



## **PUBLIC INQUIRY INTO LIVERPOOL CITY COUNCIL**

**COMMISSIONED UNDER S 438U OF THE LOCAL  
GOVERNMENT ACT 1993 (NSW)**

**PUBLIC HEARING  
SYDNEY**

**THURSDAY, 21 AUGUST 2025  
AT 10.18 AM**

**DAY 18**

### **APPEARANCES**

**Ms T McDonald SC, Senior Counsel Assisting  
Ms B Anniwell, Counsel Assisting  
Mr E McGinness, Counsel Assisting  
Mr J Emmett SC with Mr D Parish and Mr N Andrews, Counsel for Liverpool  
City Council  
Ms K Richardson SC and Ms C Palmer, Counsel for Mayor N Mannoun  
Ms C Hamilton-Jewell, Counsel for Mr P Ristevski  
Ms V Brigden, Counsel for Lauren Myers**

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to any direction against publication commits an offence against s 12B of the Royal  
Commissions Act 1923 (NSW).*

**<THE HEARING RESUMED AT 10.18 AM**

**COMMISSIONER:** Yes, Ms McDonald.

5 **MS McDONALD:** We have no administrative matters.

**COMMISSIONER:** On we go.

**<LAUREN MYERS, ON FORMER AFFIRMATION**

10

**MS McDONALD:** Ms Myers, yesterday afternoon I had taken you to some text messages, some of which were exchanged between you and the mayor, Mr Mannoun, and also between you and Mr Ajaka and also you and Mr Mallard. Can I ask - Mr Ajaka, did you first meet him when he either applied for the CEO  
15 position or was appointed to the CEO position?

**MS MYERS:** No.

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**MS McDONALD:** You knew him beforehand?

**MS MYERS:** Not knew him, but I had met him before on one or possibly two occasions.

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**MS McDONALD:** In what circumstances had you met him before?

**MS MYERS:** He had come to meet with the mayor in his office at Moore Street.

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**MS McDONALD:** Was this in the lead-up to the CEO position becoming advertised?

**MS MYERS:** No.

**MS McDONALD:** Can you roughly recall when?

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**MS MYERS:** No. It -

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**MS McDONALD:** If I can just pause. He was appointed in December 2022, and obviously there would have been a recruitment process undertaken over the months before December 2022. This meeting with the mayor when you were at Moore Street, was that in 2022 or at an earlier time?

**MS MYERS:** I believe it was in that year, but it was before the CEO recruitment process had started.

45

**MS McDONALD:** And did the mayor inform you about anything about the reason for the meeting?

**MS MYERS:** It appeared to be a social visit or something related to non-council matters.

5 **MS McDONALD:** Your answer a little while back was, "I met him previously on one or maybe two occasions." So you can recall that occasion. Do you recall a separate occasion?

**MS MYERS:** No, I - no.

10 **MS McDONALD:** Now, Mr Mallard, he was appointed in 2023 originally in the senior adviser position. He did have an association with the Council previously. When did you meet him for the first time?

15 **MS MYERS:** I met him in 2015. He made a social visit to the mayor in his office at Moore Street, but it was less than 30 seconds. It was just a walk-by into the mayor's office, so we weren't formally introduced properly. And then I met him again when he was a Member of Parliament and he had visited Liverpool in his parliamentary capacity, and it was - it was for a visit for that purpose.

20 **MS McDONALD:** Now, the mayor, Mr Mannoun, you obviously met him when you were appointed to be his executive assistant, I think in 2015. Did you know him before that?

25 **MS MYERS:** