour break?

22 **MD:** Yes. Thank you.

23 **NM:** Can I finish this last one?

24 **RE:** Yes, sure.

1 **NM:** This is [REDACTED] and again, God, these people were... [REDACTED] has emailed
2 [REDACTED] explaining, '[REDACTED], for the candidates, priorities.' Right, it's got a
3 load of priorities there.

4 **RE:** Which one is this?

5 **NM:** This is [REDACTED] 15.

6 **RE:** Yes, got it.

7 **NM:** So he's really enthusiastic and then so [REDACTED], very politely actually for
8 [REDACTED], which was good... Erm, he's not always so polite. Erm, "You've
9 probably seen I'm a bit tied up at the moment," in other words, "Leave me
10 alone," erm, "I've sent this onto [REDACTED] she's working on it," so I got this. So
11 what you've got there is an example of [REDACTED], I suppose in boxing terms,
12 [packing? 01:42:49] a punch where, erm, [REDACTED]'s come to him, "Right, this is
13 what we should..." "Well, actually, you've been to the office, you can see how
14 busy we are, I'm not dealing with it," so I think that illustrates the division there,
15 where other people were supposed to get on with that kind of stuff, and
16 [REDACTED]'s there [inaudible 01:43:09] Assembly work, really, and that was it.

17 **RE:** Good. We'll have a 15 minute break, so we'll make a start again at 12.05.
18 Where are you going now?

19 **NM:** Erm, it's just for you guys to consider. We just printed out. Erm, so as I said,
20 you brought up initially, Mr Roderick and Michael's touched on it as well, again,
21 erm, clearly saying... because I tweeted him, but I thought that may not be good
22 enough, so just in case there are any arguments, on the record, "I know you're
23 aware of the community meeting tomorrow," so he's following, but I thought
24 even though on the publicity, the time is given on the posters and so on, erm, I
25 thought, "Well, actually he may say he doesn't know the time," so I've said, "The
26 meeting is at 6.00pm," just to follow it up. So in no way can it be said we're
27 acting party politically, because I mean like in the [inaudible 01:45:00]. I wish I
28 got invited to their meetings because I would go, but I'm not invited because
29 they're really—

1 **RE:** And this was about what?

2 **NM:** The needles.

3 **RE:** needles?

4 **NM:** Yes, erm, because these were the... I think I've given that evidence in before,
5 erm, with the Butetown needles.

6 **RE:** You've certainly had information and evidence about it.

7 **NM:** Yes, I did, didn't I?

8 **RE:** Yes.

9 **NM:** So I don't think I need to... Do I need to return to that? Erm, I think, yes,
10 because I presented it before, didn't I, so... but, erm, you can leave that. Erm,
11 right, Beastgrip, which is in BG1, but I mean I'm included in this, even though I
12 don't think it's any... Even with the complainants, there was no evidence
13 presented that it was ever used for political purposes, because where it was
14 supposedly used, [REDACTED] said that the video never appeared so, therefore, it
15 wasn't actually used for political purposes, even if that video did take place,
16 which we say it didn't, erm, because she couldn't even say what a Beastgrip
17 looked like. Erm, I've submitted the Butetown [inaudible 01:47:18]. Erm, the
18 Beastgrip, BG1, here's an example of Beastgrip being used in the Assembly for
19 a press conference. It's visible on the left hand side picture. Erm, it's an indoor
20 mic so we wouldn't use it outside. Erm, BG2A, I think that's the same thing
21 there.

22 Erm, you can see on BG2B that where it was like... where it's placed during
23 press conferences, that's what we use it for, so you can see the stand on BG2B.
24 BG3 is just the... There it is there on the right hand side, it's quite a
25 recognisable piece of kit, so I'd be surprised if anyone had actually used it, but
26 they wouldn't recognise it. Erm, this is October 2017 and the Beastgrip actually
27 at that time wasn't that great, because we were using it in the press conferences
28 and the sound was poor. I mean people couldn't... We used to get complaints
29 online that people really couldn't hear what was going on, so there's just a list of

1 emails here from [REDACTED]. Erm, October 2017, "Audio input devices for
2 phones."

3 There's a whole load of stuff there. Erm, page two, again, there's a list of things
4 there, audio input devices to phones, which is what the Beastgrip is partly, but
5 for indoor mics. It still wasn't good enough there. Erm, there's [a payment
6 there? 01:49:42], BG6, BG7. These are all bits that all say the same thing
7 that—

8 **RE:** Are you all right?

9 **NM:** Erm, yes. Beastgrip wasn't fit for purpose, so right up until... erm, right up until
10 BG9, we're trying to work with Beastgrip and fix the audio, so if the piece of kit
11 doesn't really work for press conferences, which it didn't, again, it's
12 inconceivable we'd be using it for the election campaign, inconceivable,
13 because it just wasn't made for that and it wouldn't even do the job indoors, and
14 I do stress no evidence at all has been submitted in terms of referencing a
15 video. Nothing at all has been submitted to prove the oral submission that this
16 was used.

17 **RE:** So the sound wasn't good on it? Is that right?

18 **NM:** No, not good enough at all. That was indoors, Sir Roderick. It's an indoor mic
19 and even indoors, it wasn't great so it wasn't the best purchase in the world, to
20 be honest. Erm, right, if you fast forward to BG10. This is more up to date, this
21 one, erm, and so this is, erm, August last year. We said that [inaudible
22 01:51:31] in the Commission. Erm, I need some audio equipment to be able to
23 communicate better with my constituents. The current audio simply isn't good
24 enough, erm, especially when I'm outside in windy conditions. Erm, outside
25 we'd just rely on the phone and what we need is a mic, which [inaudible
26 01:51:54] background noise. There might be... In fine conditions, unless
27 there's traffic, the mic on the telephone is great, there's no problem. Erm, when
28 there's background noise, you need something to take out the background
29 noise, because some of the videos we do, erm, well, I'd usually remember to
30 speak loudly, but some people just talk normally so when you interview them,
31 you just can't really hear what they're saying.

1 So even in 2018, we're still trying to improve the audio equipment. Erm, erm,
2 BG11, erm, is... well, it, erm, touches on something completely different, really,
3 erm, and this is from [REDACTED] at Elected Technologies Limited, so they're called
4 Elected Technologies for a reason, because they help elected members, and,
5 "Hi, [REDACTED]. Okay, it's fine. As soon as you get the copy of that, we can get it
6 uploaded for you. Let me know, erm, if you need a hand with anything else."
7 So this is the... "Hi, [REDACTED]. You're quite right, it seems..." Further down it says,
8 "[REDACTED] the ward is not exportable from our system. I've raised it with the IT
9 guys for the future," the IT guys with the Assembly staff, "In the meantime, we're
10 going to have to add them in manually, time consuming, we'll get them to you
11 when it's done."

12 So what we're looking to do, because it is so time consuming, is get ways
13 around of updating the Treeware there. Some of the stuff has to be done
14 manually, but the tree where we use to stay in touch with constituents, one
15 aspect of Treeware is political, but there's the other aspect which it's the bread
16 and butter of being an Assembly Member. We need the lists of the wards.
17 We've got to break the wards down, we need to know where people live, and
18 everything is on Treeware so, erm, when you've got your Treeware data, there's
19 a legitimate... The Electoral Register is highly legitimate.

20 **RE:** So it was never used for political purposes, party political purposes?

21 **NM:** It's part of your job. I had a row with [inaudible 01:54:35] one time. I think it
22 may be in here. Is it in here, since we're dealing with it?

23 **RE:** So the note I'm making of what your point is, it was never used for party political
24 purposes?

25 **NM:** No. It can be, but it's an essential part of the technology for being an Assembly
26 Member. Everyone uses it.

27 **RE:** No. There's a difference between political purposes and party political
28 purposes.

1 **NM:** Well, they... It's routinely used for, erm, political purposes in order to carry out
2 your duties as an Assembly Member. I'll come to that now... Erm, I'll come
3 back to that in a minute. Treeware is there.

4 **RE:** Thank you.

5 **NM:** So I suppose these are new documents. Erm, just an example really, erm, this
6 is urgent, this is, erm, my personal email, erm, and I'm still an applied Assembly
7 Member at this point, erm, and it's quite a shirty exchange, really, erm, because
8 what I'm after is my staff having access to Treeware, which was blocked at one
9 point, and we had to work around that and then get my own access, but at this
10 time we were using... Well, the access had been removed, something had
11 come up and I figured, well, it wasn't that. There was a meeting the following
12 day with... There was a... I needed to identify where people lived—

13 **RE:** Hang on, this is different now from the Beastgrip?

14 **NM:** Yes, sorry. I've dealt with that, sorry.

15 **RE:** So we're now on Treeware?

16 **NM:** Yes, but there's no evidence to say I've used the Beastgrip, but what have I
17 provided, to sum up, I'm sorry, should have been clearer on that, but whatever
18 I've provided is evidence that bloody Beastgrip didn't work anyway, so it's
19 inconceivable that we would have used it for the election, when right up until
20 August 2018 we were trying to get, erm, a better audio kit.

21 **MD:** Can I just help out as well, because I was a little bit confused? So the last page
22 that was in the Beastgrip bundle was to do with Treeware as well?

23 **NM:** Yes.

24 **MD:** That invoice there was to do with Treeware. That was in the back of Beastgrip.

25 **NM:** I think that was the problem, yes. That was the problem, Sir Roderick.

26 **RE:** Well, BG11 is what?

1 **NM:** Treeware.

2 **RE:** BG11 is Treeware?

3 **NM:** I think it is, yes. I'll have to look at it. Erm, you see, I think it levied onto the
4 next topic, didn't it?

5 **MD:** So the invoice for Elected Technologies, they provide the licence for Treeware?

6 **NM:** That's right.

7 **MD:** I think that was my understanding of it.

8 **RE:** So where do I put BG11?

9 **NM:** It should be with Treeware, really, shouldn't it? You can take it out if you...
10 Sorry.

11 **█:** Yes, just [inaudible 01:58:52].

12 **NM:** I've finished the Beastgrip, sorry.

13 **RE:** Okay, right. So I'll just scrub BG11 then and put, "Treeware," on it—

14 **NM:** Yes.

15 **RE:** —and where should it come in the Treeware bundle?

16 **NM:** Erm, before TR1. It should be one.

17 **RE:** Right, okay.

18 **NM:** So what we have here is, erm, quite a shirty exchange of messages.

19 **RE:** Hang on, let me read them then, and **█** **█** the chief executive of
20 Plaid Cymru?

21 **NM:** Yes. So from... Can I address that Treeware one?

22 **RE:** Yes.

1 **NM:** So, basically, from memory there was... quite an urgent matter had come up,
2 three people had been in touch. I could help with the matter as an Assembly
3 Member. I'd sent letters because it was casework. Erm, what I wanted to do
4 was follow up, because the people were meeting the next day, and there was
5 going to be a meeting of dozens of people the following day, on this particular
6 matter, erm, which is still ongoing actually, and I wanted... Three people raised
7 the matter with me and I do stress, as an Assembly Member, I wanted them to
8 know that I'd listened to their concerns, I'd acted on their concerns. I've written
9 the email, I didn't have an email address for them, I didn't have a postal
10 address.

11 So all I wanted to do was give them a copy of the letter I'd sent, so then when
12 they were meeting the following day, then it would be a question of, "Well, God,
13 I went to Neil McEvoy yesterday and he's already written a letter, and this is
14 what they've done." So dozens of people in the meeting would have been told,
15 "God..." The key point is efficiency, so what I said to [REDACTED] is, erm, "All of those
16 people that are on the Cardiff Plaid [inaudible 02:01:41] to concerns," so I'm
17 emailing the chief exec of Plaid, who has locked us out of the system.

18 **RE:** Why was that?

19 **NM:** Because I wasn't—

20 **RE:** Because you were suspended?

21 **NM:** From the group, yes. We had a row over this and the conclusion was that even
22 though I was suspended from the group, I was still at Plaid Cymru, so rather
23 than me have to go out and... But anyway, we got back on the system
24 ultimately but, luckily, I was able to get the addresses elsewhere just through
25 phone calls and people I knew, but the whole point is what... So this is, I
26 suppose, the upshot of me reacting immediately, getting the letters out, dealing
27 with the matter. Of course, that's an event for Plaid Cymru, so people know that
28 when they come to me... when they come to any of us and they raise a matter
29 with us, it wasn't done as efficiently as possible because we should have taken
30 their details, erm, that we react so there's a political consequence of what we've
31 done. So as I'm saying it, when people know that... When they know the

1 Cardiff Plaid has reacted immediately, erm, because as an Assembly Member,
2 I've not used my name above the door or the party logo. This sign was above
3 the door as well.

4 **RE:** So what do I get out of this in relation to the complaints?

5 **NM:** So I'm using Treeware, in this case, for the nitty gritty of constituency work.
6 This kind of stuff does make a difference, so everyone knows then that we're on
7 the ball, so within 24 hours we've listened, we've got the letter done, there it is
8 and they've had a copy so when they meet all their friends the next day, all the
9 issues are being raised in the meeting and word of mouth spreads really, to be
10 honest. So I suppose maybe you're right with the grey area, so there's the nitty
11 gritty of the casework, which is clearly Assembly work to do. The upshot is we'll
12 gain political support.

13 **RE:** Yes, of course.

14 **NM:** Treeware two, again, this is, erm, from [inaudible 02:03:53], erm, to [REDACTED]
15 and there's a... Oh God, somebody had taken a number down, looking at this,
16 erm, and we're chasing to get the right number so, erm, we found an address on
17 Treeware but there's no phone number. Treeware, again, if you want to get in
18 touch with somebody, erm, everything is listed on there so you import... you
19 input the BT data, so you have a telephone number, you input a whole load of
20 data and you've got a database there of everyone in your constituency.

21 **RE:** Yes. So this shows that Treeware can be used constructively for Assembly
22 work?

23 **NM:** It's essentially, yes, otherwise you... Well, it's not casework now, is it?

24 **[REDACTED]:** It helps us out in terms of working out someone's address.

25 **NM:** Yes, and so every, erm, everybody will use it in the Assembly or there may be
26 more sophisticated systems now, but it's similar. Treeware three, I don't think I
27 actually submitted this report, to be honest. Erm, [REDACTED] probably edited it for
28 me, erm, because I'm annoyed at this point, as you can see. This is November
29 and my suspension, because I've got to address this... Erm, my suspension

1 has proven to be a barrier to getting my job done, as in both as a councillor and
2 as an independent Plaid Assembly Member. So my job as a councillor, my job
3 as an Assembly Member, erm, and the Plaid chief executive refused to give me
4 access to Treeware, which I'm saying was not only disrespectful, but brought
5 my work one afternoon to a halt and it did. It was bloody annoying, so I had to
6 spend an hour phoning people, texting people, to get the addresses for those
7 three people, so that I could get the letter to them before the public meeting.
8 Whereas, I should have been able to go on the system and within seconds of
9 using Treeware, locate their address.

10 **RE:** So that's the same point then?

11 **NM:** Yes.

12 **RE:** That it's essential for your work as an AM?

13 **NM:** Yes, but in November 2017 I'm saying that it's essential for me to do my job,
14 and my work ground to a halt because it did, because I had a list of other things
15 to do that afternoon and I'm chasing round, trying to get addresses, for
16 something I should have had access to immediately, erm, and this is, erm,
17 Treeware four. There was a lot of discussion about, erm, inputting of data on
18 the Treeware. This is [REDACTED] from... Where is [REDACTED] from? Wherever he's from,
19 [REDACTED], I think it's the... Yes, Elected Technologies Limited. Erm, "In regards to
20 wards on your roll, I just had a look at the rolls you sent over," blah, blah, blah,
21 "contain [inaudible 02:07:09]." So what I'm saying is, again, this is more
22 evidence where Treeware is just routinely used by elected members, routinely,
23 and everybody will use it and everybody's staff will be on it.

24 Erm, so what we're doing here on TW5, Treeware five, will migrate into a much
25 better system, so this sort of supports what I've been saying over the last couple
26 of hearings, where Michael's last day in work was the 19th of June, so by the
27 27th of June we've realised that a lot of it is a mess actually. Erm, we've had a
28 good look around about what's available and [REDACTED] to be honest, had a good
29 look around. He brought the description to me about what caseworker... TW6,
30 we're on now, it's the same thing, really. Erm, it's caseworker.mp, erm, it's what
31 they use... well, what some MPs use and we decided to adopt it because, erm,

1 it was paperless, which was a big thing. We're able to scan instead of copying
2 documents, so all we have to do is scan them in, so instead of printing 500
3 things, we put 500 bits of paper into the photocopier and we press... into the
4 printer, actually, we press, "Print," and then the file gets sent across to the
5 caseworker.

6 **RE:** So what does this tell me in relation to the complaints?

7 **NM:** In relation to the complaints, again, it's related to paper and use of the printer.
8 It's also related to the Treeware because, erm, Treeware is integrally bound up
9 with this system, their system, so every single Assembly Member will use... So
10 the knock on effect on printing is brilliant because, erm, what is fantastic is...
11 I'm a bit of a dinosaur sometimes, I like paper, erm, and to be honest, it gets
12 messy and files and files and files and it's not good. With this system, you put
13 all the papers in, 500 copies done. It's sent off on the cloud, so what you have
14 then on the cloud are the 500 pages. So all you've got to do then is very quickly
15 just scroll down with the mouse and you see everything there. It's much better,
16 erm.

17 **RE:** Better than a paper file?

18 **NM:** Yes, everything is there, but the key point is, erm, it's accessible 24/7 so if
19 you're not in the office and you've not got access to a particular paper file, you
20 can't work. You're stuffed, basically. Whereas, with this system, all you do is
21 you log in, it's secure because [inaudible 02:10:56] cloud and from anywhere
22 you can access any document. It's wonderful, erm, and also I was really
23 pleased, erm, when I was speaking with a politician head, I knew what a
24 competitive edge this would give us over other Assembly Members. I was
25 delighted because nobody had such a system in Wales and, erm, unfortunately,
26 when we ran it past the Assembly, they liked it so much they brought the system
27 and bloody gave it to every other Assembly Member, so there's no competitive
28 advantage now, but there we go. Now, I think the rest of the TWs are just
29 making the same point.

30 **RE:** So the point about this is it saves printing?

1 **NM:** It saves... The first point is it saves printing, but you also need the Treeware
2 with the data inputted to have a holistic system. Erm, that's it.

3 **RE:** Okay. Where do we go next?

4 **NM:** Erm, I think we need to move onto printing. Hopefully, we won't be too much
5 longer now with this. Again, this is new evidence listed P, printing.

6 **█:** [Inaudible 02:13:11].

7 **NM:** Just water. Erm, right, okay. P1 is October 2016. This is at the time when it
8 was alleged that I was printing copious amounts of leaflets for Plaid, and █
9 █ says, "Here are the focus on Canton leaflets. Give me a shout
10 whenever you want some printing done, I can give a meeting/afternoon in the
11 office to print/fold. By the way, [inaudible 02:13:52] if you choose a black ink but
12 I don't know how much green ink is in there... there is, sorry." So that's
13 evidence of █ offering to print for us as late as October 2016. He's done
14 the Canton leaflet there, erm, and yet Michael was sort of almost denying all
15 knowledge of █, and there is as late as October 2016, erm, offering to print
16 in his office. They key point there is a few tubes of black ink, green...

17 The kind of printer that he had was Horizon and it would take two colours, so
18 you could print it with black and white or black, white and green and so that is
19 the reference to the green ink. With the Assembly printer, it's a full colour
20 printer so there's a slight technical difference there, so you wouldn't have a tube
21 of... You wouldn't not have a tube of green ink, if you were talking about the
22 Assembly printer. Erm, erm, this one is the 26th of October, erm, █
23 to █. Erm, so █ is just confirming received, erm, █
24 █, so therefore █ is printing them for us in October. There's
25 evidence there. So these are the, erm, leaflets that Michael was alleging that I'd
26 printed or we had printed in my office on the printer, erm.

27 **RE:** Which particular ones is he referring to?

28 **NM:** Well, these Grangetown ones. If you look at P4, which is, "Final [inaudible
29 02:15:59] Welsh," two attachments, █, final [inaudible 02:16:03] Welsh.

1 [REDACTED], local [inaudible 02:16:05] Welsh publisher.” So, erm, [REDACTED] there is
2 sending these on the 26th of October to [REDACTED], so [REDACTED] is doing
3 the printer.

4 **RE:** And these are in relation to what?

5 **NM:** The Grangetown by-election. Erm, there we go. This is the 25th of October, P5,
6 erm, “Hi [REDACTED], are you able to print 9,000 of the attached leaflet, English only at
7 this stage? I need ASAP.” So [REDACTED] is doing printing there, 9,000.
8 There’s another one here.

9 **RE:** What is that for? The same pile of P?

10 **NM:** Yes, different leaflet on P6. Erm, [inaudible 02:17:14] has asked for 9,000.

11 **RE:** Who’s [inaudible 02:17:17]?

12 **NM:** Erm, a Plaid Cymru member, but he’s asked for 9,000 and [REDACTED] is
13 dealing with that, because the reality is you’re talking 9,000 copies, erm, and it’s
14 been... I’m just thinking of the best way of doing this. Erm, you’ve got 9,000
15 leaflets, [REDACTED] hasn’t a printer able to deal with this kind of printing. Erm, I
16 think... What did he say in the earlier hearing that my printer was able to print?
17 Do you remember? Was it... I can look it up. Was it seven minutes or five
18 minutes? I think it was five, wasn’t it, five or six minutes?

19 **RE:** I have to check the notes.

20 **NM:** If you check. If we do [inaudible 02:18:10], we’ve got 9,000 divided by six,
21 equals 1,500 hours so—

22 **RE:** Minutes.

23 **NM:** Is it? It’s got to be, hasn’t it? Minutes, yes, [inaudible 02:18:32]. 25 hours, so
24 that’s just pure printing, so what has been alleged on this print... this thing
25 alone, that my staff have done over 25 hours to print.

26 **RE:** You’ll have to unpick this for me, I’m afraid. I’m not sure I’m with you.

1 **NM:** It's being alleged that there was industrial use of printing facilities, for Plaid
2 Cymru, without any proof, by the way, because I... Can you remind me any
3 proof where—

4 **RE:** No, I'll decide on what I've heard so far. You tell me what your version of this
5 is?

6 **NM:** There is no version. This is what happens because all you have in front of you
7 is an invoice—

8 **RE:** No. Well, there are versions. I mean I'm not saying they're dishonest versions.
9 I'm just saying that they're different.

10 **NM:** There's only one factually correct version.

11 **RE:** Well, that may be correct, of course.

12 **NM:** But anyway, we're digressing. The 14th of October 2016, Hugh wants 9,000 and
13 [REDACTED] s done 8,500 and [REDACTED] said, "No, I wanted 9,000," so [REDACTED] is
14 doing it. On pure printing, stuff coming out of the printer, that's 25 hours. Erm,
15 you simply cannot like print... Our printer does... Was it 500 on a... That's a
16 maximum that the thing can take, so you've got to watch the stuff coming out.
17 You'd have to, erm, fill up trays. It's a huge job and I've described the amount
18 of stuff going on in our office. There's no way that we'd have 25... 30 hours in
19 fact when you look at all the messing round to do, to print that on our printer.
20 It's a ridiculous suggestion. If you look... So that's the 14th of October, 25/30
21 hours.

22 **RE:** Do you mind if I ask you some questions on this? I don't understand yet.

23 **NM:** Yes, okay.

24 **RE:** [REDACTED] is being asked to print 9,000 copies?

25 **NM:** Yes.

26 **RE:** On what printer?

1 **NM:** On his printer. He's got a Risograph. They print really quickly. They print 200 a
2 minute.

3 **RE:** 200 a minute?

4 **NM:** Yes, just they just fly out.

5 **RE:** Now, you're saying that the Assembly printer printed what? Five or seven a
6 minute, you said?

7 **NM:** We went with six there, six a minute... maybe a slight... maybe 150, but they fly
8 out. They fly out.

9 **RE:** So 9,000 at six per minute would equal, you say, 24,000?

10 **NM:** 25 hours.

11 **RE:** 25,000... Sorry, 25 hours. [REDACTED] would do it in what? 45 minutes?

12 **NM:** No. Erm, I'll retract on that one. There's two and they're just one sided, so then
13 you've got to put it back in and there's no... So probably I'd say 100... well, by
14 the time it's all... They've also got to dry, easily between 9.00 and 12.00. You
15 could do it in a morning. Using his printer, it's a morning job, start and maybe
16 finish in a day, easily... probably quicker than that actually. I don't... To be
17 honest, Sir Roderick, I don't use Horizon. I get other people to do the printing.
18 It's not a good use of my time doing the printing. Erm, it's not a good use of
19 [REDACTED]'s time, it's not good... It wouldn't be a good use of anybody's time to
20 do that. Erm, the point I'm making is on the 14^h of October there are 9,000, so
21 what cannot be disputed, it would take like 25 hours more on the printer that we
22 have. Erm, on the 25th of October, there's another 9,000.

23 **RE:** It wouldn't be a good use of anyone's time. So it wouldn't be a good use of
24 anyone's time to print on the Assembly printer?

25 **NM:** No.

26 **RE:** Okay.

1 **NM:** Here we go, P7. "Dear all," this is [REDACTED]... So in September when it's
2 alleged that I'm doing the printing, erm, "I'll hang fire. Are we finishing off the
3 7,000 for Grange? 3,000 printed so far. I'll continue with [REDACTED], 50 million for
4 Cardiff West," or, "for West," which would be Cardiff West.

5 **RE:** What does that mean?

6 **NM:** Well, it proves that he's doing printing for me for Cardiff, for West Cardiff, so
7 what's going out in terms of the political literature in West Cardiff. He's termed it
8 at 50 million, erm, whereas the evidence from Michael is that I was doing it all
9 on the Assembly printer.

10 **MD:** That's not the evidence.

11 **RE:** Well, it's strictly correct.

12 **NM:** Well, what is it then? I thought it is.

13 **RE:** Well, my recollection is, and I need to check my notes, but what he was saying
14 was that that were various other sources printing, so he didn't say it was all
15 being done on the Assembly printer, which is what you now say.

16 **NM:** Okay. Well, a large... 200,000 copies were mentioned.

17 **RE:** Well, maybe. I'm not trying to be awkward, I'm just picking you up on a broad—

18 **NM:** Listen, do you know what, that's probably... I shouldn't have... I made a broad
19 sweeping statement there. There were... But back to the... There was a
20 discussion about 200,000 copies.

21 **RE:** Yes, there was.

22 **NM:** Yes, erm.

23 **RE:** My only point is that he's never said that it was all done on the printer.

24 **NM:** Okay, all right.

1 **RE:** Can you explain this email to me? "I take it that I'll hang fire in finishing 8,000,"
2 3,000 of it is so far, "I'll continue with [REDACTED]'s 50 million," what does that refer
3 to?

4 **NM:** All the stuff we've asked him to do.

5 **RE:** So he's just being factitious there?

6 **NM:** Yes—

7 **RE:** Right, okay, I've got that.

8 **NM:** —because he stopped with the Grange, so now he's doing all of the stuff he'd
9 been asked to do, erm, because I remember the 2,000, the first leaflet printed,
10 are ready for collection and some of the evidence earlier was that the collection
11 was from my office, of leaflets for Grangetown. That was said, certainly, not all
12 but it was said. Here there's evidence that actually [REDACTED] was doing it.
13 Erm, yes, I think if you look at P10. P10, an invoice there. There's, erm, 5,000
14 printed, colour, both sides.

15 **RE:** This is an outside commercial printer?

16 **NM:** [REDACTED] does it. So this is [REDACTED] operation.

17 **RE:** I see.

18 **NM:** Erm, so it's Grange, September. There's 5,000 there. Erm, P11, erm, there's
19 another one, GBM Grange, 17,000, so there are 17,000 leaflets there printed.
20 Erm, the 1st of September, erm, [REDACTED] again, there's a 5,000 run there, 1st of
21 September, and all these invoices. These are the emails and the... P13,
22 there's a picture of all the graphs... actually, yes, all the graphs. I think... Let
23 me just return to that one, where I thought it was 17,000. 17,000 would be the
24 memory used, so it's not 17,000 leaflets. I correct myself there. It would have
25 been probably the run of 8,000 or 9,000, but 17,000 is the memory used up with
26 the file to [REDACTED].

27 **RE:** 17,000 is the reference to the memory used printed?

1 **NM:** Yes, but not the memory of the file, erm, and there what you have on P13,
2 you've got the Grangetown graph.

3 **RE:** Hang on, let me just take a note of this.

4 **NM:** Yes, okay.

5 **RE:** All right.

6 **NM:** You've got the Grangetown graph, Welsh, Grangetown graph, Grangetown
7 leaflet... Grangetown leaflets, so the September leaflets there are all being done
8 by [REDACTED], and there's the memory, erm.

9 **RE:** So all these are done by [REDACTED]?

10 **NM:** Yes. Erm, August 2016, P14, there's our one, Cardiff West.

11 **RE:** This is Cardiff West?

12 **NM:** Yes, August, and P15, again, it's the same one. So we're asking for, in August
13 there, 38,500. The key point I would make is in terms of the printer, that would
14 be doubled because it would be 38,500 two sided, so in fact you're looking there
15 at—

16 **RE:** 77,000?

17 **NM:** Yes, which [REDACTED] describes as... We probably got even more off him
18 after that, erm, so that's why he described it as, "The millions." [REDACTED] is a
19 volunteer as well. He's not getting paid for this.

20 **RE:** So he had his own business, did he?

21 **NM:** No, he's just a volunteer. He's got his own Risograph, erm, and he'll do things
22 for you.

23 **RE:** But the invoice, GBM Printers.

24 **NM:** Yes, that's what he does. It's not... He doesn't do it... He only prints for Plaid
25 Cymru people, he doesn't do it commercially that I'm aware of.

1 **MD:** But he gets paid for it?

2 **NM:** He gets paid for it. I don't think he takes a salary out of anything like that. I
3 think he just does it really cheap at cost price.

4 **RE:** Well, he gives a 50 percent discount for prompt payment according to this.

5 **NM:** Yes. Erm, so the point I'm making with P15, at the very time that Michael was
6 saying that our printer was being used to print 100,000 leaflets if there were... or
7 105,000 leaflets if there were 210,000, from memory, but actually came to print
8 [inaudible 02:30:38].

9 **RE:** So this is August 2016?

10 **NM:** Yes. Any printed work getting done, we get it done by [REDACTED], any
11 political printing. There's the evidence there, so it's in black and white, Sir
12 Roderick. It's 38,500 leaflets. Erm, this is about printing again.

13 **RE:** P15?

14 **NM:** Yes, this is about printing but, again, it's [REDACTED]... well, [REDACTED] would always
15 want us to do things and he was just, "Oh, listen, this is not what we do,"
16 basically. This is our Assembly office, [inaudible 02:31:37] it was a pain. "Hi,
17 [REDACTED], I'm not involved in printing. Please consult [REDACTED] she can advise,"
18 and so by this point we've got Caerau. Erm, I think the next one we go onto,
19 erm, I think P17 was [REDACTED] dealing with the printing, saying she didn't have
20 access to the printer. That might have been the week that was in... or the time
21 it was in Michael's garage. I can't quite remember, erm, but the point is [REDACTED]
22 wants some printing done. He's addressing it to [REDACTED] P18, invoice.

23 **RE:** It's a December 2016 invoice.

24 **NM:** Yes. Erm, it's £5,000. The next one is 60,000. P19, this is Minuteman as well.
25 Erm, so at the very time it's being alleged that... well, anyway, there's 60,000
26 there. Erm, if we look at Minuteman again, this is November, there are 5,000
27 and the invoice is to Plaid Cymru. It's [REDACTED] and it's at Tŷ Gwynfor. It's
28 not our office, all these invoices. P18 is Tŷ Gwynfor, P19 is Caerau Lane, P20

1 is Tŷ Gwynfor. Again, P21, it's another 3,500 there, Tŷ Gwynfor, [REDACTED] So
2 this, P22, is just a list of other expenses, again, it's getting everything in order
3 for the election. Again, Dalton are doing the printing, Minuteman Press are
4 doing the printing, Caerau, you know.

5 **RE:** I'm sorry?

6 **NM:** Minuteman Press are doing the printing, Daltons are doing the... or Dalton is
7 doing the printing. This is at the time we have the office anyway, so the toner
8 would have been for the Caerau Lane office. Erm, P23, the only point to make
9 here is that, erm, this is a tidying up of who's paid what but, again, it's
10 Minuteman invoices. These are professional printers. So, erm, P24 is [REDACTED]
11 [REDACTED]. Now, I'd say in evidence that [REDACTED], helped us
12 for some time with printing. Erm, again, because I didn't tend to tell with...
13 Well, anyway, he did the printing, there it is, and it was disputed about him
14 having an office. Erm, the statement is from S Keller Office Solutions. They did
15 his paperwork in terms of invoicing and it's [REDACTED], [REDACTED]
16 Pembroke Road, so that's the person we had to pay. That's in 2015 that is, so
17 we'd use... We were using [REDACTED] as far back as then. That's Pembroke Road
18 and that's in Canton, which is where he has his office.

19 **MD:** This doesn't say it here.

20 **NM:** Yes. These are the people that do his accounts and do his invoicing, so he
21 uses... He used these people to... I'm assuming, so I could check that
22 because, erm, I'm assuming that they were people that did his, erm, HR work
23 and all the paperwork, erm.

24 **RE:** Well, it's got, "Office Solutions."

25 **NM:** Yes. If not, it would suggest that they're sending it to him anyway, but I think
26 that's... I'll check that, but I think that's what it was, erm.

27 **MD:** Sorry, that's the last page that I've got. Is there any more for me?

28 **NM:** No. I want to go onto the invoices now, because that's going to be quite a long
29 discussion.

1 **RE:** Which invoices are they?

2 **NM:** Invoices produced by Michael.

3 **RE:** For clarity?

4 **NM:** Yes.

5 **RE:** [Inaudible 02:38:26].

6 **NM:** Can we break for lunch?

7 **RE:** Yes, of course.

8 **NM:** Thank you.

9 **RE:** Shall we back here at ten to?

10 **MD:** Yes.

11 **RE:** Thank you.

12 *Egwyl / Break*

13 **█:** [Inaudible 02:38:40].

14 **NM:** Yes, [inaudible 02:38:43]. I do want to go back to the █ stuff, █. It sort of
15 illustrates the same, but it's a bit extra that I just wanted to point out. █.

16 **RE:** Let me turn it up.

17 **NM:** We've looked at some of it. █, █ 1A, █ 2. I think we looked at the 10.22
18 one, erm, but here's the other one. We looked at █ 5. For some reason,
19 █ 1 wasn't in order. That was a missed thing, erm.

20 **RE:** █ 5?

21 **NM:** Erm, I think because I've taken things out, I think I've actually messed up the
22 order somehow. I'll tell you what, can we come back to that? I'm sorry. I've
23 messed up the order, [inaudible 02:40:00] of the file.

1 **RE:** Okay.

2 **NM:** We'll move onto C1. C1 to C26, I think it's [REDACTED] 1 to [REDACTED] 8, I think I've fully
3 submitted those, but just in case, C1 is... It should be the office of Caerau,
4 really. Then, erm, this confirms the fact that it was an office, a campaign office,
5 until the end of June.

6 **RE:** So it was vacated just after the 8th of June?

7 **NM:** Yes. C2, this is now at eight o'clock on the 10th of May. Erm, this is not really
8 contentious, really. Basically, Mike is running the campaign, there's all the
9 plans there, from Caerau, erm.

10 **RE:** Hang on, let me just read it. What's it all about?

11 **NM:** It's all right, I could have... There we go. The only thing I wanted to flag up, the
12 last but one line from Mike, "I think this gives us the best possible chance of
13 maximising volunteer participation." So we were in the game of getting people
14 to volunteer, and it's all been raised from that one. Erm, C3—

15 **RE:** Hang on, what am I to get from it?

16 **NM:** Just the volunteers. It's a volunteer office. "I think this gives us the best
17 possible chance of maximising volunteer participation," so in political
18 campaigns, we rely on volunteers. It's probably stating the obvious there, Sir
19 Roderick. C3, just confirming, probably we're just not being clear. It's not being
20 disputed that the... that was the campaign office, the Caerau office, C3. Erm,
21 C4, erm, what we were told was... I was somehow running this... Everything
22 was going through me, through the campaign office, in Cowbridge Road East
23 from whenever it was until whenever it was. Erm, it wasn't like that at all. If you
24 look at this email, erm, it's from an individual and the 16th of, erm, April 2017.
25 Erm, this is to me, "It's not your campaign," so the evidence earlier was that they
26 were all my campaigns run from the office. That's not the case. They were
27 localised.

28 "It's not your campaign, so butt out , Neil." Erm, "I've spoken to many people
29 about it already, I'm not doing any more work or release the password for the

1 website until I have billed... until my invoice is paid. A member of the LWW
2 already on the case. You better back down because it will be a horrendous PR
3 disaster for Plaid if you don't, but judging by your recent political record, you
4 seem to like them. As far as I'm concerned, Howell and I have contracts. You
5 have nothing to do it. Basically, you can fuck right off. I'm not replying to
6 anymore of your emails. Happy Easter."

7 **RE:** So who was this from?

8 **NM:** Erm, somebody who was helping one of our candidates, in a voluntary capacity,
9 and then she sends him a bill.

10 **RE:** She's what?

11 **NM:** Then she sends him a bill.

12 **RE:** What do I get from it?

13 **NM:** What you get from it is I was... The allegation is that our office was the centre
14 of the universe for the Plaid Cymru campaign, and I was controlling everything
15 from ■■■ St Fagans Road, even though we had another office, but what I'm
16 pointing out to is that actually in all the cases I had very little control over what
17 was going on, and somebody feels able to tell me to butt out. It's not my
18 campaign and they're telling me to, as it says there, "Fuck right off," so I think if
19 I'm running a highly organised centralised campaign from Cowbridge Road
20 East, then that wouldn't have been happening, would it, but by this point anyway
21 we had the Caerau Road office, erm.

22 **RE:** So this shows—

23 **NM:** That the campaign [inaudible 02:45:27].

24 **RE:** —that you are not running the local election campaign?

25 **NM:** I was running it, but not to the extent that... Erm, in many ways I was directing it
26 to apply to very... because you know we're a very autonomous organisation, so
27 it's decentralised and all the things are done on the ground, so I think it refutes

1 in a way that everything was done by me, from the centre, from this huge
2 campaign office, which was my Assembly office. That's my point. I don't know
3 whether—

4 **RE:** How do I get that from this letter, from this email?

5 **NM:** Well, I don't think if... I don't think... Well, "It's not your campaign so butt out."

6 **RE:** Well, I see the point you're making. I'm just wondering on what it's based on
7 this? You're telling me, on the one hand, that you were in fact directing the
8 campaign, but this doesn't say anything about the office, does it?

9 **NM:** No. So the point I'm making is that the campaign was very localised, so we just
10 got on with our own stuff unplanned, so it didn't... It may not be too relevant
11 but, erm, I'll move on.

12 **RE:** Hang on, let me make a note about what you say about it.

13 **MD:** Who was it that sent it?

14 **NM:** It doesn't matter. She's not a party member. She billed us for volunteering and
15 because the candidate was concerned, that's why I did the dirty work on the
16 phone and said, "Look, you're not going to be paid," so she hates me now.

17 **RE:** So this was an email from?

18 **NM:** A volunteer.

19 **RE:** A volunteer, who charged for volunteering?

20 **NM:** Tried to charge for volunteering. She was taking advantage of the candidate,
21 really, because he was very good to her.

22 **RE:** What, was that in respect of the website he'd built?

23 **NM:** It was a she. I don't know what they were doing, but whatever she did for the
24 campaign certainly wasn't unpaid.

25 **RE:** She what?

1 **NM:** Whatever she did for the campaign certainly wasn't going to be paid so, erm, in
2 terms of directing the campaign, I was tasked with phoning her and saying,
3 "Look, we're all doing this as volunteers and so you won't be paid." The website
4 really just it wasn't used anyway, but I think I just... It turned out she wasn't too
5 well, really. That's what it turned out to be, but the point I'm making is... It may
6 not be too relevant, as I said, but the impression that I have of the evidence on
7 the other side is that this tightly run, centralised campaign was all directed
8 through my office, and that's just nonsense really.

9 We do have a campaign office in Caerau, I was directing things, erm, at that
10 time but people did very much their own thing on the [inaudible 02:48:44],
11 including [redacted] in Canton, which was another source of tension, really, because
12 [redacted] told me to, erm, mind my own business as well when offered advice about
13 how best to get elected in Canton. C5, what I'm flagging up here is the political
14 tension, really, and the division of sides. [redacted] would work with [redacted] to put on
15 an event, and didn't consult with anyone, even [redacted]. Erm, we thought it
16 could have been a Club Venus event to include everyone. Club Venus was the
17 funder, as in dinner club, and [redacted] disagreed and I think my political dispute with
18 [redacted] ...

19 Well, it's not a political dispute. [redacted]'s personal dispute with me I think was
20 pretty well known, so I've got somebody in my constituency working with, erm,
21 somebody who's constantly seeking to undermine me, really, and she happened
22 to be the lead of the party, erm.

23 **RE:** Hang on now, I don't want to keep asking you what I get from it, but you give me
24 this, you talk about it and before I can understand what you're saying, I'm going
25 to read the thing.

26 **NM:** I'm trying to get through it quickly. It's my fault.

27 **RE:** So what do I get from this then?

28 **NM:** Tension. I think it was, erm, known that like I wasn't one of [redacted]'s favourites.
29 We were a tightknit team, [inaudible 02:50:48], we done everything together

1 and, well, March 2017 [REDACTED] is doing her own thing and not consulting anybody,
2 which I think illustrates the—

3 **RE:** But where does this come out of that?

4 **NM:** It was an evening with [REDACTED] in March 2017, so for me it's an early illustration
5 of tension between me and [REDACTED], really, which would come at a time where she
6 wasn't getting her contract renewed, so she organises an event with [REDACTED] ... with
7 [REDACTED] without telling any of us.

8 **RE:** Are you party to this?

9 **NM:** What's that? What is it? I went to the event, yes.

10 **RE:** I'm sorry?

11 **NM:** I went to the event.

12 **RE:** No, to the emails I'm thinking.

13 **NM:** No. Well, that's another—

14 **RE:** So it illustrates tension between—

15 **NM:** Myself and [REDACTED] at that time.

16 **RE:** "Me and [REDACTED]"?

17 **NM:** Yes. I wasn't even on the email so, yes, there we go.

18 **RE:** I may be missing something here again, but I can't see that this illustrates
19 tension between you and her.

20 **NM:** The political reality is that, erm, [REDACTED] told me she wouldn't step foot in my
21 constituency to support me.

22 **RE:** Well, that's different.

23 **NM:** No, it isn't because [REDACTED] was aware of that.

1 **RE:** No, but you—

2 **NM:** So all I'm saying is the context of this is I get told ██████'s coming to a meeting,
3 "Oh God, right, okay, great," plus I know nothing about it and I'm not included,
4 erm, at around the time not long after ██████ realised that she's not being
5 reemployed and, erm, doesn't really consult with any of us and just goes off and
6 organises an event with ██████, and that may not signify much to you, but it did
7 to me at the time. Erm, C6 is, erm, ██████ [inaudible 02:52:59], erm, "Hi
8 both," this is ██████ to ██████, "I could probably come in on Tuesday
9 morning to pick them up." So the drop off point was supposedly my office, but
10 here he's saying, "Who is the contact person responsible to arrange this work in
11 TG, in Tŷ Gwynfor, ██████? ██████," erm, and he says, "I can't make it at
12 Tŷ Gwynfor due to working hours. Can you, ██████? ██████." So in
13 November, where those guys are going is actually Tŷ Gwynfor, not my office, so
14 I think there's evidence that my office at that point—

15 **RE:** Your office is what?

16 **NM:** My office isn't the centre because if it were the centre... My office is 50 metres
17 from Riverside. These are Riverside candidates and they're arranging to go to
18 Tŷ Gwynfor to do election stuff, so if as the evidence suggested that my office in
19 November was the centre, why didn't they come to my office? That's my point.
20 They've gone through the central office.

21 **RE:** Do you know what for?

22 **NM:** I can't remember, I'm not clear.

23 **MD:** It says on here, "The surveys," so weren't they the surveys that we handed out
24 that had to be directed back to Tŷ Gwynfor because that's where the freepost
25 address went to?

26 **NM:** I've no idea. All I'm saying is ██████ lives—

27 **MD:** Yes, Facebook then.

1 **NM:** [REDACTED] lives just a few streets away from my office, yet instead of coming to
2 my office for a meeting, they were going to the party HQ.

3 **RE:** Well, you don't know what for.

4 **NM:** "Pick them up," so it's some kind of material to be picked up from the Central
5 office [inaudible 02:55:03]. Nobody in this room can tell you what they were
6 because it was three years ago, two and a half years ago, and it was material
7 for Riverside so I've no idea what it was, but the point is it wasn't in my office.
8 They didn't collect it from my office. Whatever it was, was in the party HQ.

9 **MD:** So the subject of the email is, "Surveys." In the first bullet it talks about—

10 **NM:** Sir Roderick, my—

11 **RE:** Well, hang on though. I've asked a... I just wanted to get information.

12 **NM:** I'm getting a bit fed up of Michael's interventions because he—

13 **RE:** Well, I'm not.

14 **NM:** Well, I know you're not but I am. He can question me later. All right?

15 **RE:** You've both been interrupting each other. All I want is information. Now, what I
16 don't understand at the moment is what I'm supposed to get from this paper.

17 **NM:** Well, with the greatest of respect, what you're supposed to get is that two
18 Riverside candidates... three Riverside candidates in fact, who live streets away
19 from my office, are going to the party HQ, which is in the Bay, which is two bus
20 rides away, to pick up material and do whatever else because, "Who is contact
21 person responsible to arrange this in Tŷ Gwynfor?"—

22 **RE:** Okay, if that's the point you want to make in it.

23 **NM:** —and they're saying, "Well, we can't make it at Tŷ Gwynfor," blah, blah, blah,
24 because if as alleged, if the campaign HQ was my Assembly office, they'd be
25 coming to my office.

1 **RE:** Well, no, they wouldn't necessarily. If you say to me, "They are picking up
2 the"—

3 **NM:** What am I accused of then?

4 **RE:** Just a minute. If you were saying to me, "They're picking up the very leaflets
5 that Michael Deem said were being printed in my office," then I can understand
6 that. What I have difficulty in doing is making the link between the going to Tŷ
7 Gwynfor, for a purpose which you don't know what it was.

8 **NM:** To pick material up, to pick some material up.

9 **RE:** What material?

10 **NM:** Well, given they were Riverside candidates, it would have been Riverside
11 material. I couldn't tell you what material, but the allegation from Michael and
12 [REDACTED] and [REDACTED] is that it was my office material, all this. That's the point I'm
13 making. On this occasion, there's no evidence other than them saying, "On this
14 occasion, there's evidence that it's the headquarters in Tŷ Gwynfor." T7 deals
15 with Grangetown. It's the very next one, the 16th of October 2016. Erm, the
16 candidate is very definitely being run by [inaudible 02:57:41], "Hi all, DMs,
17 volunteers, delivery," blah, blah, blah, blah, blah, blah. Erm, I had volunteered
18 to do one polling area, OB, and I still haven't done it so I'm being, erm, held to
19 account there in front of everyone, but the point I'm making is it's not me running
20 the campaign. It's people in Grangetown running a Grangetown campaign.
21 That's the point that I would hope people could deduce from that.

22 **RE:** Let me just read it. What is, "With regards to PV knocker if we've completed
23 OA, OC, OH"? What does that mean?

24 **NM:** When we post a vote mock up, we've completed those areas. They're polling
25 districts of the areas of Grangetown. They're a number of streets, erm, and the
26 polling districts will be 1A to... It looks like OA to 1OH, so they're whatever
27 number of streets grouped together, and then I'm being told off there because I
28 haven't done that. Erm, this is September, erm, as we said, Treeware can have
29 political purposes, clearly. So you've got, erm, [REDACTED] emailing [REDACTED]

1 because they want training for the political side of Treeware. [REDACTED]'s emailed
2 him back, "Hi, [REDACTED], [REDACTED] in Tŷ Gwynfor handles Treeware training," and
3 he's copied in it. So again [inaudible 02:59:54] approached to do stuff and
4 offload and say, "Well, actually go to HQ, it's not us."

5 Erm, C9, erm, they go back to [REDACTED], [REDACTED], and she'll say they were the
6 candidates for Riverside, erm, because on the 21st of September 2016, "Hi all,
7 firstly, thanks to Neil for coming over to [REDACTED]'s tonight for a chat with the
8 three of us, really useful and insightful and gives us some good groundwork to
9 go on for the first few weeks of the campaign. Here's a collection of many
10 points we discussed," blah, blah, blah. What we discussed is irrelevant, it was
11 basically the campaign outline, erm, but the point I'm making from this email is
12 that there's a political meeting, about the campaign, and I've walked just a few...
13 well, eight or nine minutes, probably, from my office to go to the person's house
14 and have a meeting about the Riverside campaign. So if the mecca of the
15 election were through 321 Cowbridge Road East, at this stage, then those
16 people would have come to my office, so it's evidence of again the gravity point
17 of being someone in Riverside and not my office, because [REDACTED] used to...
18 well, is used as a focal point in Riverside to leave and collect materials from her
19 house.

20 **RE:** So what you're saying is if your campaign office... sorry, if your Assembly office
21 were the campaign mecca, as you put it, it would have been held there, not in
22 [REDACTED]'s?

23 **NM:** Yes. C11, are we on C11?

24 **RE:** Yes.

25 **NM:** Yes. Erm, again, this is Grangetown where... I guess I misunderstood. Most of
26 the printing or a lot of the printing was supposed to be done from my office, my
27 office was central, blah, blah, blah. Actually, no, because you've got... I clearly
28 helped a lot in terms of volunteering. I wasn't too diligent with OB, as mentioned
29 earlier, but this is [REDACTED], "Met with [REDACTED] today to have a chat about strategy
30 for fighting the by-election. Central office are clearly committed to provide as
31 much support as necessary, and the seat is definitely winnable. We've looked

1 at Treeware, we've identified 4,000 electors we need to talk to. [REDACTED] has
2 agreed to provide a report for us to help..."

3 "[REDACTED] has agreed to provide a report for us to help develop and refine our
4 strategy before the election. I would suspect an election between the 8th and
5 17th of November. Erm, with regards to the leaflet, again, I just think we need to
6 include a reply slip. Erm, can you look at putting one in somewhere? Any
7 thoughts? We also discussed drafting a direct mailshot for our core Plaid
8 supporters, with key messages. Change Grangetown, needs registered postal
9 votes. Will get the initial draft translated."

10 **RE:** So the seat is Grangetown—

11 **NM:** Grangetown, yes.

12 **RE:** —and the by-election is the 3rd of November?

13 **NM:** Yes. Not once there am I mentioned, not once is my office mentioned, not a
14 single time. What is mentioned is the party headquarters. Erm, [REDACTED], "Hi,
15 I'm going to get a direct mail printed for Monday, going to need the printing
16 costs and the envelopes. Will check with [inaudible 03:04:17] and then get back
17 to you with price." It talks around... That's it, isn't it? Yes.

18 **RE:** So what does this one tell me?

19 **NM:** Well, again, it's, erm, Tŷ Gwynfor are doing the stuff. The stuff which was
20 alleged that I was doing is actually being done by party HQ. Erm, C13—

21 **RE:** So is this saying that the mailshot that [REDACTED] is going to get printed, for
22 Monday, would be printed in Tŷ Gwynfor?

23 **NM:** Yes, "Going to need the printing costs and the envelopes. Will check with Tŷ
24 Gwynfor if they can source them, and get back to you with a price." So [REDACTED]
25 is doing a bit of groundwork there to help out, erm, and this direct mail, the 3rd
26 of... This is the... This is [REDACTED], the candidate, saying, erm, that he's attached
27 the first direct mail. It's dated the 7th of October 2016.

1 **RE:** Hang on, let me just—

2 **NM:** Yes, that's the wording. So [REDACTED]'s doing his usual job here as a volunteer,
3 in drafting material. C14, you've got—

4 **RE:** Hang on. Why is he a volunteer?

5 **NM:** Sorry?

6 **RE:** Why is [REDACTED] being a volunteer here?

7 **NM:** Well, we all volunteer, don't we? It's 8.20 at night and he's emailing [REDACTED] from
8 his personal email about... Erm, no. Who sent that? That was [REDACTED]. [REDACTED]'s
9 emailed [REDACTED] and [REDACTED] does our leaflets in campaigns.

10 **MD:** At 4.53?

11 **RE:** Yes.

12 **NM:** Yes.

13 **RE:** So what do I get from this?

14 **NM:** [REDACTED] did the direct mail, in terms of drafting it, and [REDACTED] was happy. If you
15 go to C14, this is—

16 **RE:** No, hang on. I'm not sure I'm understanding this yet. This is [REDACTED],
17 nominally at least, in office hours.

18 **NM:** According to you, Sir Roderick. I thought we established—

19 **RE:** It's not according to me at all.

20 **NM:** Of course it's according to you. We [inaudible 03:07:22].

21 **RE:** Can I just speak to you, without you being aggressive and interrupting? This is
22 at a discontent 5.00 in an afternoon. I said nominally, in office hours, because
23 you and I have discussed and agreed several times during this period of
24 evidence gathering that the normal office hours would be something like 9.00 to

1 5.00, but you say and you've given evidence to show it that people were
2 working on Assembly matters outside normal office hours, and doing other work
3 on occasions within. Now, all I want... All I'm asking you is why you say he's
4 here as a volunteer? Where is there anything on this that indicates that to me?

5 **NM:** It's on his personal email.

6 **RE:** Right, fine.

7 **NM:** C14—

8 **RE:** You shouldn't assume because I ask you questions that they're antagonistic or
9 negative. All I want is information.

10 **NM:** I apologise. C14—

11 **RE:** Hang on, let me write it down.

12 **NM:** C14, [REDACTED], lunchtime, sending through the direct mail, which was alleged
13 that... because it was a direct mail, it was alleged at other hearings it was done
14 in our office on the Assembly printer, but here you have concrete evidence of
15 [REDACTED] sending an email with a direct mail through to the party headquarters.
16 It's received by [REDACTED].

17 **RE:** So this is [REDACTED]?

18 **NM:** [Inaudible 03:09:37] candidate. It's a direct mail, which it was alleged in other
19 hearings that... I've no idea why our printer was supposedly special, erm, but
20 the direct mails were supposedly done from our office on the Assembly printer
21 and here... There's no evidence of that, other than Michael saying so, but what
22 we have is an email from [REDACTED] to [REDACTED] during a lunch hour, with the
23 direct mail. "60k," refers to the size of the file.

24 **RE:** So he's sending direct mail to get printed in Tŷ Gwynfor?

25 **NM:** Yes. C15 is an example of a direct mail.

26 **RE:** Is what, an example of direct mail?

1 **NM:** Yes, it's an example of the direct mail. It's a copy and it clearly states where it
2 was printed. C18, Grangetown by-election. He said, "For regards Grangetown,"
3 and tells them where to meet in Grangetown, gives a contact person. Nowhere
4 does it mention my office, nowhere does it mention me.

5 **RE:** Where is [inaudible 03:12:35] by-election, so second—

6 **NM:** Right, okay, yes, because we know [inaudible 03:12:46]. There must have been
7 two.

8 **RE:** Do you know where it is? It's not in Cardiff, is it?

9 **NM:** No.

10 **RE:** No.

11 **NM:** Right, [redacted] is the contact for that one. It must have been in [inaudible 03:12:58].

12 **RE:** Yes. So these sessions are what?

13 **NM:** Counselling sessions.

14 **RE:** So are these places to meet?

15 **NM:** Yes, [inaudible 03:12:58], sorry, yes.

16 **RE:** So they're meeting places for canvassing groups?

17 **NM:** Yes, Grangetown. The contact is [inaudible 03:13:15] so none of us are
18 contacts. My office isn't mentioned.

19 **RE:** Sorry?

20 **NM:** None of us are contacts and me or my office isn't mentioned. C19, these are
21 the newspapers which ended up in my office on 321 Cowbridge Road East in
22 January. They're the ones that I said I wanted shifted by the next day, as in,
23 "Get them out the office." Erm, 60,000 on an eight page newspaper. These are
24 political so we were ordering there from the printers 60,000 bits of material.

1 **RE:** So what does this tell me?

2 **NM:** They're not printed in my office.

3 **RE:** Sorry?

4 **NM:** They're not printed in my office. They're printed... If you turn over the page at
5 C20, they're printed by Trinity Mirror.

6 **MD:** Yes, but I have never disputed it was a newspaper printing company that printed
7 these.

8 **NM:** 60,000 copies.

9 **RE:** Are these the papers that were said to have been left in the office?

10 **NM:** Yes. The point I'm also making here is that [REDACTED] said that, in the small
11 time window that she claimed to be working in the office, January to middle
12 March, she was printing. She said, "Doing lots of printing." My answer to that
13 would be that I find that awful strange when there were 60,000 newspapers to
14 do it, but why would we print more material when we've got 60,000 newspapers
15 to deliver?

16 **RE:** Okay. 21?

17 **NM:** I think that, erm, we'll leave that. I don't know whether I've submitted these
18 previously, but I wanted to submit them. [REDACTED] 1, which is [REDACTED] on the 8th of
19 February liaising with journalists to—

20 **RE:** Hang on. Out of that bundle you gave me—

21 **NM:** Yes, leave the rest. It's not really that prevalent.

22 **RE:** Do you want me to read them in due course?

23 **NM:** Erm, to be honest—

24 **RE:** Or just abandon them?

1 **NM:** No, there's no need, really.

2 **RE:** Right, I'll abandon them then, if you're happy?

3 **NM:** Yes.

4 **RE:** Have you seen them? Do you want to look at them?

5 **MD:** I'll go through them at home. If there's anything I want to raise, I'll bring it back
6 but—

7 **RE:** Well, I'll put a line through them and then if you want to—

8 **NM:** I'll tell you what, I won't submit these because I don't think they're relevant, to be
9 honest, so I'd like them back off Michael.

10 **RE:** Well, that's not really possible.

11 **NM:** Okay, fine. There's nothing there. It's—

12 **RE:** I've no idea what's in them.

13 **NM:** It was just travel to London.

14 **RE:** Well, I'm going to put them just to one side there—

15 **NM:** Yes, fine.

16 **RE:** —with the rest and if anyone wants to look at them and use them, they can. If
17 not, when I review the evidence, ultimately I'll just throw them away.

18 **NM:** Yes, fine. This is [REDACTED] 1, this applies to... I don't think I did submit this actually.
19 It's [REDACTED] organising PR. This could be one of the grey areas you spoke of.
20 Yes, here she was the LDP, erm, and [REDACTED] is organising press with the
21 LDP. Erm, I know she said she got [REDACTED]'s number, but she asked him if
22 he could come in next week and if you recall, [REDACTED] was the person who
23 said he didn't want to do anything political, so what he did with us was not
24 political in nature. So I'm just flagging up so that is, in effect, [REDACTED]
25 volunteering to help do work for me, really, as an Assembly Member.

1 **RE:** Let me unpick that. She's organising interviews and meetings?

2 **NM:** Yes.

3 **RE:** She is a Plaid Cymru employee, political employee?

4 **NM:** Yes.

5 **RE:** But she's volunteering, in a way anyway, by asking if people want to speak
6 directly to you?

7 **NM:** Yes. [REDACTED], I think it was recognised previously that he wasn't at political
8 meetings. He wouldn't do that, party political. Political meetings are the issue
9 because it's a policy, it's a really bad policy which needs changing, so I'm
10 flagging up there reasons, well, and things that [REDACTED] would have done for
11 me as an Assembly Member.

12 **RE:** But that wouldn't be her job?

13 **NM:** It would depend, wouldn't it, really?

14 **RE:** Sorry?

15 **NM:** It would depend.

16 **RE:** On what?

17 **NM:** Well, she also did voluntary work for us in the office, didn't she?

18 **RE:** I thought she was employed by Plaid Cymru at a particular appointment?

19 **NM:** Yes, she was, yes, but what I'm saying here, she also helped me out as an
20 Assembly Member, which she denied, but there's an example of it there. AL2 is
21 [REDACTED] again, it's Treeware. Again, erm, they're trying to load... This would
22 have been the political... probably the political aspect of Treeware, possibly, but
23 I don't recall, to be honest, but I think that is... Yes, it was. Yes, she was
24 canvassing there. She's canvassing my area at that address erm, and [REDACTED]
25 says there quite clearly on the 2nd of February, "Can you refer matters like that

1 to [REDACTED] from now on, please? I can't login to Treeware by any Assembly.
2 It always looks better to send it to the organiser," so he's telling the candidate...
3 He's busy working with me, basically, in Assembly or he doesn't want to be
4 bothered being pestered about Treeware, when it this is a political enquiry. So
5 he's saying, point-blank, he's in the Assembly, he can't login onto Treeware. He
6 physically couldn't.

7 **RE:** So it's [REDACTED] playing by the rules, you say?

8 **NM:** Yes. I think he's just got too much to do. It's an Assembly day... were, erm,
9 extremely intense days. This day there may have been something pressing
10 going on. He shouldn't be emailed about this kind of stuff. That's not his job.
11 His job is to look in, in the Assembly. These are the things sent out. This was a
12 message sent out on NationBuilder, sent out on the 26th of January 2017 at
13 11.50, sent out by [REDACTED]. This one is to [REDACTED]. Erm, I couldn't tell you
14 when the [inaudible 03:21:46] is sent out, really... Well, I couldn't tell you when
15 it was inputted. It would have been a planned email sent out, but the date is the
16 20th of January. Erm, it's encouraging people to... [REDACTED] 4, encourage people to
17 get involved. Erm, [REDACTED] 5, Canton canvassing. Erm, this is [REDACTED] as the
18 organiser.

19 **RE:** What do I get from three and four?

20 **NM:** Three and four, it's the proceeding email of... It was a long email so three and
21 four are just... These are [REDACTED] 3, 4, 5. [REDACTED] 3, 4, 5 is the same email.

22 **RE:** I see.

23 **NM:** It's just long. So the relevant part really is [REDACTED] 5. This is [REDACTED]. "Dear
24 members, I'm [REDACTED] I hope you all enjoyed your
25 holidays," blah, blah, blah, blah, blah, blah. "The meeting to canvas, the
26 meeting time is 10.30am outside the Peacocks shop on Cowbridge Road East."
27 It's not 321 Cowbridge Road East, it's the other side of the road and it's
28 Peacocks, so that's the meeting point.

29 **RE:** Canvassers to meet outside Peacocks. You say not in your office?

1 **NM:** No. ■6, the 6th of January. This is another letter really about the newspapers
2 to print. [Inaudible 03:23:42] here, to be honest but, erm, “Our next task is to
3 distribute the Plaid newspaper across the city,” so it’s not—

4 **RE:** Now, are these the 60,000?

5 **NM:** Yes. So when ■ was sat in here, she was saying that her task was
6 doing lots of printing in the office. Actually, the 6th of January she’s saying, ‘■
7 ■ The task is to get this newspaper out across the city.” In an
8 earlier hearing, I can’t remember which one it was, we were told that by March
9 we still hadn’t delivered all of the newspapers, so what I’m saying is that it’s
10 inconceivable she would have been printing a whole load of things then, when
11 we still had the newspapers. Erm, I think ■7 is just the bottom of an email, just
12 to... So it’s historical and it dates back to 2013, and that person... That could
13 be a point, yes. That person no longer works in the Assembly, but was using,
14 erm, an Assembly email for organising canvassing.

15 A small point, but ■8 is the... erm, a load of CVs for the organiser, erm, none
16 of the people copied in including, erm, [inaudible 03:25:40] who was the... was
17 working for [inaudible 03:25:42] at the time, so it was... There were a wide
18 range of people invited, erm, to look at those CVs, not just me.

19 **RE:** You said before lunch that we were going to go onto D1.

20 **NM:** Yes, and invoices, yes, but I just want to go through the... Let’s see what things
21 have I got through. There’s ■, there’s ■... well, ■1 and there’s the,
22 erm, invoices and that’s it. I’m done. What sort of time is it now?

23 ■: It’s 3.30 you need to go [inaudible 03:26:25].

24 **NM:** Right, [inaudible 03:26:28].

25 **RE:** ■?

26 **NM:** Yes. Can I just pop to the loo a second?

27 **RE:** Yes, of course.

1 ■: Yes, I'll just take a seat.

2 NM: Have you used the toilet, Michael?

3 MD: Yes. There are two.

4 ■: There are two.

5 NM: I'll wait. [Inaudible 03:27:04].

6 ■: [Inaudible 03:27:08].

7 NM: [Inaudible 03:27:14].

8 ■: Yes, [inaudible 03:27:19].

9 NM: No. Erm, 4.30, if she wants.

10 ■: It's he wants, isn't it?

11 NM: Is it? I've got the wrong person then. Another one is on the Twitter [inaudible
12 03:27:31].

13 ■: Well, you forwarded it to this one.

14 NM: It's the DM on Twitter. [Inaudible 03:27:37]. It's definitely a girl, [inaudible
15 03:27:38]—

16 ■: Well, okay.

17 NM: —because I promised to do it for her yesterday. I just wasn't able to.

18 ■: Yes. I think [inaudible 03:27:58].

19 NM: No, so I won't be able to go. It'll fit in the ten minutes.

20 ■: [Inaudible 03:28:17].

21 NM: Yes, [inaudible 03:28:24].

22 RE: Which one first? ■ documents?

1 **NM:** Yes, we'll go through those, yes.

2 **MD:** It's all right, but that glass is about to tip over. It's on the corner.

3 **RE:** Sorry. Thank you very much.

4 **MD:** I could just see it going.

5 **NM:** Please excuse me, but I've put them back in the wrong place, which is really
6 annoying. Erm, [REDACTED] 3, erm, that's of much relevance there. It's just a letter
7 which was sent about the school. No, forget that. It doesn't matter. [REDACTED] 4, this
8 is the LDP... Do you know what, Sir Roderick, I'm looking at... erm, taking a
9 second look at this, it's not so—

10 **RE:** Well, it shows out of hours, doesn't it?

11 **NM:** Yes, erm, erm, just it was... That was what, yes, but then I think [inaudible
12 03:33:56] I've lost it. Erm, yes, just it's more out of hours, erm.

13 **RE:** What number are you on?

14 **NM:** Just [REDACTED] 10, which is not that relevant. Just it was the point I was making
15 before about, erm, when I'm working late at a public meeting, then one staff
16 member would have to be with me. There must have been a particular meeting
17 last night... that night and there was a... obviously, getting a taxi back to where
18 we were going. I think it was the train station because [REDACTED] had to get a train
19 and there was a conversation, with the taxi driver, about, erm, parking,
20 accidents, speed bumps, kids, mundane and I didn't like [inaudible 03:34:50],
21 just mundane stuff, which is actually, erm, very much my job I would say,
22 community orientated. So the point I'm making, we've had a public meeting,
23 we're getting a taxi home and on the basis of me discussing this stuff with the
24 taxi driver, [REDACTED]'s made notes about these things that need chasing up, and
25 she emailed it through to me the following day. That's all. I suppose really, the
26 conclusion there would be never off duty, I suppose. Erm, did I copy office for
27 you or not?

28 **RE:** Which was that?

1 **NM:** Office. There's an office one there next to three—

2 **RE:** Hang on, let me just make a note of this one.

3 **NM:** —after [REDACTED] 12.

4 **RE:** Right. [REDACTED] 11? Is that the one?

5 **NM:** Erm, after [REDACTED] 12. I'm not sure I copied, erm, office one. Can I just read it out
6 and, erm, maybe provide the next time because it's just... It's an email from
7 [REDACTED]. There was an email from [REDACTED] to me, erm, having a go
8 basically about, erm, me not having done enough and she refers as, "Spilt milk,
9 no point in talking about spilt milk now," erm, so on the 30th of November... No,
10 on Thursday, the 1st of June 2017, at 10.36, I've responded to [REDACTED], "It's not spilt
11 milk. There are basics to do, i.e. print leaflets, [inaudible 03:36:37] as soon as
12 possible." Erm, "I understand my input has been questioned," this is the
13 campaign. "To be clear, we have made serious adjustments office wise, in
14 order to allow Mike to be a full time candidate. This has involved me and others
15 putting a lot of work in to cover. We're happy to do so." So far from us all
16 behaving politically, we're doing our jobs and we're doing his job, to enable him
17 to pursue his dream of being a politician at that particular time. I'll copy that.

18 **RE:** Fine.

19 **NM:** Erm, invoices.

20 [REDACTED]: [Inaudible 03:38:25].

21 **NM:** [Inaudible 03:38:27]. That's not it. I think I've picked up... Some of it is the
22 wrong sheets. Sorry, [inaudible 03:39:21].

23 [REDACTED]: This is why [inaudible 03:39:28].

24 **NM:** What's that?

25 [REDACTED]: This is why you need a paperless system.

1 **NM:** Yes. This is why we need a paperless system, Sir Roderick. I think I'm there
2 now, [inaudible 03:39:46]. First, these are... This is new evidence. What we
3 have in front of us here are all the bills paid by the Assembly.

4 **RE:** Paid by whom?

5 **NM:** The Assembly to Clarity.

6 **RE:** Hang on, let me make a note of that. So these are the Clarity invoices?

7 **NM:** Yes. Can I... I'm trying to clarify the nature of the [inaudible 03:40:41].

8 **RE:** So this is a schedule?

9 **NM:** Yes. So those are all the bills paid by the Assembly.

10 **RE:** Hang on. Of all the bills—

11 **NM:** Paid for by the [inaudible 03:41:16].

12 **RE:** Paid for by?

13 **NM:** The Assembly to Clarity over the time period indicated on the sheet.

14 **RE:** Hang on, just one minute.

15 **NM:** So allegation three is, "You charged the cost of printing party political material
16 on the Assembly funded photocopier to your office costs allowance." That's the
17 allegation. The office... The allegation seemed to change as well. Can we
18 clarify from Michael what it is?

19 **RE:** No. You just tell me what your view is of these?

20 **NM:** Well, at the beginning, Sir Roderick, it was this. I charged the costs of printing
21 party political material on the Assembly funded copier to your office costs
22 allowance, because some 200,000 one sided copies were mentioned in August
23 2016. That preposterous suggestion was made and it is preposterous that
24 between me becoming an Assembly Member and getting a printer, I'd somehow
25 used 200,000 sheets. Erm, that was the original allegation. As we went

1 through different hearings, then the allegation changed to, “Well, actually, no,
2 you didn’t bill the...” Unless I’m wrong, “You didn’t bill the Assembly for those
3 leaflets, but you did use the printer, which the Assembly was paying the lease
4 for,” so [inaudible 03:43:33] it says, “You charged the costs of party printing
5 material to the only Assembly funded photocopier.”

6 **MD:** Yes, I stick with that.

7 **NM:** Yes, okay, so prints.

8 **RE:** Well, it’s both. No, you can’t differentiate one from the other, can you?

9 **NM:** In what sense?

10 **RE:** Well, if you were using... If you are wrongly using the Assembly printer to print
11 things you shouldn’t be printing, and charging that to the Assembly, the
12 Assembly is paying for the costs of the printing and also paying for the costs of
13 the rental during the time that you’re doing the wrong printing.

14 **NM:** So what’s the allegation then, because it seems to have changed? Am I
15 charged with billing them for printing and also billing them for the hire of the
16 machine?

17 **MD:** Both. Over the course of the period—

18 **NM:** Fine, that’s great. Okay, fine, but over... fine.

19 **RE:** Well, one goes with the other, doesn’t it?

20 **NM:** I’m not sure.

21 **MD:** No. So during one period, the only bill that they were paid was the cost of the
22 rental, because they refused to pay the costs because they had the invoices. It
23 was too high, but they still paid the rental during that period. Then in December
24 they pay an invoice that has got both illegitimate printing and rental costs
25 included within in, and that’s the same for January, February, March and April
26 where you’ve got the two.

1 **NM:** And it stops when you became a candidate for the Westminster elections. You
2 did—

3 **MD:** No, we didn't explore that but I don't think you actually—

4 **NM:** Okay. Well, you have—

5 **MD:** No, I don't think you submitted any bills after April. I think as soon as the
6 council elections came, you didn't submit any further bills, I think.

7 **NM:** I've checked with the Assembly Commission about this, Sir Roderick. I've
8 checked with the Assembly Commission about, erm, this. Did I... I'm still
9 unsure whether I signed for it, the so called return you put in... When was it?

10 **MD:** You signed all the returns.

11 **NM:** So when was—

12 **MD:** I couldn't sign them on your behalf.

13 **NM:** Erm, erm, through you, Sir Roderick, can you clarify when—

14 **RE:** I have no objection, you see, to you asking Mr Deem questions.

15 **NM:** Yes, because I—

16 **RE:** Hang on. But when I ask you questions, you object. When he asks you
17 questions or asks me questions, you object.

18 **NM:** Okay. This point is important so I'll direct it through you. I'm trying to ascertain
19 because I've been... I've taken this up with the most senior level of the
20 Assembly Commission that deals with this kind of stuff, and I've been chasing
21 this document, which Michael claims I signed in... When was it? When I...
22 When did the—

23 **MD:** What document are you talking about?

24 **NM:** You said there's a return which was refused. The bill which was refused.

1 **MD:** Off the top of my head, maybe around September/October time.

2 **NM:** September/October, okay. I thought I remember one day, and this may be
3 wrong, there was a submission and I put the bill in August.

4 **MD:** I mean it's a month away. It's in that sort of period, off the top of my head. I
5 could track it down once I went through the emails.

6 **NM:** Okay. I've checked with the Assembly Commissioner, Sir Roderick, they don't
7 have a single document with my signature on asking for payment.

8 **RE:** Well, what I looked at here, from the documents that were produced earlier,
9 there's an invoice dated the 31st of August 2016, for a sum just over £1,000.
10 That was refused by the Assembly.

11 **NM:** On... Who said it was refused?

12 **MD:** There's an email that's got—

13 **RE:** [Inaudible 03:47:21], wasn't it?

14 **MD:** Yes, there's an email there from [REDACTED] saying, "We couldn't process that."

15 **NM:** There's nothing with my signature on.

16 **RE:** It doesn't matter about signatures at the moment. You say you've got all the
17 documents. This is one of the few areas where there are documents that we
18 can look at, and it would be very helpful if you went through them and told me
19 what your view on them is.

20 **NM:** You can't really say that signatures don't matter.

21 **RE:** I'm not saying they don't matter.

22 **NM:** What I'm asking for, in that case, because I have no recollection of signing
23 anything that Mr Deem has alleged, so I'm asking where is the document that
24 I've signed off? Where is the evidence that this... that I'd signed that off?

25 **RE:** I'd have to go back through my notes to identify that.

1 **NM:** There is no evidence.

2 **RE:** Well, tell me then.

3 **NM:** There is no evidence.

4 **RE:** All right. Well, if that's your evidence, that's fine because all I want is what you
5 say about it.

6 **NM:** There's nothing in the file. There is no evidence. I've checked with the
7 Commission, there's nothing with my signature on, nothing. If we look at C...
8 Let's go to the disputed bill, to the invoice.

9 **RE:** Now, which of these invoices are you [inaudible 03:48:44]?

10 **NM:** I'll go to the Clarity invoice. It's on... It's 2A in the evidence submitted by
11 Michael. It's the invoice dated the 31st of the eighth 2016, and it outlines
12 228,000 copies, which would have been 114,000 leaflets, so if I can briefly—

13 **RE:** You see, you say there's not a document relating to this with your signature on, I
14 opened the file and the first thing I come across is a document with your
15 signature on.

16 **NM:** Yes. Which one is that?

17 **RE:** Well, I hesitate to take it out because I won't get it out again, but you can look at
18 it.

19 **NM:** Yes, that's £480.

20 **RE:** That I'm looking at.

21 **NM:** Yes, that's my signature, yes, but nothing... That's 2017. There's nothing with
22 my signature on in August or September 2016 that devoted 200,000 copies,
23 nothing. Those bills were paid in 2017. What I wanted to do first was the,
24 again, preposterous allegation.

25 **RE:** I don't want to interrupt you, but hyperbolic—

1 **NM:** It's not hyperbolic, Sir Roderick.

2 **RE:** If you just give me the facts, I can come to the conclusion whether it's
3 preposterous or not. Telling me it's preposterous doesn't assist my—

4 **NM:** Okay. At some point, we've earlier been through the number of copies done by
5 [REDACTED], 9,000 here, 8,000 there. [REDACTED]'s wrote to him, emailed,
6 and asked for 38,500 copies of a particular document. [REDACTED] has
7 referred to the millions that [REDACTED] wanted doing for Cardiff West and yet
8 somehow, in that same period, it's being alleged that on a printer, which does
9 six leaflets a minute, there's an extra 114,000 leaflets. I'll explain that now
10 because if you look at the detailed explanation in exhibit 2A, and you look at the
11 meter copy charge—

12 **RE:** Just a minute, 2A, right.

13 **NM:** —on this particular bill, which is this one here, which is the one for over £1,000,
14 which is a Clarity bill, I haven't seen an Assembly bill for it. I haven't seen an
15 Assembly application for it. I've only seen this Clarity bill and it says, on this
16 particular bill, the meter copy charge is estimated. You need to flip over the
17 page, Sir Roderick, to 2A, to the explanation.

18 **RE:** What are you pointing me towards now?

19 **NM:** If you flick the page and go to 2A.

20 **RE:** I've got 2A here.

21 **NM:** The detailed explanation at 2A. Exhibit 2A is an example of a typical invoice
22 from Clarity Copiers. "The company NM uses to contract both his Assembly
23 and candidate printer." It was generated on the 31st of August 2016.

24 **RE:** Hang on, I still haven't found where you are, I'm afraid.

25 **NM:** The first paragraph.

26 **RE:** I'm being rather slow.

1 **MD:** I believe you haven't got it there. Do you want to take mine for now?

2 **NM:** [REDACTED], this is crucial. Can you copy this, please? Sir Roderick has got it now.

3 **RE:** Now, why haven't I got that then?

4 **NM:** It's one of the most important documents in there.

5 **RE:** Well, I should have it in here.

6 **[REDACTED]:** You should have the 31st bill, the 31st of August bill, but whose is this
7 explanation?

8 **NM:** Michael's.

9 **MD:** That's the one I've just taken out of my file.

10 **RE:** Yes, and this is the one that I've just been given, but it may be I need it from
11 here until they find it. Is it possible to copy?

12 **[REDACTED]:** Yes. I'll just nip over to the [inaudible 03:54:25] and go over there.

13 **RE:** Do you mind?

14 **[REDACTED]:** No, no problem.

15 **RE:** Hang on, we can do it when we rise.

16 **MD:** You can take that. That's on my computer. I can print another copy when I get
17 home.

18 **RE:** Are you sure?

19 **MD:** Yes, it's fine. Yes, just pop that straight in your file. I've put a note to redo it.

20 **RE:** I probably take it out when I do [inaudible 03:54:50] on these things?

21 **[REDACTED]:** [Inaudible 03:55:03].

22 **RE:** Right, okay.

1 **NM:** Okay. So I've seen nothing... In the whole file, I've seen nothing from the
2 Commission with my signature on. I've asked the Commission for a copy of
3 anything with my signature on relating to this invoice, and there is nothing.
4 There is nothing.

5 **RE:** Now, just a pause a moment. I've lost my biro now.

6 **NM:** Okay, it shouldn't take too long, erm.

7 **RE:** Right. So we're looking at invoice number what?

8 **NM:** 2A, exhibit 2A. It's the bill for Clarity. I'm saying that I've seen nothing from the
9 Assembly with my signature on asking for payment of this. I've chased officials
10 and they say there is nothing. So in Michael's own explanation, 2A is an
11 example of a typical invoice for Clarity Copiers. The second paragraph... If you
12 go to the third paragraph, "Meter copy charge," on this particular bill the meter
13 copy charge is estimated. This is showing what they used column, which is a
14 reading of 10,000 black and white copies and zero colour copies. It's common
15 that the admin team at Clarity, for whatever reason, were not able to take a
16 meter reading, so it's an estimated bill. What was really fantastic with Clarity is
17 that they provide... and this is the reason why when there was a dispute about
18 the other printer.

19 I personally paid £3,000, £2,000, I can't remember what it was, I paid a lot of
20 money to clear the bill, A, for my reputation but, B, because they were so good
21 to us. What they did in mid-2015 I think it was, early 2016, they provided us
22 with a printer which then became the Assembly printer, and not ideal, because it
23 was very slow, but we were then able to at least begin to make some copies
24 that we needed ourselves. The fantastic thing about them was that they didn't
25 require upfront payment. They said, "Here's your print, Neil. We like what you
26 do, we want to help you out, go and do stuff." There are times where we have
27 to pay bills so, for example, in the election period, so everything in the election
28 period, I've checked this with [REDACTED], when we election period began,
29 which would have been late March, early April, I forget...

1 There's a time period. Everything during that time was logged, accounted for
2 and paid, but what there was, was an overspill from the early printing, which
3 were the bills which we hadn't paid. So the agreement was that we would then
4 cover the bills, given more time, and pay them off. What this bill noted,
5 "Estimate," reflects I would say would be the heavy use before the election
6 because having provided... Maybe [inaudible 03:58:59], I don't know, but having
7 provided the invoices for the prints, some 10,000, 9,000, 5,000, 3,000, having
8 provided the invoices for Cardiff West in August 2016, 38,500 leaflets, we
9 discussed with [REDACTED] the difficulty in getting things delivered, because
10 we've looked at our army of volunteers, which deliver a huge amount of leaflets,
11 erm, during the election campaign, especially the final few days, everybody is
12 motivated and people turn up for a day.

13 You can get rid of things then but, as a general rule, it's very difficult to get rid of
14 leaflets, so if we've produced 38,500 in August, I just think it's common sense
15 that we wouldn't be able to print more and get them delivered. I mean it's basic
16 common sense. So there's 110,000 copies here, which is an estimate, so
17 therefore, there weren't 110,000 copies in reality at this particular time, but the
18 high level probably would have... It being an estimate probably would have
19 reflected the high use of the printer during an election period.

20 **MD:** And that's accounted for in your electoral returns, Neil.

21 **NM:** Sorry?

22 **MD:** That's in your electoral return, is it?

23 **NM:** Well, I've checked with [REDACTED] and, as I said, during an election period we
24 have to be very particular about everything which is used and everything which
25 is accounted for, and everything which is paid, so [REDACTED] is meticulous and has
26 been meticulous in being my agent and getting things paid on time, but there
27 was overspill before the election, where a lot of debt has built up with Clarity.

28 **RE:** Let me just get that down. As you were saying, so this is an estimated bill?

29 **NM:** Yes. Well, it is estimated but—

1 **RE:** The—

2 **NM:** There are two things going on.

3 **RE:** The large number of copies estimated is explained by—

4 **NM:** Two things.

5 **RE:** —two things. One?

6 **NM:** The high use during an election period, and leading up to an election period.

7 **RE:** Hang on. The high use during—

8 **NM:** In this campaign and before the election period.

9 **RE:** —an election period and before the election period?

10 **NM:** Yes. Well, as soon as they gave us the printer, we used it, not ideal because it
11 was so slow but, erm—

12 **RE:** And the election period was when?

13 **NM:** Erm, 2016, I was working full time for a year before the election, so the election
14 period was as soon as we had the printer, which my memory escapes me. I
15 think it was late 2015, early 2016.

16 **RE:** I've got a date somewhere.

17 **NM:** That's the other thing, Sir Roderick. That was brought in the following year.

18 **MD:** We're in sort of unchartered territory here.

19 **NM:** Michael wasn't a part of our team at this time.

20 **█:** Do you want the letter so you could email?

21 **NM:** Yes, email it to me. I think you're thinking of the quick printer.

22 **RE:** Well, the election period is what?

1 **NM:** Well, April to May. That's the only official election period, but a lot of work is
2 done outside of those periods.

3 **RE:** So the election period is April and May 2016?

4 **NM:** Yes. The I would say formal election campaign leaflet.

5 **RE:** Right.

6 **NM:** But we were printing heavily from... well, as soon as we had a printer, really,
7 [inaudible 04:03:36] because I think when we had those... even late 2015 or
8 early 2016.

9 **RE:** This is the Assembly printer?

10 **NM:** Before it was an Assembly printer.

11 **RE:** So when did you become an Assembly Member?

12 **NM:** May 2016.

13 **█:** [Inaudible 04:04:08].

14 **NM:** [Inaudible 04:04:12].

15 **RE:** So the contract with these people, Clarity, started where? When did the
16 contract start with Clarity?

17 **NM:** Erm, which contract?

18 **RE:** Well, the one with... My recollection from the evidence now is that there was a
19 pre-existing contract with you, which was taken over by the Assembly, so that
20 the printer that was being used before you became a member—

21 **NM:** Became—

22 **RE:** —became the Assembly printer?

23 **NM:** Yes.

1 **RE:** So when did that contract start?

2 **NM:** May.

3 **RE:** No. Before you—

4 **NM:** The original contract. I think it was early 2016, late 2015 and the agreement
5 was for me to use the printer and build up just [inaudible 04:05:04] really.

6 **RE:** So in late 2015—

7 **NM:** I think it was early 2016, I think, probably not. I'm getting confused with dates.

8 **RE:** Early 2016, right.

9 **NM:** Erm, the other... In terms of an estimated high bill, the other issue would be the
10 heavy use during the election period, so if they're looking at, "What's the next
11 bill going to be?" well, A, we owe X amount anyway from January, February,
12 March and also in April/May, well, especially April, there's a turnover, a heavy
13 turn on the use of the machine, so that's why they would have estimated this
14 bill, but the bill provided by Michael is an estimate, as I've said... well, he said
15 actually, not me. He said it.

16 **RE:** So just to get the chronology of this right, you had a contract with Clarity, which
17 began, say, early 2016, possibly late 2015. You were elected a member in May
18 2016, therefore, you had built up or you used this machine over the April/May
19 period 2016—

20 **NM:** And before.

21 **RE:** —and before?

22 **NM:** Yes.

23 **RE:** Right, and you would have used, therefore, a lot of I suppose toner or whatever,
24 so whether the 228,000 is an accurate figure or not, it's based on their estimate
25 of what the toner would have been required to print?

1 **NM:** Yes, and it was based on the toner already used, and the estimate for what I
2 would have used in the months after the election.

3 **RE:** Well, this is—

4 **NM:** In August.

5 **RE:** —the end of August?

6 **NM:** Yes.

7 **RE:** So you'd been a member then, say, for two and a half months, three and a half
8 months?

9 **NM:** Yes, since May, yes, but what I'm saying is the bill is wrong. It's an estimate
10 and there's no documentation with a signature of mine in soliciting payment for
11 this. Ultimately, if you look at the papers further down, the Assembly did not pay
12 this bill.

13 **RE:** No, that's right and I think you're both agreed on that.

14 **MD:** Yes, definitely. Either of us would bring █████ here to clear this up because,
15 obviously, you've just given evidence that essentially you're going to throw █████
16 under the bus with the Electoral Commission, so I don't know if it's worth getting
17 him here to speak for himself, because you've just made up quite a wild
18 accusation.

19 **NM:** [Inaudible 04:08:29] I've had a conversation with █████ about this and █████, as I
20 said... and I refute in the most strongest possible terms the allegation that I've
21 thrown █████ under a bus. The legal obligation for us is to report expenses
22 during the election period. █████ has done that meticulously.

23 **MD:** But you've just said this bill contains printing that was done during purdah.

24 **NM:** No, I didn't.

25 **MD:** You did. You said, "In the election period." That's purdah, that's got to be
26 declared, so if this bill has got printing involved—

1 **NM:** [Inaudible 04:09:02].

2 **MD:** —then you have [inaudible 04:09:03].

3 **NM:** Let me clarify, you've misunderstood.

4 **MD:** Okay, sorry.

5 **NM:** The bill would have contained debt, which was built up in January, February,
6 March. They've then estimated on the basis of use, which was paid, but they've
7 estimated on the basis of use going forward from May to June. Basically,
8 [inaudible 04:09:32] April to May. Basically, the bill is wrong and it's an
9 estimate, so it has no validity in terms of evidence.

10 **RE:** So who paid it?

11 **NM:** No one did.

12 **MD:** Plaid Cymru paid this bill.

13 **NM:** Well, this is the point because this bill shouldn't have been paid. It was an
14 estimate. Well, to be honest, I didn't realise until I came into this hearing,
15 because I've delegated [inaudible 04:09:55] over there as office manager, more
16 than £30,000 a year.

17 **RE:** Yes, we've been round that bush.

18 **NM:** The duty... So despite this issue of what you can expect from employees, I'm
19 absolutely astonished, so what we... because the Assembly didn't pay a bill until
20 December.

21 **RE:** So who paid this then? You say, "Nobody"?

22 **NM:** Well, I'm... There's the man that paid for it, so you have to ask him.

23 **RE:** Well, I've got his evidence on it. What I want is your evidence.

24 **NM:** Well, if Michael says, "Plaid Cymru paid the bills," then Plaid Cymru subsidised
25 my Assembly office because what should have happened is there would have

1 been an account, for when I was elected, that account should have been
2 notified and then the bill should have been everything after that, but that clearly
3 didn't happen.

4 **MD:** Why do you say, "That clearly didn't happen"?

5 **NM:** Because there's an estimated bill.

6 **MD:** Yes. So why does that not include accounts being done from when you were
7 elected?

8 **NM:** We can come [inaudible 04:11:00]. The point of the matter, the allegation... the
9 substantive allegation from Michael falls apart because Plaid... Unbelievably,
10 Plaid Cymru have paid the bills of my office. They've subsidised my office. It's
11 incredible but anyway, I can't wait until I'm able to put this in writing to Plaid
12 Cymru and actually bloody well complain, because we spend a lot of time
13 fundraising and for my office to be subsidised by the party, it's incredible,
14 absolutely incredible.

15 **RE:** So let me just make a note of what you're saying about this bill. First of all,
16 exhibit 2A was not paid?

17 **NM:** Well, if Michael says it was paid, then... It certainly wasn't paid by the
18 Assembly, no.

19 **RE:** No, not paid by the Assembly. That's what I mean.

20 **NM:** I didn't sign for it either.

21 **RE:** Exhibit 2A was not paid by the Assembly. You say it should not have been paid
22 by anybody.

23 **NM:** It was an estimate. What should have happened, as—

24 **RE:** Hang on, let me just make a note of it first.

1 **NM:** It was an estimate. What should have happened, as I thought had happened,
2 as soon as I was elected, what should have happened is that accounts should
3 have been taken and an account should have started again.

4 **RE:** So a reading should have been taken on your election?

5 **NM:** Yes, and the counter should have started again. That would have been the
6 logical thing to do and it seems that it didn't happen, but I just... I cannot
7 understand... Until I'd scrutinised this documentation, I was absolutely
8 astonished to find out that Plaid Cymru paid by office bills. It's quite incredible.

9 **RE:** But you don't know they did it?

10 **NM:** Well, as far as I was concerned, there was no problem. I hadn't heard anything,
11 so if you pay somebody, as I said, £30,000, the office manager—

12 **RE:** But have you asked [REDACTED], for example?

13 **NM:** [REDACTED] isn't [inaudible 04:13:30], [REDACTED]... Bills were paid to Clarity, but whether or
14 not they were these bills, I couldn't tell you.

15 **RE:** But you haven't asked him?

16 **NM:** They paid... I've not got... [REDACTED] doesn't have the meter reading. Bills were
17 paid by Plaid—

18 **RE:** No, but he would have a cheque book.

19 **NM:** Yes, money was paid to Clarity.

20 **RE:** I know that. All I'm asking... I mean does Plaid... Have you asked Plaid
21 Cymru... [REDACTED], whether Plaid Cymru paid for this bill of £1,068.53?

22 **NM:** When I spoke to [REDACTED], which was yesterday, he couldn't tell me definitely
23 whether it's that bill.

24 **RE:** Well, he'd have a cheque book, wouldn't he?

25 **NM:** Erm, yes.

1 **RE:** Or a bank statement?

2 **NM:** Yes, but he was... I don't know, it would seem the bills... Well, the bills were
3 paid by Plaid Cymru.

4 **RE:** Which bills?

5 **NM:** The bills that Michael should have been dealing with, it would seem. To be
6 honest, Sir Roderick—

7 **RE:** All I want at the moment is just to identify the bills, whether they should have
8 been paid for by one person or another. At the moment we come to that, but it
9 isn't what I'm after. What I want to know is which invoices were paid by Plaid
10 Cymru?

11 **NM:** Michael's the person who paid the bills.

12 **RE:** Well, it may well be that I have to ask [REDACTED] to come and give evidence.
13 That may be the only way around it.

14 **NM:** But what is proven by the rest of the invoices is the allegations that we were
15 printing tens of thousands of leaflets, and then paid for by the Assembly, it's just
16 patently not true because we—

17 **RE:** Well, you keep saying that and it may well be right.

18 **NM:** Well, look at the counters.

19 **RE:** Well, we need to go through them one by one.

20 **NM:** I know you do, yes.

21 **RE:** So as far as this bill is concerned—

22 **NM:** I'm supposed to meet Assembly security, Sir Roderick, but the only thing that
23 remains now is to go through the counters, erm.

24 **RE:** Hang on, let me just go through this first. I don't know... Am I quoting you
25 correctly, "I don't know whether this bill was paid"?

1 **NM:** It was an estimate. You don't pay estimated bills.

2 **RE:** No, I know. You've told me that, but what you're saying is you don't know
3 whether it was paid or not, or if it was paid, by whom?

4 **NM:** But what I would say is that whatever was owed to Clarity was paid by Plaid
5 Cymru.

6 **RE:** I'm going to write this down and you tell me whether it represents what you're
7 saying.

8 **NM:** Okay.

9 **RE:** "I don't know whether this bill was paid or if it was paid, by whom. I'm told that it
10 was not paid by the Assembly, and I have asked [REDACTED] whether Plaid
11 Cymru paid it and he did not know"?

12 **NM:** This particular bill because it's... The bill is wrong, it's an estimated bill, but it's
13 important to—

14 **RE:** I know. Can you just confirm or deny this first, so we can go step by step?

15 **NM:** Yes.

16 **RE:** "I don't know whether this bill was paid or if it was paid, by whom"?

17 **NM:** It's not... It's an estimate. [Inaudible 04:17:11], well, an estimate, but it's an
18 estimated bill and it's incorrect.

19 **RE:** I get estimated electricity bills regularly and they're all paid, on estimates, and if
20 you have a meter which isn't read in a particular quarter or period, you pay it as
21 well, I assume. Not all estimated bills go unpaid. Now, does this represent
22 what you're saying, "I don't know whether this bill was paid or if it was paid, by
23 whom. I'm told that it was not paid by the Assembly. I'm told by Michael Deem
24 that it was not paid by the Assembly"?

25 **NM:** Can I give you a clear statement rather than asking me to sign a statement,
26 which you're writing? What I'm saying is I know having spoken to officers,

1 having looked at the sheets of bills which you have paid in front of you, this was
2 not paid by the Assembly.

3 **RE:** Yes. Well, that's the evidence.

4 **NM:** Yes. What I was advised by Plaid Cymru was that any outstanding monies
5 owed to Clarity outside of the election period were paid by them. What I'm
6 unclear is the amount of printing that I would have done for the Assembly during
7 the same period. I'm unclear who paid for that. I assume that it was Plaid
8 Cymru. I don't know. The person who would know the answer to that is sat
9 opposite me here. I didn't know there was a problem with any bills until 2017,
10 so if I delegated, I think reasonably, to my office manager to pay the bills, I don't
11 need anything. I think it was reasonable for me to assume those bills were paid
12 in the normal way, when clearly they were not, but the point... The key point is
13 that the... It seems there's no payment up until December, it seems that Plaid
14 Cymru were subsidising my Assembly office, which is ridiculous. Is that clear?

15 **RE:** Well, I'm not sure. I'm not asking you to sign up to anything that I'm writing. I'm
16 trying to write what you're saying.

17 **NM:** Yes.

18 **RE:** Now then—

19 **NM:** I think I... I'm not sure [inaudible 04:19:35].

20 **RE:** Well, do you agree with this then, "I do not know whether this bill was paid or if it
21 was paid, by whom"? Is that right?

22 **NM:** It's not an Assembly [inaudible 04:19:49].

23 **RE:** It's not what?

24 **NM:** What I do know is that all outstanding monies that were owed to Clarity were
25 paid by Plaid Cymru, the political party things. What seems to have happened
26 is that legitimate printing done on the Assembly printer, in the office, also

1 appears to have been paid by Plaid Cymru, which is just as I said, it's not
2 something I can comprehend why it happened.

3 **RE:** Now, how am I going to get down in writing what you're saying about this bill?

4 **NM:** Well, I'm telling you it's an incorrect bill.

5 **RE:** Right. Let's start again then.

6 **NM:** Sir Roderick, I'd actually like to adjourn now. I've got—

7 **RE:** Well, I need to get this done first. Do you mind waiting five minutes?

8 **NM:** What time is it now?

9 **█:** It's quarter to.

10 **NM:** I'm 15 minutes late for a meeting, Sir Roderick.

11 **RE:** "This bill is incorrect. It is an estimate, estimated bills cannot be paid"? Is that
12 right?

13 **NM:** Well, correct... The bill should have been corrected and the correct bill should
14 have been paid, which I assume hadn't. The problem I have at the minute, I'm
15 not actually a member of Plaid Cymru, so I wouldn't have access to those—

16 **RE:** Well, I can get access to it usually without any problem at all, but you've spoken
17 to **██████████** yesterday, and you asked him whether this bill had been paid by
18 Plaid Cymru?

19 **NM:** I asked him how... I asked him... I didn't ask whether it's that particular bill. It
20 was what was owed to Clarity.

21 **RE:** So what did you ask **██████████** about?

22 **NM:** What was paid to Clarity.

23 **RE:** Well, what was paid?

24 **NM:** All the monies that were owed to the company.

1 **RE:** Right, and he said?

2 **NM:** Then what I said to him was, “Were you aware that it would seem that you were
3 also paying for my legitimate, erm, photocopies in office?” which seems to have
4 happened.

5 **RE:** “He said to me that Plaid Cymru had paid all outstanding bills to Clarity and I
6 said, ‘Do you realise that Plaid Cymru’”—

7 **NM:** “Appear to have been paying my office bills also.”

8 **RE:** —“appears to have been paying bills for printing to do with my work”—

9 **NM:** Also.

10 **RE:** —“as an Assembly Member?”?

11 **NM:** Yes.

12 **RE:** Right, we’ll carry on with this next time. All that is left now is to go through these
13 bills. Is that right?

14 **NM:** It’ll take a couple of minutes, yes, ten minutes, I would imagine.

15 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

17 June 2019

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
NEIL McEVOY**

Transcript from [00:00:00] to [03:44:45]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - [REDACTED]
 - **Mike Deem (MD)**
 - [REDACTED]
-

- 1 **NM:** Okay, so what you have in front of you there, Sir Roderick, are the bills for the
2 Grangetown by-election provided by the agents by action who submitted the
3 returns in a completely transparent, proper and legal way despite the allegations
4 made.
- 5 **RE:** These are the bills for the Grangetown by-election?
- 6 **NM:** By-election, yes, the evidence given to this hearing was that I had done a lot of
7 printing for the Grangetown by-election although I do know not a single leaflet
8 was produced in evidence. Right, moving on—
- 9 **RE:** No, no, hang on, I don't, you're going to have to take me through these.
- 10 **NM:** It's self-explanatory, all right?
- 11 **RE:** The evidence was that I had done—
- 12 **NM:** A lot of printing for the Grangetown by-election.
- 13 **RE:** In the office?
- 14 **NM:** Yes.
- 15 **RE:** Yes.
- 16 **NM:** What you have in front of you are a number of returns or a number of bills
17 provided by the Grangetown agent in the by-election—
- 18 **RE:** Yes.
- 19 **NM:** —proving in black and white where the printing was done.

1 **RE:** Right, so can we number these in any order? Should I look at them in any
2 order?

3 **NM:** Erm, no, no, they're just in any order you wish, really.

4 **RE:** Right, well at the moment [REDACTED] for £141 will be page one. [REDACTED]
5 [REDACTED] Supplies, page two. [REDACTED] for £262, three. GBM for £105 will be four.
6 Colour document Plaid Cymru for £68 will be five and the sixth page looks like a
7 duplicate.

8 [REDACTED]: Oh, sorry, that's probably for our, erm—

9 **RE:** Right, so it should be five sheets, should it?

10 [REDACTED]: Yes, that's right, yes, [inaudible 00:03:20].

11 **RE:** That's fine.

12 **NM:** Okay, just to deal with number one in terms of the allegations on the schedule,
13 using the Assembly funded office of 321Cowbridge Road East for political and
14 council election campaign purposes, the office was used as the headquarters for
15 Cardiff local elections, party political material was stored there, a distribution
16 hub, volunteers would go and get a folder each, blah, blah, blah, and so on. In
17 terms of the evidence, the only evidence we have of that is the three people,
18 three hostile, two hostile witnesses and the complainant.

19 I would point out that I sacked the complainant, I refused to renew the contract
20 of one of the witnesses and the other witness, [REDACTED]
21 [REDACTED]. The hostile
22 witness, I think it's fair to call them a hostile witness, [REDACTED]
23 [REDACTED] stated that it wasn't an HQ and
24 when pushed by you, Sir Roderick, about it being the HQ before the election,
25 you did ask him that, he said that he wasn't aware of any HQ because the
26 campaign wasn't really up and running by that point. He didn't see any stored
27 material there, he saw leaflets to be disposed of. Mr Deem has already
28 admitted that for some reason he used to store rubbish there and then take it

1 down the tip in a job lot instead of putting it out. I've no idea why that used to
2 happen.

3 There's no evidence of party political work other than their testimony. The
4 meetings I did admit to, and I'll say to you now, absolutely openly, every single
5 AM does that, and all you have to do is go on Twitter and see AM's tweeting
6 about political meetings in their offices and every single group in this building
7 has political meetings, every single group, without exception.

8 **RE:** In constituency offices?

9 **NM:** In Assembly offices and in constituency offices as well, obviously, because
10 usually it's not a design to, as ██████████ said, it's not that, "Right, we're going
11 to use this as the HQ," sometimes it's just pressures of time and it's
12 convenience. I think the word used by ██████████ was convenience, they
13 were there for... I think if you listen, just a couple of meetings that took place in
14 my office. I'm admitting they took place and I'm telling you that every single
15 Assembly Member does that, without exception. In terms of investigations,
16 because I know you guys do investigate, you found out the printers and you've,
17 erm, chased witnesses, I would ask your office to look at social media and see
18 Assembly Members tweeting about meetings in their offices.

19 In terms of the... what caught my eye with one of Michael's allegations was a lot
20 of people supposedly gathered around the table, erm, shoving the letters into
21 envelopes as the folder was throwing them out. My evidence here is that again,
22 that would be a physical impossibility. I did take photographs in my office to
23 provide today but I lost my phone so a lot of things are gone unfortunately, so
24 what I will do, what I undertake to do is take photographs again in the office of
25 the folder placed on the table and then you can judge for yourself if it's possible
26 to have a load of people gathered around such a table shoving things into
27 envelopes as Michael alleged.

28 The other thing in terms of the meetings, Michael kindly provided evidence that
29 the meetings weren't called by me some of the time, meetings in this building
30 using so called Assembly resource, were called by other people and that's been

1 proven. I think that supports what I'm saying about me doing nothing different to
2 anybody else.

3 If I move on to number two and the printing, the numbers, you printed party
4 political leaflet on the Assembly printer, the numbers simply do not add up.
5 There's not a single document has been produced showing that any party
6 political thing was printed in that office and the allegations as well about,
7 although does that mean... maybe number three?

8 Yes, number three, charging the cost of party political printing on the Assembly
9 funded printer to the office costs allowance, well, as we found out, for some
10 bizarre reason, not bizarre reason, for the reason of Michael not submitting the
11 bills, a bill wasn't paid by the Assembly until the turn of the year so we would
12 have a very strange situation of Plaid Cymru actually subsidising my office and
13 paying for printing which should have been paid for by the Assembly.

14 **RE:** Can you point that out to me? Which bills do you say were paid by Plaid
15 Cymru?

16 **NM:** I had this at the last hearing, we've already covered it, Sir Roderick, to be fair.

17 **RE:** I'm sorry?

18 **NM:** We've already covered this.

19 **RE:** No one has pointed out to me which bills have been paid, sorry, no one has, you
20 haven't pointed out to me which bills you say were paid for by Plaid Cymru.

21 **NM:** I'm here to say that I wasn't responsible for paying those bills, so I'm telling you
22 as a matter of fact the only bills paid for by my Assembly office were from the
23 turn of the year so the so-called hundreds of thousands of copies of printing, the
24 numbers don't add up because the printing done... I'll come to the bill in a
25 second, the printing done by my office ties in with the volume of printing done by
26 every other Assembly Member in this Assembly. In fact, I wasn't the biggest
27 printer and yet the only reason any red flag was raised was because two
28 months' bills were put as one so therefore a red flag was raised then but in

1 terms of the bills before, the Clarity bills were taken care of by Michael and they
2 were paid for by Plaid Cymru.

3 **RE:** Right, so which ones do you say, because I've got a list here of them, they're
4 from the papers you have in front of you, I've got... no one has yet pointed out to
5 me by saying, "That bill is paid for by Plaid Cymru."

6 **NM:** Well, there was an estimated bill and as I'd said to you last time, the agreement
7 with the printer was that we didn't pay any bills, okay, he gave us credits so
8 therefore the only bills which were paid, because you have to pay during the
9 election period, so the only bills that were paid to Clarity were paid properly and
10 promptly by [REDACTED] during the election period. What we were all aware of
11 then was that we did actually owe Clarity some money and I think really, that
12 explains how Michael gets away with submitting bills to the Assembly... to the
13 constituency, to pay, so the constituency paid that bill.

14 **RE:** Right, which ones?

15 **NM:** Well, erm, there's not actually an invoice provided, what we have is an
16 estimated bill.

17 **RE:** No, we've got bills here for August, September, October, November and
18 December 2016. Now, which ones of those do you say were paid for by Plaid
19 Cymru?

20 **NM:** The ones which weren't paid for by the Assembly.

21 **RE:** Right. So, that would be all printing bills—

22 **NM:** Not paid for by the Assembly, were paid for by Plaid Cymru, and me actually if
23 you look at it because there was a, although [inaudible 00:11:41] that's the other
24 printer, I paid the other printer.

25 **RE:** I'm sorry?

26 **NM:** The bills that I paid were the, were the other printer.

1 **RE:** Do you have the—

2 **NM:** No, I don't, no, no. But I... we've covered this and I'm telling you that all bills in
3 the bundle, if the bills are not estimated bills, any invoices not paid by the
4 Assembly were paid by Plaid Cymru and that's a matter of fact. The reason for
5 that is because using the fact that we did owe the printer money, Michael I'd say
6 in taking a very easy way out, a lazy way out, instead of doing the paperwork,
7 which he didn't do as we found out, he just gave the bill to Plaid and they paid
8 the bill.

9 **RE:** Right. Now, I've got a list of the bills here. From what you say, I am
10 understanding that the bill for August 2016 for £1,068, the bill for September,
11 October and November were all paid for by Plaid Cymru.

12 **NM:** Any bill that wasn't paid for by my office was paid for by Plaid Cymru. I've got a
13 list upstairs where the office, where we started paying the money. It wasn't my
14 job to pay those bills, they were paid but not by my office. So, rather than the
15 allegation of this Assembly subsidising Plaid Cymru, what actually happened in
16 reality was that Plaid Cymru actually subsidised my office so the printing obviously
17 went before the accounts committee, case work, it was paid for by the
18 constituency, it's a ridiculous situation which I'm sure they'll be delighted to find
19 out about because unlike the complainant, I've kept the integrity of this process.

20 **RE:** You what?

21 **NM:** I've kept the integrity of this process, unlike the person over there who—

22 **RE:** Can we just take the heat out of this? All I want is facts. Now, I am—

23 **NM:** Okay, the fact is, this process is being used as a political tool to damage and
24 end my career, as you saw in the email from Mr Deem, that's a fact.

25 **RE:** I'm aware—

26 **NM:** Anything, any bill not paid by the Assembly was paid for by Plaid Cymru, I
27 cannot be clearer than that.

1 **RE:** Well, actually, you can. Actually, you could give me a list of the ones that you
2 say you have upstairs and confirm it.

3 **NM:** You've already been presented, Sir Roderick, would you like me to go and get
4 them again?

5 **RE:** No.

6 **NM:** I've already presented those; the document is there. I'll resubmit the document
7 later—

8 **RE:** Thank you.

9 **NM:** —because the list is clear, it's on what I produced last time, what the Assembly
10 Commission produced last time. The reason that no alarm bells were rung by
11 Plaid in paying some of my printing was because it was known that credit, that
12 the company extended credit, so everyone was aware there were bills to pay
13 and Michael was trusted to provide the correct bills, which he did not do.

14 **RE:** Right, this is my note. The bills for August, September, October, November
15 2016 were paid for by Plaid Cymru. Therefore, rather than the Assembly
16 subsidising Plaid Cymru, Plaid Cymru were subsidising my office including my
17 Assembly work and case work.

18 **NM:** They were subsidising my office by—

19 **RE:** Is that right? Is that what you're saying?

20 **NM:** Not including by paying for printing that I had done as an Assembly Member for
21 Assembly work.

22 **RE:** Right.

23 **NM:** It was seen, it was seen because I just—

24 **RE:** Right, do you want to take me through these documents you've handed in?

1 **NM:** Erm, £68.06, erm, leaflets there or direct mail from Plaid Cymru, which one are
2 you looking at, the Plaid Cymru bill, £68.06?

3 **RE:** Well we've just ordered these one to five, so I'm starting with number one.

4 **NM:** Okay. Is it okay if I look at what you've got as number one? I should have
5 numbered them.

6 **RE:** [REDACTED] Printers.

7 **NM:** [REDACTED] Printers.

8 **RE:** £141.60.

9 **NM:** £141.60? Oh right, okay, I've got that. Erm, posters for the election.

10 [REDACTED]: Right, let's order them one to five.

11 **NM:** Yes, that's number one, do you want to work it out?

12 **RE:** This was for Grangetown?

13 **NM:** Yes.

14 **RE:** Were they all for Grangetown, these documents?

15 **NM:** Yes, all for Grangetown, yes.

16 **RE:** Okay, yes.

17 **NM:** Erm, [REDACTED], erm, envelopes.

18 [REDACTED]: [REDACTED] is number two, yes?

19 **NM:** Yes. Number two are envelopes. GMB to the value of £262, is it?

20 **RE:** £262. GMB is a printing firm?

21 **NM:** Yes, printing. [REDACTED], it's GMB and this is leaflets ordered, A4, 8,500,
22 9,000.

1 **RE:** So, [REDACTED] was a member of Plaid Cymru who had his own printing
2 business?

3 **NM:** He does the printing, yes, and provides invoices.

4 **RE:** Yes, the same for number four?

5 **NM:** Yes, again, 5,000, 2,000, probably direct mails possibly, and the Plaid bill for
6 printing there. Okay? So, I think what I've gone to great lengths to prove in
7 submitting a load of bills, especially volume, it will be heard early on in the
8 process how difficult it was to deliver leaflets, so for example the 60,000
9 newspapers, I'm repeating myself here because I've said this before, but the
10 60,000 newspapers, as [REDACTED], Michael's witness, testifies, arrived in
11 January. We didn't deliver them fully until mid-way through March so the
12 amount of bills, it's not an exhaustive amount by the way, but the amount of bills
13 I've provided here, it would be impossible to have a load more printed and, as
14 I've said, this is just a party political hearing really. Erm, can I deal with
15 Beastgrip, that's number four?

16 **RE:** Well, I thought you'd finished your evidence?

17 **NM:** No, I'm just finishing it now.

18 **RE:** Right.

19 **NM:** Number four.

20 **RE:** This is the Beegrip?

21 **NM:** Yes, the Beastgrip.

22 **RE:** Beastgrip.

23 **NM:** The evidence given to you is that only [REDACTED] used it, she's the only person
24 that they can point to who said she'd used it, but when she was here she
25 couldn't even say what it looked like. It's quite a distinctive piece of kit and to
26 say that she didn't know what it looked like was very, very strange. Erm, what

1 █ did say was that the video which was supposedly done, which I deny, which
2 was a party political video, she says, wasn't even published. So I've got an
3 allegation here on the table still about a piece of kit which the person who used it
4 didn't know what it looked like and she can point to nowhere where anything
5 was published. I don't think it should even still be on the table, this allegation.

6 **RE:** I'm sorry?

7 **NM:** I said I don't even think this allegation should still be on the table. Number five,
8 what we have is, erm, no evidence submitted other than by Michael Deem who's
9 admitted to editing streams of messages, that's the evidence given here, he's
10 edited streams of messages.

11 **RE:** I'm sorry, I didn't understand that.

12 **NM:** The messages presented from Signal, from WhatsApp, from texts have been
13 edited, that was established earlier on in this process.

14 **MD:** How was it?

15 **NM:** Look at your notes or listen to the sound files.

16 **MD:** I've provided transcripts of actual messages—

17 **NM:** This is not your part at this point, so, please refrain from commenting, you can
18 comment later.

19 **RE:** He can ask you questions, before long.

20 **NM:** Yes.

21 **RE:** So, this is allegation five and you're saying that the messages that have been
22 put in evidence have been edited?

23 **NM:** I'm not saying it, Michael's already admitted that. What has happened—

24 **RE:** Edited?

25 **NM:** Edited.

1 **RE:** Yes, to what purpose do you say?

2 **NM:** Well, the purpose is to, I'm just about to say, to retrospectively fit messages
3 around the complainant's narrative because the complainant's narrative as we
4 saw, or aim actually, as we saw in his email to Plaid Cymru is that I somehow be
5 struck off as an Assembly Member and banned and, erm, be referred to the
6 South Wales Police apparently and they're going to take criminal action. Some
7 quite libellous statements to make there in that letter, not protected by privilege
8 under Plaid Cymru by the way.

9 **MD:** Can I just make one point—

10 **RE:** Just pause a minute. Now, I understand that you are angry.

11 **NM:** I am angry.

12 **RE:** He doesn't throw light on this. What I would appreciate, if you would, is to take
13 the aggression out of this and just give me evidence that I can consider in a—

14 **NM:** I'm trying to be assertive, Sir Roderick.

15 **RE:** You needn't be assertive with me, just give me evidence.

16 **NM:** Well I think I do actually, because there's a lot of evidence which you haven't
17 seen to have accepted.

18 **RE:** I haven't accepted or rejected anything yet. Why should I accept evidence at
19 this stage?

20 **NM:** I'll come to that later.

21 **RE:** I have received evidence; I have not accepted or rejected any.

22 **NM:** You've not seen the value of some evidence I presented.

23 **RE:** How do you know that?

24 **NM:** Because of what you've said in the emails. I'll give you an example. My office
25 was supposedly a HQ of the campaign. There's a woman who lives around the

1 corner from my office and I presented an email to you of her stating that she was
2 going to go to the Bay to pick up from Plaid Cymru HQ, Plaid Cymru office, to
3 pick up election material and you said you couldn't see the relevance of that.
4 My submission was look, there's this woman, she lives around the corner, if the
5 office was a distribution hub and a HQ, the obvious place for her to go is the
6 office but she goes to the party political HQ two miles away.

7 **MD:** But you couldn't say in evidence what she was going to collect, that was the
8 issue.

9 **NM:** You've got the opportunity to cross-examine later, all right?

10 **MD:** No, that was the issue with that particular piece of evidence because I've got it
11 in my cross-examination, you couldn't say what she was going to—

12 **RE:** Could you just—

13 **MD:** —sorry.

14 **RE:** Would you just pause please, a moment? If you think there's evidence that I
15 should hear, you can bring it.

16 **NM:** You've heard it and you said you couldn't see the relevance of it, so I'm
17 saying—

18 **RE:** Which witness was this?

19 **NM:** It was an email. She can come along next, I'll invite her as a witness, that may
20 be [inaudible 00:25:11].

21 **RE:** That's fine.

22 **MD:** Just as a point of clarification on something that was said on your notes, so
23 when Neil is saying that I've edited conversations, is that going down as
24 evidence that I've admitted to editing or Neil says that I've admitted to editing?

25 **RE:** At the moment, what I've made a note of is what is being alleged.

1 **MD:** Okay.

2 **RE:** An allegation is not evidence.

3 **MD:** Right, okay, thank you.

4 **NM:** Okay. Just one other thing, the whole point of what I'm saying there, editing,
5 that's my term, in terms of getting the semantics right, full streams of messages
6 were not provided because some of the information was taken out which
7 Michael says was to help the process. I'm calling that editing, maybe the term is
8 semantic, well, I think semantically correct but that's for you to judge.

9 **RE:** Well, let's just pause there a moment. If anything has been taken out which you
10 think is relevant, we'll put it back in.

11 **NM:** I don't know because I haven't got the messages. I haven't got the full stream of
12 messages.

13 **RE:** Right.

14 **NM:** And, the whole point of this is, two years after the event, at least two years, in
15 some cases more, you've got the complainant fitting a narrative around
16 evidence. I'll give you one example. A big issue was made about [REDACTED] being
17 in Caerau, sorry, in Canton, Cowbridge Road East, on a particular day and that
18 was hung on the fact that Tesco's was mentioned in the message. This is going
19 back to what we discussed earlier in another hearing. So, there was a whole lot
20 of discussion about [REDACTED]'s whereabouts and Michael was trying to establish
21 that she was in Cowbridge Road East, she was doing political work because
22 Tesco's was mentioned, because Michael forgot there was a Tesco's around the
23 corner from the other office. So, what I'm saying is, what we have here is a
24 whole load of messages woven together and retrospectively applied to a
25 narrative. That's all I'm saying, and that's one concrete example of where that's
26 happened.

27 In terms of [REDACTED], she's admitted to doing LDP work in the office, but
28 somehow her LDP work was political in nature. We've got [REDACTED] who

1 signed a contract to be an administrator, she was an administrator, she admitted
2 to spending lots of time in the office but somehow didn't do any Assembly work
3 in the office and the issue of good faith in signing a contract, which I do
4 emphasise, was not renewed, I didn't renew the contract, there was no way was
5 I going to renew that contract, needs to be taken into account.

6 In terms of six, again I don't see any evidence presented other than oral
7 evidence from Michael and his witnesses. I'm not just saying it, what came out
8 almost borders on farce really because it's been alleged... you may grimace
9 there, Sir Roderick, but it does border on farce.

10 **RE:** Well, I'm just grimacing at the way you're presenting these points.

11 **NM:** I've grimaced in the whole process to be frank.

12 **RE:** You what?

13 **NM:** I'm grimacing at the whole process internally.

14 **RE:** Believe me, I understand that. Now, all I want from you is evidence, at the
15 moment you are making submissions on points of evidence.

16 **NM:** Okay, well the evidence is that in this building, because I'm accused of using the
17 internet—

18 **RE:** You're accused of what?

19 **NM:** Using the internet for party political purposes in Assembly buildings. That's on
20 record. If somebody in my office sends an email about something political, and
21 they use the Assembly Wi-Fi, then, as Michael is alleging, then that is being said
22 to be using party pol-, using Assembly resources. The fact of the matter is,
23 when you use your mobile phone, when you're sending emails, nobody knows
24 what network you're on because if you turn this computer on now, you'll see a
25 whole load of networks which could or could not be being used.

26 So, if [REDACTED] sent a message, whatever it was, at 2.00pm in the afternoon,
27 and... who could say with any clarity what network he's using? Was it an

1 Assembly network, was he using Three, was he using O2, was he using Cardiff
2 Wi-Fi free, all these networks in the area, and the farcical element that I wanted
3 to flag up, I think farce is a good term for me, is anybody seriously saying that no
4 party political electronic messages are sent from this building, by anybody? It's
5 farcical to allege that.

6 It was stated that Michael was the only person to run up flexitime and I would
7 hope that with the number of bits of evidence I've given, it's clear, it's clear that
8 other people in the office ran up flexitime and it's been accepted by you, and it
9 may be wrong, that clearly lots of work was done out of hours and in terms of my
10 staff, and this is an important point, they don't operate any differently to anybody
11 else, and I'd refer you to Twitter again. Sometimes people do send—

12 **RE:** Mr McEvoy, I'm not going to look up other people's Twitter. If there are things
13 on Twitter you want me to see, then just bring them along.

14 **NM:** Can I ask why you pursued evidence with the printer then?

15 **RE:** I'm sorry?

16 **NM:** I'm making a submission which I think is relevant, and you say you're not going
17 to pursue that, well why did you pursue evidence from other people?

18 **RE:** Because I'm not going to look up the Twitter accounts of 60 Members, looking
19 for something which you say is there but not pointing it out to me.

20 **NM:** One other thing is... well, okay, I've said point blank that Michael didn't attend
21 his Welsh lessons because he alleges that he could tell the time that [REDACTED] and
22 Michael, sorry, [REDACTED] attended and left work bang on the dot, five o'clock. I
23 said Michael was rarely in the Assembly, he gave the excuse that he was here
24 for Welsh lessons, I said I know he wasn't but you've not phoned the Welsh
25 department to find out what his attendance record is... or you may have done,
26 have you?

27 **RE:** Well, I haven't no, but I might well do in future.

28 **NM:** Why not? Why not?

1 **RE:** I'm not going to answer your question, Mr McEvoy.

2 **NM:** You've pursued me, and you haven't pursued Michael.

3 **RE:** No, that is not right. You know, Mr McEvoy, I understand your feelings about
4 this, but your aggression, your default position is aggression and attack.

5 **NM:** I would dispute that.

6 **RE:** Well, that's what it appears to me, especially this morning.

7 **NM:** Well, it's your interpretation of me isn't it, Sir Roderick, it's your interpretation of
8 me.

9 **RE:** All I want from you is evidence. At the moment you are making submissions on
10 evidence, which actually isn't helpful. The last time we met you said that you'd
11 finished your evidence and we adjourned then so that you could be asked
12 questions.

13 **NM:** No, I hadn't, I said I was almost finished. I was going to finish up briefly. Erm,
14 well, that's my evidence, okay. We had this big discussion about... I dispute
15 being aggressive, Sir Roderick, I'm unhappy all right, I'm unhappy about being
16 treated differently to other people. Erm, a big discussion, a big, during the
17 hearing, a big fuss made about the alleged political work done in the back room
18 and the story, quite a creative story I would say, about me taking three months
19 to realise that a CCTV system was actually filming me.

20 If you look through, I don't know if it's in your notes, but if you think about what
21 was said in a former hearing, that is the case, my submission was that if I
22 wanted to stop things being filmed, all I had to do was disconnect the lead to the
23 camera and then it stops it being filmed. Michael's submission was that that
24 wasn't the case, there was this big hoo-hah about the camera continuing to roll.
25 That was supported by [REDACTED] and so on, and again, you could have
26 gone to the CCTV company to establish it, you didn't, so I called them instead
27 and the evidence here completely contradicting what Michael said and
28 supporting what I'm saying, is that if you were to physically disconnect the CCTV

1 by just pulling the plug, as I said, the camera will down power and then of course
2 it will not be recorded, not be recorded, it will just be out of service.

3 So, if the other story we were told about the... the camera continuing to roll and
4 this nonsense about me insisting on a bag being placed over the camera to stop
5 it recording, or to stop things being seen, as I said in the earlier hearing, just pull
6 the plug out, keep cameras one, two and three on, disconnect camera four,
7 there's no issue. Nobody would be any the wiser.

8 **RE:** What does NVR stand for?

9 **NM:** I think it's the kind of recording that it does, I think it's something video
10 recording, I'm not, not a specialist.

11 **RE:** So, your point on that is that rather than put a bag over it, if you wanted to hide
12 anything you could simply pull the plug?

13 **NM:** Yes. I said that, I said that in the earlier hearing and that was disputed so I've
14 gone on to the, I've gone on to the company. I've finished my evidence there. I
15 think I'll have a break actually because, yes, I am annoyed because you've no
16 idea what my family's been put through, no idea. I mean, my pregnant wife who
17 is unwell, the amount of abuse we receive on social media from a small group of
18 people Michael is intimately connected with, so if I have been, I would say, you
19 say aggressive, I say really unhappy, there's a reason for this, Sir Roderick, and
20 it's the way that my family is being impacted by this process and other
21 processes at work at which Michael is at the heart of.

22 **RE:** So, what are you asking for now?

23 **NM:** I've finished, I'm just explaining why I'm so unhappy this morning. I'm ready to
24 be questioned. I'd like a, if I could, I'd like to have maybe something to eat to
25 recover a sugar level and a cup of tea to be honest, if that would be okay. My
26 sugar level feels very up and down at the moment, probably very low actually.

27 **RE:** I'm sorry?

28 **NM:** I said I think my sugar level is very low at the minute.

1 **RE:** Are you diabetic?

2 **NM:** Erm, [REDACTED], I have an appointment.

3 **RE:** Right, well how much of a break do you... are you asking for?

4 **NM:** Just like ten, 15 minutes or so?

5 **RE:** Right, we'll have a 15 minute break.

6 **NM:** Thank you. [REDACTED], but I need something to eat.

7 *Egwyl / Break*

8 **RE:** How many more days do you think you require?

9 **NM:** Erm, I think two to be sure, just in case I would say.

10 **RE:** Right.

11 **NM:** What's the next date you're free?

12 **RE:** Well, Friday 5th July and Friday 12th July.

13 **NM:** I can do the 5th, yes, hopefully they can. I'm supposed to be in North Wales on
14 the 12^h. What's the next... I could do the Saturday, the 6th.

15 **RE:** No.

16 **NM:** No, what's the next available date you have?

17 **RE:** 5th July.

18 **NM:** I can do the 5th, yes.

19 **RE:** The 5th, Mr Deem, are you available?

20 **MD:** I'd have to shuffle work, but I can't see there being an issue with that, I'll work
21 around what you two can do.

1 **RE:** Right, Friday 12^h July is out?

2 **NM:** Yes. Next day you can?

3 **RE:** Sorry?

4 **NM:** What's the one you can do after that?

5 **RE:** Well, I'm fully committed then to the end of July.

6 **■:** You're not connected by the way, I put it in the diary

7 **NM:** Oh right, okay, thanks.

8 **■:** But it's not been [inaudible 00:40:04] since Friday, so let me have a look again.

9 **NM:** Shall we do the 12th then, just do the 12th, I'm not supposed to be here on the
10 12th but I'll leave North Wales early and come back for a hearing on the 12th.

11 **RE:** Right, thank you, the 12th July, okay, thank you. Right.

12 **MD:** Can I go ahead? Yes? Okay, are you familiar with the Assembly Members'
13 Code of Conduct?

14 **NM:** Yes.

15 **MD:** Are you aware of the rules surrounding the use of Assembly resources for the
16 purposes of campaigning?

17 **NM:** Yes.

18 **MD:** Are you aware of any breaches of the Assembly Members' Code of Conduct in
19 relation to the use of Assembly resources?

20 **NM:** Yes.

21 **MD:** Can you elaborate on that, please?

22 **NM:** Well, [inaudible 00:41:34] before the Commissioner before, and I assume any
23 other Assembly Members before the Commissioner at whatever point.

1 **MD:** So, the only one you're aware of is when the use of the Assembly—

2 **NM:** Press room.

3 **MD:** —Press room.

4 **NM:** Although I did inform you before using Assembly resources which played a part
5 in me being dismissed.

6 **MD:** That's referring to me filming a video in the constituency office?

7 **NM:** Leading to a complete breakdown of trust with everybody [inaudible 00:42:07].

8 **MD:** Nothing else?

9 **NM:** No.

10 **RE:** I'm sorry, so the only breaches you are aware of are what?

11 **NM:** Me using the press room when I shouldn't have done, that was done.

12 **RE:** Yes.

13 **NM:** And, you using that. Oh, and obviously the letter I produced at the beginning of
14 the hearing.

15 **RE:** Yes, I can't remember now whether that was disclosed for Mr Deem, or not?

16 **NM:** Yes.

17 **MD:** Yes, it was, Sir.

18 **RE:** Yes, okay.

19 **MD:** Are you aware of what you can and can't do in the regional office at 321
20 Cowbridge Road East?

21 **NM:** Oh God, yes, of course, yes.

22 **RE:** I'm sorry?

1 **NM:** Of course, yes. If we can make progress, these are in the files of these matters,
2 so I'd like to make some real progress.

3 **RE:** Yes.

4 **MD:** Are you aware of what you can and can't do, that shouldn't be in there so, are
5 you aware of any breaches of the Assembly Members' Code of Conduct
6 specifically in relation to the use of the regional office?

7 **NM:** Not other than what I've already noted in the letter.

8 **MD:** What was the role of [REDACTED] ?

9 **NM:** My advisor.

10 **RE:** I'm sorry?

11 **NM:** My senior advisor.

12 **MD:** The role of [REDACTED] ?

13 **NM:** Hmm, [REDACTED] did admin [REDACTED], I suppose we used to refer to her as,
14 maybe a bit slightly disrespectfully, the office junior but she was [REDACTED]
15 [REDACTED] and she was the person who completed the team so yes, she
16 was our office junior at the time even though she's moved on a lot since then.

17 **MD:** Okay. What was the role of [REDACTED] ?

18 **NM:** Admin.

19 **MD:** [REDACTED] ?

20 **NM:** Admin. -

21 **MD:** [REDACTED] ?

22 **RE:** I'm sorry, who?

23 **MD:** [REDACTED] ?

1 **NM:** Admin, as you know, Michael, because in your evidence you've already stated
2 that you were responsible for appointing temporary staff.

3 **MD:** I'm just trying to get an idea of what your, you know, recollection.

4 **NM:** You've already said that you were responsible for appointing temporary staff,
5 which I delegated to you.

6 **MD:** So, [REDACTED] is responsible for admin?

7 **NM:** Yes, as you know.

8 **MD:** [REDACTED] ?

9 **NM:** Wasn't employed by me in the Assembly office but did volunteer work, as she's
10 already stated in here in evidence in relation to the LDP for example.

11 **MD:** And, what was my role?

12 **NM:** Your role was key really, because you were the office manager, you had full
13 responsibility delegated to you to run the budgets, to employ staff in the office, to
14 make things run smoothly and to make sure we offered the best possible
15 customer service to the public from our offices.

16 **MD:** Okay. What do you think the term "red flag" means?

17 **NM:** It's a red flag.

18 **MD:** Sorry?

19 **NM:** It's a red flag.

20 **MD:** Yes, what does that mean?

21 **NM:** It's a red flag. It's clear what it means, it's a red flag, that's my answer.

22 **MD:** Did we ever use the term in the office?

1 **NM:** A red flag was raised when there was too much printing done and presented as
2 one of... that was a red flag, that was the first red flag that I was made aware of,
3 the only red flag.

4 **RE:** It was raised when the two months' bill went in as one month, is that right?

5 **NM:** That was, I think that was the start to all this because it was clear then that you
6 were not doing your job and up until that point I hadn't seen any, any major
7 problem but then when that came up, the more digging that I did led to you
8 being dismissed.

9 **MD:** So, the only red flag that you can recall was in relation to a printer bill covering
10 the cost of two months rather than one month?

11 **NM:** Yes.

12 **MD:** So, I don't know how you've got your evidence organised. For me, we had the
13 evidence that I provided, the initial evidence that Neil provided before the
14 hearing, which was numerically ordered, and then the evidence that he
15 submitted during the hearing, which was a different numbering system but I'm
16 going to refer to the evidence that was submitted before the hearing first, at this
17 stage.

18 **RE:** Right.

19 **MD:** So, page 008.

20 **RE:** I hope I've got the right bundles with me.

21 **NM:** Which evidence? Are you looking at my evidence?

22 **MD:** Yes, the one that you submitted, 008.

23 **RE:** We'll see how we go; I'll try and find it.

24 **MD:** Okay.

25 **NM:** I haven't got it in front of me but I'm happy to answer questions on it.

1 **MD:** Okay. So, it's an email from [REDACTED], I can read it out if you haven't got
2 it. So, "Hi, Mike. I have emailed [REDACTED]," sorry, this is an email from Neil to me
3 talking about a conversation with [REDACTED]. So says, "Hi Mike. I've
4 emailed [REDACTED]. We can't allow any political activity in the office. You have full
5 authority from Neil, me, to deal with such a future situation in the strongest
6 possible terms. I will call [REDACTED] later today as explained by you to me was simply
7 not on," okay?

8 **RE:** Right, can you give me the date and page number?

9 **MD:** Yes, so 21st March 17, page number 008. So, Neil's defence is that by sending
10 this message he was fulfilling his duty to ensure political activity not being
11 conducted in the office, correct?

12 **NM:** That seems to be a statement from Michael so I'm not really sure what to make
13 of it. At this point, the Caerau political office was open, I believe.

14 **MD:** Yes, it had been open three days.

15 **NM:** Yes, so the instruction, well, the candidates, that was the HQ, so there we go,
16 that's the evidence.

17 **MD:** I'm referring back to earlier on in the hearing where you said that you've sent
18 this message so this clears you because you've shown due diligence in sending
19 this to ensure political activity didn't take place in the office.

20 **NM:** My answer is that Caerau was the HQ and I took steps to ensure that people
21 understood that.

22 **MD:** I'm not sure why you're going back on that. This is the evidence you've
23 provided.

24 **NM:** My answer is Caerau is the HQ and I took steps to ensure that people knew
25 that.

26 **MD:** Okay. Who told you to send this email? To send that email, sorry, the one to
27 [REDACTED] warning him that political activity can't take place in the office?

1 **NM:** If the email was sent by me are clearly down to me.

2 **RE:** I'm sorry?

3 **NM:** If I'm sending the emails, they're clearly down to me. So, there's a supposition
4 in the question which, who, what was the question, Michael?

5 **MD:** Who told you to send that message to [REDACTED]?

6 **NM:** Any email sent by me is sent by me.

7 **MD:** Who brought the issue to your attention?

8 **NM:** You, you did on that email it would seem.

9 **MD:** Why did I bring it to your attention?

10 **NM:** Because Caerau was the HQ and people shouldn't have been going to
11 Cowbridge Road East.

12 **MD:** And I wasn't happy that [REDACTED] had come in and he was doing political activity
13 right underneath the camera, do you remember that conversation?

14 **NM:** I don't recall. What I do recall is Caerau was the HQ, you knew that, and I
15 ensured people were aware of that.

16 **MD:** Okay. So, if we take a look at my evidence bundle, exhibit 5A, page five.

17 **NM:** I thought we were examining the evidence that I gave Sir Roderick in terms of
18 process?

19 **RE:** The process is perfectly all right. All we're doing is looking at the documents, we
20 go from one to the other, I assume.

21 **NM:** I thought the process was, maybe I was mistaken, so, we're going to go through
22 Michael's bundle as well, now?

23 **RE:** No, I've no idea what the cross-examination is going to be like, but I assume—

1 **NM:** So, I've left Michael's bundle upstairs.

2 **RE:** If you want it, you can go and get it.

3 **NM:** So just to be clear, process-wise, I thought that I, he, Michael presented his
4 evidence, I cross-examine him on his evidence on me, I then presented my
5 evidence and I assumed he was going to cross-examine me on my evidence, or
6 are we having a rerun of Michael's presentation?

7 **MD:** Do you want me to give my side?

8 **RE:** No, just pause a minute.

9 **NM:** I'm trying to be clear, Sir Roderick, I don't understand the process.

10 **RE:** You are being asked questions about your evidence and about points that
11 Mr Deem wants to make. That's an entirely proper part of it, and in so doing, he
12 can refer to any document that is before us.

13 **NM:** Okay, so we're going to be here for three days and have another re-run.

14 **RE:** No. Why don't you just answer the question?

15 **NM:** Well, I just tried to.

16 **RE:** He's entitled to ask you about any document or any piece of evidence which is
17 before us.

18 **NM:** Fine, all right.

19 **RE:** Just as you were with him, you went through his documents, you put your
20 documents in.

21 **NM:** When I wanted to... I'll leave it, I'll try and make progress, there's no point even
22 discussing this.

23 **MD:** Okay. Do you want to go and get my bundle?

24 **NM:** No.

1 **MD:** Okay.

2 **NM:** Not for the time being.

3 **MD:** So, yes, exhibit 5A, page five.

4 **RE:** Five?

5 **MD:** Exhibit 5A, page five. It's from 21st March, so the same day that this message
6 has been sent to me, I send a Signal message to Neil, "MD need a serious word
7 with [REDACTED], just been on the phone to [REDACTED], he came to the office to
8 collect Grangetown DMs, moaned that they weren't in envelopes so [REDACTED]
9 got them out and started stuffing them right underneath the fucking CCTV. I've
10 spoken to [REDACTED], but can you have a word with him, personally I don't think
11 he should be going there at all." Neil says, "Can't do that," and I say, "Up to you
12 how you deal with it, but I think we need to send a strong message. If it was a
13 week later implications would be massive." What do I mean when I say, "If it
14 was a week later implications would be massive"?

15 **NM:** I'm not here to answer your questions in terms of what you were thinking.

16 **MD:** What did you get from that message?

17 **NM:** The message, I got from the message that anything that needed doing should
18 have been done at Caerau because Caerau was the HQ, as we all know.

19 **MD:** Would you agree that purdah was the weak link to that and that's what I was
20 referring to?

21 **RE:** I'm sorry, to purdah?

22 **MD:** Purdah, so it's the official opening of the campaign election period where
23 everything has to be declared and it's a stage where you're under a lot more
24 scrutiny than you would have been previously. Do you agree, purdah was
25 [inaudible 00:56:19]?

1 **NM:** My response is that Caerau was the campaign HQ, everybody knew that, and I
2 took steps to make sure that everybody understood that.

3 **MD:** Okay, so exhibit 5G, page two.

4 **RE:** Before you move on, your answer, "We can't do that," what do you mean by,
5 "We can't do that," what is the, "That"?

6 **NM:** That activity in the office. Anything like that should have been done in Caerau,
7 we had a campaign HQ, unlike other Assembly Members who didn't organise a
8 campaign office for their campaigns.

9 **MD:** So, just to be clear, this is a breach of the Assembly Members' Code of Conduct
10 in relation to the use of Cowbridge Road East where you said earlier on you had
11 no knowledge of any breaches taking place other than what was in your initial
12 submission, would you agree that this was a breach?

13 **NM:** Caerau was the campaign HQ and I was clear to make sure that everybody
14 understood that.

15 **MD:** But would you agree that this is a breach of the use of Cowbridge Road East?

16 **NM:** I wasn't there so I can't comment on that as a matter of fact but what I did
17 communicate to people was that Caerau was the HQ and everybody knew that,
18 and I took steps to make sure that was understood.

19 **MD:** Okay, so if someone comes into the Cowbridge Road East office to collect direct
20 mails and is stuffing them into emails underneath a CCTV camera, well, the
21 CCTV camera's irrelevant but is stuffing direct mails into envelopes, is that a
22 breach of Assembly Members' Code of Conduct?

23 **NM:** I don't even know what [REDACTED] was doing there to be frank, she should have
24 been at the Caerau office, so.

25 **MD:** That's not the question I asked you.

26 **NM:** Caerau was HQ, simple as that, as you well know.

1 **MD:** I'm asking you is that a breach of the Assembly Members' Code of Conduct.
2 We've established that this is taking place in Cowbridge Road East, because
3 I've told you this in the message, you've then emailed [REDACTED] saying that it's not
4 acceptable.

5 **NM:** Yes.

6 **MD:** So, you're aware that it's not acceptable behaviour?

7 **NM:** I'm aware it was my responsibility to let [REDACTED] know that that shouldn't be
8 happening, and as you say in your evidence, I was very strict on that after March
9 to make sure that it didn't happen. So, the message to everybody was that
10 nothing like that should be occurring in my office in Cowbridge Road East and
11 Caerau was the campaign HQ, as you well know.

12 **MD:** It's a simple question, so there's more than you've already admitted to.

13 **NM:** I've given you my answer.

14 **MD:** Okay. There's no need to be evasive about it, I've got a lot of evidence to put
15 forward.

16 **NM:** I've given you my answer, as you well know. What [REDACTED] did there was not
17 acceptable, I told him so and said that anything had to be done through Caerau.

18 **MD:** Okay, all right, so you're aware it's unacceptable, it's a breach of the Assembly
19 Members' Code of Conduct that it took place in the office, yes or no?

20 **NM:** I told him that anything had to be done in Caerau.

21 **MD:** Exhibit 5G, page two. So, 6th January 2017 we're looking at, 5G, page two.

22 **RE:** Page two, sorry, yes, 6th January.

23 **MD:** So, I say again, so this is a WhatsApp message going to the entire office. I say,
24 "Serious concerns with [REDACTED] bringing a senior manager from MBS to the office
25 on Monday. Currently have 30,000 highly political newspapers here plus
26 thousands of DMs, need candidates over the weekend to make it disappear."

1 [REDACTED] says, "Shite, I didn't think of it like that. [REDACTED] explained the meeting
2 plan over the phone, and it sounded a good plan to me security-wise. I should
3 have thought," and then [REDACTED] says, "Would you like me to rearrange," and
4 Neil says, "No, shift papers tomorrow," and then [REDACTED] gives a thumbs up. So,
5 do you remember the conversation, when I raised concerns about the political
6 newspapers being stored in the office?

7 **NM:** You stupidly put them there, Michael. To be frank, you made things quite
8 difficult because, for example, the Splott candidates, Trinity Mirror where the
9 newspapers were based, it would have been a lot easier for the Splott
10 candidates to collect them from Trinity Mirror. For whatever reason, Michael
11 decided to take them to the office, and I covered this in the letter and in earlier
12 evidence. I wanted them shifted, I didn't want to wait for the weekend, I wanted
13 them shifted.

14 **MD:** Regardless of who took the papers there, do you remember the conversation
15 when I raised concerns about there being political newspapers in the office?

16 **NM:** Well, you're the person who compromised us in the first place, Michael, as you
17 always did.

18 **MD:** Neil, just answer the question, this could be a lot easier if you just answer the
19 questions I put to you.

20 **NM:** I am answering the questions, you might not like the answer but I'm answering
21 the question.

22 **MD:** You didn't, I asked you do you remember the conversation—

23 **RE:** No, the question was do you remember the conversation, that really, either yes
24 or no.

25 **NM:** There have been so many conversations so after two years it's too difficult—

26 **RE:** Fine, then the answer is no then, is it?

27 **NM:** Yes. I would say so.

1 **RE:** Right.

2 **MD:** Okay.

3 **NM:** Let me recap on that. I may remember aspects of it but for me, it was clear that
4 the newspapers had to go so I'm not sure what more you want me to say there.
5 I made sure that we shifted them the next day, they shouldn't have been there.
6 Again, if you want me to say that there was never anything in the office, well, of
7 course there was, you've highlighted that but, as you said yourself, after March I
8 was a lot more strict in making sure that those things weren't there.

9 **MD:** Try not to think what I want you to say. I'm asking questions, just listen to the
10 question and answer it, I think that will make this go a lot smoother.

11 **NM:** I'm not here to be advised by you how to answer questions—

12 **MD:** Okay, all right, okay.

13 **NM:** —[inaudible 01:03:45].

14 **MD:** Okay.

15 **NM:** [Inaudible 01:03:48] child protection file, we [inaudible 01:03:52] and it's
16 shocking really but there we go, but that'll get [inaudible 01:03:56].

17 **MD:** Okay. So you've spent a lot of your evidence saying over and over again that it
18 was yourself and, sorry, you were saying that it was me and no one else that
19 was driving the political agenda in the office, I was responsible for any political
20 activity, it was all me. Yet on the only two occasions prior to the council election
21 campaign where a member of staff has raised concerns over political activity in
22 the office those concerns were raised by me, not you, not [REDACTED], not [REDACTED],
23 the concerns were raised by me and yet you say that I was the one responsible
24 for driving the political agenda. Do you therefore—

25 **NM:** Well, your behaviour raised a whole load of concerns, Michael. Erm, I think
26 what concerned me when the red flag was raised was whether or not you would
27 have been printing for your election campaign in the office because I couldn't

1 understand, for example, why you slept in the office one evening, but those
2 concerns, unless you were actually doing case work, which seemed very odd to
3 sleep there, so, erm, I've just forgot to introduce other evidence actually, can I
4 introduce that as an exhibit later?

5 **RE:** If it's relevant to the answer you want to give.

6 **NM:** Not this, not right now but it is about the process, about use of resources
7 because the concern, the only concern I had with people using resources was
8 with Michael. An example of that is the SatNav he used, bought, that I ended up
9 paying for £221, that was only used for his personal purposes. The only
10 journeys were between where he lives and the Caerau Lane office, so he only
11 used it for, I don't know why he would use a SatNav to get from the bay to
12 Caerau Lane, but he did that.

13 **MD:** So, do you accept, therefore, as I'm the only member of staff that has raised
14 concerns prior to the council election campaign of political activity going on in
15 the office, that it was actually me who is taking responsibility for limiting the
16 political activity, not the one driving it?

17 **NM:** No. To be frank you developed into a nightmare employee, very aggressive to
18 everybody in the office. As you state in your evidence actually, the office had a
19 relaxed atmosphere. There were no raised voices in the office, Sir Roderick, in
20 three years I can think of probably, well, since Michael's left, one occasion when
21 there were raised voices in the office and that was because of some quite
22 outrageous behaviour with Children's Services so the raised voices were
23 actually animation from other staff about their concern for the kids.

24 But, in terms of concerns, yes, lots of concerns were raised about your
25 behaviour, [REDACTED], erm, Michael. A huge concern about the way you were told
26 not to use the office politically, and then you started your election campaign from
27 there with a video, a huge concern with that. There was concern that you were
28 sleeping in the office, why, I don't know. There was concern of the level of
29 printing because I wanted less printing done and yet the bill during your election
30 period was large, okay, it was spread over two months, but the drive was to try

1 and keep costs down. Lots of concerns were raised about you and your
2 behaviour, which is why you were sacked and that's why I'm sat here now.

3 **MD:** So, back to the question, do you agree that the evidence shows that the only
4 two occasions where a member of staff has raised concerns were raised by me
5 and, therefore, I was the one that was limiting the political activity?

6 **NM:** No, you weren't the person limiting, you were the person that took advantage of
7 your position of absolute trust that I placed in you, really mistaken, and you're
8 presenting the only time that you raised the flag.

9 **MD:** Okay, that's an interesting point because obviously you've had the opportunity to
10 present evidence and you haven't presented any evidence to date prior to the
11 council election campaign where anyone other than me raised concerns about
12 political activity. So if there's evidence there, why have you not provided it?

13 **NM:** Caerau was the HQ, Michael, as you well know.

14 **MD:** We're talking about Cowbridge Road East though.

15 **NM:** Well, the office is the Assembly Office. It's a position in the office, as you well
16 know, it always was. The only person who caused any concern at all with their
17 behaviour was you.

18 **MD:** Okay, so if, as you say in your verbal evidence—.

19 **NM:** Another example is your instruction to [REDACTED] to go and do leaflets in Radyr
20 which you felt criticised for and you're flagging up as a use of political resource.
21 That was you, you asked [REDACTED]. I was completely unaware of her being told to
22 go to Radyr and I wouldn't have been happy because my instruction was that
23 she didn't go and she carried on working in the office.

24 **MD:** So, do you accept—

25 **NM:** So, your question is wrong actually, so I don't accept your question because if
26 you look through your own bundle, you've provided your own evidence of you
27 driving political activity in ordering staff to go to Radyr, for example.

1 **MD:** We're talking here... so, your verbal evidence was that I was the one driving the
2 agenda, yes, it was all me, no one else had any responsibility in that, you met
3 obviously [REDACTED]—

4 **NM:** I look back, I look back and I question what you were doing workwise in the
5 office because it was clear from December onwards you did no case work, that
6 was clear, very little case work. I'll rephrase that because I would rather
7 [inaudible 01:10:11] what's the word, rather than exaggerate, you did very little
8 case work so the question in my mind is I just wondered what you were doing
9 really. In terms of other people raising concerns about you, yes they did and
10 I've given that in evidence already, because both [REDACTED] and [REDACTED] raised
11 concerns about you and instead of you admitting and fronting them and
12 apologising, you just simply tried to throw them under the bus and blame them,
13 even though you were the office manager.

14 **MD:** So, you can't provide any evidence in any of the documents that you've even so
15 much as given a warning about activities going on in the office prior to the
16 council election campaign?

17 **NM:** I did warn you about the video.

18 **MD:** We're talking prior council election campaign.

19 **NM:** Well, I didn't know, for example, I didn't know you'd sent [REDACTED] at that point to
20 work in Radyr that afternoon. You were the office manager, you abused your
21 position there because my instruction, which you didn't listen to, was that [REDACTED]
22 should have stayed in the Cowbridge Road East office.

23 **MD:** I'll move on. Page 009. So, this is an email about the engineer visit, it's a very
24 short email, I sent it—

25 **RE:** Date please?

26 **MD:** Oh, sorry, 28^h March.

27 **RE:** '17?

1 **MD:** '17, yes, 009 is the document. Initially Neil emails me saying, "What's the
2 score?" and then I reply saying, "It's complicated, sit down after the engineer
3 visit in the morning and I'll bring you up to speed." So, you provided this email
4 and you say that this proves responsibility for the printer lies solely with myself.
5 I mean, that simply isn't the case, this doesn't do that at all. This email
6 discusses the engineer visiting. You were concerned at the time as the printer
7 was out of action and therefore not printing leaflets and when you say, "What's
8 the score?" you're enquiring as to if it's up and running again. This proves I had
9 responsibility over resolving mechanical technical problems, it doesn't do much
10 else than that. Do you accept that?

11 **NM:** I don't accept you leading questions really because you're establishing fact that
12 that's something that I need to agree with and I'm not sure, I really don't
13 understand what you're after there because if a printer wasn't working—

14 **MD:** I'll rephrase.

15 **NM:** —no. My answer is, if I think I can understand you, you were the office
16 manager, you were responsible for submitting the bills for the printer, you were
17 responsible for ensuring the printers were up and running, you were responsible
18 for ordering ink, which you didn't do far too many times, and in Cowbridge Road
19 East, so I'm not really sure what you're trying to establish there so I'm finding it
20 difficult to answer that.

21 **MD:** I'm just going over your evidence. So, in your evidence you said that this email
22 proves that I had sole responsibility, but it doesn't, does it?

23 **NM:** In the message that you provided where you say that [REDACTED]'s to leave all the
24 printing to you, I think even earlier on in evidence you said that you were
25 responsible. The thing is, my difficulty here, Sir Roderick, is that Michael's
26 evidence has flipped, flip-flopped, because on one occasion you say you were
27 responsible for the printing and printer, and another time I think during evidence
28 he's saying that he wasn't and this is, I don't know whether you've picked it up in
29 your notes but this is a common factor during the evidence. So, I'm not really
30 sure what you're trying to say, Michael. You were the office manager; all admin

1 tasks were supposedly down to you. Getting staff in the office was down to you,
2 making sure the office worked was down to you, I'm not sure what more I can
3 say really. As I said before, the Assembly changed the rules so we could give
4 him that responsibility and he went at a high level, it wasn't a pay cut, he went
5 over £30,000 a year.

6 **MD:** So, I've said throughout the printer issue is complicated, that's been my word
7 throughout, there's a lot of different factors that filter into the printer. I would be
8 the one taking care of technical mechanical problems because I had contact
9 with the engineer, in relation to ordering print cartridges—

10 **NM:** Is he giving evidence again, or is he just questioning?

11 **MD:** You've made an allegation.

12 **NM:** I thought you were here to question.

13 **RE:** You know, your punctilious approach to court procedure is very impressive.

14 **NM:** I'm just trying to make progress, Sir Roderick, I might be here for three days,
15 you know, please.

16 **RE:** As long as I get information which is relevant, I don't frankly worry too much
17 about questions that are too long or too short or contain statements.

18 **NM:** Okay, let's book another day in then before we leave and break for lunch
19 because we're not going to finish today.

20 **RE:** We're not going to finish today, no.

21 **MD:** No, we're not, and the thing is, Neil, you cross-examined me for three and a half
22 days.

23 **NM:** Okay, all right.

24 **MD:** I don't intend, I've structured these questions in such a way that we can get
25 through a lot quicker, but it would help if... do you agree that the printer was
26 complicated?

1 **NM:** No.

2 **MD:** There was a lot of people?

3 **NM:** No.

4 **MD:** Okay, so did you ever order print cartridges?

5 **NM:** For the Assembly office?

6 **MD:** For any, for either of the printers we used?

7 **NM:** What are we here to discuss, Sir Roderick?

8 **RE:** Just answer the question, Mr McEvoy. At the moment there is nothing wrong
9 with these questions.

10 **NM:** We're confusing, there is, we're confusing things here. There was a political
11 printer in Caerau, why am I being asked about that, Sir Roderick?

12 **RE:** Why don't you just answer the question?

13 **NM:** The question's irrelevant. Why am I being asked—

14 **RE:** I will decide whether they're relevant or not because I am the one making the
15 decision. Just pause a minute, Mr McEvoy, please, I'm trying to get to a point
16 where I can make a decision and all I want is people to give me information, not
17 bicker.

18 **NM:** Michael is asking—

19 **RE:** Please.

20 **NM:** Michael is asking me about—

21 **RE:** Mr McEvoy, please, all you're being asked is a simple question. You may not
22 like it, you may not think it's relevant, just answer it, we can get on then.

1 **NM:** Okay, right, I'll answer it as accurately as possible. Did I order any ink
2 cartridges for the Assembly printer—

3 **RE:** No, he didn't say, he said any cartridges—

4 **MD:** Yes.

5 **RE:** —any cartridges, did you ever order printing cartridges?

6 **NM:** Not for the Assembly printer.

7 **RE:** Right.

8 **MD:** Did [REDACTED] ever order print cartridges for either printer?

9 **NM:** Ask [REDACTED].

10 **MD:** Were you aware of [REDACTED] ever ordering print cartridges?

11 **NM:** Most of the time I wasn't in the office, so the—

12 **RE:** I'm sorry, just a yes or no.

13 **NM:** I don't know, Sir Roderick.

14 **RE:** Well, that's fine, that's fine.

15 **NM:** I wasn't in the office; it was his job to make it work.

16 **RE:** You're being asked, I'm sorry, but you're just prolonging it, just get on.

17 **NM:** I don't know, I don't know the answer. I don't know, what I do know is it was
18 Michael's job to ensure the operation worked, so he had full responsibility, full
19 authority from me, sometimes I was barely, some weeks I was barely in the
20 office which on reflection was a mistake, but there we go.

21 **MD:** Okay, so then we've got pages ten to 14 on your evidence. So, this is an email
22 back and fore in relation to [REDACTED]'s contract. I say, "Hi, [REDACTED], Yes, you can go
23 ahead and extend [REDACTED] and [REDACTED]' contract to end on 30th April. Would be good

1 to meet next time to talk in more detail. I'll be honest, I'm disappointed with the
2 situation regarding the purchase of the IT equipment. Since Neil was elected,
3 as a team we've put a huge emphasis on saving costs," and then it goes on, well
4 it comes out a bit later but you say in your evidence where at the bottom I write,
5 "If this is the decision of MBS I will of course accept it," talking about the laptop
6 for [REDACTED] as being denied, "But I speak for the whole office when I say that we do
7 not feel supported in performing the job Neil was elected to do." So, that was
8 the email that I sent to [REDACTED]. You said in your evidence that I aggressively
9 messaged MBS in relation to—

10 **NM:** Yes.

11 **MD:** —would you say that's an aggressive message?

12 **NM:** [REDACTED] raised concerns with me because he had to tell me you had a message
13 you were going to send back—

14 **RE:** The date and time of the message?

15 **MD:** Erm, so this is 30th March at 7.26. 014.

16 **NM:** [REDACTED] raised concerns with me because I'm told that that message was toned
17 down. We had a lovely relationship with MBS and those are the people
18 that...[inaudible 01:19:24] I'm accused of being aggressive in my approach,
19 when I feel under attack in an effort to fight back, but these are people here who,
20 that's in the political sense, this is a political hearing, but the people here who
21 work in admin, they don't deserve to be treated in that way. They're doing a job
22 so if they say to us, "Well, we can't do this," then sometimes you may try and
23 push it a bit, if, for example, you want certain kinds of research done and they're
24 saying that it's not covered by the powers of the Assembly, I think it may be, I'll
25 make those arguments in a really polite way. But I didn't like, and I
26 communicated that at the time, my office communicating with staff like that.
27 They're not here to be treated in that way. I didn't want that, I won't have my
28 staff treating Assembly Commission staff in such a way. [REDACTED] was... I know that
29 wouldn't happen anyway.

1 **MD:** So, this email that I sent MBS is aggressive in nature?

2 **NM:** Yes, I think there was no need to send it. You were trying to scam a, it would
3 seem, a laptop for [REDACTED]. [REDACTED] in here said she had no need for a laptop, she said
4 she had no need for the software so why on earth, why on earth were you trying
5 to get her a laptop when she said she didn't need it?

6 **MD:** So, I was trying to scam a laptop?

7 **NM:** It would seem so from here. You've been very dishonest, Michael, you
8 scammed yourself holidays which you'll answer for as well, which you weren't
9 entitled to.

10 **MD:** And you've had no input on this at all? You had no idea that I was trying to get a
11 laptop for [REDACTED]?

12 **NM:** If, if [REDACTED] needed a laptop, okay, of course she should have been provided a
13 laptop, but her evidence here is that she had no knowledge of you trying to
14 obtain a laptop for her. She was surprised when she was sat here. She said
15 that she didn't need one, she didn't need software and yet you were writing to
16 MBS telling them that she needed a laptop and she needed software and it
17 really wasn't fair. So, you need to take some responsibility for your actions
18 there.

19 **MD:** I'm just trying to get your side of it, Neil. So, she shouldn't have had a laptop?

20 **NM:** As an Assembly Member, I'm not really involved in the micro-management of
21 the office. I'm there to keep appointments, go and see people, present policy,
22 speak and the nitty gritty of the operation I leave to [REDACTED] and [REDACTED]. I used
23 to leave it to Michael until we ran into a lot of problems.

24 **MD:** Right, okay, so—

25 **NM:** Just to be clear, my attitude is you've all got a job to do, it's got to be done
26 professionally, I will have the most, I still have the most relaxed management
27 style possible because despite reputations out there, I'm not an Assembly
28 Member who shouts at staff. There are people in this building who do, I wouldn't

1 dream of doing that to my staff. Everything is based on respect and what I say
2 is, "Look, we're here to do a professional job, guys, get on with it and let me do
3 my job," so the micro-management of it I leave to others.

4 **MD:** Okay.

5 **NM:** But unfortunately, I couldn't leave it to you because we are where we are now.

6 **MD:** That's fine. So, the email I sent was aggressive, you weren't aware that I was
7 trying to get a laptop for ■■■, is that something—

8 **NM:** I don't recall to be honest but you were responsible for the daily management of
9 things, Michael.

10 **MD:** Okay.

11 **NM:** But I'm just... the reason I use the word scam is because she was sat here and
12 was unaware of you, so you've clearly shown yourself to be dishonest there.
13 She didn't need a laptop, why were you saying she needed one? I shouldn't ask
14 questions.

15 **MD:** So, when you say... so the operation of the office, did we ever have
16 conversations, would I run things by you to check your approval before I sent it
17 or would I just work completely independently, I'd do whatever I wanted to do, if I
18 wanted to ask for a laptop for ■■■ I would just go ahead and do it, is that your
19 opinion of how I behaved?

20 **NM:** You were there to run a budget, you didn't do that, you didn't even know what
21 the budgets were unfortunately so the full delegation of matters were there for
22 you, yes, of course.

23 **MD:** Okay.

24 **RE:** That doesn't answer the question I'm afraid.

25 **NM:** What is the question then, I'm trying to answer?

26 **RE:** If you want to ask it again, do.

1 **MD:** Yes. You said I had sole responsibility, you've said this quite a few times, so
2 just looking at the operation of the office during that time, would I, would I act
3 like a maverick and just go off, do whatever I wanted to do, as long as I thought
4 there was a need for it I'd just go ahead and do it, or would I run decisions by
5 you when I thought that... I mean, yes, I get the day to day stuff, there's no need
6 to run everything by your manager, but were there decisions that I came to you
7 and asked your advice on or asked you if you were happy about, or would I just
8 operate on my own?

9 **NM:** My answer would be that having found out what I found out, I was extremely
10 unhappy that there were far too many things you didn't run by me and for me to
11 be called into the Assembly, for example, to talk about a SatNav which was said
12 to be unacceptable because it wasn't needed, I was stunned. I actually tried to
13 fight your corner initially and say, well, I'm sure there's a mistake, and oh, wait
14 there, we were doing that, and in the end it was just, "Well actually no, he should
15 not have done that, he did not run it by me." So, I think that you developed an
16 office persona where you didn't you feel you were accountable—

17 **MD:** Okay.

18 **NM:** —and I gained a lot of trust and we ran into problems when I started to hold you
19 accountable. You didn't want to explain the ridiculous things now, the ridiculous
20 things you ordered which we still haven't used. You didn't want to explain the
21 SatNav and that's when the relationship broke down. The relationship broke
22 down when I realised that in fact you were not running things by me as you
23 should have.

24 **MD:** Okay, so you think that I should have run more stuff by you, that's your opinion
25 on the matter.

26 **NM:** Well you should have done because some of the stuff was unacceptable.

27 **MD:** Yes, I'll just get to the question. Do you think, sorry, that's the wrong term,
28 would you agree that if I thought it was necessarily, necessary, to get your
29 approval on something, that I would approach you?

1 **NM:** In the end, I think you developed into something of a megalomaniac really and
2 didn't feel that you needed authority from anybody. You felt rules didn't apply to
3 you and that's why you're no longer working for me.

4 **MD:** So, the answer's no then, I wouldn't?

5 **NM:** I've given my answer. You, you were a law unto yourself. Erm, I give staff a hell
6 of a lot of latitude. I expect them to behave professionally and look, it was pretty
7 clear with you that I was unable to give you that authority because you abused
8 it.

9 **MD:** Okay, so I didn't come to you and run stuff by you?

10 **NM:** You'd obviously run some things by me. I think we were going to buy; I think it
11 was a vacuum cleaner, £200, something like that, I think you ran that by me, and
12 I said of course buy a vacuum cleaner.

13 **MD:** Mm-hmm, okay, good.

14 **NM:** But I found too many things that you didn't. I think, as I said, you became a
15 megalomaniac really when you thought you were going to be MP.

16 **MD:** Okay. So, during this conversation about the extending [REDACTED]'s contract which is
17 what this email is actually about, the laptop was raised but it was really about
18 extending [REDACTED]'s contract, you said during evidence that that's not what you
19 wanted, you didn't want [REDACTED]'s contract extended and you've said today actually,
20 "There was no way I would expect to extend her contract," that was your words
21 today?

22 **NM:** Yes.

23 **MD:** Okay.

24 **NM:** I think my expression today was certainly coloured by where I am now but if
25 somebody's drunk in the afternoon and unable to do something, then it doesn't
26 bode well, does it?

1 **MD:** We're not talk... okay, so prior to this email being sent, prior to the discussion
2 about extending [REDACTED]'s contract, did you want her contract extended?

3 **NM:** Well it wasn't extended, so there must have been a reason for that. Erm, the
4 contract was not extended, and I think the problem with [REDACTED] was that she
5 wanted more hours and we just couldn't give her more hours, so her contract
6 wasn't extended.

7 **MD:** Okay, so [REDACTED]'s employed for six months, getting to the end of the six month
8 period, do you want [REDACTED]'s contract extended?

9 **NM:** You, at the time, erm, I don't recall other than it wasn't renewed. If I try and
10 think back, no, it wasn't going to be renewed.

11 **MD:** Okay, that's fine. I mean, that's what you've said in your evidence so far, you've
12 said this is not what I wanted?

13 **NM:** Looking back, I don't think there was the budget actually for it at the time which
14 would have been upsetting to [REDACTED] but as things transpired there was, no, she
15 wasn't.

16 **MD:** You were copied into this email, you haven't got it in front of you so I'll, you're
17 copied into this email, this conversation about [REDACTED]'s contract being extended,
18 you are in this conversation throughout. If you didn't want her contract
19 extended—

20 **NM:** When date was the email sent?

21 **MD:** The first one was, oh, all on the 30th.

22 **NM:** 30th of?

23 **MD:** Of March 2017. So, why didn't you raise any concerns? You're in this
24 conversation and you're saying here you don't want her contract extended,
25 you've said that over and over again but yet you're in the conversation.

26 **NM:** Well her contract wasn't extended, was it?

1 **MD:** That's not what I asked you.

2 **NM:** That hasn't answered the question. We know it wasn't extended, and you've
3 told us, well, given various reasons for why not.

4 **MD:** So, if you didn't want it extended, why didn't you raise concerns when we're
5 having a conversation about extending her contract?

6 **NM:** Well, the contract was not extended, so, erm, clearly, I didn't want to extend the
7 contract, so in terms of replying to every single email I'm sent, then I clearly
8 didn't do that at the time. Was the contract renewed? No, it wasn't. Were you
9 responsible for organising the office? Yes, you were. Was she needed at the
10 end? No. Was she reliable towards the end? No. Did [REDACTED] want more hours?
11 Yes. To be honest, you've played a pretty clever game actually here, Mike,
12 because I think you've got, you've built up lots of resentment in [REDACTED] against me
13 because she wanted more hours and in the end she was given what, three
14 hours a week, which was really annoying for her.

15 **MD:** So, which is it? Did you want to extend her contract, or did you not want to
16 extend her contract?

17 **NM:** Retrospectively there's no way, no, but then maybe my view now is coloured by
18 more what I think now but what I do know is as a matter of fact, her contract was
19 not renewed, I think looking back that was clearly a factor in her, in the
20 breakdown of the relationship with me. [REDACTED]
21 [REDACTED]

22 **MD:** So, when you said in your evidence that I was emailing [REDACTED] to make [REDACTED]'s
23 contract permanent, and you say which is not what I wanted, you were lying
24 when you said that?

25 **NM:** Can I see the email? Because what you have is you have emails and you have
26 conversations with MBS. Can I see the email please?

27 **MD:** I mean, it's your evidence that you've submitted.

28 **NM:** Can I go and get my file; I think that might be—

1 **RE:** It would be helpful.

2 **NM:** Yes, or I could deal with this if I could see it there.

3 **RE:** It would be easier if you have your file.

4 **NM:** Right, okay.

5 **MD:** Do you want to get this one as well because I will be going back and forwards
6 with this?

7 **NM:** Okay, I will, yes, yes. Are you staying here?

8 **█:** Yes, I'm fine.

9 **NM:** Okay.

10 **MD:** I'll just pop to the toilet as well, if you don't mind?

11 *Egwyl / Break*

12 **NM:** It's pretty clear if I wanted the contract renewed at some point it would have
13 been renewed, I did it all the time.

14 **MD:** Okay, so you go on to say that, this is during your evidence, you say that █
15 claims not to be an employee. Those are the words that you use.

16 **NM:** What are you reading from there?

17 **MD:** From the previous hearing, that was your evidence, that you said that █
18 claims not to be an employee.

19 **NM:** You're reading from your notes, yes?

20 **MD:** Mm-hmm.

21 **NM:** Okay.

22 **MD:** So, when did █ claim not to be an employee?

1 **NM:** I thought that's why we're here. I thought that's what we're here for.

2 **MD:** I'm just asking you a question on something you said in your evidence.

3 **NM:** Sir Roderick, I thought that was [REDACTED]'s evidence here, or have I misunderstood?

4 **RE:** I'm sorry?

5 **NM:** I thought that was [REDACTED]'s evidence here. She claimed not to have been
6 employed to do Assembly work.

7 **RE:** Well, I'll have to go back over my notes and check it. What is being suggested
8 is that you said she claimed not to be an employee.

9 **NM:** For Assembly work.

10 **RE:** I'm sorry?

11 **NM:** For Assembly work. When I said employee, I'm thinking Assembly, so
12 apparently, she was employed by me to do work for Plaid Cymru, that's the
13 whole reason why I'm sat here.

14 **MD:** Right, okay, so you weren't saying that she was claiming not to be an employee,
15 you were saying she was claiming not to be—

16 **NM:** She signed a contract, an [inaudible 01:37:14].

17 **MD:** It's a really simple point, she was claiming not to do Assembly work, is that what
18 you're saying now?

19 **NM:** Yes. That's what she said.

20 **MD:** Yes, I don't dispute it, it's incorrect, [REDACTED] has never claimed not to be an
21 employee. I've never said that she was an employee. She's never disputed the
22 fact that she was an employee, the only dispute is over what she was employed
23 to do.

1 **NM:** I thought she was employed, what I said earlier, that she said not to be an
2 employee to do Assembly work. That's clear, that's why I'm sat here, that's the
3 allegation.

4 **MD:** Okay.

5 **NM:** Even though she was meant to be in the office lots of time and having signed an
6 admin contract that she said she didn't read.

7 **MD:** Fine, you say, we, you say she was there to do Assembly work, correct?

8 **NM:** Of course.

9 **MD:** Yes, and then she and I both say that she was doing political translation.

10 **NM:** And she said she wasn't an admin person despite signing an admin contract.
11 She said she didn't know what contract she was signing, which is pretty strange
12 to me.

13 **MD:** So again, in your evidence you said that during this conversation that I put an
14 emphasis on saving costs, which I agree with, I clearly stated here, "Since Neil
15 was elected as a team we've put a huge emphasis on savings costs."

16 **NM:** Yes, but you didn't do though, did you?

17 **MD:** So, why did we put an emphasis on costs? So, not claiming for travel expenses
18 which we were entitled to do, why was there an emphasis on costs?

19 **NM:** You didn't travel anywhere, Michael, you were based in the office.

20 **RE:** I'm sorry, I didn't hear that.

21 **NM:** Michael couldn't put in a travel claim because he was based in the office.

22 **MD:** Why did we put an emphasis on savings costs?

23 **NM:** To try and run the best possible office offering the best public service, that's why
24 I said.

- 1 **MD:** So, if that's the case, why did you get so angry when I underspent on the
2 staffing budgets? On the office costs budget, sorry?
- 3 **NM:** To try and run the best possible office offering the best public service. The
4 office, it was a new office, a lot of the work was carried out there so it wasn't in
5 the best physical state, for example the carpet was awful despite ironically it
6 having been a carpet shop before we moved in, so there was a lot of upgrading
7 that needed to be done. There was £3,000 left in the budget and we needed to
8 upgrade the office so they... we felt we were offering a professional look as well
9 as a professional service... because it was a bit of a mess, so it was really
10 annoying that we lost that money and had to wait 12 months to upgrade the
11 office.
- 12 **MD:** We couldn't have spent it on upgrading the office in that financial year though,
13 could we? Because, you'd already spent £5,000 on renovating, we couldn't
14 have put a carpet in.
- 15 **NM:** Sir Roderick, can I ask you to contact MBS to clarify what the budget could be
16 used for, because the office budget is able to be used for anything in the office?
17 What Michael is confusing this with is the fact that we had £5,000 grant off the
18 Assembly to get the office up and running, it was quite expensive because we
19 wanted the office, as I said, to be open so we had a partition put in, we had a
20 window put in, it wasn't cheap. So, what we did then, we saved up the office
21 budget over the year, I think we had roughly £3,000 left in it towards the end of
22 the year. What should have happened, and this was Michael's job, was to use
23 that office budget, get the paperwork in at the end of the year, as everybody
24 does, and upgrade it, but Michael didn't do that. So, you're completely incorrect
25 to say that the office budget could not have been used to upgrade the office,
26 because it was a year later.
- 27 **MD:** It couldn't have been used.
- 28 **NM:** Sorry?
- 29 **MD:** It couldn't have been used.

1 **NM:** Sir Roderick, could you please clarify this with the Commission?

2 **RE:** Well, if you have a document which sets out these matters, then can you provide
3 it?

4 **NM:** Yes. Can you make a note of that, [REDACTED], I need to get it, because we lost the
5 money and I was pretty unhappy at losing that?

6 **MD:** So, you've got a renovation budget which you'd used, fine, your office costs
7 budget is for things like printing, for stationery, you know, for all the things that
8 you put in there that we've talked about previously.

9 **NM:** Can I ask, [inaudible 01:41:41] is that a question I can answer? Because from
10 my perspective, all this time later, you're showing that you were not up to the job
11 because the office costs budget, of course you can buy carpets out of it, of
12 course you can upgrade the office. It's called an office costs budget, so those
13 costs for the office to upgrade it can be taken out of that budget, you just have to
14 wait until the end of the year to make sure you don't overspend.

15 **MD:** It's irrelevant to the question I'm going to, so—

16 **NM:** Well, you made an assertion.

17 **MD:** Yes, no, I'm going to a question, it is irrelevant. So, for the avoidance of doubt if
18 you say you can put a carpet on there, you can put a carpet on there; it makes
19 no difference to where I'm going with this, so that's fine.

20 **NM:** Okay, but you just said I couldn't do that.

21 **MD:** That was my understanding of that budget. You've got a renovation budget and
22 an office—

23 **NM:** You don't understand the budgets, you see, that's the problem.

24 **MD:** Right, okay. So, was the real reason for saving money, so the real reason you
25 got so angry that I'd underspent on the office costs budget, so saving money on
26 things like travel and stationery as we did throughout the year, so the legitimate

1 costs of the office, was it really the reason you got so angry was the fact that
2 you wanted to use that budget for the illegitimate campaigning costs that we
3 were doing in there?

4 **NM:** [Laughs]

5 **MD:** You didn't care about the carpet, all you cared about was that was £3,000 worth
6 less leaflets that we could print.

7 **NM:** The bills have already been provided. Just, you know, I was angry as well
8 because a major focus of the office is the Local Development Plan and we
9 managed to acquire a lawyer who would look at the Well-being of Future
10 Generations Act and all you had to do was get the paperwork in and get it
11 signed off and you lost £2,500 there because the paperwork again... I think this
12 is part of why the Clarity bills were paid through Plaid Cymru and not through the
13 office, because it was only when fusses were made and, at the end of the year,
14 Michael had a clear misunderstanding of how to operate the budgets, what
15 forms to put in, what budget pot to take money from, as he's just demonstrated
16 now. The problem was that it was much, much easier, rather than go through
17 the headache of establishing which budget pays what bill, which form has to go
18 to which person, it was a lot easier for Michael just to say, "Here you are, [REDACTED],
19 here's the bill for the printing," and again knowing that the printer had given us
20 credit, signed off those bills.

21 To go back to what you've mentioned there, it was just complete nonsense. We
22 had £3,000, okay. So in the month of April, whatever time it was, the printer
23 printed, the political printer, not connected with the Assembly, in the political
24 office, printed half a million sheets, half a million sheets. It printed 100,000
25 sheets which we couldn't account for, which is the reason why I've got grave
26 suspicions as to why the printer was burnt out, a really good printer was burnt
27 out. It's useless now, £6,000 worth of kit, useless.

28 There were 100,000 we couldn't account for, just don't know why it was printed,
29 so if you want me to be cynical, maybe Michael was running a different
30 operation printing other things at the time because he was there very late at

1 night in the political office, he seemed to be glued there half the time. So what
2 you're saying about the £3,000 we used for printing, it just doesn't bear any kind
3 of scrutiny because with half a million prints printed on the other printer, they
4 were too many anyway, there were 100,000 too much, we can't account for
5 those prints, we had to pay for them. So no, we were angry because the office
6 was going to be a tip for another 12 months.

7 **MD:** You didn't care about the carpet, did you? You really didn't care that the carpet
8 had a few stains on it because as you said previously in your evidence today, if
9 you want something, you'll get it. You said that today. You didn't care about the
10 carpet, all you cared about and the reason you got so angry is because there
11 was less, erm, there was a budget that could've been used for printing that went
12 unused and that's why you went off at me for spending 12p on a ruler because
13 in your eyes, that was 12 leaflets.

14 **NM:** I went off at you because you, I said to you at the time, erm, you didn't
15 understand, you said you were trying to save money on cutting back on what we
16 ordered in the office, you didn't have to worry about that because if you'd have
17 put it through the correct budget, Central Office budget, we wouldn't have paid
18 anything anyway but you didn't understand that at the time so you were costing
19 us things needlessly. The reason I was angry about the number of things in
20 orders was because there didn't need to be orders and, as I said at the time, my
21 daughter could have done a better job of ordering materials and the printing bills
22 were just in keeping with everybody else. What we have here is just an
23 allegation without any proof.

24 **MD:** Okay. So, I'm just going to provide an additional note of it. So, earlier on in this
25 particular piece of correspondence that you said that I tried to scam a laptop out
26 of MBS, that I didn't run key decisions by you, that we hadn't discussed the extra
27 laptop, so just prior to me sending the message off to MBS, I send a message to
28 Neil's personal account and it's basically the exact wording that's in the
29 message to MBS. I'm in this instance running this by Neil, I know that it could
30 be potentially inflammatory so I'm getting his say-so before I send it off and Neil

1 says at the bottom, "Send it. Let's start claiming and put it in a pot if they turn it
2 down."

3 **NM:** Okay, so the implication there is [REDACTED] needed it. Do I remember this email? No.
4 Was the email you were going to send toned down? Yes, it was. As I said
5 earlier, I don't think there's a need to pick on MBS staff, so the key point with
6 this is, Michael, you were telling me that she needed a laptop and she clearly
7 didn't.

8 **MD:** The key point, Neil, is you're lying in this hearing.

9 **NM:** How am I lying?

10 **MD:** Because earlier on you're saying that I didn't run these decisions by you, I was
11 trying to scam a laptop, erm, that I was being aggressive in my tone and yet
12 you've okayed it, I've sent it to you and you've said, "Send it."

13 **NM:** Well, this was the toned down version.

14 **MD:** This was the version that I sent to MBS.

15 **NM:** There was a toned down, [REDACTED] toned it down so this may well be the email
16 after [REDACTED]... To be honest, I don't recall every email sent back and forth.
17 What I do recall is that you were trying to get [REDACTED] a laptop. Now, if you're the
18 manager running the show, as you were, and you're telling me she needs a
19 laptop, why am I going to argue? It turned out she didn't need one and she had
20 no knowledge, she says, of having had the laptop pursued for her. In the end it
21 was clear she didn't need it, so we didn't take it out of another pot. No laptop
22 was bought. We've bought one since, actually, so there was a clearer need in
23 the office for an extra one, but that remains in the office.

24 **MD:** Do you still think it was an aggressive email to send?

25 **RE:** Can you just pause a moment?

26 **MD:** Yes.

1 **RE:** So, your point on this is that Mr McEvoy—

2 **NM:** The point is whether or not it was an aggressive—

3 **RE:** I'm speaking to Mr Deem. Your point on this is, this shows (a) that it was ran
4 past Neil McEvoy.

5 **MD:** Yes.

6 **RE:** That he okayed it—

7 **MD:** Yes.

8 **RE:** —and that therefore he wouldn't then have said it was aggressive.

9 **MD:** Yes.

10 **RE:** And that he was supporting the fact that [REDACTED] needed a laptop.

11 **MD:** Yes.

12 **RE:** And you're saying that in his evidence here, saying to the opposite, that he is
13 lying?

14 **MD:** Yes.

15 **NM:** How does that equate to lying? Why was that lying, Sir Roderick, how does that
16 equate to lying?

17 **RE:** I'm not saying it does, I'm saying what—

18 **NM:** My—

19 **RE:** Just pause a minute.

20 **NM:** Yes, okay.

21 **RE:** I'm not saying it is, all I'm trying to establish is what he's trying to establish.
22 Right, so this document, exhibit NM—

1 **MD:** NMX8.

2 **RE:** So where did this come from? Was this in the usual bundle?

3 **MD:** No, this is... so I've got some additional evidence which I've labelled, exhibit
4 NMX and then so far one to eight.

5 **NM:** Can I see this evidence?

6 **RE:** Just, hang on. I can't hear more than one person at a time. NMX what is it,
7 four, what is it, nine?

8 **MD:** So, I've got NMX1 to eight which I'll provide during the course of my cross-
9 examination.

10 **RE:** Right, and this is numbered as what, NMX?

11 **MD:** Eight.

12 **RE:** Eight?

13 **MD:** Yes.

14 **RE:** Right. Mr McEvoy, you were saying?

15 **NM:** Yes, in terms of the process, I was asked to provide everything with the
16 documents if you remember, before questioning her on them, which is what I
17 did.

18 **RE:** You produced sheaths of paper.

19 **NM:** Yes, but I mean given I'm being questioned on evidence I haven't even seen.

20 **RE:** Well, do you want to have a look at it?

21 **NM:** Yes, I do, yes.

22 **RE:** Right, well look at it then.

23 **NM:** Yes, thanks.

1 **MD:** Oh no, I'm not presenting that today.

2 **RE:** Well, you'll get them in due course.

3 **NM:** Okay, well let me just deal with this. As I said, the issue is I didn't micro-manage
4 the office. Of course, some things were run by me, I'm repeating myself here, of
5 course some things were run by me. On reflection, when I found out what I
6 found out, there were far too many things which were not run by me, as I said,
7 the SatNav, right? So, if I'm being told by an office manager that another laptop
8 is needed. Of course, at the time, why am I going to question that when there
9 was no reason to question that at that particular time? As we see with hindsight,
10 ■■■ said she didn't need a laptop, she'd never asked for a laptop so the drive for
11 the laptop was from Michael Deem, I'd say to curry favour with ■■■ probably,
12 and in the intervening time, we have actually purchased a new laptop but that
13 remains in the office, so when we have extra staff in, they use the spare laptop.

14 **RE:** Right.

15 **NM:** But in my evidence I was flagging up the inconsistency between ■■■ saying, "I
16 didn't do any work for you." Okay, it's a nice claim to make now, and then my
17 question was if you didn't need an Assembly laptop to do Assembly work, why
18 did you try and get one, and ■■■ denied trying to get one so therefore the
19 responsibility for ordering a laptop would fall on Michael Deem. Albeit, "We
20 need one, Neil," okay, fine, but you're talking about a single email sent when I'm
21 probably rushing somewhere on 30th March 2017 and if we can't get the laptop
22 that way we'll take it out of another pot and we never did in the end, we ordered
23 one much later actually, which remains in the office.

24 **MD:** Okay, so page 21. This is on 12th May and it's 021.

25 **RE:** 12th May.

26 **MD:** Yes, 12th May, so what was the date of the council election?

27 **NM:** You tell me.

28 **MD:** May the 4th.

1 **NM:** It's in the calendar, yes.

2 **MD:** What dates have we been exploring during this complaint up until now?

3 **NM:** Do I have to answer that? Does that require an answer?

4 **RE:** Well, it's a question, yes.

5 **NM:** Okay.

6 **MD:** The council election campaign, what happened in the run up to the election.

7 **NM:** I'm not sure why you're asking me about dates which are [inaudible 01:56:20].

8 **MD:** So, just answer the question then.

9 **NM:** So, what was the question again?

10 **MD:** What period have we been exploring during the course of this complaint that
11 we're at the hearing to discuss today?

12 **NM:** I think we were exploring from, erm, until the end of your employment but then
13 you withdrew some documents so it's not entirely clear, to be honest.

14 **MD:** To the council election campaign, that's what we've been looking at in the
15 evidence that has been submitted so far.

16 **NM:** You didn't search the documents after then, you talked about them, but you
17 didn't go through them so I'm not clear.

18 **MD:** So, this email was sent after the council election date, so I say this is outside the
19 period that we've been exploring but it's relevant really. Why is it only after the
20 council election campaign that you decide that nothing political can be done
21 from the office? The first line of the email, "Dear All, nothing political can be
22 done from the office, nothing." Why is it only after the council election campaign
23 that you send this?

24 **NM:** Well, it wasn't, was it, because you flagged it and made me aware, I've emailed
25 somebody else saying the same thing before the council election.

1 **MD:** No, this is going out to your staff, your members of staff, so your three office
2 colleagues, you send a message stating that nothing political can be done from
3 the office.

4 **NM:** Staff were already aware of what they should and shouldn't do, which is why you
5 were counselled by [REDACTED] not to do the video in the office. I need to check the
6 dates; I assume it's after you unbelievably did a political video in the office
7 although I don't recall the exact date that was done. Possibly, as well, maybe
8 having a lack of confidence in you by this point, and how you were operating.

9 **MD:** So, why didn't you raise any concerns before?

10 **NM:** We did.

11 **MD:** You haven't provided any evidence, we've already established this, the only
12 person that raised concerns prior to the election campaign was me.

13 **NM:** No, you weren't actually, I've already said that. The email to [REDACTED] was before
14 the council.

15 **MD:** Which I told you to send.

16 **NM:** No, you didn't tell me to send it. I don't accept the premise that you're painting
17 there, but it was only after the council elections. There's evidence that people
18 were told before then. We even had a briefing in a hotel in town where all the
19 candidates were told that the campaign HQ was Caerau and they were told
20 quite clearly that they weren't to go to 321 Cowbridge Road East, everyone was
21 told, everyone. We'd hired a hotel for a training session with all the candidates
22 and it was made clear where the candidate HQ was.

23 **MD:** But you can't provide any evidence of you raising concerns about the use of 321
24 Cowbridge Road East for political purposes, other than on the two occasions
25 where I've already established where I was the one that brought the concerns to
26 you. You haven't independently raised any concerns about the use of 321 prior
27 to 12th May.

1 **NM:** Staff were aware what we should be doing, it's an Assembly office, we had a
2 political HQ and I did my best to ensure that everyone understood that and, erm,
3 that's the fact of the matter.

4 **MD:** So, no?

5 **NM:** No what?

6 **MD:** No, you didn't raise, there's no evidence that you can produce, that shows you
7 raising concerns—

8 **NM:** I'm seemingly in a position where, again, it's guilty until proven innocent almost
9 because a whole load of allegations are made about alleged printing done and
10 then I have to go away, there's no evidence actually, no physical evidence that
11 printing was done. It's just, there's no evidence on the bills that the printing was
12 done, my bills are in keeping with every other Assembly Member, Sir Roderick,
13 and I have to then go away, ask people, put the bills together, there we go, not
14 guilty because there it is there and we're in the same situation now. I'm telling
15 you that staff were well aware of what we should and shouldn't be doing and,
16 and I did my job in that regard.

17 **MD:** I've provided hundreds of pages of evidence during this hearing that shows
18 political activity was going on in the office.

19 **NM:** No, you haven't. No, you haven't. You've produced evidence... [REDACTED] is there,
20 "Any printing that needs doing today, yes, do the Decisions Committee,
21 fantastic, great, get it done." You've not provided any, you've not provided a
22 shred of evidence as far as I'm concerned.

23 **MD:** Okay, right, so you want to go back then over everything I've already produced?

24 **NM:** You're questioning this, Sir Roderick's chairing, we're in, I'm in both your hands
25 here.

26 **RE:** I would be grateful if we didn't have to go back over too much.

1 **NM:** But he hasn't proved there was political printing in the office, nonsense, absolute
2 rubbish.

3 **MD:** I've provided evidence in the form of transcripts for example, WhatsApp, Signal,
4 office transcripts, that show that Cowbridge Road East—

5 **NM:** No, you haven't. No, you haven't.

6 **MD:** —was the base of certain politically motivated activities.

7 **NM:** No, you haven't. No, you haven't.

8 **RE:** Could you turn that up for us?

9 **MD:** Sorry?

10 **RE:** Could you turn that up for us, the document?

11 **MD:** Yes, yes, okay.

12 **NM:** You died in a ditch over claiming that [REDACTED] was in Cowbridge Road East
13 because Tesco was mentioned. It was discussed in ten minutes or 15 minutes,
14 and then you realise that there's a Tesco in Caerau, "Oh right, well, I'll have to
15 reapply that somewhere else then," it's the same logic.

16 **MD:** The evidence that I've got in front of me now which, you know, you've had a
17 chance to submit documents too, shows that the only time that you've
18 independently raised concerns about the use of 321 came on 12th May. I put it
19 to you that you were happy to take the risk to do political activity in 321 prior to
20 the council election campaign because you had something to gain, but after you
21 were defeated on May 4th, you decided that it was no longer worth the risk to
22 use your Assembly office for the purpose of campaigning and lo and behold, a
23 week after the election you send this out saying nothing political can be done
24 from the office, nothing. Isn't that what really happened?

25 **NM:** [Sighs] Well, we had a political in Cowbridge Road East, sorry, [inaudible
26 02:03:23] in Caerau Lane. We had the political office in Caerau, which we got

1 all the political activity was done there. Were there some blips? Sometimes,
2 like in any office, of course there were, I did my best to iron those out, erm,
3 everyone knew the rules except you, Michael, it seems. You were the one who
4 did the video, published it, like people tend to do in this Assembly for some
5 reason, they publish on Twitter, and I told you that shouldn't happen.

6 **MD:** Everyone knew the rules except for me, that's what we're back to again? What
7 we've already determined that, you know, [REDACTED]'s invited a senior member
8 from MBS with a security team to come to the office when there's 30,000
9 newspapers there, you know, this has all been accepted already that those
10 newspapers were stored in the office, it was me that raised this as a point of
11 concern yet I am the only one that didn't know the rules.

12 **NM:** You're a bitter employee who's not going to be an MP like he thought he was,
13 and this is what this is all about.

14 **MD:** It's just that this doesn't make sense, Neil.

15 **NM:** You're like some political suicide bomber because you're very happy to blow
16 yourself up reputation-wise in order to damage the target, which is me, because
17 before this hearing you had no idea that you'd been [inaudible 02:04:45] in
18 copying a child protection file. I hadn't had any idea that you'd had holidays you
19 were not entitled to. Members were completely unaware of how you behaved in
20 the office because we kept it that way, whereas after these hearings everyone's
21 going to know.

22 **MD:** Okay, back to the threats.

23 **NM:** It's not a threat, it's a statement of fact. You're a political suicide bomber.

24 **RE:** Can we please avoid the bickering?

25 **MD:** Yes.

26 **RE:** Let's just move on with the questions and answers.

1 **NM:** But I'm not having questions off Michael, I'm having statements of fact which I
2 have to agree with or disagree with.

3 **RE:** Well, I agree that some of the questions are prefaced by a statement of fact—

4 **NM:** Or alleged fact, I should say.

5 **RE:** Maybe they're too long, maybe if we were in a High Court of Justice an advocate
6 could be criticised, but this is an informal inquiry. All I want is a question and an
7 answer so I can deal with the evidence.

8 **NM:** I'll try my best to keep it brief and answer as quickly as possible.

9 **MD:** And again, apologies, I'm not legally trained—

10 **RE:** Of course not, I'm not being critical.

11 **MD:** —so I'm trying to do my best... no, I know, I'm just saying.

12 **RE:** I'm not being critical. All I want is a question and an answer.

13 **MD:** Right, so page 28, so this was 19th June 2017.

14 **RE:** Is the time relevant here?

15 **MD:** Yes, actually, so the email was sent at half past one on 19th June. Okay, so who
16 normally sends out the minutes for the team meetings?

17 **RE:** Of which meeting?

18 **MD:** Our team meetings.

19 **RE:** Team meeting, sorry.

20 **MD:** Yes.

21 **NM:** These were sent by me, weren't they?

22 **MD:** Who usually sends out the team meeting minutes? It's an easy question, Neil.

1 **NM:** It would all depend, wouldn't it?

2 **MD:** Who sends it out?

3 **NM:** Well, I sent this out.

4 **MD:** Who sends out the minutes of the team meetings? Whose job is it to do that?

5 **NM:** It depends who's done the notes.

6 **MD:** It's [REDACTED] isn't it? She sends out the—

7 **NM:** [REDACTED] will do it sometimes, she'll send these over to me and so on, yes, I'll
8 agree them, and they're done.

9 **MD:** Who sent the minutes out for this meeting?

10 **NM:** That, those minutes there are from my account.

11 **MD:** Okay.

12 **RE:** So, [REDACTED] normally sends them out?

13 **MD:** Yes.

14 **RE:** Do you agree with that?

15 **NM:** Well, we can look at, I'll look at, we'll go back to 2017, we'll look at the exchange
16 of emails here.

17 **MD:** This is your evidence, you've provided this.

18 **NM:** Yes, yes.

19 **MD:** Do you agree that [REDACTED] usually sends out the minutes?

20 **NM:** It would all depend though, wouldn't it? It depends, Michael.

21 **MD:** So, who else would send it out if it wasn't [REDACTED] and it wasn't, on this occasion,
22 you, who else would send them out?

1 **NM:** You're a proven liar, that's what you're proving with the evidence.

2 **RE:** Oh, come on, Mr McEvoy, please.

3 **NM:** He's a proven liar.

4 **RE:** Please.

5 **NM:** I'm sat here.

6 **RE:** Just answer the question.

7 **NM:** I don't, it would depend is my answer.

8 **RE:** Right, you needn't attack all the time. Just answer the question.

9 **NM:** Well I'm being attacked; I feel under absolute attack here.

10 **RE:** Okay.

11 **MD:** So, the notes that are in reference here, what day was that team meeting held
12 that these notes cover?

13 **NM:** We always tried to provide the best service possible in our office as a
14 constituency office is my answer.

15 **MD:** So, Wednesday, 14th June, happy with that? It says at the top, "Assembly Staff
16 Meeting 14th June," I've checked the calendar, it was a Wednesday, are you
17 happy that that's when the team meeting took place?

18 **NM:** I would have to check.

19 **MD:** Check your calendar.

20 **NM:** I'd like to check my emails and calendar outside of this hearing. I'm not here to
21 act on instruction from you.

22 **MD:** When was the email sent?

23 **NM:** Which email?

1 **MD:** The email with the team meeting notes on it. So, the meeting was on the 14th,
2 so when was the email sent?

3 **NM:** It's there, in front of you.

4 **MD:** So, 19th June the notes were sent out for a meeting that took place on 14th June,
5 five days later.

6 **NM:** Well, this is an email on that, this email is sent on that date clearly, it's in front of
7 you.

8 **MD:** Why the delay? Why did it take five days to send out the notes?

9 **NM:** You tell me. I'm sure you've got an opinion on it, maybe you should enlighten
10 us.

11 **MD:** Okay, so does that date ring a bell for you, 19th June? Do you know what
12 happened that day, two hours prior to you sending this email?

13 **NM:** It was my daughter's birthday the next day, that's my most memorable thing
14 from that time.

15 **MD:** Okay. I remember it for a different reason, it was my last day in the office.

16 **NM:** Mm-hmm.

17 **MD:** Two hours prior to this email being sent out by you for a meeting that had taken
18 place the previous week, I alleged that violent altercation takes place in the
19 office, I say you were towering over me, pointing in my face, making threats to
20 me. After that incident, whether you agree or not agree, you then go to the
21 Assembly. You leave the office in Cowbridge Road East, you go straight to the
22 Assembly and the first thing you do when you get to the Assembly for some
23 reason is type up meeting notes which you don't usually do, it's usually done by
24 [REDACTED], you decide to type these up and send them out. That's the first thing
25 you do after that confrontation.

26 **NM:** What we have here is a cycle of you being all seeing and all knowing.

1 **MD:** It's half past one, Neil, it's half past one you send this out.

2 **RE:** Sorry, just pause a moment.

3 **NM:** Sir Roderick—

4 **RE:** Let me just make a note first.

5 **NM:** I'm trying to answer, I'm trying to answer this.

6 **RE:** "This was after the confrontation between me and you in which you towered
7 over me..." Right, I'm not saying I understand the purpose yet, but is this what
8 you're saying, that there was a confrontation before half past one between you
9 and Mr McEvoy?

10 **MD:** Yes, between approximately—

11 **NM:** He said violent, which is completely untrue. It's an allegation.

12 **RE:** And what you're saying then is that he went back to the Assembly and typed out
13 the minutes, and sent them out?

14 **MD:** Yes.

15 **RE:** Right.

16 **NM:** First of all, the word "violent" is used, completely untrue. Did I strike you,
17 Michael?

18 **MD:** No, you didn't strike me.

19 **NM:** Okay. Just an example here again in your questioning about the problem with
20 this whole case, you're inventing imagined scenarios in your head. You weren't
21 in the Assembly that day so you've absolutely no idea about what the first thing I
22 did.

23 **MD:** I'm going by time frames, Neil. So this altercation between us took place
24 between 11.00 and 12.00, the time it would take you then to get from Canton to
25 the Assembly, two buses is it, or if you'd taken the one bus then it's a half an

1 hour bus journey. If you're taking the train again, it's a bus and a train, so what
2 I'm saying is the time adds up, if you're sending this out at half past one, that's
3 where I'm getting this from, I'm not making it, what did you say, an imaginary
4 event in my mind; I'm putting together a logical chain of events.

5 **NM:** What you're doing here is two and two plus, two plus two equals four, five, six,
6 seven.

7 **RE:** Maybe he is. If he is, the answer, Mr McEvoy, is for you to say, "No, that is
8 wrong because I did one, two, three."

9 **NM:** It's being said, I don't know, you're talking two years ago so would I take two
10 buses to the Bay? No, I wouldn't. Would I often get lifts to the Bay off people?
11 Yes, I would so I can say I didn't take the bus, I think that's fairly clear, I think
12 I've taken the bus on just one or two occasions over the three years, it doesn't
13 really make that much sense. The train, I didn't, I would imagine I had a lift that
14 day as does happen. Was it the first thing I did when I got in the Assembly? I
15 wouldn't know, neither does Michael.

16 Also, Michael's putting a big play on the email coming from me. He well knows
17 that every one of us has access to my profile so sometimes [REDACTED] will send
18 things, she's doing the work, she'll send something from my profile, so it says
19 Neil McEvoy but it's actually been sent by [REDACTED]. So, if you want me to
20 categorically say, "Yes, I sent that email," I couldn't really tell you because
21 [REDACTED] routinely sends emails from my account, routinely, it's part of what she
22 does. So, was [REDACTED] in my profile? I think what I can say is this was sent from
23 my profile clearly. Did I send it? Who knows.

24 **MD:** Okay.

25 **NM:** Lots of... [REDACTED] has access to my profile. You should have had access to my
26 profile.

27 **MD:** So, this email wasn't sent by you?

28 **NM:** I don't know.

1 **MD:** Well read it, you can usually tell by someone's language, by their writing style,
2 you know if you've written something, and the reason I say it's you, because I
3 know [REDACTED]'s writing style.

4 **NM:** All I will say as an answer is I behave in no different way to any other Assembly
5 Member in this building. I was probably the only one to acquire campaign HQ
6 for the council elections, that's my answer.

7 **MD:** So, point five, okay, so point five is, "Neil relaxed about holidays this summer
8 and staff could take extra time off due to flexitime built up. MD had used up his
9 flexitime during the election campaign," so what flexitime was built up here?

10 **NM:** I think what you're saying is that these notes are inaccurate, and you dispute
11 them.

12 **MD:** I'm not, I'm asking you a question, Neil.

13 **NM:** My answer again is that I behave no differently to any other Assembly Member.
14 What qualifications do you have in assessing styles of writing, Michael? That's
15 a serious point.

16 **MD:** I'm just trying to make progress.

17 **NM:** Do you have any qualifications of assessing styles?

18 **MD:** No.

19 **NM:** No, do you have any psychological qualifications, because you've said that I
20 have psychological problems, do you have any qualifications with psychology
21 either or psychiatry?

22 **MD:** I've done some courses, I'm not professionally trained, no.

23 **NM:** Courses apparently, so therefore again it's supposition from you.

24 **MD:** Okay, so this point number five, you say, "So Neil relaxed about holidays this
25 summer and staff could take extra time due to flexitime built up." Okay, so what

1 flexitime are you referring to here, or is whoever has sent the notes out for this
2 meeting referring to?

3 **NM:** I don't behave no differently to any other Assembly Member.

4 **RE:** Just answer the question, please.

5 **NM:** Sir Roderick, that's my answer.

6 **RE:** Right, can you put the allegation then explicitly, so that I can make a note of
7 what the allegation is?

8 **MD:** Erm.

9 **RE:** So, the question is what flexitime was built up.

10 **MD:** Yes.

11 **RE:** And the answer given—

12 **MD:** So previously, Neil has said—

13 **RE:** Hang on, just pause a minute. The answer given is, "I behave no differently—

14 **NM:** To any other Assembly Member in this building and staff routinely build up
15 flexitime and have a flexible working arrangement with their Assembly Member.

16 **RE:** Right, so that's the answer. What's your allegation?

17 **MD:** So, Neil has said previously that the flexi work that was built up prior to this was
18 used up for the campaign work that colleagues had done on the council election
19 campaign. So, any work done outside of office hours he says was used up on
20 this campaign work and that's how he balances all of the things that I've shown
21 in my evidence against time. He said [REDACTED] sent an email at ten to eight and
22 therefore she's able to print a leaflet during office hours, okay? So, that's your
23 evidence so far.

24 **NM:** Where's the evidence of [REDACTED] printing a leaflet during office hours?

1 **MD:** I raise it as an example, as something that I've gone through here.

2 **NM:** There's no evidence of that. Does [REDACTED] print in office hours? Yes, she does.
3 You've said she's printing—

4 **MD:** I'll rephrase. You say the evidence that I've provided to show political activity in
5 the office is fine because staff members have already done work outside of
6 office hours which makes up for the time that they're doing in office hours.

7 **NM:** Well, I've been clear, from my perspective you've not, you've not established
8 that... oh, here we go, is that the [inaudible 02:19:04]... yes, okay, on the 19th it
9 wouldn't have been sent by me, this email, I was in the Public Accounts
10 Committee at 1.00am, sorry, 1.00pm.

11 **MD:** And what, you can't send emails from the Accounts Committee?

12 **NM:** No, no.

13 **MD:** Of course, you can, Neil.

14 **NM:** Excuse me?

15 **MD:** You do it all the time, you've got your laptop there, you can send whenever you
16 want.

17 **NM:** We're told not to send emails.

18 **MD:** Okay, all right.

19 **NM:** I, I used to get in trouble using WhatsApp in the meeting because I used to get
20 questions from people there.

21 **MD:** We've moved on from there, we're at a different point, you know, I've already
22 said regardless of who sent it out, the—

23 **NM:** [Inaudible 02:19:41].

24 **MD:** —the point here is suggesting that there is still a significant, I would say, amount
25 of flexitime available for [REDACTED] and [REDACTED] to use up and this is in June.

1 **NM:** To be honest, I don't feel in any way, Sir Roderick, that it's been established
2 that—

3 **RE:** It doesn't matter what you feel has been established, I decide what's been
4 established at the end of all the evidence. You just answer the question.

5 **NM:** I'm trying to, if I'm allowed to, because show me anywhere then in the evidence,
6 anywhere, where it says my staff were working day in day out on a campaign,
7 that's not the case. What it seems both of you want almost is the penny and the
8 bun. What we have here, emails for example sent during the day during working
9 hours, okay, and we're told that that's evidence of them doing political work
10 during the day and yet when they've sent emails outside of working hours,
11 Michael in his own evidence has said that doesn't demonstrate work being done,
12 it only demonstrates a snapshot of an email sent for a couple of seconds.

13 If you went through every Assembly Member's staff's emails here, which you're
14 not going to do, I wouldn't advise you to, you will find exactly the same where
15 during the day they're sending emails left, right and centre. Are they in the office
16 doing Assembly work? Of course, they are, but they're also sending emails
17 about other matters and I brought evidence to this hearing of [REDACTED]
18 when he worked for [REDACTED], not involved in politics, during his working days
19 he'd sometimes send emails.

20 I thought we had established that my staff do a lot of hours outside of work with
21 meetings. [REDACTED] is not nine to five, as Michael tried to allege and has alleged
22 and leaves at 5.00pm on the dot. We don't leave this building until 6.30pm,
23 7.00pm and the problem I have here is Michael's commenting on things that he
24 has no knowledge of, no knowledge at all. If I've said that they're entitled to
25 flexitime then clearly, they're entitled to it and it's my decision as their manager
26 to decide whether or not to allow that.

27 **RE:** Now, can you remind me of the evidence that we've had already about
28 flexitime? Was there any process of recording flexitime?

29 **NM:** That man there was responsible for recording it and he never did it.

1 **RE:** That's what I recall you saying earlier so there was no and is no available record
2 of what people worked by way of flexitime?

3 **NM:** Not on paper, but what I do is trust my staff and if they say, "Well, I've done this,
4 this, this," for example, "I worked late on Wednesday, I was with you here until
5 seven, Neil, can I come in later on Friday," of course you can. So, how it used
6 to work was very informal, I used to ask for sheets to be completed and they
7 weren't done so was I remiss for not pressing Michael to do that? Yes,
8 probably, I should have kept on more, but he was instructed, as he's admitted in
9 the hearing, to take care of time sheets and he never did, and the reason he
10 gave in the hearing was because the others didn't do flexitime, they didn't work
11 a lot of hours, they didn't build up time, and I was able to produce evidence to
12 show that they did. So, if I'm saying they're entitled to flexitime, yes, I don't
13 recall the details of it, then they were entitled to it.

14 **MD:** Neil, I've never said—

15 **NM:** These guys do a lot more than 37 hours a week.

16 **MD:** Neil, I've never disputed that. The dispute—

17 **NM:** Yes, you did.

18 **MD:** —has been over what constitutes flexi build. I've said excessive work outside of
19 office hours. You always say that you can build flexi, send in an email at five to
20 eight on the train in the morning and that this additional work that they do, so
21 sending emails late at night or whatever it is that you took a lot of time to
22 present, you said that counterbalances all the times I've shown during working
23 hours, during an office day the political things that were being done. Is that
24 not... have I got that wrong, is that not your evidence in your defence?

25 **NM:** You've not provided any evidence at all other than what I'm doing in Radyr
26 which I told ██████ not to do but then completing political tasks other than a few
27 emails or a few messages. In terms of ██████ in a morning, very often ██████
28 will be researching things on the train, it's not just a question of sending an
29 email, there are tasks that I ask her to do and she completes those tasks in the

1 travel time to work so if [REDACTED] doesn't want to do that she's fully entitled to but
2 if I've asked her to research something and send me a message about it, and
3 she uses the 45 minutes on the train, which I think is good time management
4 actually, then of course she's going to bag that time.

5 **MD:** Okay.

6 **NM:** I know most employers don't do that because you've got travel time, travel to
7 work time, but what I do know with [REDACTED], and I did know with [REDACTED], I get a
8 hell of a lot more back than the 37 hours, so I am flexible.

9 **MD:** Okay, just one point then, for the sake of time moving on, is it your evidence
10 then that political activities were not going on during office hours? You say that I
11 haven't provided a shred of evidence up until now, is that your case that they
12 just didn't happen?

13 **NM:** There would be occasions when they would do some campaigning but I think
14 you're missing the point here. If you go around the Assembly office and say that
15 nobody was in the office because we were all doing stuff, it's not the real picture.

16 **RE:** My understanding of your evidence so far is that there would be occasions when
17 [REDACTED] and [REDACTED]—

18 **NM:** Yes, there would, yes.

19 **RE:** —would be involved, [REDACTED], would be involved in political things during
20 the day—

21 **NM:** Sometimes, yes.

22 **RE:** —(a) because it's inevitable, and (b) because there would be times when they
23 would make up for that time outside strict office hours by doing political work.

24 **NM:** Yes.

25 **RE:** Right.

1 **NM:** But I'm not saying that, for example, three days in the week [REDACTED] was off
2 doing this, that and the other, no, but there may be a bit of time and overall, of
3 course that time is made up.

4 **RE:** Yes.

5 **NM:** To be honest, Sir Roderick, in terms of the time, I'm well in credit, I know that,
6 I'm well in credit.

7 **RE:** Right, just... no, I won't go into that now.

8 **NM:** [REDACTED] was with me on Monday from 7.00am until 10.00pm, actually by the
9 time he got back 10.00pm, right, probably another hour because he wanted a
10 debrief, what had gone on, what was good, what was bad, it was Wednesday
11 actually wasn't it, not Monday?

12 **[REDACTED]:** Mm-hmm.

13 **NM:** Yes, that is a 15 hour day, and that's not unusual.

14 **[REDACTED]:** You did something similar as well when I went to London with you.

15 **NM:** Yes, we went to London and we left at roughly 7.00am again, we didn't get back
16 on that day until, well, it was two days because the trains had stopped, so I had
17 to book [REDACTED] into a hotel that day, well, that evening, and reclaim it, so on that
18 day you were [inaudible 02:27:06] seven, 12 midnight, how many hours is that?
19 17 hours.

20 **MD:** Neil, I don't dispute this.

21 **NM:** Well, you seem to be.

22 **MD:** No, I don't.

23 **RE:** There's no... I think despite what you think there is a degree of agreement
24 between you here.

25 **MD:** Yes, definitely.

1 **NM:** Because he changed his evidence at the beginning of the hearing.

2 **RE:** Right, okay, let's stop for lunch. There is an element of agreement, I think it's a
3 good time to stop.

4 **MD:** Yes.

5 **NM:** Can we just do half hour because I've got to go to the nurse later.

6 **RE:** No, I require until two o'clock.

7 **NM:** Alright.

8 **RE:** Thank you. Okay?

9 *Egwyl / Break*

10 **RE:** Okay?

11 **MD:** Mm-hmm. So, page 077 of your evidence—.

12 **RE:** Sorry, which page?

13 **MD:** 77.

14 **RE:** 77.

15 **MD:** This was a letter written to the Chair of Plaid Cymru on 13th November 2017.

16 **NM:** What page was it, please?

17 **MD:** 77.

18 **NM:** Oh, 77.

19 **MD:** So, you highlight the first paragraph on 77 and you accuse me of embellishment.
20 You said that I was concocting an elaborate story to paint you in a bad light with
21 the party when I state that you tried to delay the disciplinary process, do you
22 remember that?

1 **NM:** Erm, I'm on the page but yes, yes.

2 **MD:** Yes.

3 **RE:** Do we need to go through this?

4 **MD:** Erm—

5 **RE:** I know that Mr McEvoy went through it, but is it Jermaine to the complaints you
6 want to make?

7 **MD:** Erm, I just think... so during this particular exchange, he accused me of an overt
8 lie so I'm just picking up that. It's just proving that I wasn't lying about this and
9 that he had delayed the disciplinary process so yes, just proving that I wasn't
10 lying really, so I guess it is irrelevant.

11 **RE:** Okay.

12 **MD:** I mean, unless you want to work through all that statement [inaudible 02:30:20].

13 **NM:** No, listen, we were made to go forward with it because you were ill.

14 **MD:** Okay, so additional evidence and MX1, so page one is the timeline of events
15 that I've already produced for this hearing as evidence. Key date on there 28th
16 September, "MD due to give evidence against NM. Hearing cancelled due to
17 previous day's disciplinary notice." 27th October, "First scheduled disciplinary
18 hearing cancelled by NM." 10th November, "Second scheduled disciplinary
19 hearing cancelled by NM." So, these are the occasions where I'm seeing in this
20 letter to Plaid Cymru that actually Neil has been cancelling the process which
21 Neil says is an overt lie.

22 **NM:** Have you got my emails cancelling the process?

23 **MD:** Yes, that's what I'm getting to.

24 **MD:** Okay, I'll wait for your questions.

1 **MD:** So, exhibit NMX1, page two, so this is the letter to me from Neil. This is what
2 I'm referring to on 28th December as in the previous day's disciplinary notice.
3 So, Neil says, "[REDACTED]" was due to speak to you regarding your grievances on
4 Thursday 28th September. A further issue has arisen in the form of a complaint
5 submitted by [REDACTED] which in my view takes priority. I therefore intend to
6 put the current investigations on hold and invite you to attend a disciplinary
7 hearing." So, am I telling the truth there on 28th September?

8 **NM:** Erm, the delay initially was you said you were too embarrassed to attend even
9 though you were abroad some of the time. What is happening here is that the
10 quickest way to deal with matters and the simplest way according to the legal
11 advice provided by lawyers referred to me by the Commission, was to follow this
12 route and this was the quickest way.

13 **MD:** I'm not trying to prove that I didn't attend certain meetings and that I didn't, I'm
14 not trying to say that I never cancelled meetings, that's not what I'm trying to do
15 here. The point is that you say that by saying to Plaid Cymru that you had
16 cancelled meetings, that I was embellishing the story and it was an overt lie to
17 say that you had cancelled meetings.

18 **NM:** This is a separate process. This was the process which you were dismissed by.
19 All the way along the line you were cancelling appointments, you cancelled
20 meetings right the way along the line and you blamed me.

21 **MD:** No, I didn't. I'm showing that these are the occasions where you are.

22 **NM:** Maybe we'll agree to disagree the different interpretations of matters. One
23 disciplinary, erm, process would have been really involved, would have been a
24 lot... it would have taken forever almost so the quickest and most cost effective
25 way was to go on what you did in the September meeting, which is what we did,
26 and we did it as quickly as possible.

27 **RE:** I didn't stop Mr Deem... sorry, Mr McEvoy going through the disciplinary process
28 in his evidence because it's his evidence and a person should be allowed to give
29 his evidence as he wants to, but I have to say, I should be concentrating on the
30 complaints themselves rather than the surrounding background of ill feeling and

1 counter-allegations and allegation. If you are satisfied that this does go to one
2 of the complaints, fine, but if it's no more than tangential, I'm not sure it's going
3 to help you much.

4 **MD:** Okay.

5 **NM:** We'll just have to agree to disagree.

6 **RE:** Sorry?

7 **NM:** Can we agree to disagree?

8 **RE:** Well, you do disagree, yes, that's very obvious. It just doesn't seem to me at the
9 moment to be fruitful when we've got complaints that are.

10 **MD:** Yes, okay. Yes, the only thing I'd say on them is that in a previous hearing I'd
11 been accused of being an overt liar. It's my evidence that these documents
12 prove that I wasn't lying, the meetings were cancelled. That's the only point I
13 want to make from it.

14 **RE:** Yes.

15 **NM:** To speed up the process.

16 **RE:** I have to say I haven't, really haven't decided which evidence I accept or reject, I
17 haven't finished hearing it, but at the moment I'm intent, as far as I'm able, to
18 concentrate on the complaints themselves and not on peripheral issues.

19 **MD:** Okay. Again, this is probably a similar feeling you'll have towards this, so 30 to
20 34 discussed me handing in a sick note and Neil says that the fact that I was
21 attending political meetings, I'd gone to a constituency meeting at the same
22 time, he raised that as a point in his evidence, I'd say there's no relevance to it.
23 Personally, I think it's just a case of raising issues for my disciplinary hearing for
24 the sake of raising them, I don't see any issue or reason for raising them.

1 **RE:** It may be when I think about all this at the end of the evidence that I want more
2 information, I don't know, but at the moment it'd be helpful, I think, to keep it to
3 the complaints themselves.

4 **MD:** Yes, okay. So, throughout the hearing so far, you've said on many occasions
5 that my motive throughout all of this was that I was convinced that I was going to
6 be elected as an MP.

7 **NM:** Yes.

8 **MD:** And that's why all of the actions I took, that's why you say that I burned my
9 bridges in the office with staff members, with you, you said that I had it in my
10 head that I was convinced I was going to be an MP so I didn't need you, didn't
11 need [REDACTED], didn't need [REDACTED] because in a couple of weeks' time I was
12 going to be elected to go and represent Cardiff West in Westminster.

13 **NM:** That's my opinion, yes.

14 **MD:** Okay. Do you think—

15 **NM:** It partially explains it, yes.

16 **RE:** Partially what?

17 **NM:** It partly explains it. There were a whole load of dynamics going on at the same
18 time, so.

19 **RE:** So, what you're saying is Mr Deem could behave as you say he was behaving
20 because he was confident of going into Westminster?

21 **NM:** It did seem so until election night because when I was given advice about what
22 should be done in the campaign, erm, it was a surprise that we only got nine and
23 a half per cent, it was a surprise.

24 **MD:** I can't remember, I can't remember what [inaudible 02:38:27].

25 **NM:** I think it was 9.5, it was pretty obvious that was going to happen from a long way
26 back.

1 **MD:** I agree with you, I think it was pretty obvious. Do you think I'm a relatively
2 intelligent person?

3 **NM:** Erm, I think I grossly over-estimated your intelligence.

4 **MD:** Okay.

5 **NM:** Erm, in terms of political naivety I think you, you've got a different kind of
6 intelligence, yes? In terms of the politics of it, you were extremely naïve.

7 **MD:** What was the result of the council election 2017?

8 **NM:** The best result Plaid Cymru's ever got in Cardiff.

9 **MD:** The council election 2017?

10 **NM:** Yes, best result Plaid Cymru's ever got in Cardiff, the most votes we've ever got.

11 **MD:** In terms of seats, how many seats did we win?

12 **NM:** We... if you... politics, back in 2003 the only placed where we were competitive
13 was in Creigiau, all right? I used to say Creigiau, it's actually Creigiau, it's the
14 [Silurian? 02:39:28] pronunciation, I'm told.

15 **RE:** It's what?

16 **NM:** It's the [Silurian? 02:39:31] pronunciation, I started saying Caerau but I say
17 Caerau and Creigiau because it predates modern... forget it, sorry.

18 **RE:** Do you want, can the light go on your side; do you want them on?

19 **NM:** I'm okay, it's all right. Do you want the light on?

20 **█:** Yes, I wouldn't mind.

21 **NM:** Okay. In 2004 we were competitive in two areas which was Riverside because I
22 joined from Labour and was a councillor, so there was a campaign there. The
23 only other place we were competitive was Creigiau. Areas of the constituency
24 like Ely we were dead, I mean three per cent of support, so what we did in 2008

1 strategically was target Riverside, Canton, Fairwater, Creigiau religiously. We
2 then targeted those areas and we did really well, we got a return of seven,
3 seven seats. What we did after that was change strategy and instead of being
4 focused on those areas, we decided to widen the fight across the constituency.
5 It does have its downsides because what you don't do then is focus, put as
6 much work into the target seats, the target areas like, for example, Riverside, so
7 the upshot was we increased the vote in 2012, we increased the vote across the
8 city and across the constituency, but because of the lack of focus in particular
9 wards, for example, Riverside, we lost the seat there. There are other reasons
10 as well but that's just a general synopsis.

11 2017, I think we I'd say tried to jump an election and tried to take control of the
12 city. Things were going to plan in terms of the numbers coming back in. I was
13 pretty happy with progress until Theresa May called the Westminster election
14 and that changed everything. So, we ended up still having the best result ever
15 numerically. We, and this is where the trouble began really because for the first
16 time, we'd won an election in Cardiff West. On the average vote we had less
17 councillors but the average vote we had got more than Labour. We had 35.1
18 per cent, they had 34.8 per cent and then all hell broke loose because they
19 realised, they might lose their first Minister next time around. He wasn't the First
20 Minister then obviously.

21 So, to answer Michael's question, what we did, we won three seats only in
22 Fairwater but the upshot, which was disappointing to only win three, but the
23 upshot of it was we came second in 20 seats which was unheard of and we
24 came a winnable fifth, sorry, a winnable third in five others so coming out of the
25 election, which Michael describes as embarrassing, I don't, it was disappointing
26 not to get more council seats but ultimately the politics of it is we say, I'm
27 allowed to say we nowadays, Plaid Cymru, if things continue as they are, could
28 take control of the council. Thankfully, well hopefully I won't be a councillor
29 then, but this is where we are.

30 The Ely results showed what can be done. We didn't get the result in Ely; we
31 didn't really progress, or we didn't progress at all from 2012. We then [inaudible

1 02:42:50] by-election, so to answer your question directly, yes, we got three
2 seats, we've got four seats now minus me so back to three.

3 **RE:** What, you're no longer a councillor, are you?

4 **NM:** Yes, but not a Plaid Cymru councillor, I'm an Independent councillor.

5 **RE:** Right.

6 **NM:** So, the results were pretty brilliant actually, to be honest.

7 **MD:** You talk a good talk, fair play, when you talk about elections you speak well.

8 **NM:** Well, it's factual isn't it?

9 **MD:** How you look at it—

10 **NM:** Hang on, we used to get 200 votes, we got 1,600 votes in Caerau, wow. If we'd
11 have got 1,800, we'd have won the seats but to go from 200 to 1,600 is massive,
12 huge.

13 **MD:** So, a high water mark, 2008, seven seats—

14 **NM:** [Inaudible 02:43:33].

15 **MD:** Well in terms of seats then, agree with me in terms of seats—

16 **NM:** Okay, yes, yes.

17 **MD:** —so seven seats, so how many did we win in 2017, three?

18 **NM:** Yes.

19 **MD:** How many did we lose?

20 **NM:** None.

21 **MD:** One.

22 **NM:** We gained one.

1 **MD:** We lost one, we lost [REDACTED]'s seat.

2 **NM:** That wasn't in the... that was a by-election, we didn't win that in 2012.

3 **MD:** So, going into the council elections we had four seats. Coming out of the council
4 elections we had three seats, we've lost a seat.

5 **NM:** No, we had one person who joined who came from Labour, so she wasn't going
6 to win a seat, she was going to Pembrokeshire. She joined us because she was
7 being bullied, that was always nice to know, okay, and then she started looking
8 at our politics and I was supportive of her because she was being bullied. She
9 decided to join us, but we left her in that seat. [REDACTED] won the by-election so that
10 was again during the term, but in terms of 2012 and 2017, we went from two to
11 three because we won all the seats in Fairwater. But, if you're talking about how
12 we amassed seats going along, erm, we ended up with one less. I've explained
13 how we did that.

14 **MD:** Yes, we lost the seat. So, prior to that election, so you're going around months
15 before telling everyone who'd listen Plaid Cymru are going to take over the
16 council, you were going to run the city, all of this, as I said talk a good talk—

17 **NM:** Yes.

18 **MD:** —and then we took three seats. Granted we did well in second place in others,
19 but second place doesn't really mean anything in politics does it, we took three
20 seats.

21 **NM:** Oh, it does, it does, because, erm, you fake it before you make it, that's what
22 you do. Telling people that we're going to take control, probably coalitions, we
23 could have done that, we were very close to winning about ten, I think, but what
24 that did was enable me to go into council meetings and basically have a lot more
25 influence on officials than I otherwise would have. We were dismissed up until
26 that point. When people saw we were on the rise, then we were suddenly taken
27 a lot more serious and the strokes that we pulled, everyone's supposed to be
28 politically neutral, they're not, so what you'd have to put up with when you had
29 no influence and no chance of winning is quite bad really, to be honest. When

1 they think you're going to be in control they treat you a lot differently. So, our
2 Plaid Cymru group now is treated very well because they can see the maths
3 next time round. That's just reality.

4 **RE:** Anyway, it is—

5 **NM:** Can I give you an example?

6 **RE:** —it's a good result from one point of view and disappointing from another point
7 of view.

8 **NM:** Yes. Let me give you an example. You want a report off somebody, and you
9 don't get it, right? You will get that report, you'll get it, because they're doing the
10 maths.

11 **MD:** What, with two councillors?

12 **NM:** Four. Three plus me.

13 **MD:** ■■■, ■■■—

14 **NM:** ■■■.

15 **MD:** —■■■, sorry, yes, ■■■, three.

16 **NM:** For Ely, it's really shaping up.

17 **MD:** Okay, fair enough. So, it was a shock after the election, I'll give you that,
18 because I had bought into what you said, I was as convinced before the election
19 that we were, we would maybe not run the council but at least take a significant
20 amount of seats, I'll give you that. Election night comes, we take three seats
21 and reality hits in, you know? We've done, we've put two years' worth of work in
22 and we've got nothing to show for it, people are laughing at us in the County
23 Hall.. Labour's laughing at us—

24 **NM:** Okay.

1 **MD:** —because they've got away with it, you know, they've dodged the bullet and
2 they're happy in the seats they got.

3 **NM:** They were really relieved, but if we had mounted the campaign over the two
4 years as I would have liked, of course we'd have taken the seats but the reality
5 is, erm, we didn't have the campaign over two years that we should have had,
6 we didn't do it, and that's the problem.

7 **MD:** No, no.

8 **NM:** What we're doing now, we're trying to rectify that, so we're going to start the
9 campaign, we were going to start it this week to be honest when my
10 membership was clarified. That hasn't happened, so we'll hopefully start it very
11 soon.

12 **MD:** What I don't get, okay, is you saying that I was convinced that I was going to be
13 an MP.

14 **NM:** Yes.

15 **MD:** I was there, I saw the counts coming in on the night, I'd had my own campaign
16 in Radyr, I saw the way things were going. I don't see, how, after taking three
17 seats in the council, how you can think that I would then be convinced that in a
18 couple of weeks' time I was going to be elected to Westminster, it just makes
19 absolutely no sense. I do have, whatever you think about me, I do have a small
20 amount of intelligence in these situations and I can read when an election goes
21 bad, so how can you say that I'm convinced I'm going to be an MP?

22 **NM:** I don't think this is too relevant but, erm, I think that was the view of a lot of
23 people. We won Cardiff West in the council election. You were fighting Cardiff
24 West. Your vote in Radyr went from 200 to 1,000.

25 **MD:** Yes. We didn't win Cardiff West, we had three seats.

26 **NM:** No, as we always work it out, since 2004, we always worked out the average
27 vote and the average votes in 2017 we won on, we exceeded 1.5 per cent.

1 **MD:** So, you stood in for Westminster Cardiff West 2015, how many votes did
2 Brennan beat you by in that year?

3 **NM:** I don't recall the amount, but we got, we had the best result ever, what did we
4 get, was it 15 per cent I think we had?

5 **MD:** Best result ever quite possibly, you lost by 12,000 votes.

6 **NM:** But we doubled our votes, that's the key point.

7 **MD:** Yes, so you lost, sorry, 11,707 votes—

8 **NM:** We doubled our votes.

9 **MD:** —you lost by in 2015, okay? Cardiff West, the Westminster seat, is a safe
10 Labour seat. The difference between the Westminster and the Assembly, huge
11 difference—

12 **NM:** Is this relevant?

13 **MD:** —Westminster is, well yes, because you're saying that my whole motive is
14 because I was convinced—

15 **NM:** The truth is you were sacked and you're unhappy, that's your motive, and you
16 [inaudible 02:49:41] with other people, that's my submission. To be honest, we
17 doubled the vote in 2015 with ██████████, we doubled the vote in 2016 in the
18 Assembly and you expected another bounce, it didn't come.

19 **MD:** So, where was I going to get these 12,000 votes that were needed to win that
20 Westminster seat? I know what goes into campaigning, I took Radyr from 200
21 votes to 1,000 votes over two years, I know what is needed to get over the line, I
22 know what's needed to win an election so where on earth am I thinking I'm going
23 to get 12,000 votes in a couple of weeks' time on the backdrop of, as you say,
24 Theresa May calling the snap General Election, people's narratives changed, I
25 just, why do you think that I was convinced of that?

1 **NM:** To be honest, because your ego exploded during the time and you didn't seem
2 connected to reality and you wouldn't listen to anybody and you said I was
3 bullying you because I was trying to get some perspective and tell you to get into
4 areas where we were strong like Fairwater with the campaign, and you didn't
5 diss it until the night before the election and you were a very difficult person to
6 deal with then because you were too busy to take my calls.

7 **RE:** Right, where does this get us towards the complaints?

8 **MD:** I just think it's delusional for... sorry, I shouldn't use that word delusional, I can't
9 see why this has been given as a motive for me bringing this case and for me
10 breaking down relationships in the office to say that I was convinced I was going
11 to be an MP. All the evidence shows that I didn't have a chance in that election,
12 I knew I didn't have a chance in that election, you still deliver leaflets to the last
13 minute but I'm not stupid, Neil, I understand the political process.

14 **RE:** Right, okay. Let's—

15 **NM:** I don't think, Sir Roderick, I'd accept it as evidence, Sir Roderick, you say one
16 way, I say the other, it doesn't really matter.

17 **MD:** Okay.

18 **RE:** What are you saying about me?

19 **NM:** I said you're going to be judging whether or not that's relevant, that's all I'm
20 saying.

21 **RE:** Yes.

22 **NM:** Yes.

23 **MD:** So, 37.

24 **NM:** 37?

25 **MD:** Yes. So, this is an email from me to Neil and [REDACTED] on 25th July. So, Neil said
26 that this is evidence that this is proof of flexible working because I ask if he

1 needs me in on the Saturday. I've never disputed the fact that I go into work on
2 a Saturday, what's been disputed throughout is what we used to actually do in
3 the office when we were there on the weekend so I don't accept that this is proof
4 of flexible working. He asks why I say I'm looking forward to getting back to the
5 team if I saw him as my abuser. First of all, I was looking forward to seeing
6 [REDACTED], she was actually in this email that I'm sending out to. [REDACTED], looking
7 forward to maybe not as much but I was. Would I say I was looking forward to
8 seeing Neil? No, but I knew I had to. Again, the point I'm making is in relation
9 to other matters. All I'm saying here is this is being shown as evidence of
10 flexible working, but I dispute that. As I say, I've never said that I didn't go in on
11 a Saturday, it was what we used to go in for.

12 **RE:** Right, okay.

13 **MD:** So, 38. So, this is the suspension letter Neil sends me on 27^h July. In the initial
14 suspension letter, the points that I'm accused of is that I purchased centrally
15 funded goods without Neil's authorisation, I've used Assembly resources for
16 political purposes which, if proven, could be considered as a breach of the
17 AMSS Code of Conduct and I've undermined his authority. Whatever happened
18 to the suspension process?

19 **RE:** Are we in the same territory here?

20 **MD:** It's coming onto this point of the use of Assembly resources in the initial
21 complaint that was submitted against me.

22 **RE:** Right.

23 **MD:** So, what happened to the suspension, this initial investigation process?

24 **NM:** It was written, I followed the Commissioner's advice to the letter.

25 **MD:** So, my recollection is being investigated by an independent investigator and
26 then a separate complaint comes in from [REDACTED] and then this independent
27 investigation is shelved so that you can skip straight to disciplinary and not
28 discuss any of the stuff in the initial investigation.

1 **NM:** I think where we were in September is it was pretty clear that the trust between
2 us had completely broken down. I saw no point in looking into whether or not
3 [REDACTED] was lying about you not having done this, not having done that, or
4 having shouted at whoever. What was clear was that it was impossible for you
5 to come back to the office so the issue was that there was a complete
6 breakdown of trust so that was the line that we went down. There was no point
7 in going over everything in great detail there. The clear point was that there was
8 no trust between us, you couldn't [inaudible 02:55:49].

9 **MD:** What happened to point two? So, "You've used Assembly resources for political
10 purposes which, if proven, could be considered as a breach of the AMSS Code
11 of Conduct."

12 **NM:** I don't know what you mean, really.

13 **MD:** What happened to it? It was dropped wasn't it before we got to the
14 investigation.

15 **NM:** No.

16 **MD:** Yes.

17 **NM:** No, because I've already explained to the Commissioner where I was coming
18 from and that's why it was in there.

19 **MD:** Initially you've accused me of this, and then when we get to the investigation I'm
20 then told by the investigating officer, "Oh, Neil doesn't want to explore this
21 anymore," why did you drop that?

22 **NM:** I didn't drop that per se, I went for the quickest way to make you unemployed.

23 **MD:** That's the most serious allegation on there, that's the quickest way of
24 terminating my employment—

25 **NM:** No, it's not, no, it's not.

26 **MD:** —so why did you drop it?

1 **NM:** What the Commission said to me, just for your information, and Sir Roderick's,
2 was that there were 51 cases that I was unhappy with where I didn't feel you'd
3 done your job basically. There were a number of, a lot of complaints from
4 constituents about what you'd done or hadn't done. There were allegations from
5 other members of staff about how you'd behaved towards them. I knew how
6 you'd behaved towards me. It was the issue of you using the office during the
7 election campaign, we've already covered that, so that would have taken a hell
8 of a lot of time, a hell of a lot of money to be investigated and it was pretty clear
9 after what you did in the Cardiff West meeting that there was no trust. So, I've
10 sat down with a lawyer—

11 **MD:** You've decided this prior to that Cardiff West meeting. You decided to drop this
12 prior to what happened in the Cardiff West meeting, so why did you decide, of all
13 of the complaints, to drop this one about the Assembly office being used for
14 political purposes? That's all I'm asking.

15 **NM:** Well, where was it happening?

16 **MD:** Sorry, repeat the question.

17 **NM:** Where was that? Tell me where that's been dropped.

18 **MD:** It was dropped by the time I got to the investigation. When I sat down, I was told
19 by [REDACTED] that you were no longer pursuing that.

20 **NM:** But there was no investigation.

21 **MD:** There was, there was an initial fact finding investigation. We sat down, I went
22 through my evidence and he told me at that stage you were no longer pursuing
23 that.

24 **NM:** Where is that?

25 **MD:** Where is what?

26 **NM:** It was on the record that you had used the office, you'd used resources, I'd
27 given you a verbal warning not to do it again, therefore—

1 **RE:** This is the video?

2 **MD:** Yes.

3 **NM:** Yes. So, therefore that was there for you.

4 **MD:** But if that's the case, then why include that in my suspension document,
5 because this is sent after you've sent me the email to say that I shouldn't have
6 shot the video in the office.

7 **NM:** Well you shouldn't have, because when I sat down with the Commission and
8 went through the issues, of course I raised that and said that that was the trigger
9 point for the relationship rupturing because you didn't like being told to take the
10 video down and we had a big row about it. I didn't want a row about that, it
11 shouldn't have happened, you knew that, so that's why it was in the letter. I
12 didn't draft those letters, the Commission drafted them.

13 **MD:** It's got your name on the bottom of it, Neil.

14 **NM:** I never drafted the letters, I agreed the letters, I acted on their advice, that's the
15 way that it works and the advice from them was the quickest way of dealing with
16 this is there is no trust between us clearly, it's a complete breakdown of trust
17 between me, you and you and everybody else you worked with, and that's why
18 you were dismissed.

19 **MD:** So, let me just get it clear in my head. So, the most serious allegation on this,
20 for this investigation, was dropped by you but, and the reason for that was
21 because there was a quicker way of pursuing?

22 **NM:** All of this was dropped.

23 **MD:** No, it wasn't Neil, it wasn't dropped, because it was put on hold.

24 **NM:** Can you give me the document to look at where it substantiates what you're
25 saying there because I'm not clear about what you're saying. I'm trying to
26 answer but this is just going on now.

1 **MD:** No, Neil, you're purposely evading. So, what you're saying is you didn't drop
2 that point? If that's what you're saying fine, I'll go and find the evidence.

3 **NM:** From my recollection of events, I'd laid out how you had misbehaved from my
4 perspective and from the perspective of others. This is an employment matter
5 and I think it's [inaudible 03:00:19]. They therefore drafted the letter and it was
6 sent. The issue of the resource I suspect is that it had already been dealt with
7 because I had given you an informal warning, verbally, do you agree I did that?

8 **MD:** We'd had discussions about it yes, but I said that we—

9 **NM:** Did I give you an informal warning and said, "Look, this must not happen"?

10 **MD:** No, we'd had discussions about it, you never framed it in the way that this is a
11 warning. That's why I was surprised when we got to that stage. You sent the
12 email out and that's absolutely fine, that's when you sent the email nothing
13 political could be done in the office.

14 **NM:** It's not my recollection but at the end of the day, I just followed advice from the
15 Commission about how to frame things.

16 **MD:** Okay.

17 **NM:** Which is why your appeal was unsuccessful because I did exactly as I was
18 advised.

19 **MD:** Mm-hmm.

20 **NM:** I'd have been stupid not to.

21 **MD:** 53. So, this is a message that initially I had sent to [REDACTED] and then [REDACTED]'s
22 forwarded it to you and it's my recollection of [REDACTED]'s contract, what he had
23 done during the time, and also I've touched on what I think Cardiff West owes
24 Clarity in relation to the printers. So, in your evidence, when we were discussing
25 Clarity, and the dispute between Plaid and Clarity, it was your evidence that
26 everyone had a different account of the incident from me.

1 **NM:** We're not, just for the benefit of Sir Roderick, we're not talking the same printer
2 Roderick, this is a completely separate matter. This isn't the Assembly printer,
3 it's the other printer, the political printer.

4 **MD:** No, actually, both printers are discussed in this document.

5 **NM:** I'm not sure what you're talking... what's the question?

6 **MD:** So, your evidence was that everyone had a different account of the printer
7 situation than me, trying to insinuate that I had created this—

8 **NM:** Yes. My belief is that after having spoken to [REDACTED] at Clarity, after
9 having spoken to the engineer, after having spoken to the accounts person, I
10 think you point blank lied about things, yes I do, and this is connected to the
11 political printer where for some reason half a million copies were made out, I've
12 no idea how we made those so I don't understand what your question is really.

13 **MD:** That's fine, so when you refer to the accounts person, you're talking about [REDACTED]?

14 **NM:** No, [REDACTED].

15 **MD:** Okay, discussed this with [REDACTED]?

16 **NM:** Discussed what with [REDACTED]?

17 **MD:** The dispute with Clarity over the printer bills.

18 **NM:** Which dispute?

19 **MD:** Any of them.

20 **NM:** Which dispute? There was no dispute with Clarity.

21 **MD:** This document you've provided as evidence, outlines the dispute between Plaid
22 Cymru and Clarity. Have you discussed this dispute with [REDACTED]?

23 **NM:** You know I've discussed it with [REDACTED].

24 **MD:** So, say yes.

1 **NM:** This is not the Assembly printer, you're not here to instruct me, Michael, there's
2 almost a control thing going on here, you've made me agree a date which is in
3 front of me for God's sake, in the email. Of course, I discussed it with [REDACTED]. We
4 all discussed it with [REDACTED], I discussed it with Clarity because they said you ran
5 up a bill of £6,000 on the political printer and you said you didn't.

6 **MD:** Okay.

7 **NM:** I had to pay a bill of £3,000 then, personally.

8 **MD:** That's fine.

9 **NM:** [Inaudible 03:04:31].

10 **MD:** So, you've discussed, so, we've discussed it with me, [REDACTED], Clarity, that's all I
11 wanted. So, do you remember the meeting that you, [REDACTED] and myself had with
12 [REDACTED] to discuss these bills?

13 **NM:** This was a political printer.

14 **MD:** Did you, do you remember the meeting the three of us had with [REDACTED]
15 to discuss all sorts of different bills?

16 **NM:** No, it wasn't all sorts of different bills. It was the money you owed, from the
17 political printer. We were discussing the £6,000 bill that you ran up without
18 telling anybody.

19 **MD:** And all the other bills that we discussed during the same meeting.

20 **NM:** My recollection is that it was the £6,000 bill that you ran up that he was
21 threatening to take us to court.

22 **RE:** Let me just get a note of this. You remember a meeting with... the name of that
23 gentleman from Clarity?

24 **MD:** [REDACTED].

25 **RE:** [REDACTED]?

1 **MD:** [REDACTED], [REDACTED].

2 **RE:** Neil McEvoy, and yourself?

3 **MD:** Myself and [REDACTED].

4 **RE:** Right. The meeting was [REDACTED], you, [REDACTED] and Mr Deem, right, to
5 discuss bills?

6 **NM:** Yes.

7 **RE:** Now, Mr McEvoy says the discussion was about the political printer.

8 **NM:** Yes.

9 **RE:** And ended up with you paying £3,000 yourself?

10 **NM:** Yes. The reason for that, I felt honour bound because it's not very often that a
11 company will give you a printer and give you credit to print as they did with us
12 back in early 2016 I think it was, he thought I was elected, so then when the
13 person comes to me and says, "Look, there's a £6,000 bill here," that I knew
14 nothing about and Plaid Cymru... Michael denies having run up the bill. It
15 wasn't an actual contract between [REDACTED] and us, between him and
16 Plaid Cymru because it was done on the basis of trust and therefore Plaid
17 Cymru's position was that they weren't legally obliged to pay the entire bill, as a
18 gesture of good will they made us pay a certain amount and I just felt obliged to
19 pay £3,000 because that seemed the right thing to do.

20 **RE:** So, Plaid Cymru tried to pay £3,000.

21 **MD:** No, Neil decided to pay £3,000.

22 **RE:** Well, what had Plaid Cymru paid?

23 **NM:** Well, they paid... do you know what, from memory I don't recall, what I will say
24 is that Plaid Cymru made a substantial payment towards Clarity.

25 **RE:** Right.

1 **NM:** I don't recall—

2 **RE:** "Plaid Cymru tried to pay a substantial amount and I paid £3,000."

3 **NM:** Because I felt they'd been good to us in the past.

4 **RE:** Now, are these the bills that we were talking about earlier?

5 **NM:** No.

6 **RE:** They're different ones?

7 **NM:** Completely different bills.

8 **RE:** So, when's the date of this meeting?

9 **MD:** Erm, I haven't got it on me. I can get the date for you.

10 **RE:** Right.

11 **MD:** Do you remember [REDACTED] getting quite heated in that meeting?

12 **NM:** I remember [REDACTED] getting heated, yes.

13 **MD:** Do you remember [REDACTED] getting quite heated?

14 **NM:** Not so much, no. I remember being threatened with legal action because of
15 your bill.

16 **MD:** [REDACTED] [REDACTED] [REDACTED]
17 [REDACTED] [REDACTED]
18 [REDACTED]. What was [REDACTED]'s advice to us after we
19 left that meeting?

20 **NM:** There was no contract between us was there? There wasn't a written contract,
21 so I didn't feel able to just write it off.

22 **MD:** [REDACTED]'s advice was we shouldn't pay the bills that were in dispute. I gave a
23 detailed breakdown of the bills that I thought we were liable for and the bills we

1 weren't liable for. We discussed this in detail during a long meeting, the three of
2 us with [REDACTED], and after leaving that meeting, [REDACTED]'s advice was we
3 should not pay the bills that were being requested. [REDACTED]
4 [REDACTED].

5 **NM:** I don't recall that at all. What I recall is that they said, and you had point blank
6 lied to them, they said that they had acted with us in absolute good faith by
7 advancing a substantial amount of credit previously. They'd been very
8 supportive to us and you felt able to leave them with a gap financially.

9 **MD:** You say, "You"—

10 **NM:** I didn't feel able to do that, so I used my council allowance to pay, to pay—

11 **RE:** Can somebody explain to me, how does this refer to or relate to the complaints?

12 **MD:** I think there's a bigger piece here about the involvement of [REDACTED], the way that
13 Neil has painted dealings with Clarity up until now. There's serious questions as
14 to why Neil on the advice of [REDACTED]
15 [REDACTED] and pay off a bill that was not, we
16 weren't liable for.

17 **NM:** You're a liar and I know you're a liar, so when [REDACTED] tells me you're
18 lying and you've ran up a £6,000 bill, which you did, you told me it was a couple
19 of hundred pound and when—

20 **RE:** Hang on, we can go into the detail of this in due course. Before we get into the
21 detail of it, can I just have it explained to me why is it relevant to what I've got to
22 look into? He's calling you a liar, are you calling him a liar?

23 **NM:** I had to pay £3,000, Sir Roderick, that's because my bloody reputation was on
24 the line. There's a bill outstanding, I'm being taken to court, I'm paying that bill,
25 I'm sorry.

26 **RE:** I can understand there's a dispute between you, but is it one that's relevant to
27 me on these complaints? If you've got to think about it, the probability is that it
28 isn't.

1 **MD:** Yes. It's the whole piece around printing. Neil says the bills discussed here
2 were only the political ones, I think over the course of conversations with Clarity,
3 there was never a point when we said, "Right, today we're only going to talk
4 about this printer, today we're only going to talk about that printer," it was always
5 as one. I mean, probably the quickest—

6 **NM:** It wasn't.

7 **RE:** Hang on a minute, one at a time.

8 **MD:** I think for me, the quickest way to get to the bottom of this entire printing
9 question is to hear [REDACTED] evidence. He is the connecting person here, for
10 whatever reason Neil hasn't brought him forward to be a witness up until now
11 although if—

12 **NM:** I haven't called my witnesses yet.

13 **MD:** Do you intend to call [REDACTED], because that could help me get through a lot of this,
14 I'll save this for [REDACTED].

15 **NM:** I don't... let's see where we go.

16 **RE:** Well, I can call him myself. I can see, but—

17 **NM:** This is a political printer; you ran up a £6,00 bill printing.

18 **RE:** I understand what you're saying, right, this is all a pretty good stitch up, I
19 understand that, so you needn't repeat it.

20 **NM:** It was a political printer; it was the other printer [inaudible 03:12:51].

21 **RE:** Yes, I know, but you're saying the whole things a bit of a stitch up.

22 **NM:** It is, yes.

23 **RE:** Can you just tell me, Mr Deem, is this going to help me deal with the other
24 matters?

1 **MD:** Erm, potentially. I'll skip to my questions and then I'll go back and review it
2 afterwards. I intend on looking at printing in its entirety, putting together the bills
3 and the rest of it so if I think I need to bring something back then... just a couple
4 of really quick questions, what happened to the campaign printer?

5 **NM:** You said it was working still. It was given to us free, you said it was still working,
6 when we tried to work it, it wouldn't work.

7 **MD:** Where is it?

8 **NM:** Scrapped.

9 **MD:** Scrapped?

10 **NM:** Mm-hmm.

11 **MD:** Not in your office, not in your house?

12 **NM:** It doesn't work, no.

13 **MD:** I'm asking you is it in your office?

14 **NM:** In my office.

15 **MD:** In Cowbridge Road East?

16 **RE:** Well any office, is it in your office?

17 **NM:** It's scrapped, it's in an office, it's not in my political office.

18 **RE:** Well, where is it then?

19 **NM:** Over the road.

20 **RE:** Where is that, where is, "Over the road"?

21 **NM:** It's in County Hall, it's there. It's just not working, it's scrapped, a piece of scrap,
22 doesn't work. It may have been disposed of by now, I'll check, I don't go in there
23 now.

1 **MD:** It's in County Hall, right, okay.

2 **NM:** [Inaudible 03:14:15] there, it may have been disposed of, I don't know, it
3 certainly doesn't work, it's a piece of scrap, it doesn't work.

4 **MD:** But you sent it to County Hall? Yes, no?

5 **NM:** Yes, I did, I did, yes.

6 **MD:** Okay, what about the folding machine?

7 **NM:** That's in the office.

8 **MD:** The folding machine is in the—

9 **NM:** Yes, 321.

10 **MD:** 321, okay, thank you.

11 **NM:** It doesn't work, probably we need to get it repaired.

12 **RE:** Which office is the folding machine?

13 **NM:** The constituency office.

14 **RE:** So, Cowbridge Road East?

15 **NM:** Yes. We need to get it repaired so we can start using it again.

16 **MD:** What do you need a folding machine for in there? For the purpose of doing your
17 role as an Assembly Member.

18 **NM:** Oh God, it's so time consuming folding letters to send out, okay, we've got a big
19 mail coming up which we need to get out and it's a real pain to get people in to
20 fold so we don't want to do that. What we want to do is get the folding machine,
21 put them in there, get them bundled and get the letters out.

22 **MD:** Okay. So, 57, so again this is Plaid Cymru disciplinary panel.

23 **RE:** Again, can I ask the same question?

1 **MD:** Yes, so Neil said that I'd hired [REDACTED] without consultation. I mean that
2 was his evidence, yes?

3 **NM:** Yes, you did.

4 **RE:** That you what?

5 **MD:** I hired [REDACTED] without consultation.

6 **NM:** Can I clarify that, please?

7 **RE:** Well, how does it help me on the complaints? I agree, I didn't stop Mr McEvoy
8 from dealing with this although at the time I couldn't understand why it was
9 relevant to my complaints. If it isn't relevant, I can understand why you would
10 feel annoyed that it's just been left in the air, but I just don't understand why we
11 have to go through all the detail of it.

12 **MD:** Okay.

13 **RE:** If you say that you're satisfied and it's relevant to the complaints then I will listen
14 to it, obviously, but unless you are satisfied of that yourself, then perhaps we
15 can just go on and deal with the complaints.

16 **MD:** Yes. For me, when I was looking at this, if Neil said something in evidence in
17 here that there is evidence within that file that proves that what he said verbally
18 to this hearing is incorrect, is untrue, is a lie, then that's why I've raised it.

19 **RE:** I fully understand that, I fully understand it and I have sympathy with you, and it
20 may be it's my fault for not stopping Mr McEvoy but it was his evidence—

21 **MD:** Yes.

22 **RE:** —and if you remember, he went through every paragraph of the complaint
23 documents and I still don't understand really why it's relevant.

24 **MD:** Yes.

1 **RE:** He's saying that you were incompetent, and you were dishonest, and he had to
2 sack you and that's why you're bringing the complaints right?

3 **MD:** Mm-hmm.

4 **RE:** Now, I understand that, that's motivation, but in the end, what I need to know is
5 whether there's evidence of the breach of the rules.

6 **MD:** Mm-hmm, okay.

7 **RE:** Do you want to have a think about it? Would five or ten minutes help you?

8 **MD:** Yes, it probably would.

9 **NM:** I'm going to need to go at 25 past so I can make my medical appointment.

10 **RE:** It's at quarter past four, you said.

11 **NM:** Ten past four the appointment is, so it's going to take me time to drive there with
12 the traffic, it's the other side of the city.

13 **RE:** Well, we've got half an hour left.

14 **MD:** Okay.

15 **RE:** Mr Deem, I understand why you'd want to deal with these things, but I think the
16 acid test for me is, is it relevant to the complaints?

17 **MD:** Okay, okay. So, the next section I was going to explore was in relation to the
18 hundreds of emails that were deleted from my account.

19 **NM:** Oh, God.

20 **MD:** Again, I don't know whether you see that as relevant, but I've got documentary
21 proof of them being deleted. I've never had chance to provide that anywhere
22 before.

23 **RE:** No. I've never really understood what the relevance might be to these
24 complaints.

1 **MD:** So, for me, the relevance of the deleted emails was that I haven't been able to
2 go back in and provide these as evidence.

3 **NM:** They never... they didn't exist.

4 **RE:** No, hang on.

5 **MD:** Whether that be at the disciplinary hearing or this hearing, I've never been able
6 to get those emails back because they were deleted from my Assembly account.
7 That's always been, and it's always been brushed off to say that this never
8 happened, these emails never existed and that I was fabricating it throughout
9 but, I've got the documentary evidence to show that they had been deleted.

10 **RE:** Right, so what is your case on why and by whom they were deleted?

11 **MD:** So, they were deleted by... the only two people they could have been deleted by
12 were [REDACTED] or Neil. The evidence that I've got suggests that it was Neil out of
13 the two of them.

14 **RE:** Right, and why do you say they were deleted?

15 **MD:** To impact my ability to defend myself. They were deleted maliciously in order
16 for me to not be able to initially put forward a case in my disciplinary hearing
17 and, as it transpired, it now means that I can't provide them to this hearing.

18 **RE:** But, are you able to say what you would have been able to provide had they not
19 been deleted? To what do they go?

20 **MD:** So, I've tried to do that throughout but unfortunately, it's difficult to say what
21 would have been able to be got from those emails.

22 **RE:** And proven negative in a way?

23 **MD:** Yes, yes, exactly.

24 **RE:** Were they deleted before these complaints? They must have been.

25 **MD:** They were deleted a couple of weeks after I was suspended.

1 **RE:** Yes.

2 **NM:** Sir Roderick, there's no evidence whatsoever of any deletion. We sat with
3 [REDACTED] when they were looked at in this room and despite Mr Deem saying
4 that they were deleted last year when he was suspended, they were available
5 for 12 months because when you delete they're there for 12 months, so he had
6 12 months to have access to them. The reality is that nothing was deleted.

7 **RE:** Yes, I will look at any piece of evidence that you can assure me, both of you, is
8 relevant. Where there's just tangential... what would proving that Mr McEvoy
9 deleted your emails add to what we've got in these documents already?

10 **MD:** It's the same narrative throughout, you know, it's always been, "No, he's lying
11 about this, this hasn't happened, this didn't happen," I spent a lot of time going
12 back through notes, listening to prior hearings and it is uncomfortable to listen to
13 a lot of lies being told about yourself, being accused of being a liar. I've tried not
14 to go into every single point that was made, I've tried to pick things where I've
15 got documents to refer to. This was clearly a time where I can prove definitively
16 that this did happen, even though on numerous occasions Neil said that it didn't
17 and that's why I wanted to raise it. Even now, he's sitting there when I've got
18 the evidence there saying that this never happened, my email account wasn't
19 deleted.

20 **NM:** It wasn't deleted.

21 **RE:** Right, but let's assume that you are right, and that Mr McEvoy did delete—

22 **NM:** I didn't have access to it.

23 **RE:** —hang on, he did delete them, what did he delete that is relevant to these
24 complaints?

25 **MD:** I can't tell you. That's the point, I can't tell you.

26 **RE:** Right, well look, I'm not sure then, I don't want you to feel that you're being kept
27 out of anything, on the other hand I don't want to spend time going over
28 something that may not be relevant, or that isn't relevant.

1 **MD:** Yes, okay. Yes, fair enough, I'll move on. It's me learning the difference
2 between accusations that have been made and whether they are exactly that,
3 just accusations, or whether they substantiated and can be referred to as
4 evidence later on. Obviously, I'm not experienced in doing this.

5 **RE:** No, of course not.

6 **MD:** So, sitting back and listening to this, as I said, it's uncomfortable and I feel the
7 urge to address those points but yes, you're right, if it's not going to cut at the
8 end, there's no point going back over it but it's just me understanding which side
9 of the line that falls on.

10 **RE:** I fully understand and I do appreciate why you would want to react to an
11 accusation that you're wrong or more so that you're lying, but really, as far as
12 I'm concerned, even if I were to find that you're right and Mr McEvoy's lying,
13 would it help me to decide on the complaints, that's the question.

14 **MD:** Yes, okay.

15 **NM:** Can I just say something as a matter of fact, because [REDACTED] was sat in here
16 with staff in the Assembly. I wanted access to the emails, I wasn't able to have
17 them, was I, [REDACTED]?

18 **RE:** Well the fact that you couldn't get access—

19 **NM:** I wanted access, so how could I delete when I didn't have access? There was
20 one day when [REDACTED] was given access in August—

21 **RE:** Well, maybe getting access to them afterwards is different. I just don't know;
22 does it help me?

23 **NM:** I don't know, but, no, the matter's been raised so all I would say is Plaid Cymru
24 have been told all the emails, there's a golden bullet in the emails, it's the emails
25 that have been deleted, he's been saying this for two years. If they were deleted
26 in August 2017 as he alleges, they were still available for 12 months and he
27 never made any effort to retrieve them. [REDACTED], can you confirm that's what
28 we were told? They were available for 12 months after being deleted.

1 ■ I mean, they were on the server weren't they, as far as I'm aware, but I don't
2 remember the technicalities of it with Michael.

3 **MD:** I still know the technicalities, but I wasn't in a position at that stage to contact the
4 Assembly to say, "Actually, can you just doublecheck if they were deleted or
5 not," it's stupid.

6 **NM:** The issue is ■■■■■, you were in here—

7 **RE:** Okay, hang on, let's stop this. We've got to a point I think—

8 **NM:** They were available if they were deleted, that's all I'm saying.

9 **RE:** —where Mr Deem agrees that even if I were to find that they were deleted, it
10 wouldn't help me because we don't know what was deleted. That's right isn't it?

11 **MD:** Yes.

12 **RE:** Yes, well, we needn't go any further on that then, I don't think. Now, if I've
13 interrupted your flow, I apologise. Do you want time to think about where you're
14 going to go next?

15 **MD:** Possibly yes, I'm wondering if I can cut out a bit now that might save time. If I
16 could just have five minutes to—?

17 **RE:** Yes, sure. We'll have a five minute break.

18 *Egwyl / Break*

19 **MD:** "Mike's pay in lieu of notice is accounted for this but not holiday pay or legal
20 costs. The annual leave that I'm stating to Mike that he is due is six days. He
21 will have accrued 16.5 days before August 2017 and February 27th. We have
22 rounded this up to 17 and then deduced ten days for leave and Catalonia of one
23 day work for Plaid in October so six days' leave is being proposed costing £719
24 for your budget. ■■■■■

25 ■■■■■
26 ■■■■■, and so he is likely to complain and

1 try to get it increased.” So, at this point, Neil, am I still trying to deceive
2 Assembly Commission staff?

3 **NM:** I think you did, yes. Erm, the only reason we took into account the ten days for
4 Catalonia was because of your social media posts so therefore you were on
5 holiday, you didn’t disclose it, we accepted it just as an error, why pursue it more
6 than that, so you were offered a settlement figure which was given for the
7 holidays we thought you were entitled to because you hadn’t taken holidays and
8 then just through this process really, looking at it a little more closely, we can
9 see you took a holiday in Finland that you didn’t declare, so you weren’t entitled
10 to those things but you took them. That’s why you complained.

11 **MD:** So, it’s me that’s trying to deceive the process even though you produced the
12 document that says that I’m entitled to £2,460 and then later on you decide, “Oh
13 no, actually we’re going to put that down to £719.”

14 **NM:** Because you didn’t take your holidays did you, we found out about your
15 holidays, Michael, that’s why.

16 **MD:** But you knew about them all along because I’d already explained them.

17 **NM:** Of course, I didn’t know about it.

18 **MD:** Okay.

19 **NM:** We, I think the Commission were dealing with you, they drafted this, I send it out
20 in my name after them drafting. They took it from you that you hadn’t taken
21 holidays and then when I told them you had, you had to declare Catalonia.

22 **RE:** Was it Finland, you said?

23 **NM:** He took Fin-, he had a holiday in Finland then, no one knew about that, but he
24 posted it on social media, that’s the complaint, and I wrote to you about it and
25 you didn’t reply, Michael.

26 **MD:** So, then my reply to [REDACTED] is, “Thanks, [REDACTED]. I’ve received them all, I’m just
27 looking at my suspension notification and it says, ‘During your suspension you

1 are not to attend work but must be available to answer any questions the
2 investigating officer may have or attend any investigatory meetings. You will be
3 notified in writing of any meetings you are required to attend,” and then I say, “I
4 answered all questions, was in constant contact by email and attended all
5 meetings as required, regardless of where I was. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 **NM:** I don't know what you mean. We went off the figures that you gave. You told
14 the Commission the holidays you had or had not taken, so they said that you
15 were entitled to 21 days. It was only when we discovered afterwards through
16 your social media activity that you'd been to Catalonia, that we realised you'd
17 been on holiday. I thought you had anyway but didn't mention it, you thought
18 you'd lost your phone, so, when we looked at, when I said, “Actually, have you
19 taken into account Catalonia?” they said they didn't even know about it, so we
20 made this offer on the information that you had given.

21 **MD:** [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 **NM:** It probably, it would have been less lucrative yes, but we, I wasn't aware of your
28 holidays.

29 **MD:** Did [REDACTED] or anyone from the Assembly Commission staff know about the
30 Standard Commissioner's case in relation to the misuse of Assembly resources?

1 **NM:** Erm, I... would they, did they?

2 **MD:** I'm asking you. It's a big question, so I would ask you to think about it.

3 **NM:** I don't know, did they? I don't know, I'm not sure of the relevance really to be
4 honest, they might have done. They must have done I suppose, I'd be surprised
5 if they didn't.

6 **MD:** Did you ever tell them about this case that you were being investigated for?

7 **NM:** We had discussions with... I've asked for information, for example the bills, I
8 needed the bills for the Standards Commissioner, yes, of course.

9 **MD:** [REDACTED]
10 [REDACTED]
11 [REDACTED]

12 **NM:** Well, when this was going on, I don't think this process was in motion was it? I
13 didn't know about it, so when all this was going on, this is after the event, I was
14 trying to get information but in terms of now, I don't think the Standards
15 Commissioner had sight of these complaints by then.

16 **MD:** So, this case—

17 **RE:** Sorry, what is the date of this? [REDACTED].

18 **NM:** October 2017.

19 **MD:** No, it was later than that.

20 **NM:** Well I don't know, when was it, tell me.

21 **MD:** I'll get to that in a minute. [REDACTED]
22 [REDACTED]
23 [REDACTED]. So my question to you is did the Assembly Commission staff
24 know about this case?

1 **NM:** Erm, I imagine they did. Well, you put it in the media in December 2017,
2 Michael, so I think a lot of people knew about it. You were telling them you'd
3 spoken to me about it, how I was going to be dismissed from the Assembly and
4 so on.

5 **MD:** Okay, so I'll ask again—

6 **NM:** [REDACTED]

7 **MD:** I can get you the date, I'll go back and get you the date.

8 **NM:** Right. Once again, all I'm doing is following normal procedure, I've got an
9 employee who was not prepared to be reasonable, relationships had broken
10 down, what's the quickest way of moving him on. That's what it was all about
11 really.

12 **MD:** [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 **NM:** The Standard Commissioner's case is totally separate. [REDACTED]
16 [REDACTED].

17 **MD:** I agree, so is that what you're saying, it was never a consideration?

18 **NM:** Erm, my main consideration really was putting the office in a working order. Fair
19 play to you, you caused a lot of disruption with the office and what we wanted to
20 do was move you on, remove the stress from [REDACTED] and [REDACTED] in the easiest
21 way we could and just get on with the job and it's you that decided not to do that.

22 **RE:** But I don't think, the question is [REDACTED]

23 **NM:** If you want, I can see what the implication is.

24 **RE:** —was the fact of these complaints ever a consideration?

25 **NM:** No.

1 MD: Okay, page 17, 79, sorry—

2 NM: [REDACTED]

3 MD: Page 79 of your evidence bundle, thanks for providing this by the way, I'd never
4 seen it before.

5 NM: Okay.

6 MD: An email from [REDACTED] on 26th January to Neil. [REDACTED] at this time is the
7 Head of the Assembly Commission.

8 RE: Sorry, the date again?

9 MD: [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 NM: Well there we go, "The Standards Commission will continue to investigate any
18 complaint regardless," of course.

19 MD: [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1
2
3
4
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[REDACTED]

13 **NM:**

Yes.

14 **MD:**

Are you, [REDACTED] and [REDACTED] trying to cover up this case?

15 **NM:**

Cover up? Listen, Mike, as I said, what I should have done is probably read this before the hearing, but I'm just so fed up with this. This is standard legal advice dispensed, so if I've got a lawyer saying tribunal, he can defend it in this way, he can complain to Plaid Cymru in that way whatever, whatever, they give me advice and I follow advice. All I've done is follow advice so, "Cover up," are you alleging... it's preposterous that you think the Head of HR would try and do me a favour as you seem to be suggesting by... it's just a ridiculous suggestion. What you need to understand is that in terms of HR rules, if they didn't advise me of that then they may be open to a claim from me. If I didn't get rid of you I'd have been open, I definitely would have been open to a claim from [REDACTED], for example, for not giving her a safe environment in which to work, so all of these things have to be laid out on paper for you understand.

27 **MD:**

[REDACTED]

30 **NM:**

Yes.

1 **MD:** [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 **NM:** Mm-hmm, yes.

5 **MD:** [REDACTED]
6 [REDACTED]

7 **NM:** [REDACTED] God almighty, you've detonated your own career
8 over this, I didn't want to come here, when this is over and everyone knows what
9 you've done, you're finished, right? [REDACTED]

10 [REDACTED]
11 [REDACTED] In terms of cover, there's nothing to
12 cover up, Michael. I do exactly the same as any other AM except I was the guy
13 that got the office up at Caerau to campaign through, other AM's don't bother
14 about that, so there's nothing to cover up, I'm transparent. There's a big window
15 in my office, there's a window in the second office, there's CCTV, you can see
16 exactly what we do.

17 **MD:** [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 **NM:** You could have gone to Plaid Cymru, you did go to Plaid Cymru, you could have
23 gone to Tribunal, in terms of the actual allegations, there is nothing relevant here
24 to the allegations. There's nothing to cover up. Did I want to come here? Of
25 course not, do you think I want to spend three weeks of my professional life
26 coming to hearings and three weeks of [REDACTED]'s life and everyone else's life?
27 Of course we didn't want to go through that. You've put us through it. Is there
28 anything to hide? No, there's not.

1 **MD:** [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 **NM:** We didn't.

5 **MD:** You have, you've done it here.

6 **NM:** [REDACTED]
7 [REDACTED]
8 [REDACTED]

9 **MD:** [REDACTED]
10 [REDACTED]

11 **NM:** Yes.

12 **MD:** —but you've asked for it to be inserted.

13 **NM:** So, I followed advice.

14 **MD:** No, you haven't.

15 **NM:** All the way along in this I've followed advice, and that's what I did.

16 **MD:** So, I'll ask the question again.

17 **NM:** Nobody wanted you to go ahead with this, Michael.

18 **MD:** [REDACTED]

19 **NM:** [REDACTED]

20 **MD:** Was this case that you're giving evidence in—

21 **NM:** We wanted you, we wanted you out of the door, Michael. That was the
22 consideration, however we could do that, we wanted to do.

1 **RE:** Well, can I just make this clear then? [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 **NM:** Well, to be honest, Sir Roderick, that's not my recollection. My main recollection
5 was wanting that man out of the door.

6 **RE:** Right, okay. Is that a convenient time to stop?

7 **MD:** I think so, yes.

8 **NM:** Let me just say though, all memories are imperfect, sometimes we revisit them
9 and revisit them. My main overriding concern was to safeguard the function of
10 the office, to get rid of Michael as soon as possible. Did anybody in Plaid Cymru
11 want this to happen? Hardly any, just a few people.

12 **RE:** That's fine, thank you. The next date is 5th July.

13 **NM:** Yes, can we book in two other dates because we're not going to finish this in two
14 weeks.

15 **RE:** Well, I suspect that as well. I'm afraid—

16 **NM:** August, I'll do August.

17 **RE:** No, I won't be here in August. After 12th July I won't be available until mid-
18 September, I'm afraid.

19 **[REDACTED]:** So, we've got the 5^h and 12th July, yes?

20 **RE:** 5th and 12^h July, yes.

21 [Diwedd y recordiad / End of recording]

COMISIYNYDD
SAFONAU
DROS DRO
ACTING
STANDARDS
COMMISSIONER

CYNULLIAD CYFYNGEDIG / ASSEMBLY RESTRICTED

HEARING

held on

5 July 2019

at

National Assembly for Wales

by

Y CYN-GOMISIYNYDD SAFONAU / THE THEN STANDARDS COMMISSIONER

**Witness:
NEIL McEVOY**

Transcript from [00:00:00] to [00:04:55]

- PRESENT:**
- **Sir Roderick Evans, then Standards Commissioner (RE)**
 - **Neil McEvoy AM (NM)**
 - [REDACTED]
 - **Mike Deem (MD)**
 - [REDACTED]
-

1 **NM:** I mean, it's the hard copy. There's a bundle related to that.

2 **RE:** Are you copying this, Mr Deem?

3 **NM:** It's a letter to me. If you want to show it to Mr Deem [inaudible].

4 **RE:** Well, I've only read the first—

5 **NM:** Yes.

6 **RE:** —half dozen lines. It seems to me that it might be relevant to him. Well, you can
7 discuss that later.

8 *Saib / Pause*

9 **NM:** [REDACTED]? Don't think you've seen this email [inaudible 00:02:11]. This email come
10 through [inaudible 00:02:11].

11 [REDACTED]: Oh, right, [inaudible 00:02:11].

12 **NM:** He sent me [inaudible 00:02:18] from [inaudible 00:02:20].

13 [REDACTED]: Erm, I thought that was the last one. I can double-check.

14 **NM:** Yes.

15 [REDACTED]: I thought that was the last one I sent.

16 **NM:** Obviously, today's as well.

17 [REDACTED]: Of course, of course.

18 **RE:** Is this the documentation you're referring to?

1 **NM:** Yes, yes. Yes, it's sent so it should have... it should be through.

2 **█:** Yes, I've got that.

3 **RE:** Right, now, does this mean that... I think you... as far as I'm concerned, this letter
4 to me I accept.

5 **NM:** Mm-hmm.

6 **RE:** I think it might be helpful if Mr Deem saw this.

7 **NM:** Yes, erm, but... yes, fine.

8 **RE:** Are you content with that?

9 **NM:** I am. This is the end of my participation in this process.

10 **RE:** So you're leaving now?

11 **NM:** Yes, yes.

12 **RE:** Right, well, hang on just a moment. Let's... let's discuss this. You ought to
13 perhaps read that.

14 **MD:** Yes.

15 **NM:** I've taken part in the process to the best of my ability. You know, [inaudible] to
16 actually run a trial. I feel the whole process has been essentially rigged from the
17 beginning, so I'd like to say—

18 **RE:** Would you mind just waiting? Let Mr Deem read that, then you can make the
19 points you want to make.

20 **NM:** [Inaudible] there's no further point to make. I believe you're [inaudible], so I'd just
21 like to vacate the room and get on with my work today, to be frank. I look forward
22 to receiving your report and taking matters up with the committee. Okay. I think I'll
23 leave it there, then.

24 **RE:** Right.

1 **NM:** Thank you, Sir Roderick. Have a nice weekend.

2 *[00:04:35 – mae Mr McEvoy yn gadael y gwrandawriad / Mr McEvoy leaves the hearing]*

3 **RE:** Well, you can switch the recording off now, as—

4 *[Diwedd y recordiad / End of recording]*

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← Swyddfa Plaid Office 👤 ⋮

P [redacted] 27 Mar, 18:41

[redacted]

You'll be proud. Just given Neath constituency meeting a lecture on treeware. They're on board. I want to start building data for next Assembly elections. Building on the spirit of Cardiff West. 💪

27 Mar, 20:37

P

Neil McEvoy

👍

27 Mar, 20:41

N

Yes printer is in campaign HQ. Can we meet at Canton, load cars with boards from back office then head over to Caerau? Also can someone bring a hairdryer? Random request I know but will make sense tomorrow. Cheers

27 Mar, 21:13 ✓ ✓



Signal message



WITNESS STATEMENT OF [REDACTED]

[REDACTED] of [REDACTED] will say as follows-

1. I was employed by Neil McEvoy AM [REDACTED]
[REDACTED] in September 2016
2. [REDACTED]
3. I got on well with my colleagues, I respected them and felt welcomed within the team
4. Things changed when Michael Deem, my line manager was selected as the Westminster candidate for Cardiff West in the 2017 snap general election
5. I was supportive of Michael. Whilst he campaigned using his flexy-time, I took on some of his roles in the Office, as a means to allow him to campaign
6. This was a particularly busy time for me, but I was happy to do so because I am a team-player
7. However I did not like it when Michael waltzed into the Office and announced that I was the case worker now. There was no consultation. It wasn't a request but a demand. I was given very little training and would have to just crack on with things and use my own initiative
8. Michael's attitude drastically changed during this time period. He became very sporadic in his moods and this was often very uncomfortable for me
9. During this time period, Michael was emotionally manipulative, would shout at me in front of constituents and also had a lack of respect towards me
10. Neil was very keen to ensure that the Office operated efficiently during this time period and that we did not fall behind on Assembly work. I was happy to do this
11. On one occasion, Michael shouted at me for doing my job. I was processing some printing invoices. I was to going to send them to Members Business Support. I was carrying out this task because Neil had asked me to

12. Meanwhile, Michael was telling me to do the complete opposite via email. He told me to
"leave the printer to me!"
13. I followed Neil's instructions as opposed to Mike and found it incredibly intimidating when
Michael would later storm into the Office, shout at me and say "I've told you – I told you to
leave the printer situation to me!!!" ... "If I hadn't come in here now, we would have been in
some serious trouble"
14. Michael threw the invoices down at me on the desk. I felt humiliated and intimidated. More
to the point, Michael had never relayed any of the information regarding the printers to me.
He showed a lack of communication
15. Michael also shouted at me in front of constituents, when all I did was ask if he was OK after
I witnessed him swearing to his family member down the phone
16. I never knew which Michael I would be dealing with during this time and it made it incredibly
difficult for me
17. Michael was falling behind in Assembly work and on some occasions, I would even complete
Assembly work [REDACTED] This was my way of supporting the team and ensuring that we
had an efficient Assembly Office
18. Michael couldn't accept this and on one occasion, was incredibly aggressive towards Neil in
a group chat message, after Neil had asked me to carry out administrative tasks as opposed
to volunteering on a campaign day. "This is [REDACTED] campaign day!" Michael said
19. He seemed to be so in the zone of elections that Michael couldn't seem to think rationally
about priorities. I proceeded to the Assembly Office and even after it was clear that I was to
go to the Assembly Office, Michael phoned me and tried to persuade me to still go out
campaigning. This was an incredibly difficult time for me
20. It got so difficult that I had to confide in my colleague [REDACTED] and ask him for advice
on who my line manager was. I was in a position where Neil was asking me to carry out

Assembly related tasks and Michael was telling me to do the exact opposite. There was a real lack of clarity

21. Michael seemed to develop a blurred vision with regard to our role as an Assembly Office and the campaign. This was to become apparent when he seemed to justify buying a Dash-Cam Sat-Nav and filming a political video on the Assembly estate. Neither Neil [REDACTED] or I had any idea about the Dash-Cam sat-nav
22. One of the most difficult situations I encountered was a video that was shot in the Assembly Office
23. Michael and I were alone in the Regional Office in 321 Cowbridge Road East and he had asked me to film him talking about a topic that was to support his election campaign
24. I am a person of morals and I like to stick by the book. By this time, despite being [REDACTED] [REDACTED] I was far more aware of the rules and what was acceptable and what was not acceptable. I tentatively raised my concerns with regard to this video, because I knew what we were doing was wrong
25. I was aware of the fact that the Regional Office should solely be used for Assembly matters and that any campaign activity should have been conducted either outside of the Office or in the campaign Office in Caerau
26. I was tentative because of my previous experiences with Michael. His sporadic behaviour, coupled with the fact that I was alone with him in the Office made it difficult for me to assertively speak up
27. I guess I was relieved when Michael said, "don't worry, if there's an issue I'll take it down"
28. Within minutes of the video going up, Neil raised his immediate concerns. He demanded that the video was taken down straight away and mentioned the implications this may have on our integrity as an Office
29. I felt absolutely awful and while Michael still sought to justify that it was OK to keep the video up, I knew I was in the wrong

30. I spoke with Neil on the phone, who was away with family on that particular day and I apologised profusely. I informed him that I had tried to tell Michael but I admitted that I should have been more assertive
31. I was therefore absolutely shocked when Michael sat arrogantly in a team meeting to discuss the video and state that no colleague raised objections. I spoke up straight away. I was furious that he had not accepted his responsibility in this matter. Like I did, I felt he should have recognised an error
32. A trend seemed to develop thereafter and while Michael was campaigning and slipping behind on Assembly roles such as case work, he would blame me for his failure to complete tasks. This was the moment that our working relationship disintegrated
33. I found it and still find it incredibly difficult to comprehend that Michael was able to put me in the firing line on so many occasions
34. There was a complete lack of organisation from Michael's part in Office affairs and I had to start the case work from scratch in effect. There was no order. It was chaos. This inevitably put even more pressure on myself
35. Michael didn't seem to be aggressive just towards me. He was aggressive to Neil and he was also aggressive to a member of staff within Members Business Support. Michael was working very hard to get our colleague [REDACTED] an Assembly laptop. He was unhappy that we did not have allocation for [REDACTED] to have one and wrote an incredibly aggressive draft
36. He asked me for my opinion and I told him that I thought it was a little much. I said this tentatively because I did not want to wind him up further. I was grateful when [REDACTED] [REDACTED] told him that it needed to be toned down
37. My experiences with Michael Deem during this time period was incredibly difficult. I was not line managed effectively and was not given the respect I deserved
38. I work very hard at my job and I am my own biggest critic, when I do something wrong, I will be the first to accept it... but what I cannot accept is being blamed for things that I have not

done. I felt my job and reputation was being jeopardised by my line manager, who did not seem to care about the consequences and impact it would have on me

39. I wish that Michael had taken responsibility for his actions during this time period and appreciated what those around him were doing to support him in his election campaign
40. Michael often contacted me after work which made me feel uncomfortable. Some of his messages were quite slimy and inappropriate. He once referred to me as "chick" in the Office which I did not feel was appropriate for a colleague to refer to me as. I could not imagine [REDACTED] or Neil, or any other colleague for that matter referring to me in that way
41. Slightly before and during the time in which Michael became a candidate for Plaid Cymru, I felt bullied, intimidated and undermined. His sporadic mood swings were incredibly difficult to deal with. I became fearful of these when I realised that he would become aggressive during a variety of situations
42. Every colleague in any job should feel comfortable in their working environment. During this time period, Michael made things incredibly difficult for me. The distress I felt in the Office did not switch off when I left the Office and as a result of an internal investigation, I did not speak out about the way in which he made me feel
43. Unlike Michael, I have done my utmost, in spite of the difficulties I have faced, to remain professional and deal with matters appropriately
44. I only wish Michael would have had the decency to have done the same

STATEMENT OF TRUTH

I [REDACTED] believe that the facts stated in this witness statement are true.

Signed: [REDACTED]

Dated: 31st May 2018.

31st May 2018.

Statement from [REDACTED]

01 June 2018

The office in 321 Cowbridge Road East was not used as an election HQ and political activity did not take place there. The HQ for both the local government elections in May 2017 and the UK general election in June 2017 were at 36 Caerau Lane, Caerau. This office was rented through the Mr Homes letting agency, using funds from Plaid Cymru's Cardiff West constituency. It was from the office in Caerau Lane that political activity took place.

Michael Deem was fully responsible for the printing that took place in the regional office, as well at the HQ at Caerau Lane. In fact, he was very aggressive in demanding that no other person involve themselves in the printers. He alone arranged their contracts, their maintenance and payment of bills and insisted no other person involve themselves. Leaflets for the campaigns were printed at 36 Caerau Lane, using a printer paid for with Plaid Cymru funds. A newspaper was also printed using the Trinity Mirror printing press, based in Cardiff Bay. A manifesto for the local government election was printed by Ravenstat printers, also located in Cardiff Bay. On one occasion MBS questioned levels of printing through the office and Neil queried Michael about it. Michael assured him that all printing was for Neil's role as an Assembly Member. He later stated that the bills were for two months rather than one, and that was why the bills seemed high. After Mike was suspended and I took over office management duties I moved to using caseworker.mp, which is an online system where casework documents are scanned into the system, rather than being photocopied and filed. One of the key factors in this was because so much photocopying of large documents was being done, which I thought needed to end. Since that time, our photocopying has significantly reduced and we no longer keep files in paper format.

As stated above, it was Michael who dealt with MBS when they challenged the output of the printer. Neil wanted an explanation and Michael assured him that the high bills were because they were for two months rather than one. I am not aware of any documents being moved between offices, although I can state that the ink in the regional office frequently ran out due to Michael not ordering replacements. When he did finally order ink it was a very large quantity that did not fit the machines in the regional office and so this ink is now in Ty Hywel, where it does fit the printer there.

Michael seems to have no understanding of the Beast Grip or its purposes. It is my role to maintain Neil's social media presence and to better communicate his work to his constituents. The Beast Grip provides a wider angle lens for videos and allows a tripod to be attached to a mobile phone. The only times the Beast Grip is used is when Neil records his press conferences in the media briefing room in the National Assembly. The Beast Grip improved the visuals of Neil's press conferences but the sound was still problematic, as we were using the microphone on the mobile phones for this. Hence, after consultation with [REDACTED] an AV Engineer at the Assembly, an iRig2 interface was also purchased. This allows us to channel the microphones in the media briefing room into the mobile phone. As a result, we now have good audio and visual for Neil's press conferences. The purchase of the Beast Grip seems to have caused some jealousy to Michael, as money was being spent on Neil's work but not his own. It seems to have been at this time that Michael purchased a Sat Nav without authorisation for himself, which MBS refused to pay for. His justification for this unnecessary purchase was that "we spent all that money on your f***** Beast Grip. Why shouldn't I have this?"

██████████ was employed as a researcher and this was the work that was carried out. ██████████ was employed in order to keep the office open six days a week, which was something Michael was very keen to do. He wanted her to feel part of the office and so attempted to have MBS supply her with a Commission laptop. When they refused he drafted a strongly worded and very aggressive response to them. He asked me to read the draft and I suggested he changed it to tone it down. He did tone it down somewhat, although it was still strongly worded. These were not the actions of someone for an employee only employed to translate party political text. ██████████ was employed to carry out casework. This was essential as Michael was completely neglecting his casework duties and complaints about him were starting to emerge. ██████████ did a good job and so when Michael took time off work due to ill health, ██████████ was employed to fill in. Part of that decision was the fact that ██████████ had already been doing casework and we needed someone who could fill the role quickly, rather than taking time to learn the job. Particularly, as at this stage, it was not clear how long Michael would be off work for.

In the event, Michael was suspended due to questions over expenditure he had made and complaints from his colleagues. He was later dismissed as a result of further actions he took while suspended that led to a breakdown in his relationship with the office. Furthermore, there is an ongoing dispute between ██████████ and Michael, which is being investigated by Plaid Cymru's Cardiff West constituency. This is because while ██████████ was carrying out party political activities for Michael he believed he was being paid, when in fact Plaid Cymru Cardiff West had not agreed to this. This fits a pattern where Michael also employed an organiser for £1,500 without authorisation from Plaid Cymru. The instruction he had been given was to employ an organiser at that wage, if Cardiff West was made a target constituency and so received central party funding. Cardiff West was not made a target seat and did not receive central funding but Michael employed an organiser at that wage regardless, causing problems for the constituency.

Any political campaigning that I did during the elections was done using flexi time or was out of hours and ██████████. She volunteered one day a week in order to campaign.

I am not aware of any Assembly ICT systems being used for party political campaigning.

General Observations

Neil takes a very laissez-faire approach to managing his staff. He is hands off and largely gives his staff discretion to manage their own workload. In spite of his reputation he is in no way confrontational with his staff and, in fact, actively avoids confrontation. He does not discipline staff in any way. He values his staff giving their honest opinion, rather than being yes people, and it's normal to be able to have a disagreement with him and then simply move on. Neil also struggles to say no to people.

Neil does not work to any fixed schedule and is frequently out of the office. The result of these traits is that he is often unaware of what is going on within his team and his office.

As a result of this, I believe Michael took advantage of Neil's management style. For example, he simply disappeared for two weeks to go to Florida to campaign for Hillary Clinton. He took his work laptop with him and said he would continue to work on casework and be in contact. He was uncontactable during that time and there was no evidence of casework being done. Neil should have disciplined him for this but he didn't.

Michael also had a very poor approach to management of the office. He did not set up any collection of refuse. He would just periodically take rubbish from the office to the tip. After he had left we found piles of rubbish in the crevices of the office, taking 10 bags of it out. He also had not set up any system for recording holidays, making it difficult for people to know how much holiday they had. He further spent significant amount of time in the office by himself, including sleeping in the office on at least one occasion. His system for recording casework was archaic. He simply made a spreadsheet that no one else had access to, which had almost no information on it. He had been offered training in budget management and use of the Assembly's casework system by Neil, but Michael turned these opportunities down.

He also had a troubling relationship with [REDACTED] who he line managed. [REDACTED] often confided in me about the issues she was facing with him. This included Michael shouting at her, throwing things at her and intimidating her, as well as asking her to do things contrary to what Neil had asked. I don't think he treated her with any respect. He simply walked in to the office one day and announced that she was the caseworker now. He then walked out without giving her any information about what that change in role meant or how she was meant to undertake it. I also found it very disrespectful when he informed a campaign consultant working for the party nationally that "the one rule Neil gave me when I took the job was that I wasn't allowed to f*** [REDACTED]". He said this in a very arrogant way, as if that rule was the only thing stopping him doing it. I questioned Neil about this and Neil said the conversation never happened. I can say for certain that this rule was never given to me when I started the job.

My final observation is that Michael was absolutely obsessed with winning the two elections that he stood in and made himself ill as a result. I remember specifically the changes in Michael and his relationship with Neil, which was previously very good. The first came when Michael received a legal letter from a Labour Councillor threatening legal action over a leaflet Michael had printed and distributed in Radyr. All other leaflets were centrally produced and printed, but Michael wrote and printed his own literature for Radyr, where he stood, and so the usual checks were not in place. Neil was very supportive and offered Michael a barrister to give a response. But Michael had a very stressful reaction to receiving the letter and was in an agitated state for the duration of the campaigns after that.

The second incident was after Michael filmed a party political video and posted it online, which was shot in Neil's Assembly office. When Neil saw it he demanded Michael take it down and flatly told him he was threatening everyone's jobs by conducting campaigning from the Assembly office. But Michael was very confrontational and argued that he could "spin his way out of it" if anyone made a complaint. This moment is so memorable because it was the first time there had been any conflict amongst us as a team. Michael did eventually take the video down but from that point onwards he was increasingly confrontational. He messaged me one day demanding that [REDACTED] use her volunteer time to go to Radyr and that he was too stressed to deal with it when I objected. He then called her up and guilt tipped her into going. [REDACTED] then did go to Radyr.

After Michael's suspension he went about trying to damage Neil's reputation. He did this at a Cardiff West constituency meeting, where he argued against the constituency giving its backing to Neil. He also routinely takes to social media to argue that Neil has thrown his staff member under a bus and alludes to the complaints that he has made. I see these complains as nothing more than Michael's continued vendetta against Neil for dismissing him. But what he always fails to mention is that two of his own colleagues made complaints against his conduct, which included him shouting at, throwing things at, disrespecting and intimidating [REDACTED] that he was line

managing. It is clear that he is using the Commissioner's office for political ends. His complaints completely contradict each other, demonstrating how uneconomical with the truth he is.

As for me, [REDACTED]

[REDACTED] This is my professional career and I simply would not continue in the role if the type of things Michael has alleged were taking place. Michael's background working in a supermarket meant he was ill equipped for the role and I believe it was a mistake for Neil to employ him in a role with so much responsibility. Michael performed badly in that role, he showed disrespect and aggression and I believe his complaints are the latest aggressive act for him to undertake in his political campaign against Neil.

As for Neil, I have found him to be by far the hardest working politician I have ever come across. He has been conscientious and diligent in insisting that the office is not used in a political way. He takes a strong interest and is very active with his constituents' cases. The result is that there are many constituents who rely on him for support, with more arriving after recommendations all the time. Michael has been a time consuming and difficult distraction and I hope he can now accept that his engagement with our office is finished and find other meaningful activities to keep himself occupied.

[REDACTED]
[REDACTED] to Neil McEvoy

(Staff Cymorth Aelod Cynulliad | Assembly Member Support Staff)

From: McEvoy, Neil (Aelod Cynulliad | Assembly Member)
Sent: 12 May 2017 18:12
To: Deem, Michael (Staff Cymorth Aelod Cynulliad | Assembly Member Support Staff);
[REDACTED] (Staff Cymorth Aelod Cynulliad | Assembly Member Support Staff);
[REDACTED] (Staff Cymorth Aelod Cynulliad | Assembly Member Support Staff)
Subject: Office

Dear All,

Nothing political can be done from the office. Nothing.

If you are campaigning in your own time for the Election, you cannot do it from the office. You cannot campaign during paid Assembly time.

The office cannot be used in any video. The video on Facebook contravened the rules. I'm stunned that you say you thought it through.

These are serious matters and the video has left us wide open.

I just hope nobody complains. If they do, I'm in serious trouble.

Please agenda this matter for a team meeting.

Yours sincerely,
Neil

Sent from my iPhone
[REDACTED]
@neiljmcevoy

WITNESS STATEMENT OF [REDACTED]

I [REDACTED] of [REDACTED] will say as follows-

STATEMENT OF TRUTH

1. I was employed in the constituency office of Neil McEvoy [REDACTED]. [REDACTED] I no longer work in the office, because I am working on building my own business.
2. My duties included case work, photocopying, latterly answering the phone and dealing with members of the public.
3. In the Summer of 2017, I was involved in changing the old case worker system to the new system.
4. The system I inherited from Michael Deem was a mess and work had clearly not been done at all. Michael had completely neglected the case work. I was very shocked by this. Nothing was obvious and I kept on finding random bits of paper with cases on. We did a full audit of everything and found a lot of dissatisfied constituents. We rebuilt relationships and trust. People in the main were very forgiving. When I explained I was a new case worker, it was not too bad.
5. When I first worked for Michael, he gave the impression of being very organised as the office manager. I did not question him. Michael had full authority in the office. After becoming aware of everything, he went down hugely in my estimation.
6. I remember some incidents when Michael was in the office. I recall Neil asking him reasonable questions politely. Michael could not seem to be able to explain himself and became aggressive on 2 or 3 occasions. I found this all very, unnecessary and slightly suspect.
7. When my time in the constituency office came to an end, Michael asked me to work for him on his campaign. I used to go to Radyr mainly and work there.
8. Looking back, I was naïve and misled. Michael gave me no contract. I did not see the others much and I assumed I was going to be on the same rate of pay. I am a bit embarrassed by this now, because I worked free for 3 weeks.
9. I later discovered that I was not employed at all. Michael said that I had been volunteering. Working 3 weeks full time for free hurt me a lot financially. I could have earned money for 3 weeks and volunteered in my spare time, as I had done previously.
10. Fortunately, I was re-employed after the Election and this got me out of a tight spot.
11. I do not have much respect for Michael Deem. At the start, I thought he was competent and a good office manager. This turned out to be hollow. Just going through all the case work, I realised he had not done the job he was supposed to do. I took over his job and picked up the pieces.
12. Michael Deem completely misled me. I do not think he is honest at all. He exploited my good will.

I [REDACTED] believe that the facts stated in this witness statement are true.

Signed: [REDACTED]

Dated: 07/03/18

WITNESS STATEMENT OF [REDACTED]

I [REDACTED] of [REDACTED] will say as follows-

1. I met Neil McEvoy in 2013, when he assisted me with [REDACTED]
2. When Neil was elected, he continued to support me as my Assembly Member.
3. On occasions, I used to go to the constituency office in Cowbridge Road East in Canton.
4. Michael was the case worker and he was supposed to assist me.
5. In 2017, I started to call in to Canton to see Neil McEvoy. Michael would tell me Neil was busy and that he would relay messages.
6. On one occasion, I was in the office waiting to see Michael Deem who was on the phone. He was swearing at the person on the other end. He slammed the phone down and his demeanour was very angry, but he was silent. The whole office was silent and I felt very awkward. I was not sure whether to speak to him, or to leave.
7. [REDACTED] asked Michael if he was ok. Michael ignored [REDACTED]'s question and shouted at her about what she had to do.
8. He then said threw a staple remover in [REDACTED]'s direction, after she asked for it. This was thrown aggressively and I caught [REDACTED]'s eye and tried to enquire if she was ok, without saying anything. I did not want to say anything, because I thought I might get [REDACTED] in trouble, or make the situation even worse.
9. Michael then said, "That was my mother. She is a pain in the fucking arse." He seemed to be in a trance.
10. I was shocked at the incident. I felt [REDACTED] was being bullied and I did not know whether to go or stay. [REDACTED] seemed very intimidated and I did also.
11. After the incident I called back in the office, to ask [REDACTED] if she was ok, when I was passing. She said she was ok.
12. I called into Neil McEvoy's other office in Caerau to see him. Unfortunately, I only saw Michael there, but I left a message for Neil.
13. Neil McEvoy did not return any of my messages left with Michael Deem. Not returning messages is very out of character for Neil. I felt disappointed with Neil, because he had always been reliable.
14. Some time later, I had a call from Neil McEvoy. I said, " Oh, you are alive then." I then asked Neil why he had not contacted me.

15. Neil seemed shocked and was very apologetic. He told me that he had not received any messages from Michael Deem.
16. Neil invited me to the office and we then met. Neil has since been as reliable as he always has been. [REDACTED] has been excellent and I am happy with service.
17. I think Michael Deem was wrong to behave in the way he did towards [REDACTED]. I think he is a bully. He is a cocky character, who completely wasted my time. In fact I would say he is arrogant.

STATEMENT OF TRUTH

I [REDACTED] believe that the facts stated in this witness statement are true.

Signed:

[REDACTED]

Dated: 7/6/2018.

WITNESS STATEMENT OF [REDACTED]

I [REDACTED] of Clarity copiers, Priory House, Beignon Close, Ocean Way, Cardiff, CF245PB, will say as follows-

1. I am [REDACTED] and I am an experienced businessman and [REDACTED]
2. I entered into a contract with Plaid Cymru initially in early 2016 and dealt with Neil McEvoy. Neil McEvoy was straight forward and honest. He was reliable and kept his word. We had a good understanding.
3. After Neil McEvoy was elected to the Assembly, we provided him with a copier for his office. We later provided Plaid Cymru with another printer for high volume printing.
4. Michael Deem was the point of contact. Michael Deem negotiated the new contract and I agreed everything with him. I assumed that Michael Deem was referring everything to Neil McEvoy, which with hindsight, he clearly was not. My engineer trained Michael Deem on how to use the new printer.
5. During the election campaign, there was a serious problem with the printer. It had effectively been burnt out by overuse, because it had been run for extremely long periods of time, without a break.
6. I personally authorised the rapid repair of the printer, with a brand new part fitted. Mr Deem agreed to pay for the new part. As a gesture of good will, a discount was given.
7. The engineer again made it clear how the printer should be used. Shortly afterwards, the printer broke down and it was found again to be the result of client abuse.
8. Given the pressure of elections, I again personally authorised the new part and the repair. I again gave a discount and Mr Deem agreed to pay the balance.
9. After the election, when the machine was examined, it was found to have almost exceeded half a million copies in a very short period of time.
10. There were problems with full payments and I got nowhere with Michael Deem.
11. It would be true to say that Michael Deem and Clarity had huge misunderstandings. He contradicted me, my engineer and my office staff on our version of events.
12. I regretted not entering into a fixed, written contract with Mr Deem. Neil McEvoy had vouched for Mr Deem, so I was confident that there would not be an issue.
13. Ultimately, Clarity was still owed £6,526 and the issue dragged on for far too long. Mr Deem refused to settle the bill, so I contacted Neil McEvoy.
14. When I told Neil McEvoy the amount which was owed, he was visibly stunned. He was extremely apologetic and seemed embarrassed.
15. Neil McEvoy arranged a meeting with Plaid Cymru, himself and Mr Deem. I did not see eye to eye at all with Mr Deem and I had to threaten legal action to recover our costs. Plaid Cymru paid some of the money.
16. I was grateful to Neil McEvoy who paid the balance out of his own pocket.

17. In dealings with Mr Deem he was dishonest and unreliable. I would not employ him, or recommend anyone else employing him.

STATEMENT OF TRUTH

I [REDACTED] believe that the facts stated in this witness statement are true.

Signed:

[REDACTED]

Dated: (6 June 2015)



Plaid Cymru | Party of Wales

Riverside & Pontcanna
VOICE

Let's Get It Done!



Vote Cardiff Plaid for a change on May 4th



Labour passed the Local Development Plan that will build thousands of houses on the green fields in the west of Cardiff and will lead to at least 10,000 extra cars on the road.



Labour demolished the old central bus station without having any money to build a new one.

A vote for Labour is a vote to build on green fields, to bring 10,000 extra cars on the road and for transport uncertainty.



Cardiff Plaid have fought Labour's Local Development Plan all the way and we are the only party that has committed to revoke and reform the LDP to save our fields and keep 10,000 extra cars off the road.



Plaid secured an extra £1.5 million in the Welsh budget for the Safer Routes to Communities scheme and will undertake a tram study to bring trams back to our capital.

A vote for Cardiff Plaid is a vote to save our green fields, to keep 10,000 extra cars off the road and for infrastructure fit for Wales' capital.

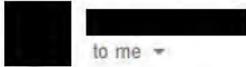
	BEGUM, Ruksana Cardiff Plaid - Plaid Cymru Caerdydd	<input checked="" type="checkbox"/>
	SAWATI, Mubashar Khan Cardiff Plaid - Plaid Cymru Caerdydd	<input checked="" type="checkbox"/>
	WILLIAMS, Richard Garner Cardiff Plaid - Plaid Cymru Caerdydd	<input checked="" type="checkbox"/>

Email: riverside@cardiffplaid.org Call: 029 2047 2272 Twitter: @CardiffPlaid Visit: cardiff.partyof.wales

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riverside leaflet Inbox X



 < >

Wed, 26 Apr 2017, 11:54   

to me ▾

6200 please



 Reply

 Forward

phone number with Signal on a different device. Tap to re-register.

AL

27 APR 2017, 11:38

[REDACTED]
Yes. There is no more money for west or centrally so they must pay. Can you let me know when printer is fixed. Thanks

PM

27 APR 2017, 11:40

[REDACTED]
It's fixed now

PB

27 APR 2017, 11:41



Signal message



Cyfarfod nesaf Dydd Mawrth 28 Chwefror am 5:00 yn y swyddfa Neil

Campaign group meeting held on the 31/1/17

Present: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]

1. Notes of the Previous Meeting

The notes of the previous meeting were correct, with one amendment – [REDACTED] was present at the meeting.

2. Manifesto

[REDACTED] was thanked for his work on the manifesto thus far.

Concern was expressed over some aspects of the latest manifesto draft. Three aspects were highlighted:

- a) Length – too long
- b) Lack of coherence
- c) No clear distinction between the narrative introduction and bullet point pledges

Further concern was expressed by [REDACTED] about the pension section. Suggested that [REDACTED] and [REDACTED] verify.

It was agreed that we need to be clear that items that are cast iron pledges in the manifesto need to be deliverable.

Neil McEvoy and [REDACTED] need to work on the Introduction and pledges asap.

[REDACTED] needs to get the 3 pledges from all candidates by the 13th of Feb.

The Area committee should take a view as to whether Labour should be referenced at all in the manifesto.

Agreed by the committee that [REDACTED] would do further drafting work on the manifesto to produce a condensed version of 2/3 sections for the area committee to discuss. [REDACTED] will discuss this with [REDACTED].

3. Campaign – Finance

[REDACTED] led a discussion on funding and agreed to further discuss his proposals with Constituency Treasurers. [REDACTED] agreed to present a revised paper to Area Committee on the 13th of February. It was agreed that target wards would receive funding based on meeting clear criteria. [REDACTED] (along with [REDACTED]) will prepare weekly updates of data entry into Treeware

4. Campaign – Candidates and Training

██████████ to update list of all candidates.

██████████ arranging a training day for candidates with ██████████, also arrange a meeting for all candidates to share good practice, ask questions, discuss how they campaign is going.

Try to co-ordinate leaflet printing to save money.

Next meeting Tuesday 28th February at 5pm in Neil's office

riverside and butetown Inbox x

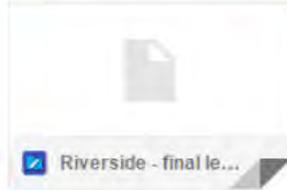
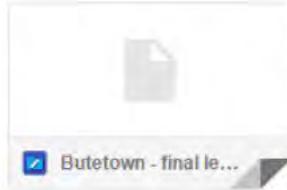


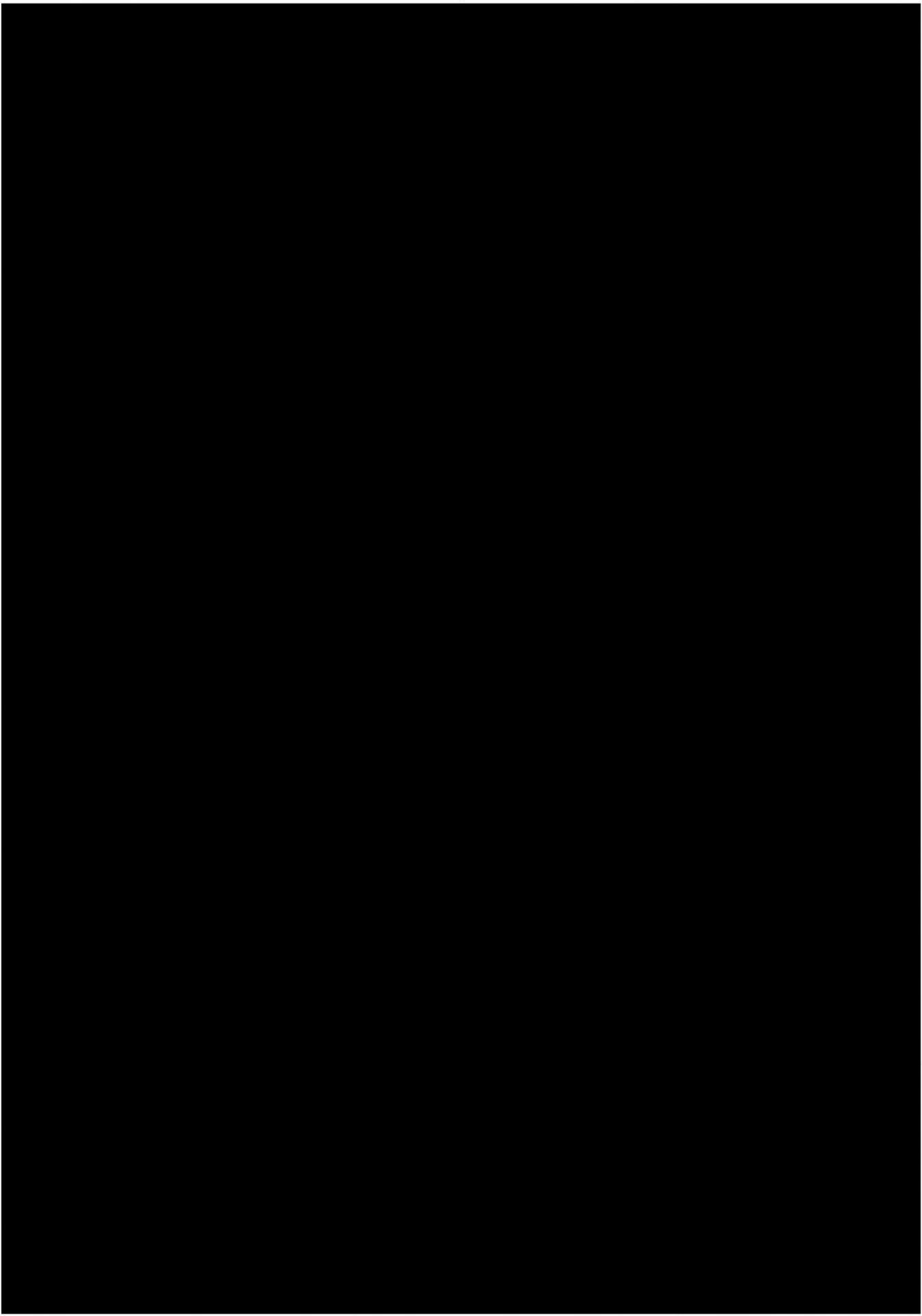
[Redacted] to me

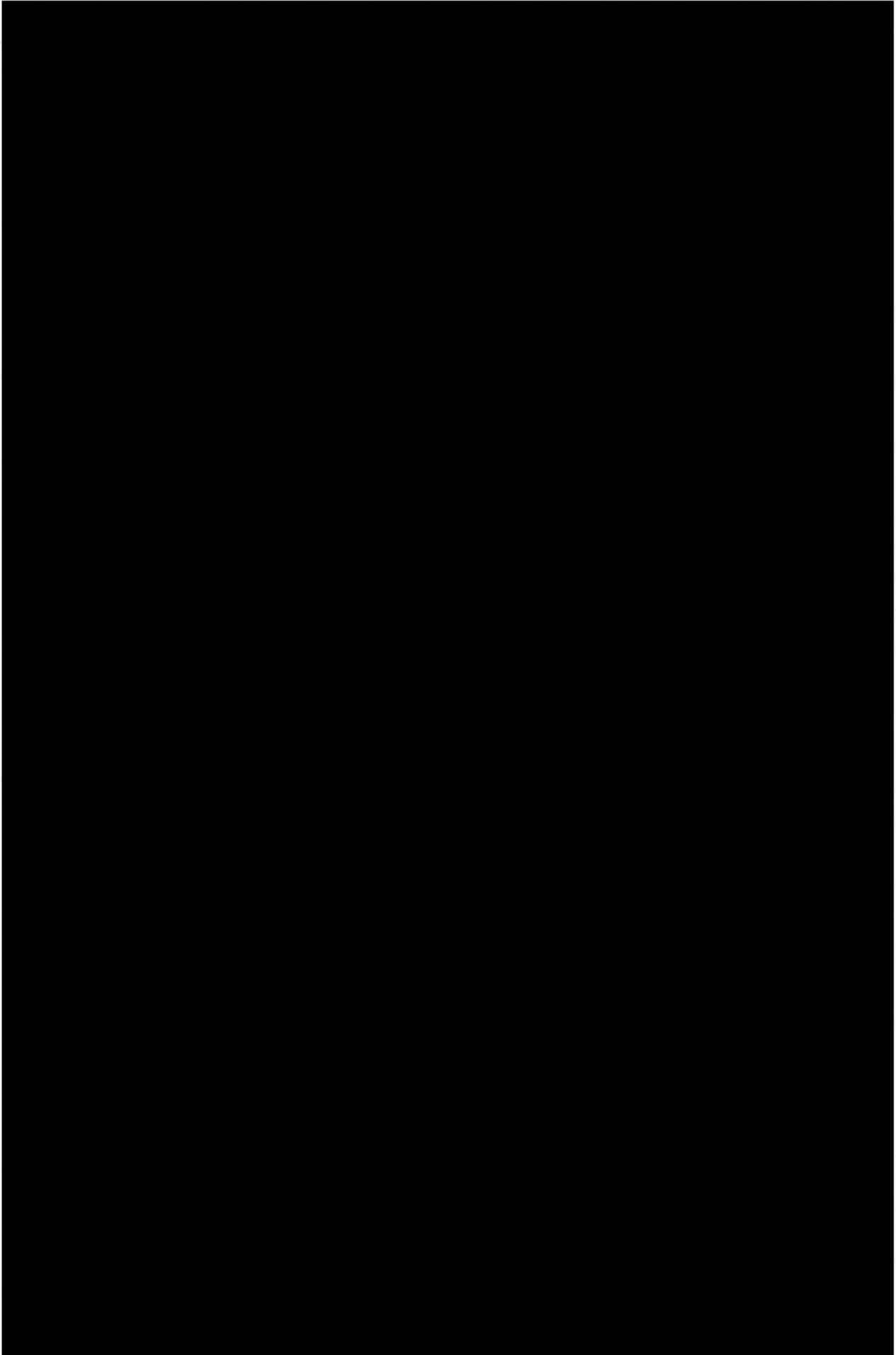
Thu, 27 Apr 2017, 12:10

4200 riverside and the rest of the butetown rounds

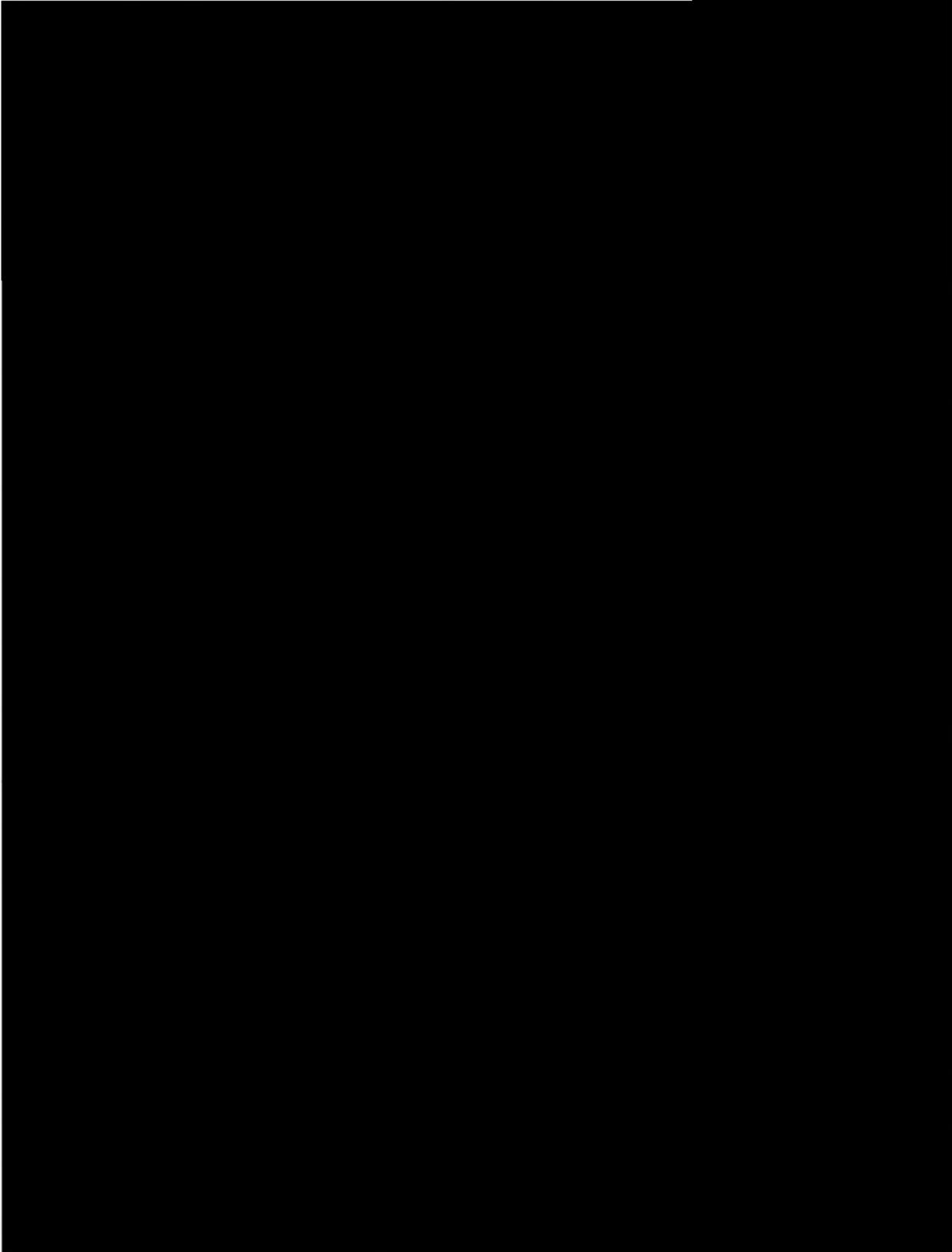
4 Attachments



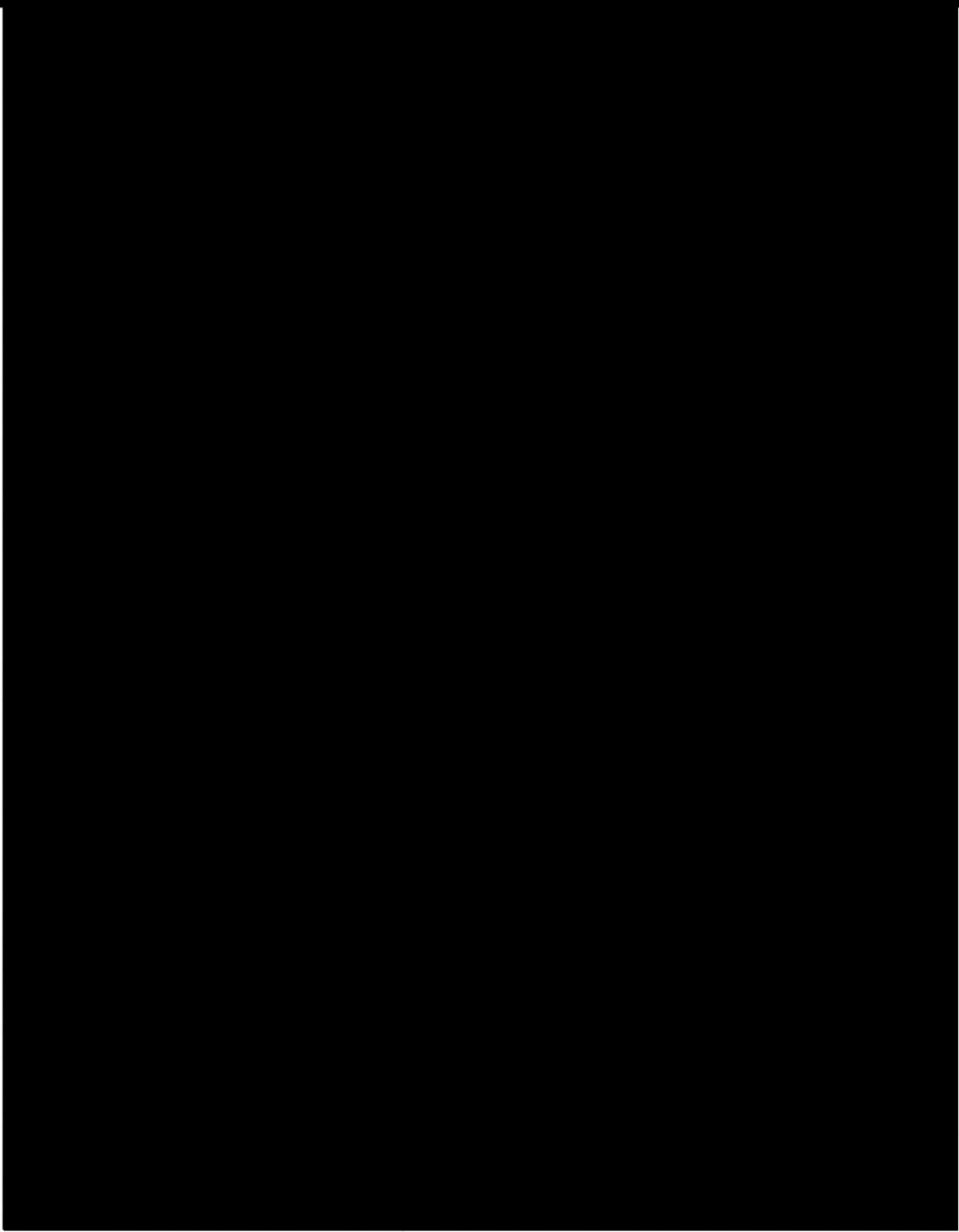




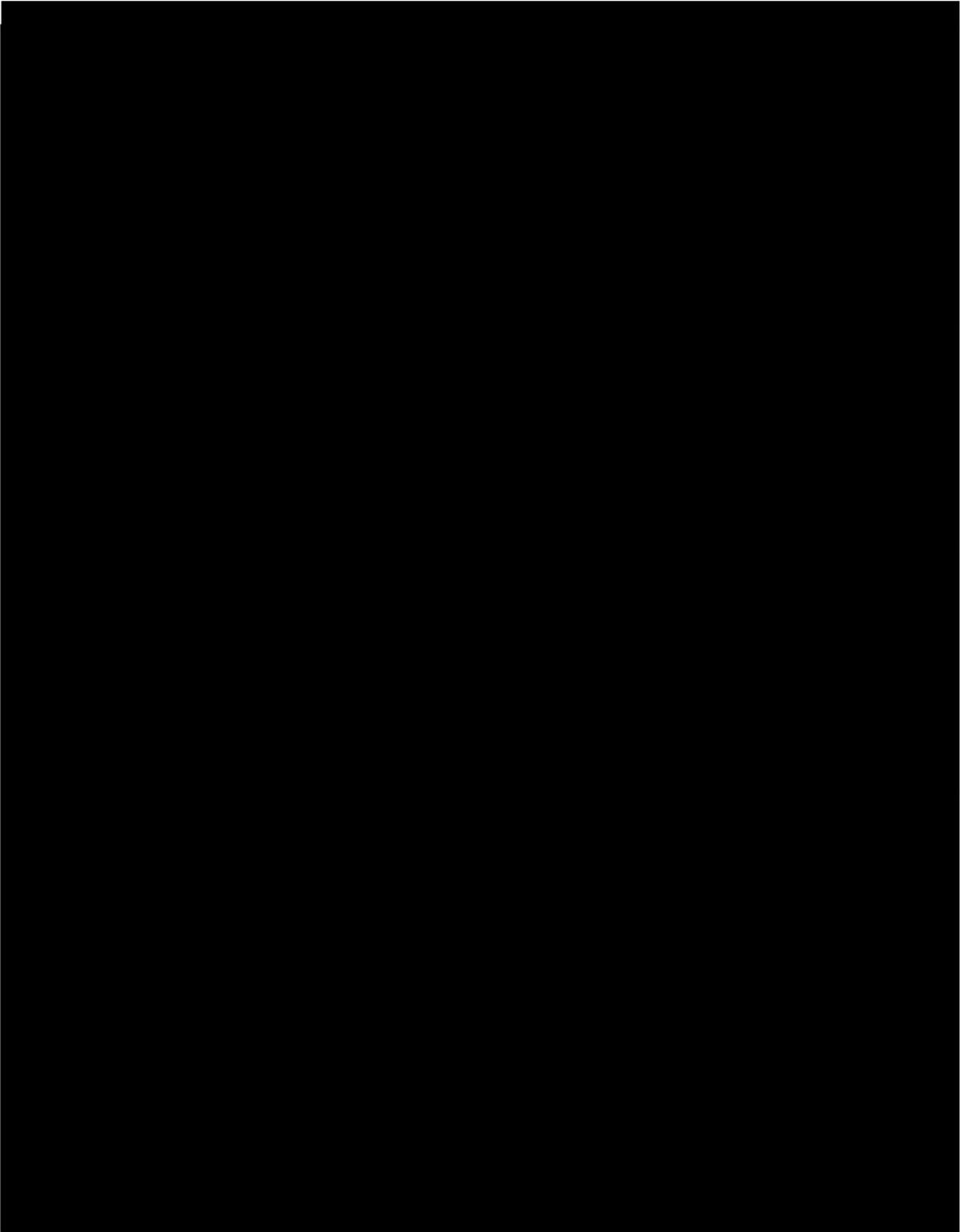
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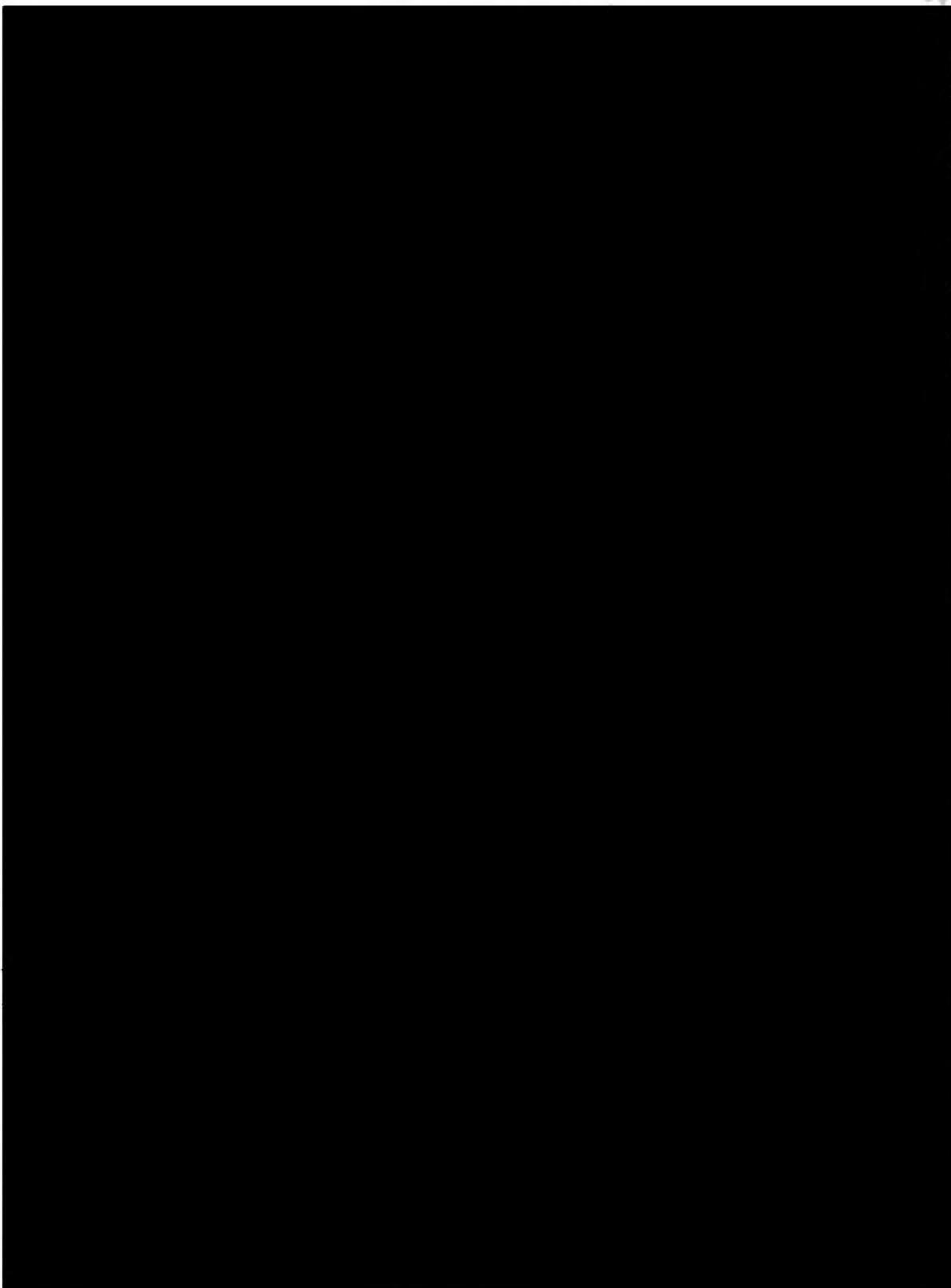
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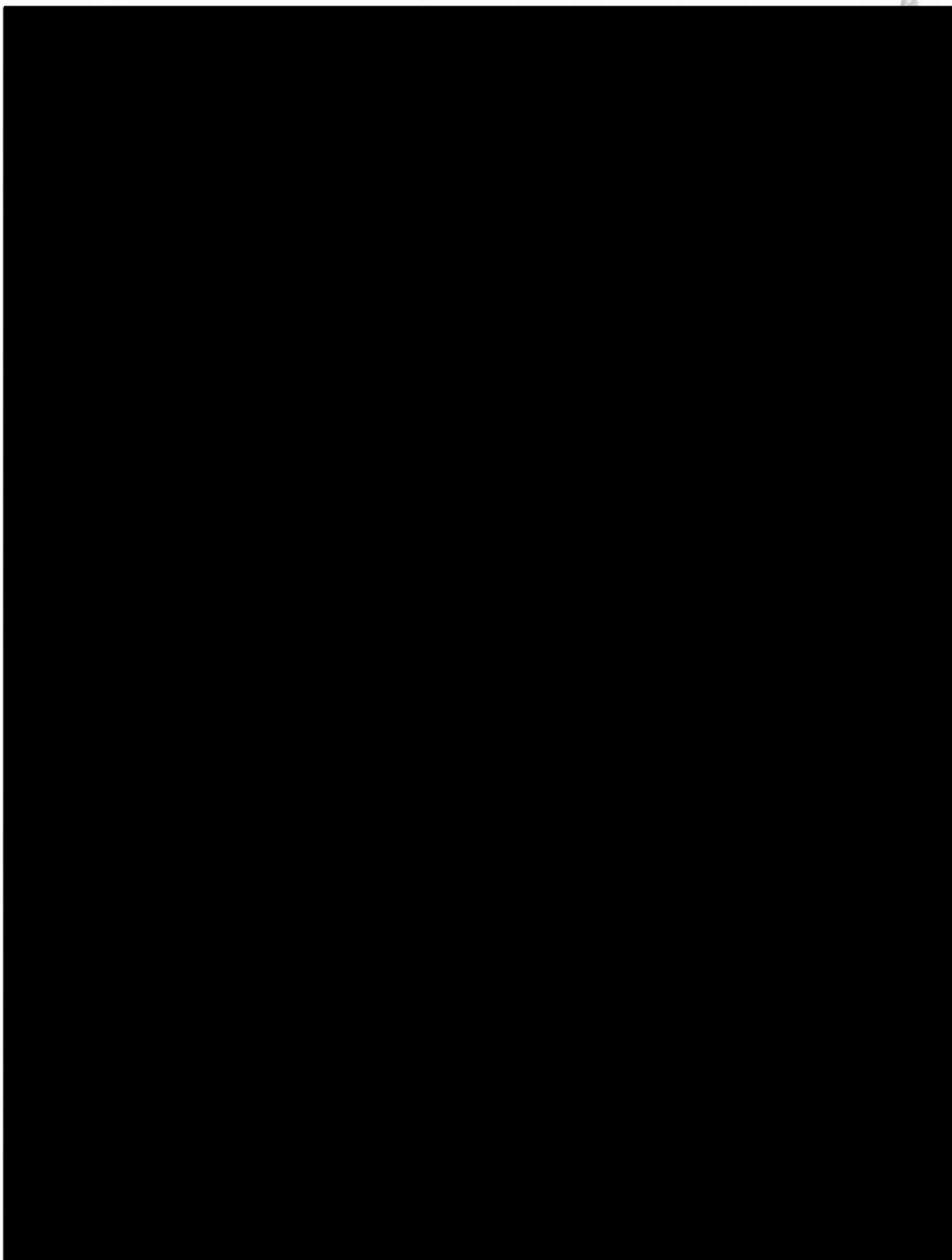
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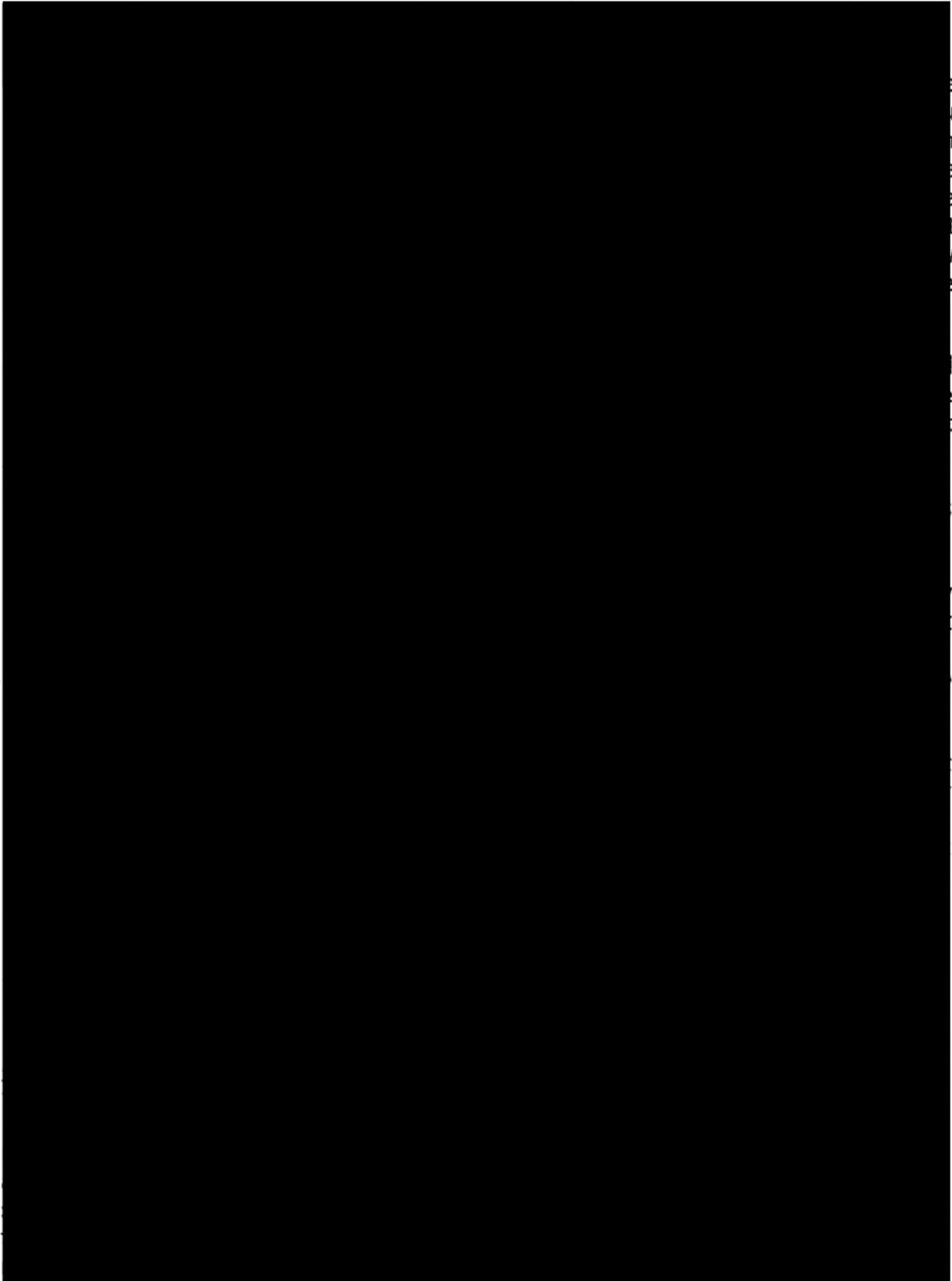
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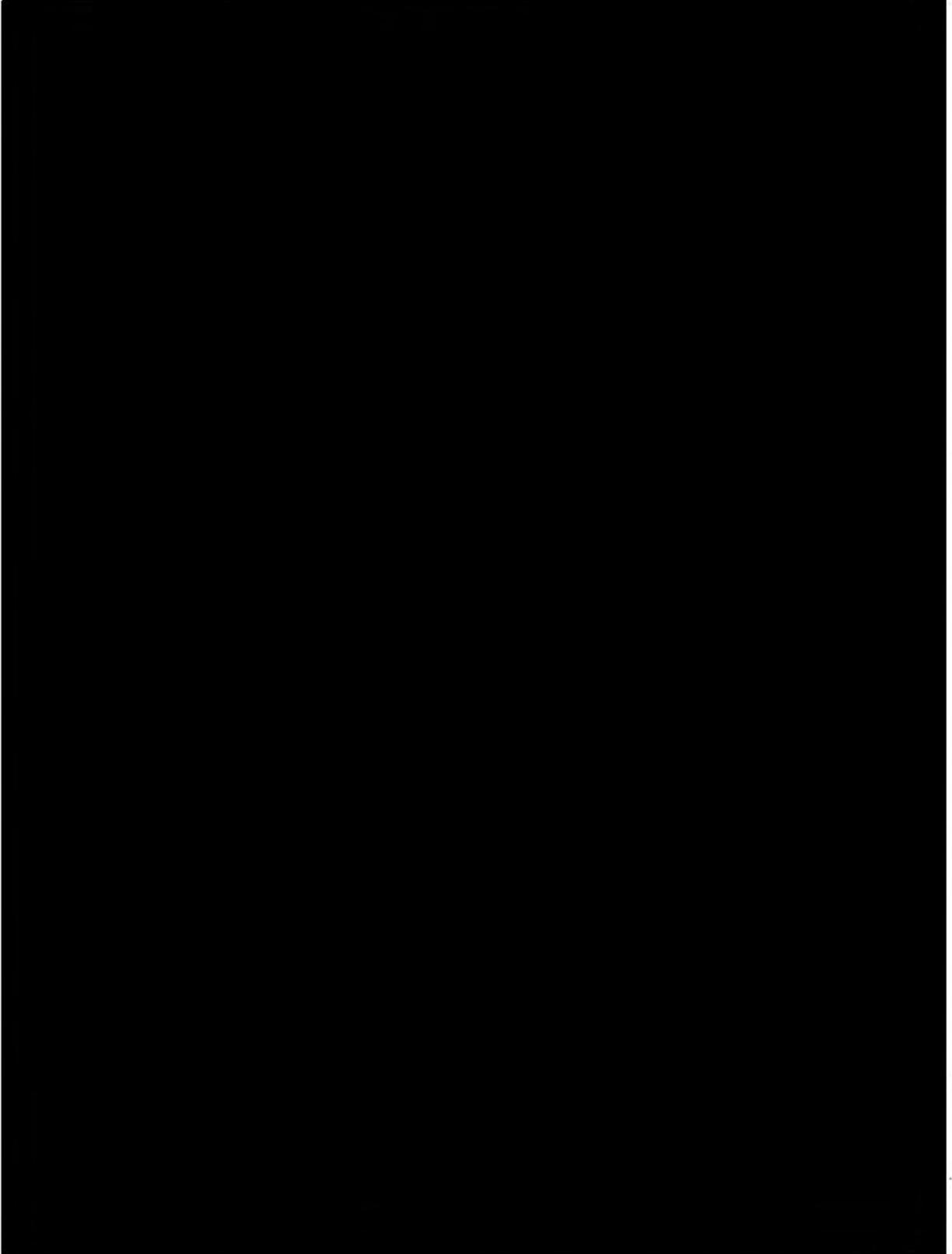
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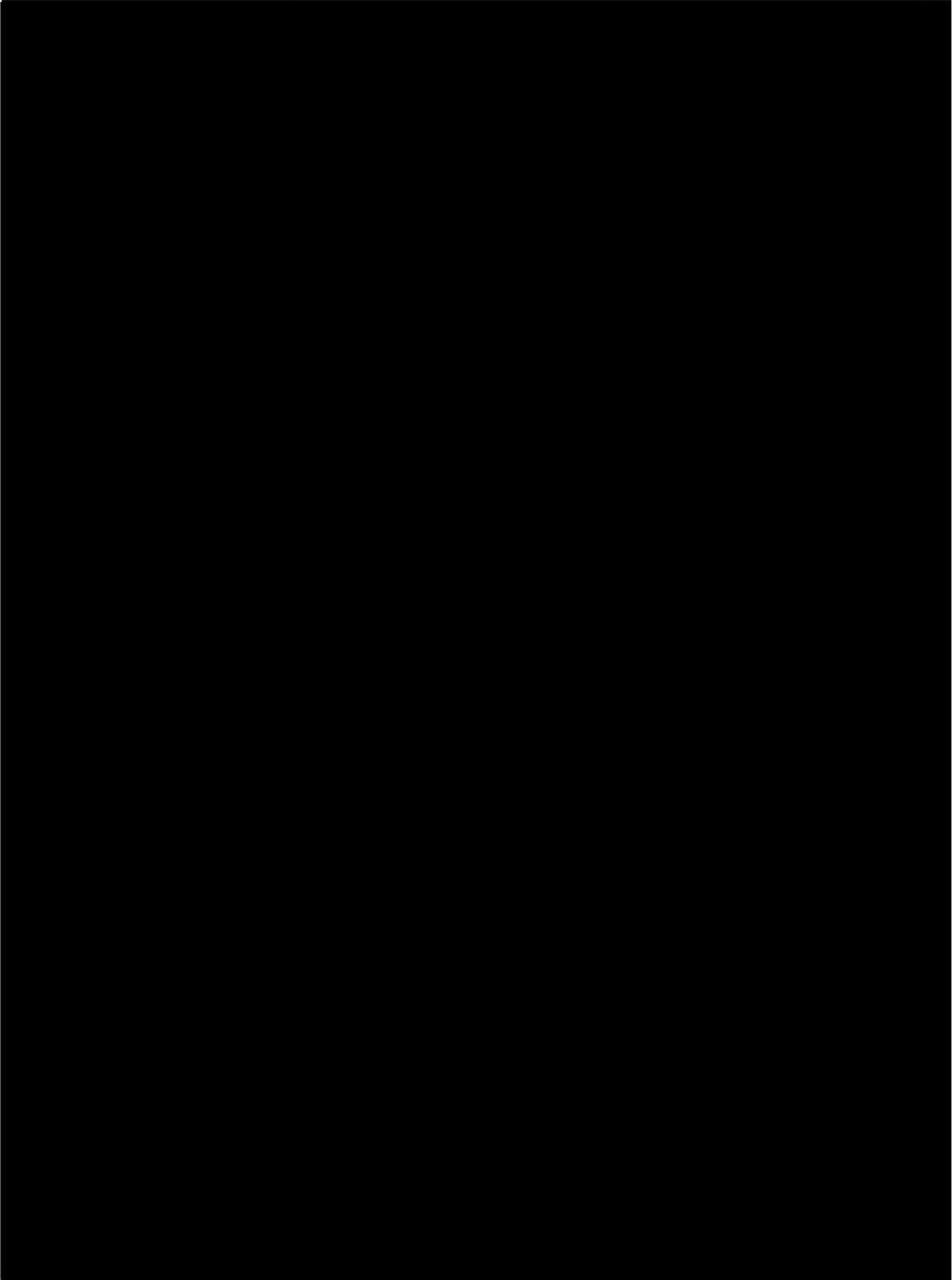
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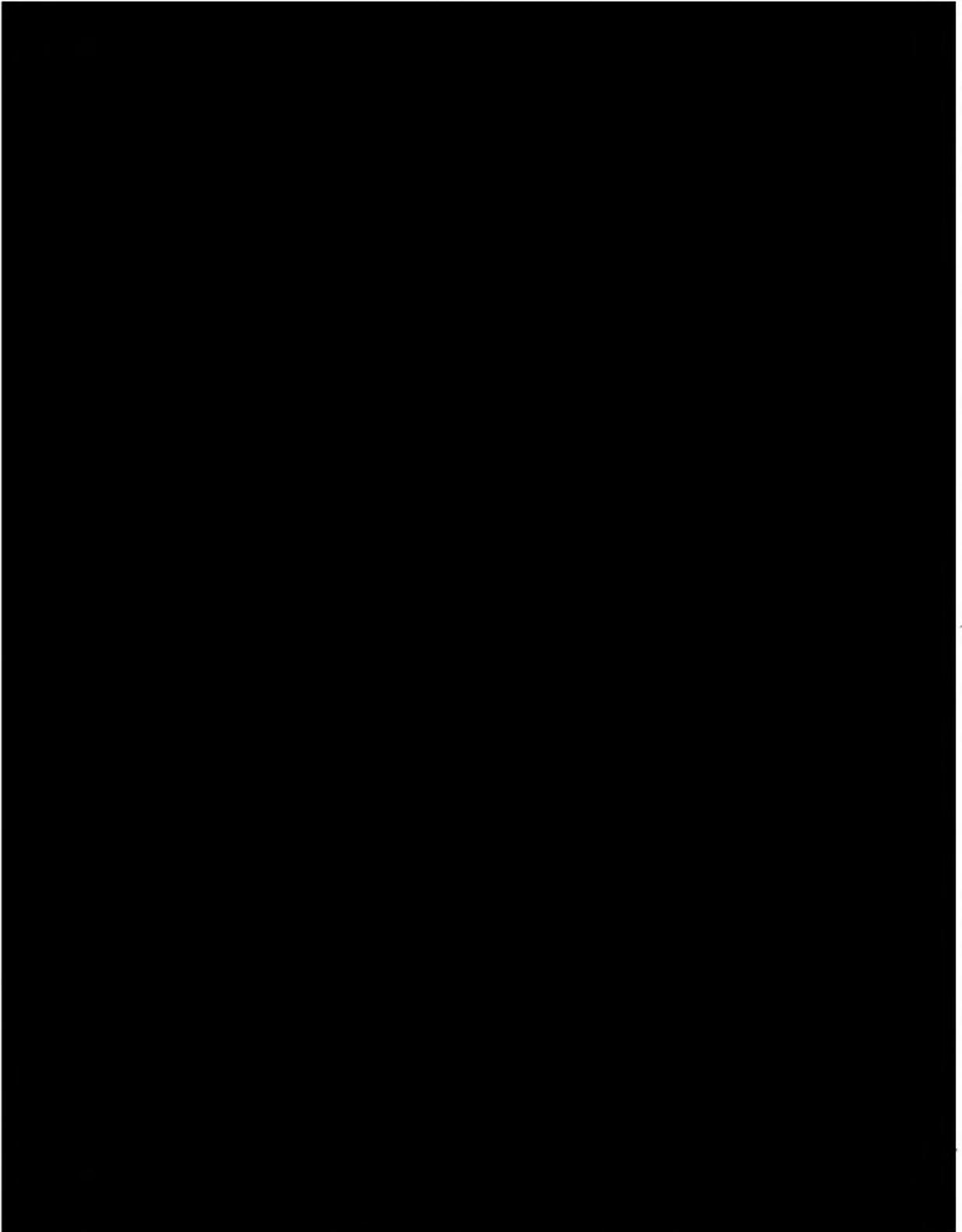
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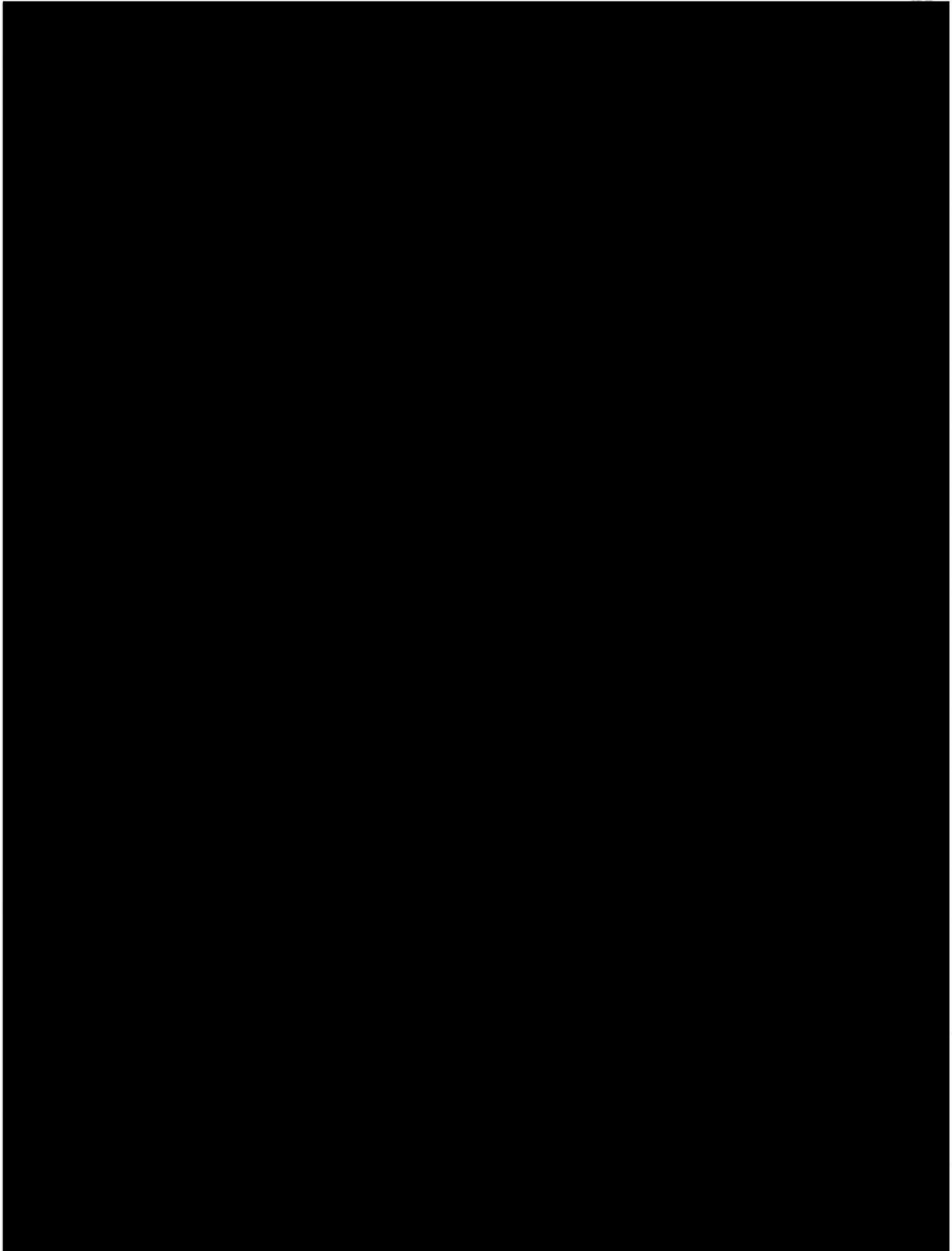
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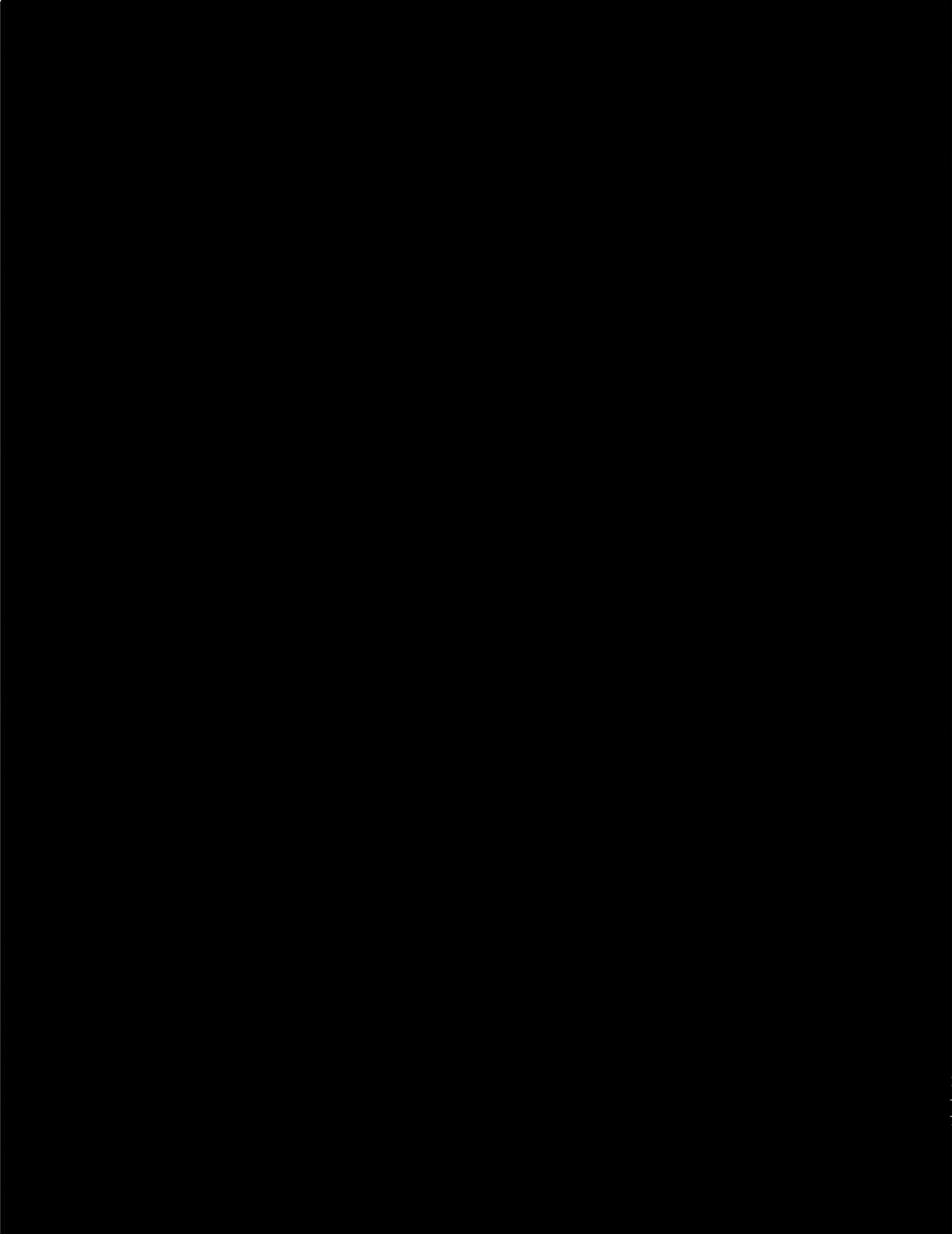
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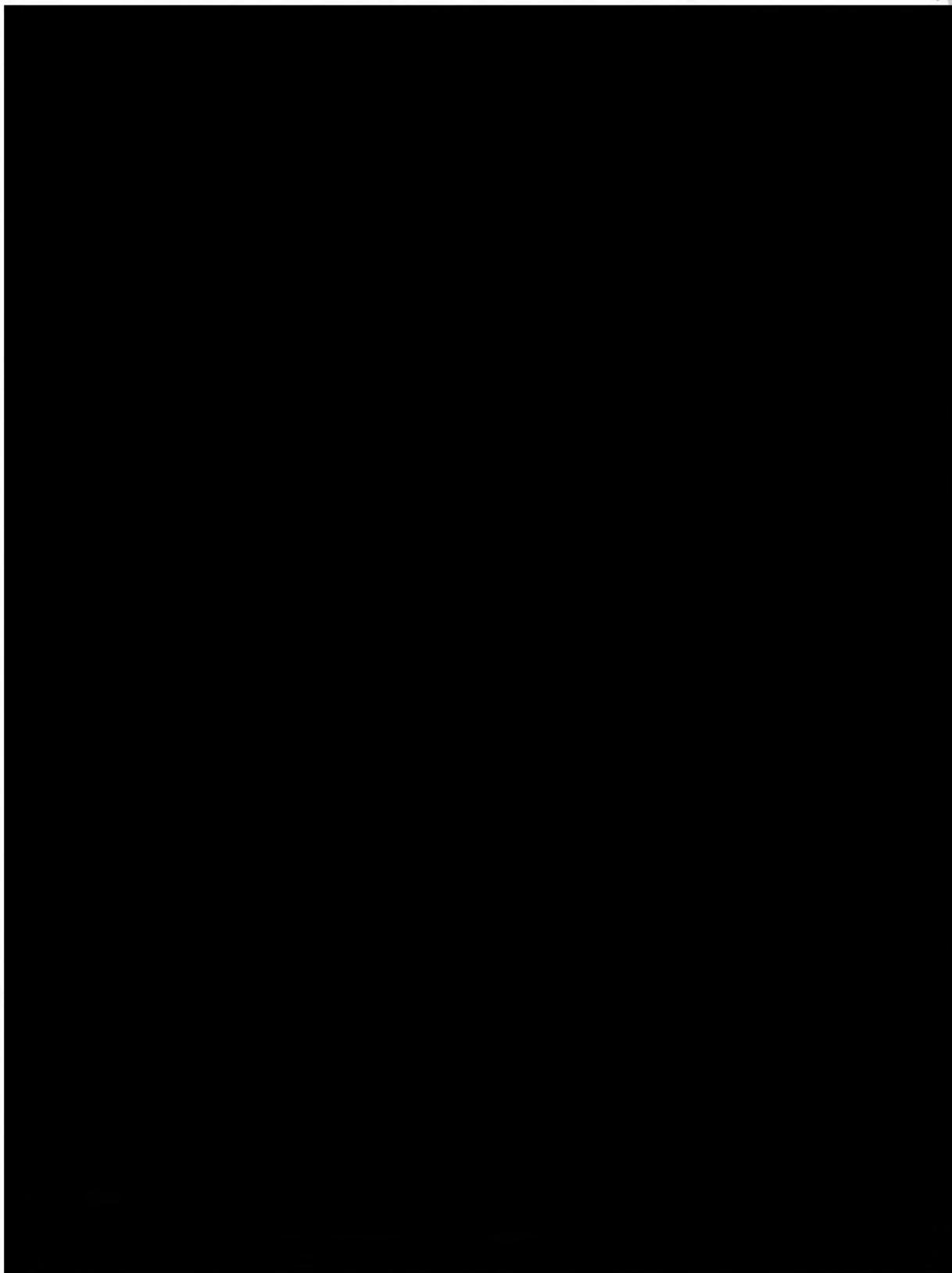
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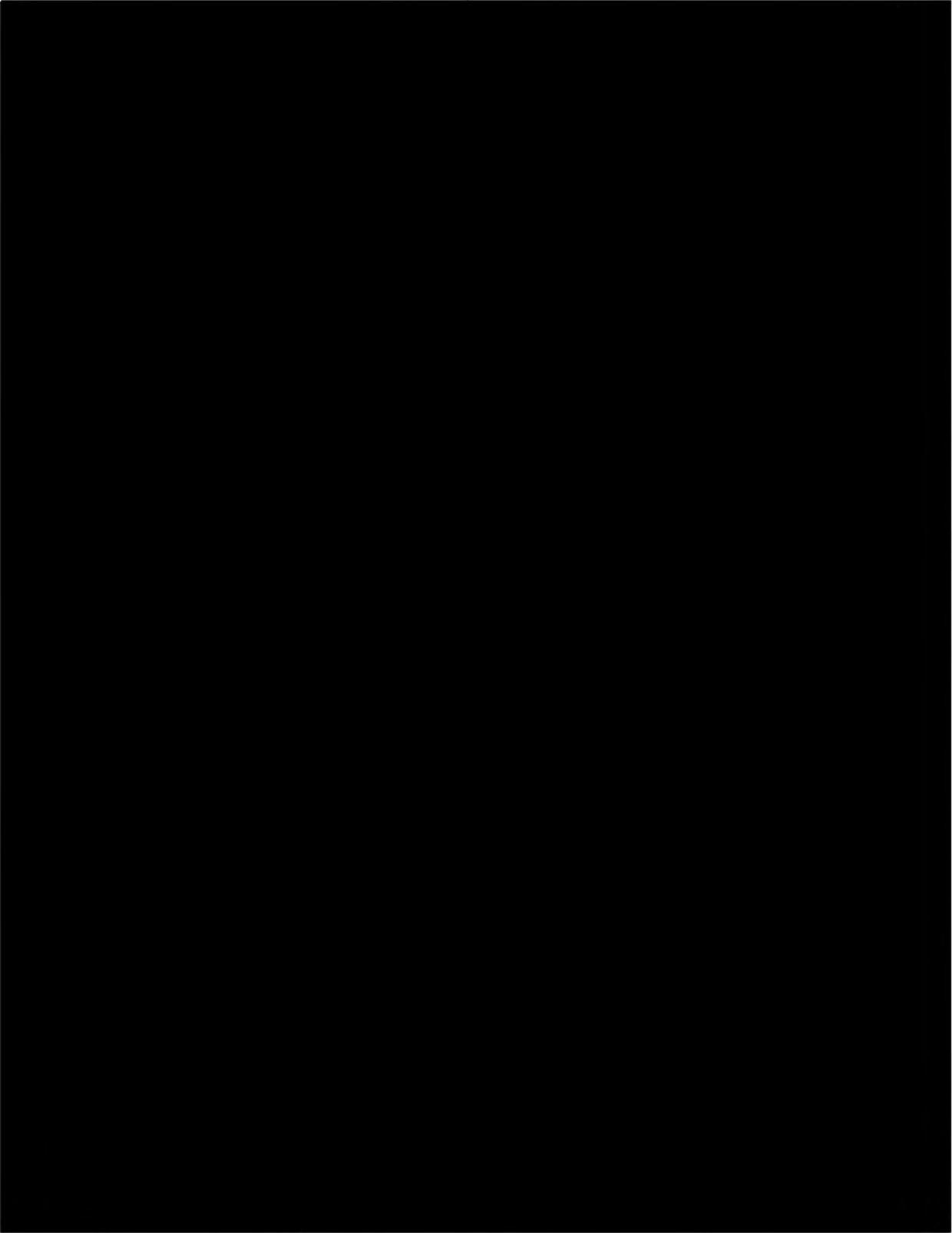
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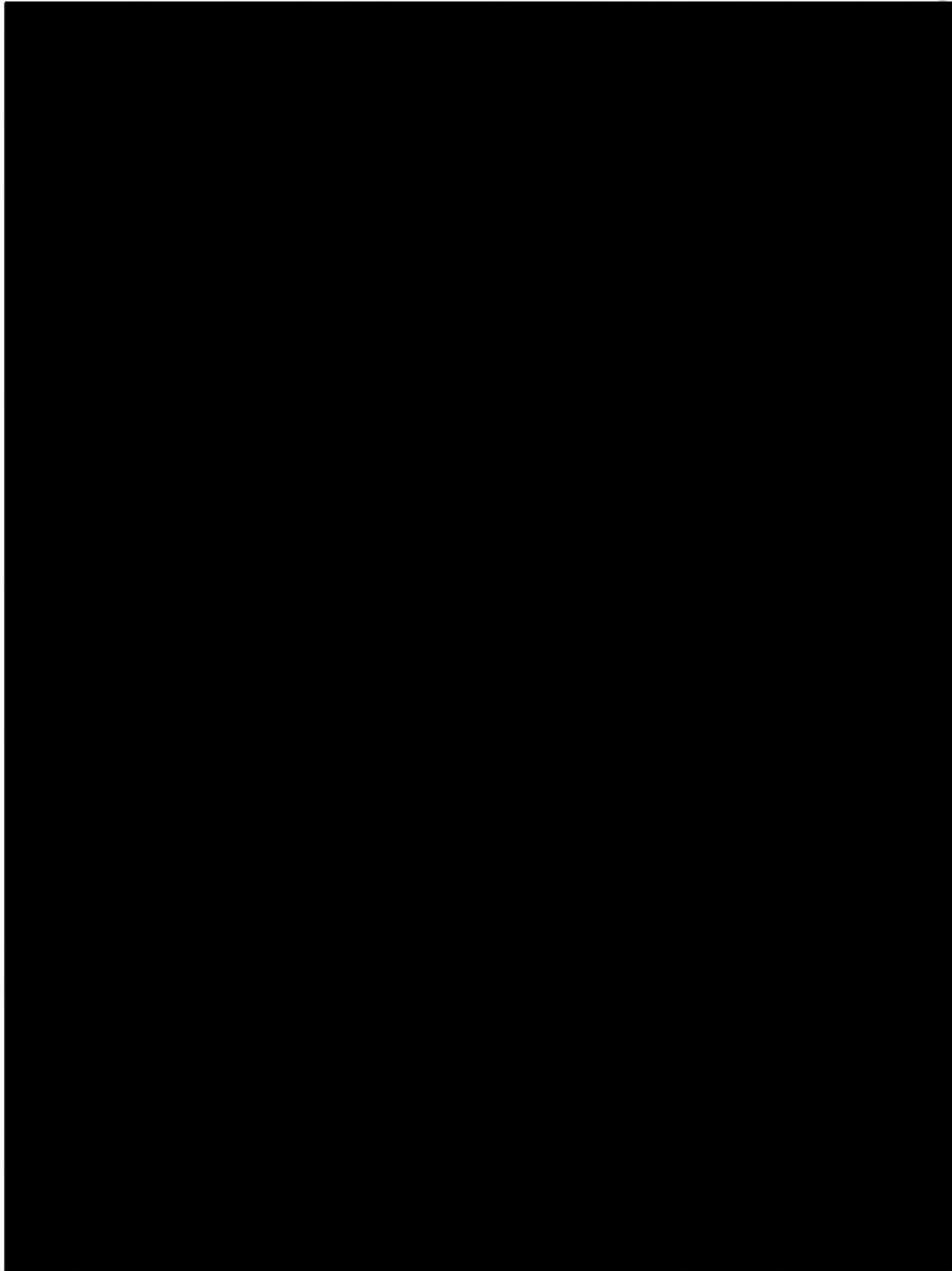
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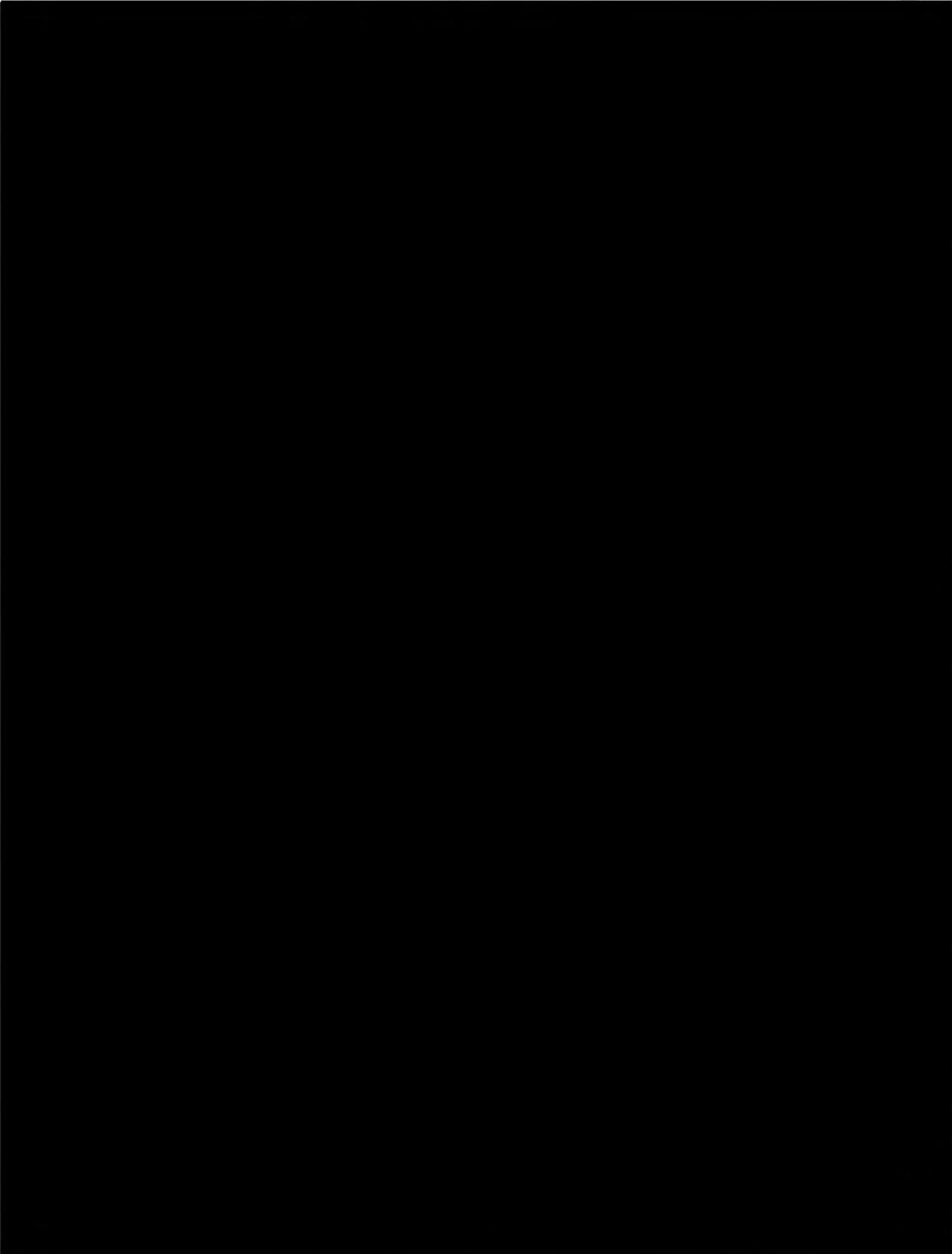
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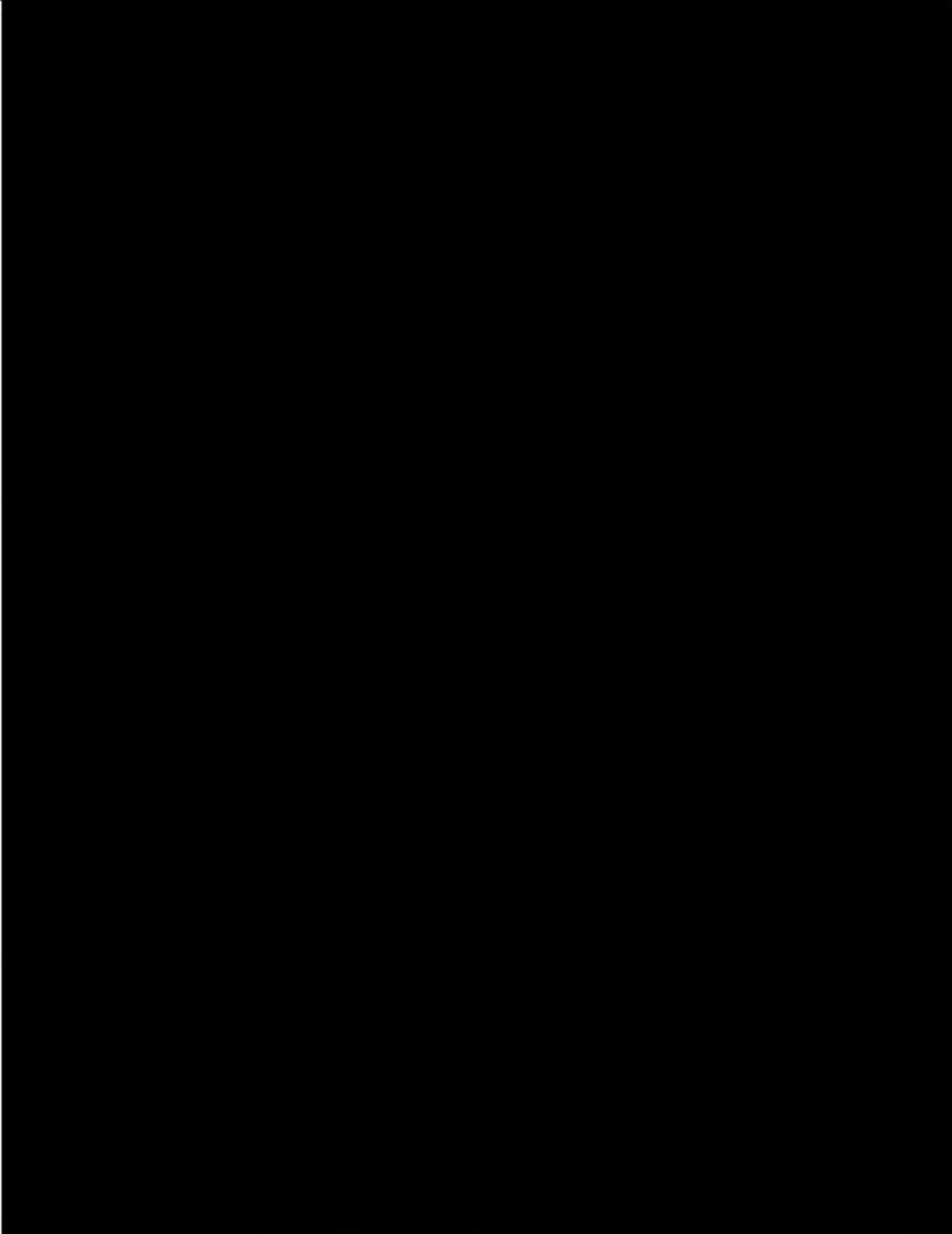
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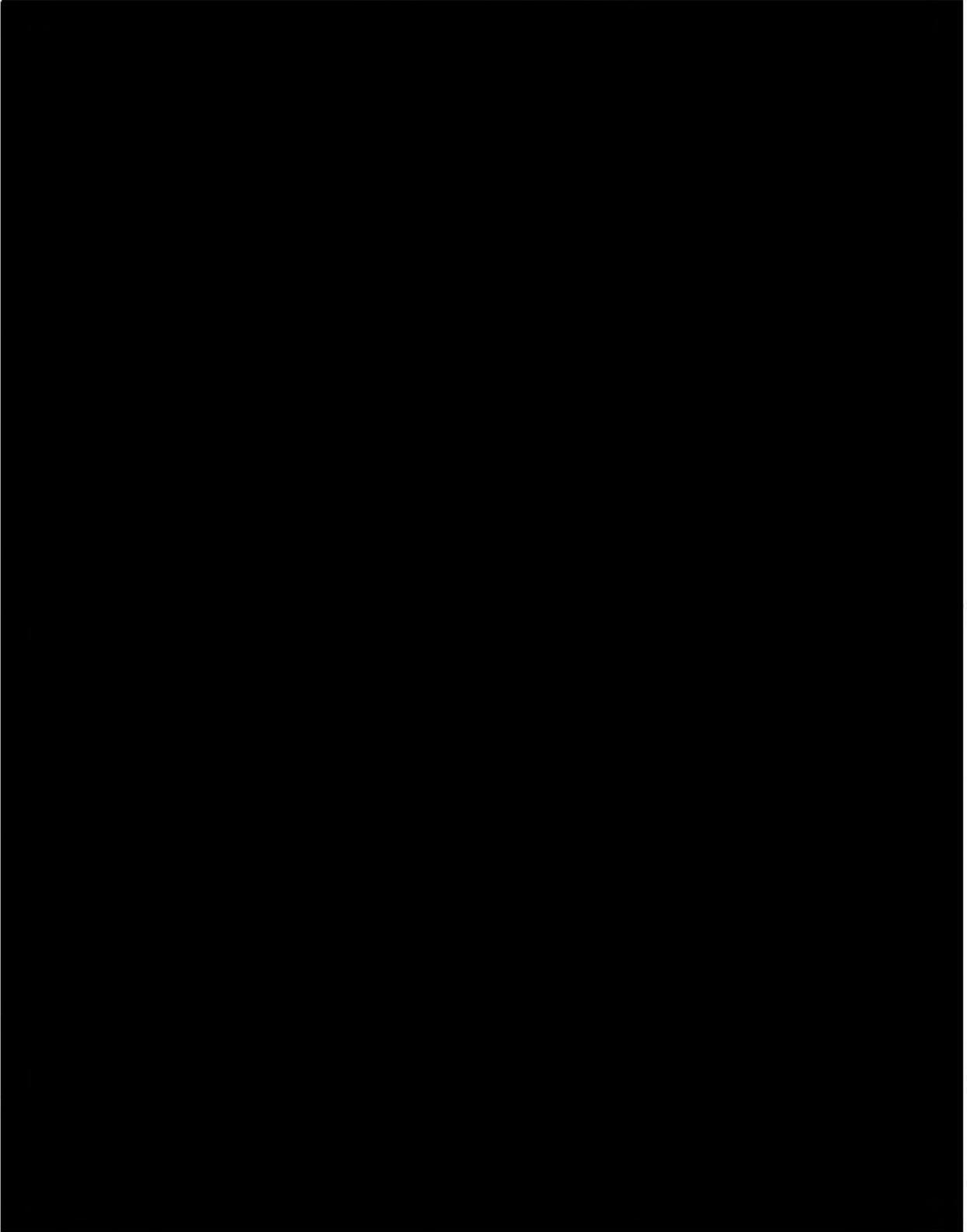
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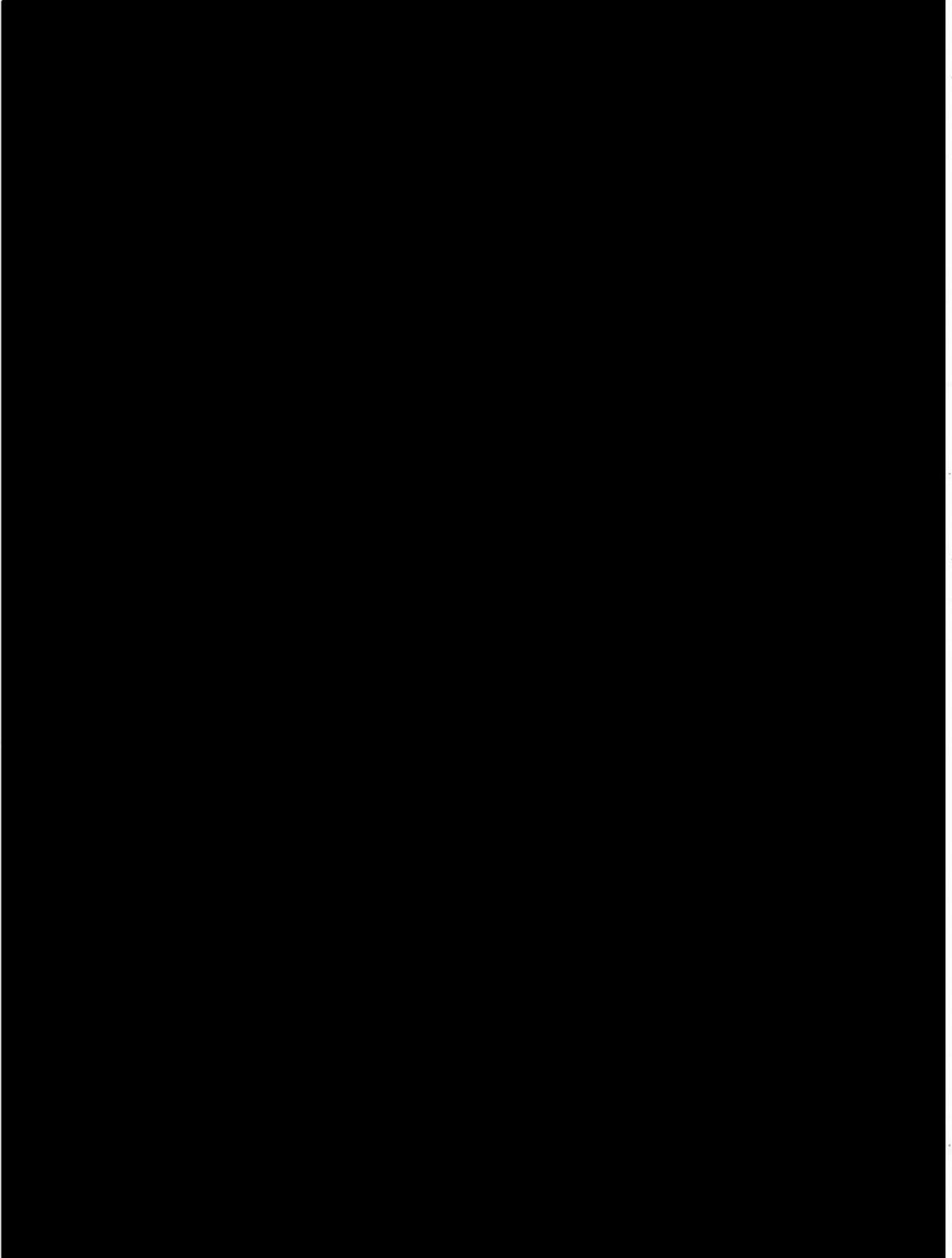
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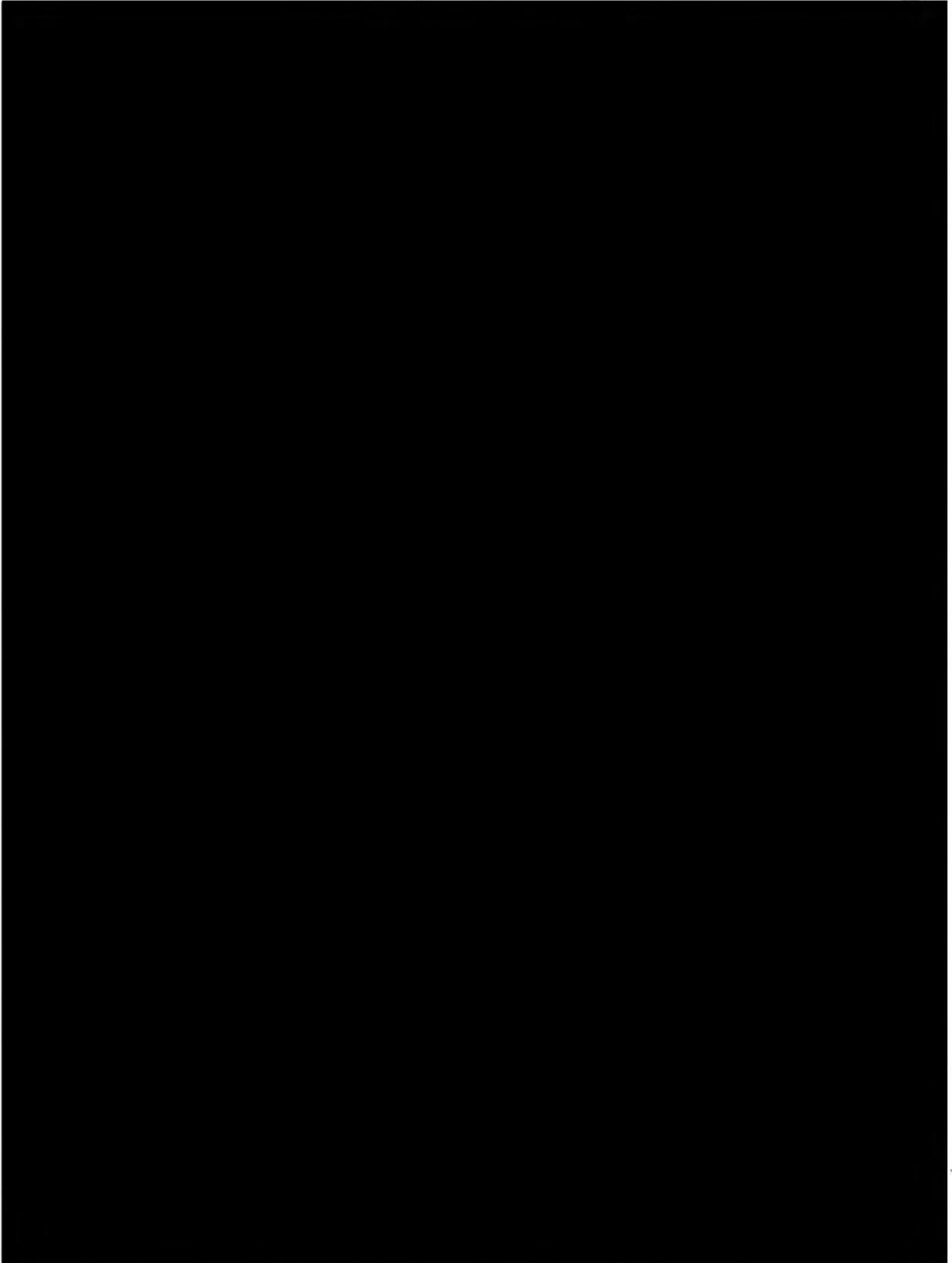
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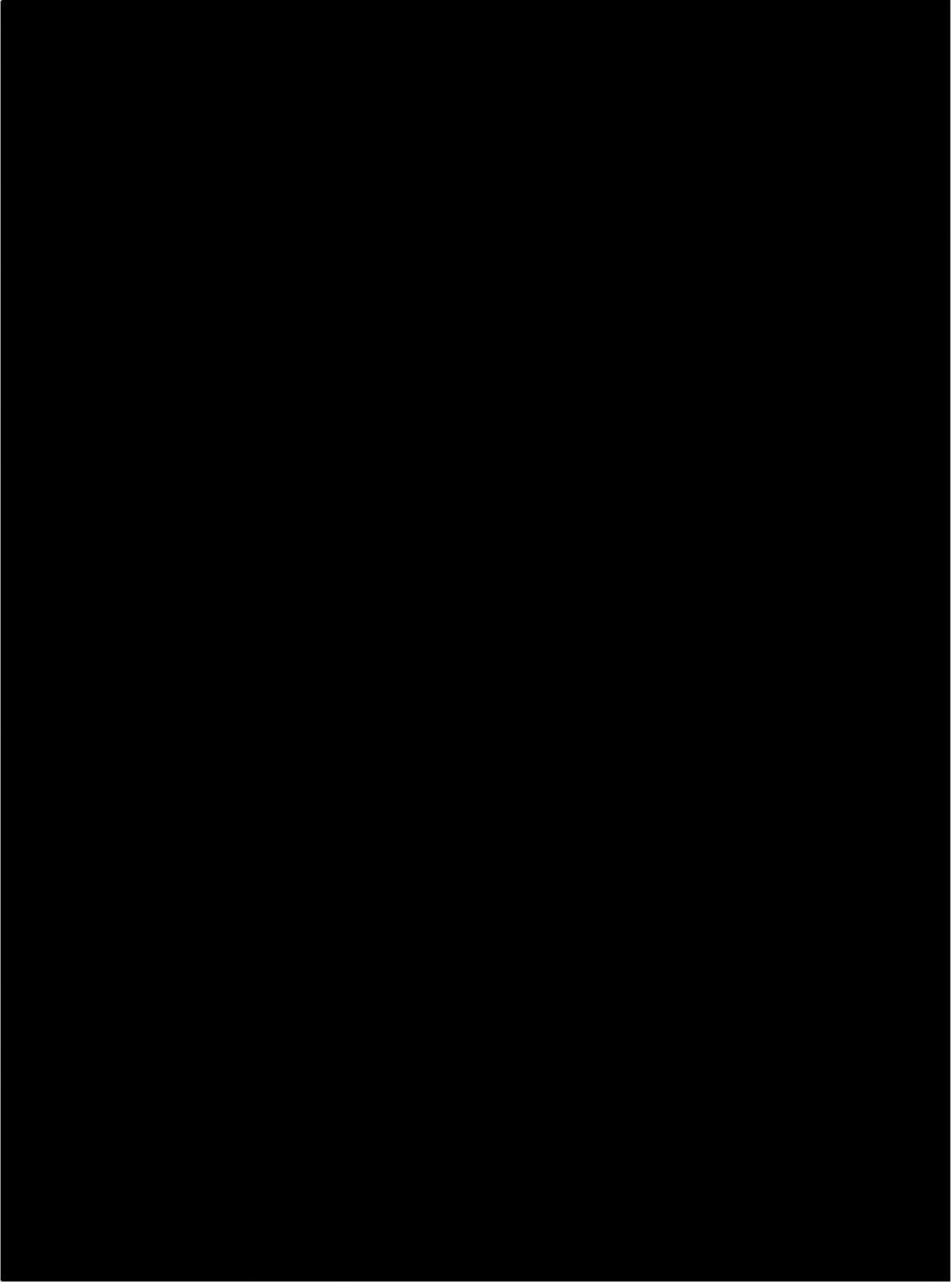
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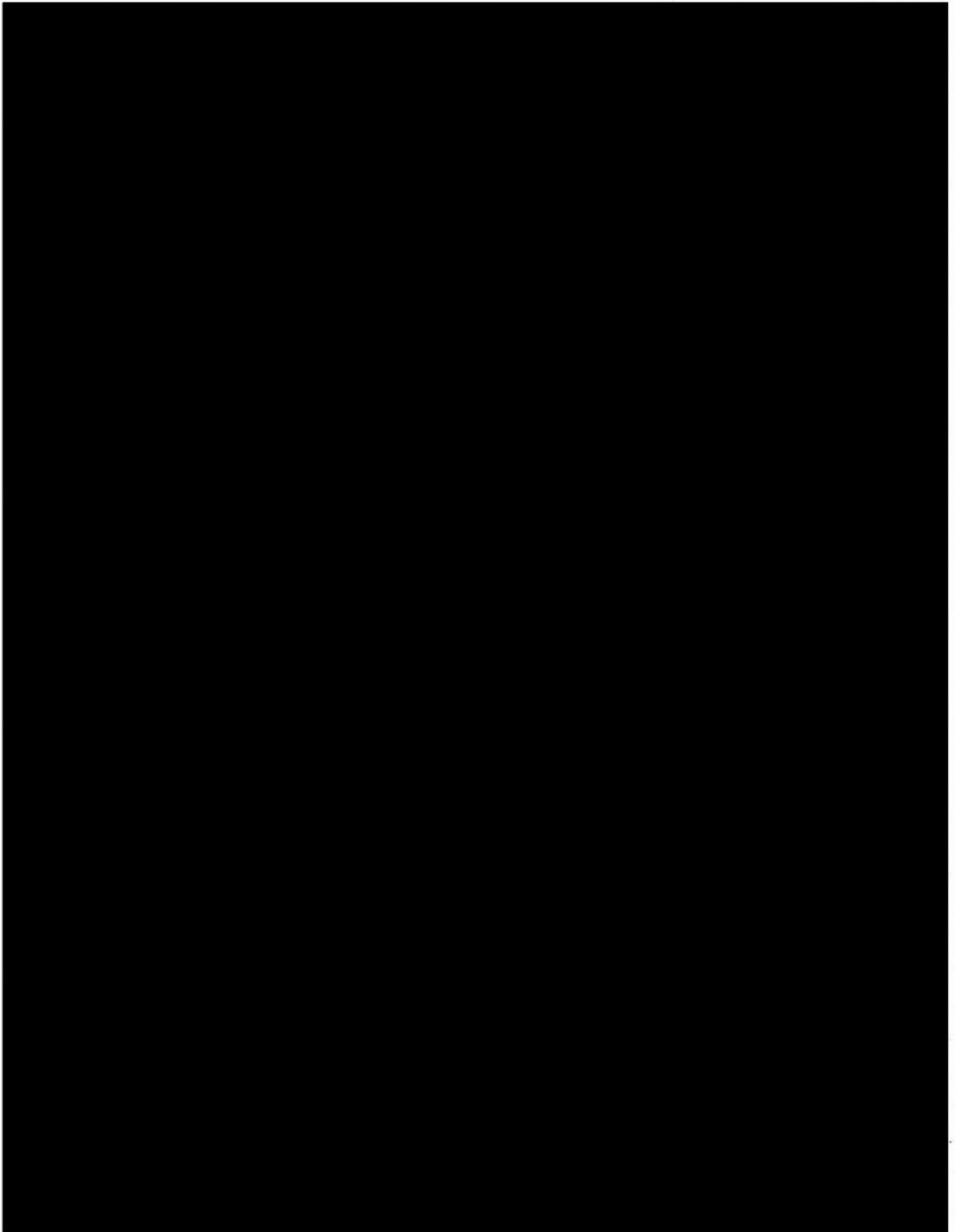
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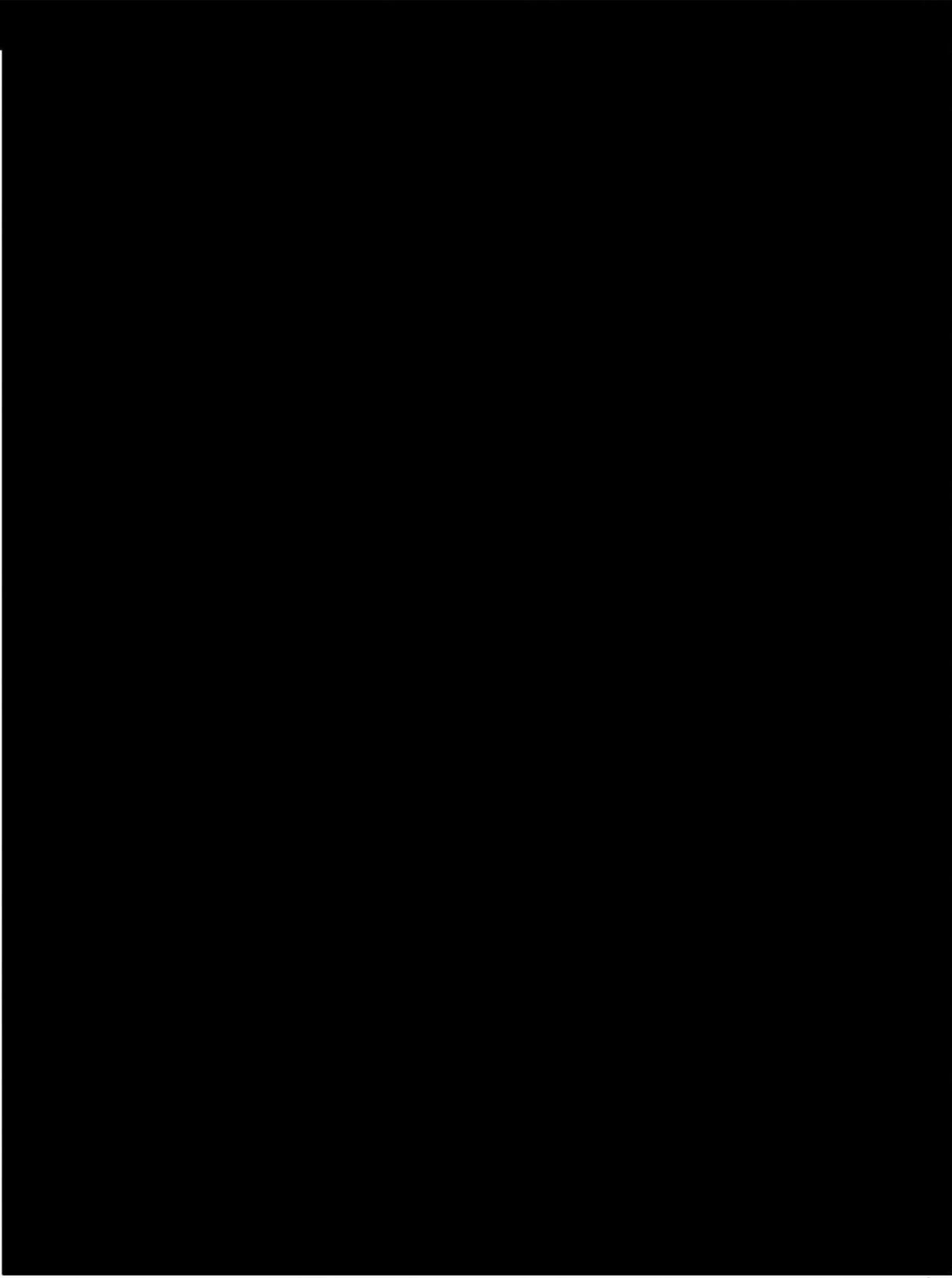
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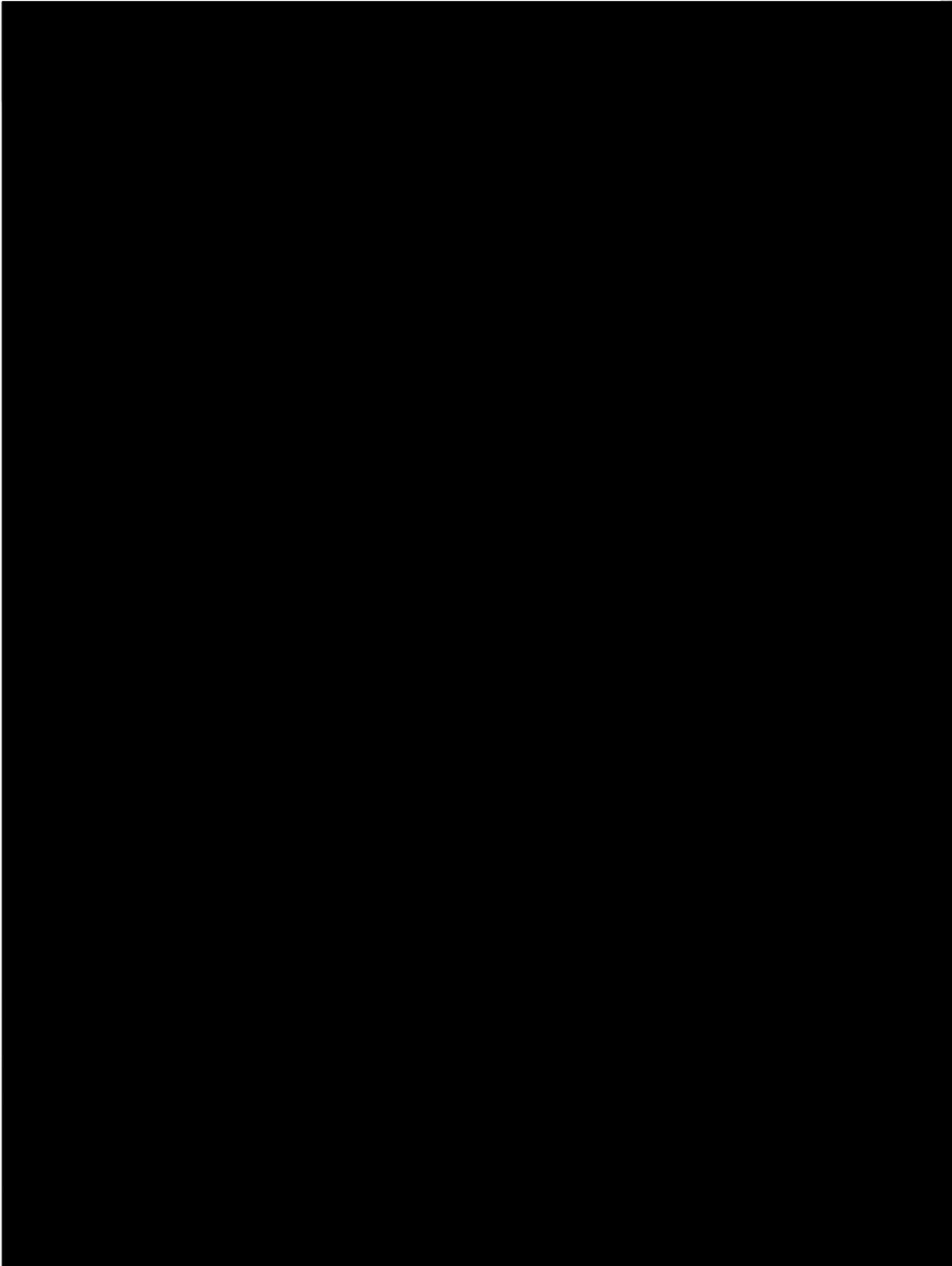
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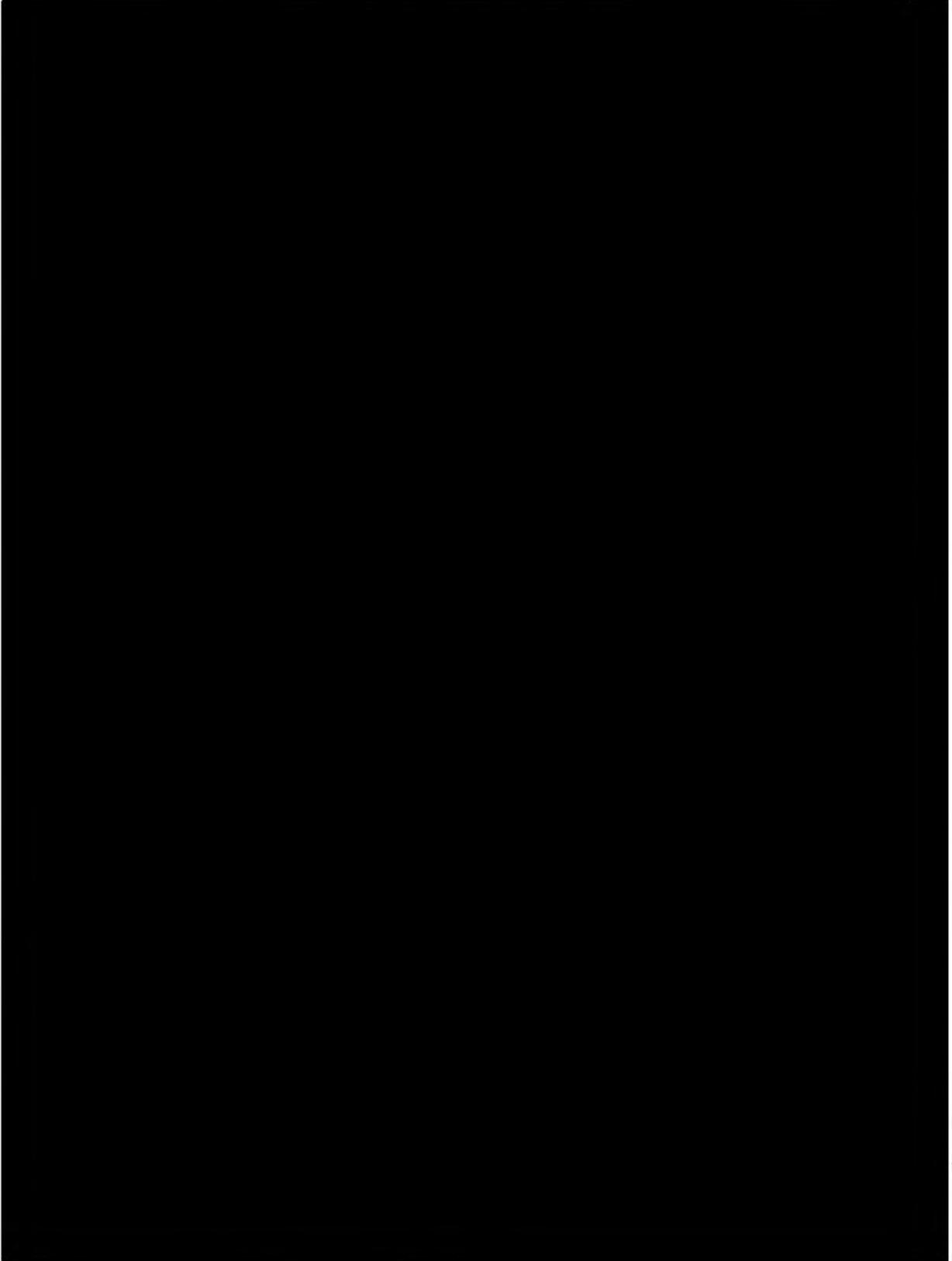
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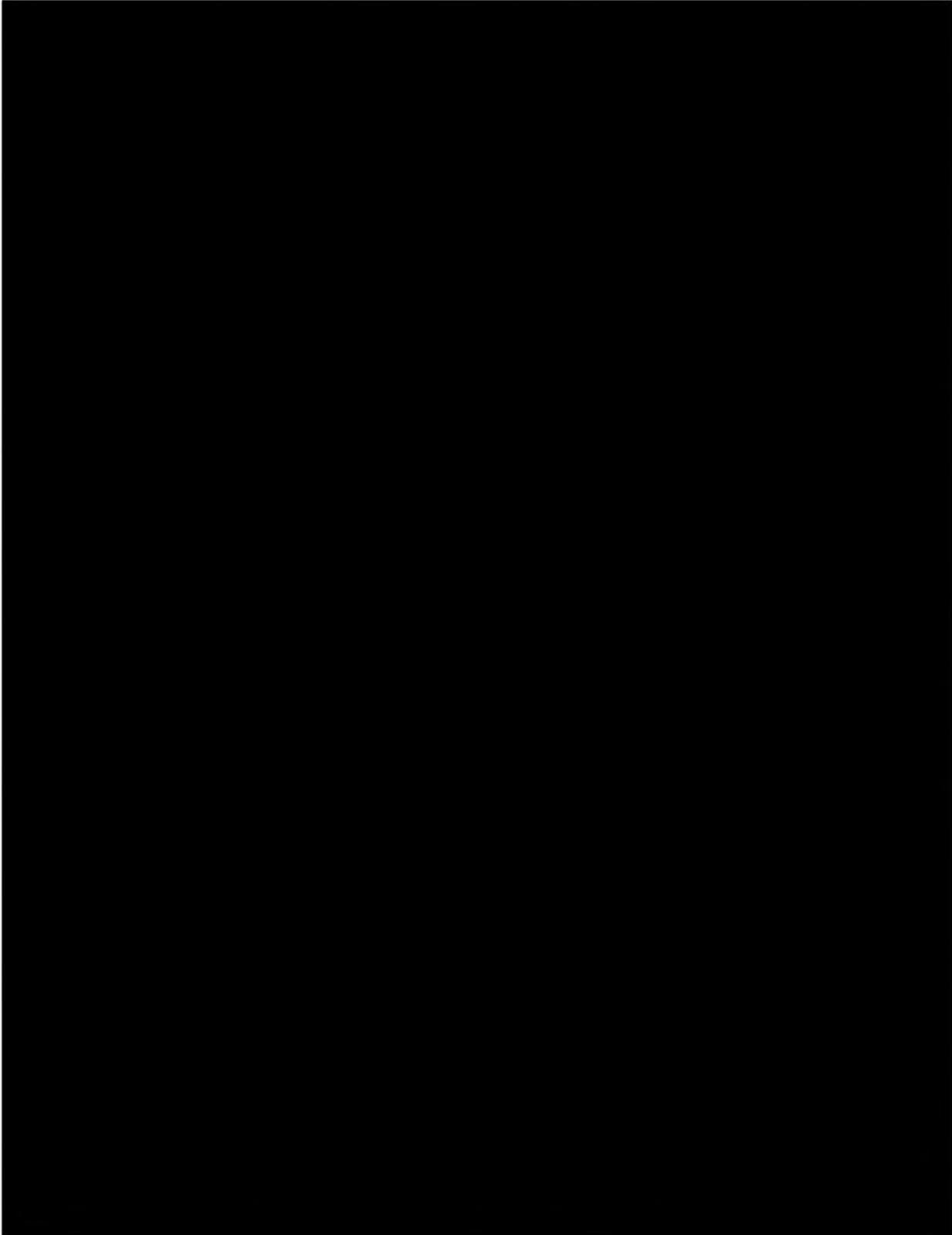
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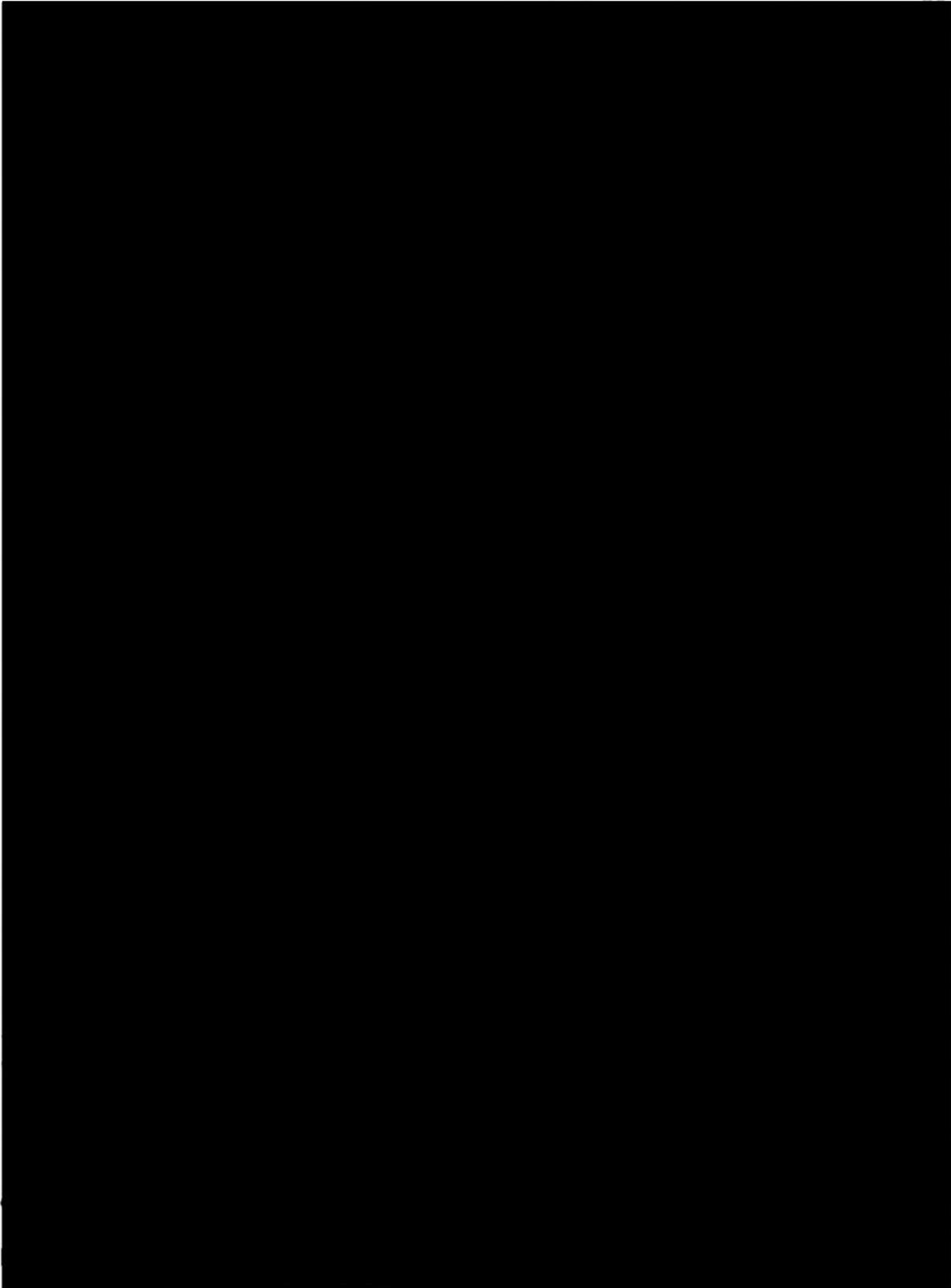
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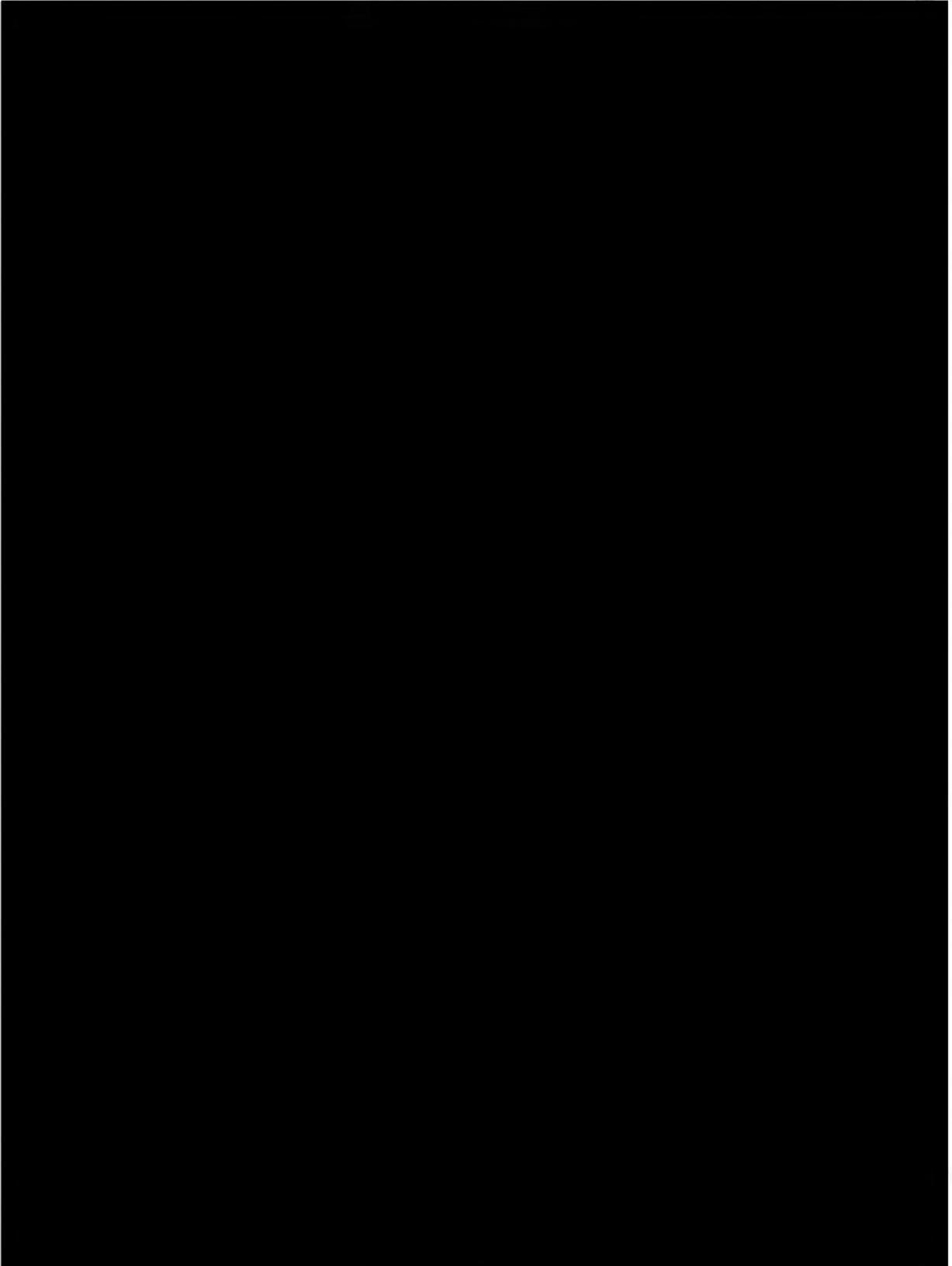
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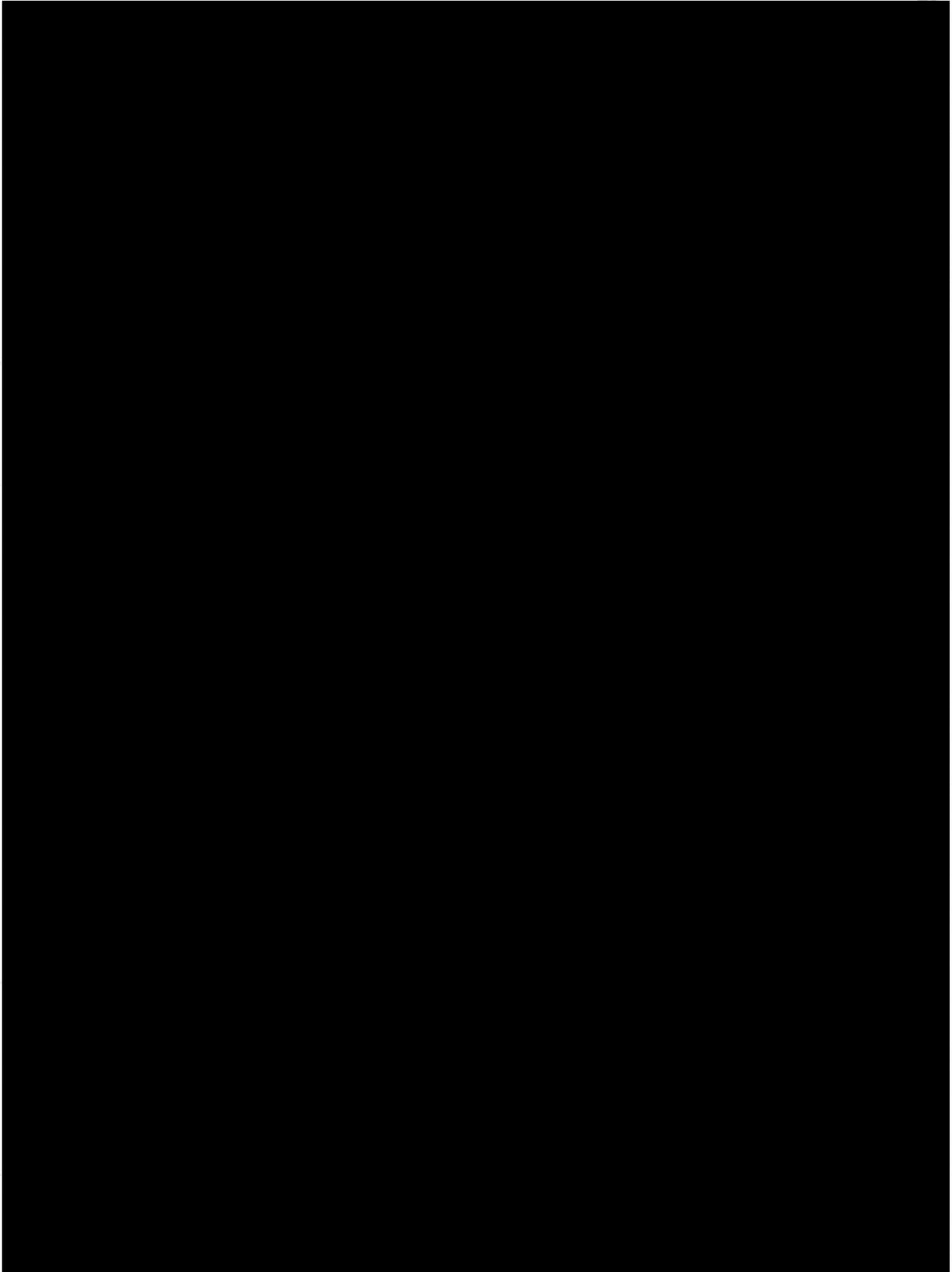
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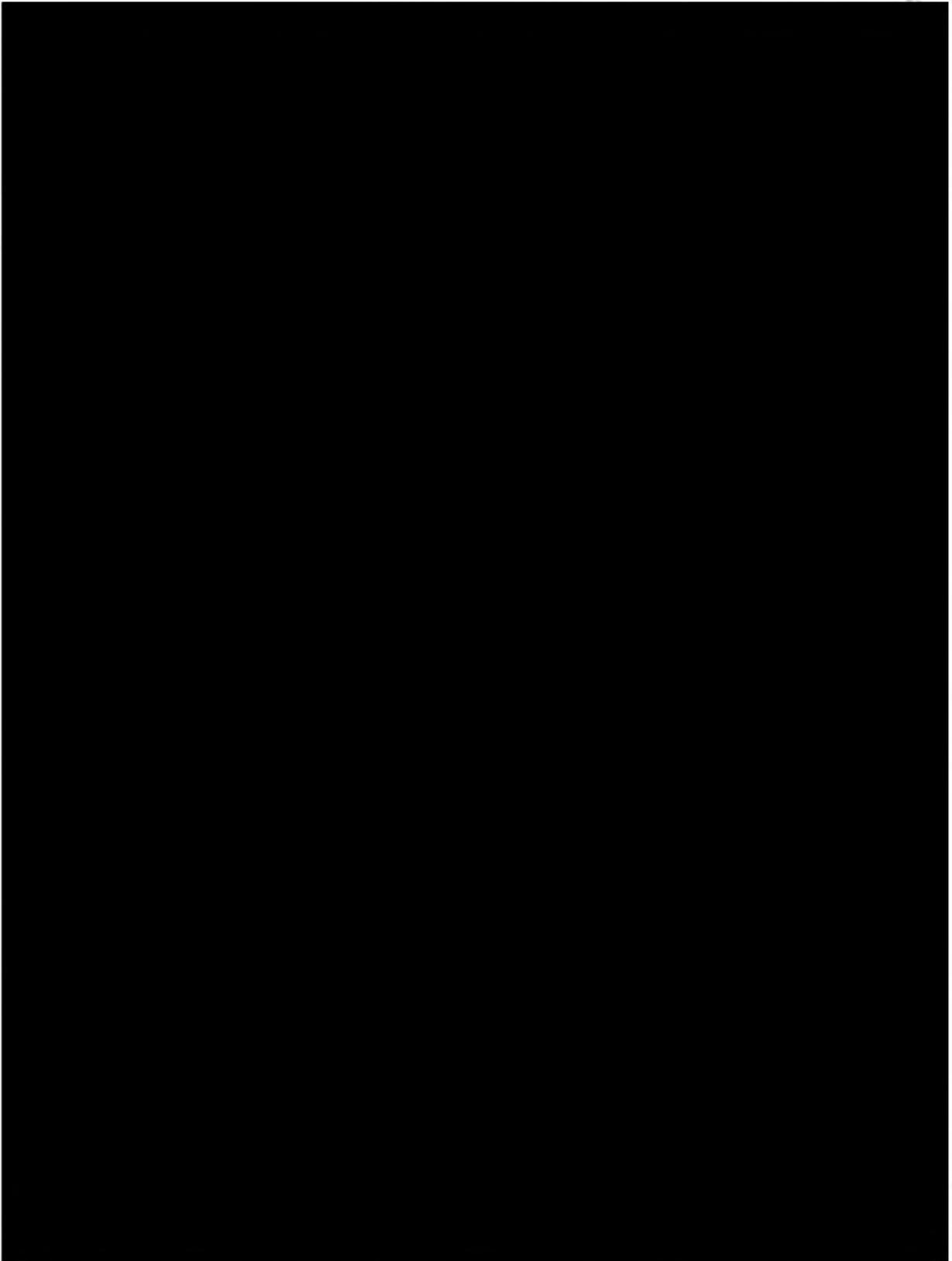
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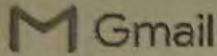
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9/3/2017

Gmail - Campaign Meeting minutes - feel free to add anything I've missed

EXHIBIT 6M



Michael Deem

Campaign Meeting minutes - feel free to add anything I've missed

1 message

To:

Michael Deem

1 May 2017 at 12:07
Neil

Campaign Meeting

Election Day

GOTV Day

Visibility

Music in cars: [redacted] to ask [redacted] about her speakers. Figure out who's driving and where and when.

Battle Bus: [redacted] is on the case – it will be commencing the tour of the City in Canton. [redacted] to let candidates know when and where to go.

Strategic places to stand and wave the thumbs encouraging people to vote: Ely Bridge, Danescourt Roundabout, Western Avenue, Llantrisant Road: **all work together to figure out times and location, [redacted] will send email out via nation builder.**

Videos – Neil to speak to [redacted] about targeting and which video to do. [redacted] informs that we have £100 left to promote a video.

Social media – I'm #PlaidBecause

Knock ups

[redacted] has emailed candidates stating that if they don't have a base camp set up for the **knock up lists and telephone canvassing**, then this needs to be in order.

Lists: 2 target lists that [redacted] will create. This will exclude Fairwater, Radyr, Ely and Caerau. 1 will be based on vote likelihood going up to the number we need to win. The second will exclude Pl's and Labour voter. [redacted] will clarify this with [redacted]

Knock up will start at 10 and finish around 8 o'clock.

Recruitment: volunteers to phone canvass, a designated house to set up base camp and door knockers

[redacted]: printing for Fairwater, Caerau and Radyr with the template that Neil has created. Need to buy our own paper as pot low on funds.

Period	Salary	NI Oncost	Pension	Total
31/10/16 - 30/04/17		£0.00		£1,093.94

Annual Leave Not recorded

Special Leave Not recorded

Unpaid Special Leave None

Michael Deem				
Period	Salary	NI Oncost	Pension	Total
01/01/17 - 08/06/17				£14,862.14

Annual Leave Not recorded

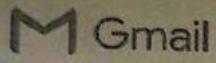
Special Leave Not recorded

Unpaid Special Leave None

9/3/2017

Gmail - Meeting notes

EXHIBIT 6Q.
PAGE 1.



Michael Deem [REDACTED]

Meeting notes

22 May 2017 at 10:11

To: Neil [REDACTED]

Michael Deem [REDACTED]

 Team meeting 22nd may.docx
13K

Team meeting: 22nd May 2017.

- No political discussions in the Office [REDACTED]
- Keep to deadlines
- Thank you leaflets have to be printed: Llandaff is ready to print
- Direct mail: everyone we spoke to in 2017 other than Labour and Conservative
- Next 3 days – telephone canvass
- List of members and their responses – phone members and ex-candidates – spreadsheet
- List of telephone numbers and send text messages: 2 text messages a week: 4p a text
- Increase social media
- Tonight: report on how we've progressed these matters today
- Solidify the vote: keep up to track on Case Work: Neil to meet [REDACTED] and [REDACTED] on Wednesday
- Pentyrch to be delivered: contact [REDACTED] and his network
- **Nation Builder email: send to all members in Plaid members Cardiff & Penarth**
- Matthew to change Nation builder lists before [REDACTED] sends out email

[REDACTED]

[REDACTED]

[REDACTED]

COMISIYNYDD
SAFONAU Y SENEDD
DROS DRO
ACTING SENNEDD
COMMISSIONER FOR
STANDARDS

By email: [REDACTED]

5 June 2020

Dear Mr Deem ,

I attach a draft report relating to your complaint against Neil McEvoy MS.

Under section 4.3 of the Procedure for dealing with complaints against Members, both the Member and complainant must be afforded the opportunity to comment on the factual accuracy of the report before it is submitted to the Standards of Conduct Committee. If you have any comments on the factual accuracy of this complaint, please send them to standards.commissioner@senedd.wales by 5pm on Friday 19 June 2020.

May I remind you that the report remains confidential until the Standards Committee has completed their consideration of the issue and publish it along with their findings. Any attempt to breach confidentiality will be treated seriously.

Yours sincerely,



Douglas Bain CBE TD

Y Comisiynydd Safonau Dros Dro / Acting Standards Commissioner

Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA
Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@cynulliad.cymru

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
Tel: 0300 200 6539
E-mail: Standards.Commissioner@assembly.wales

We welcome correspondence in both English and Welsh

COMISIYNYDD
SAFONAU Y SENEDD
DROS DRO
ACTING SENNEDD
COMMISSIONER FOR
STANDARDS

Neil McEvoy MS
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

6 June 2020

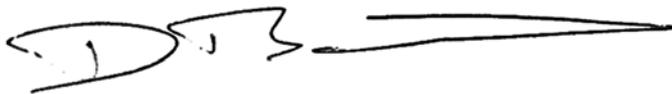
Dear Mr McEvoy,

I attach a draft report relating to the complaint made against you.

Under section 4.3 of the Procedure for dealing with complaints against Members, both the Member and complainant must be afforded the opportunity to comment on the factual accuracy of the report before it is submitted to the Standards of Conduct Committee. If you have any comments on the factual accuracy of this complaint, please send them to standards.commissioner@senedd.wales by 5pm on Friday 19 June 2020.

May I remind you that the report remains confidential until the Standards Committee has completed their consideration of the issue and publish it along with their findings. Any attempt to breach confidentiality will be treated seriously.

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Douglas Bain CBE TD

Y Comisiynydd Safonau Dros Dro / Acting Standards Commissioner

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We welcome correspondence in both English and Welsh

Response to the 'Final Draft' document sent Friday 5th June 2020

In paragraph 6.3 you refer to the unsworn statements of [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. It was initially explained to me by Sir Roderick Evans that the hearing process would be used to investigate my complaint, and that any unsworn statements would not be considered. In paragraph 3.3 you acknowledge that this decision has in some part, protruded the investigation process, and as a result referred to the more usual inquisitorial process. You communicated this to me in your letter of the 17th February, however it was not made entirely clear that this would also result in the allowing of unsworn testimony. In the letter you state you had interviewed Mr. McEvoy under oath for more than three hours but make no mention of any other additional evidence not previously considered as part of the investigation. My point is that I have not had chance to properly scrutinise this unsworn testimony.

If I had, I would have raised questions as to why in her initial statement on Friday 4th August 2017, [REDACTED] states.

Simultaneously, Michal had said and I do remember this vividly, "just leave the printers to me, OK. It's quite complicated and it's easier to have one point person. Neil doesn't realise how complicated it is (I must note that this wasn't said in an aggressive tone, it was said in a manner which seemed reasonable to me)."

However, on the 18th October 2017, the day after the second formal mediation session between myself and Mr. McEvoy, [REDACTED]' recollection changes to.

He messaged me and aggressively told me to "leave the printer to me!!"

Furthermore, on the 31st May 2018, approximately a year after the alleged incident took place, and 6 days after Mr. McEvoy first met with Sir. Roderick Evans, she states.

He told me to "leave the printer to me!"

I followed Neil's instructions as opposed to Mike and found incredibly intimidating when Michael would later storm into the office, shout at me and say "I've told you – I told you to leave the printer situation to me!!!" ... "If I hadn't come in here now, we would have been in some serious trouble"

14. Michael threw the invoices down at me on the desk. I felt humiliated and intimidated. More to the point, Michael had never relayed any of the information regarding the printers to me.

My concern in using unsworn statements aside from the apparent elaboration over time, and the questions of motive that may be derived, is simply the lack of scrutiny I have been afforded. Accusations are made in statements 2 and 3 which were never mentioned in statement 1, when you would expect a witness's recollection to be at its most vivid. If I was given the opportunity

to address these points, either through the cross examination stage of the hearing, or by the latter inquisitorial process, it would have likely had a bearing on your perception of the credibility of these witnesses.

I understand this is not an opportunity to re-run the investigation, and I do appreciate your efforts to draw matters to a timely close, but I would request my concerns were at least noted.

On a matter of fact in Para. 6.38 – [REDACTED] was employed by Cardiff Plaid Cymru, not Cardiff South Plaid Cymru.

Signed: Michael Deem (Electronically)

Date: Thursday 18th June 2020

Mr Michael Deem

By email

19 June 2020

Dear Mr Deem,

YOUR COMPLAINT AGAINST NEIL McEVOY MS

Thank you for your email of 19 June covering your response to the final report.

In that response you rightly point out that you did not have the opportunity to challenge the evidence given by [REDACTED] in her unsworn testimony. I can assure you that as I have not relied on anything contained in that testimony in reaching any of my decisions your lack of opportunity has had no impact on the outcome of the investigation.

I have accepted your proposed revision to paragraph 6.38 and made a consequential amendment to finding 41 in paragraph 5.1.

I have added your response and a copy of this letter to the documents listed in the Annex to the report. I attach a copy of the final version which has now been submitted to the Committee on Standards. Any further communication should be with the Clerk to that Committee.

Y Pierhead
Bae Caerdydd
Caerdydd
CF99 1NA
Ffôn: 0300 200 6539
E-bost:
Comisiynydd.Safonau@senedd.cymru

Croesewir gohebiaeth yn y Gymraeg a'r
Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
Tel: 0300 200 6539

E-mail: Standards.Commissioner@senedd.wales

We welcome correspondence in both English and
Welsh

I would remind you that the report remains confidential until the Committee has concluded its consideration of it and would ask you to respect that confidentiality.

Yours sincerely,

A handwritten signature in black ink, enclosed in a rounded rectangular box. The signature is stylized and appears to read 'D. Bain'.

Douglas Bain CBE TD

**Y Comisiynydd Safonau Dros Dro
Acting Standards Commissioner**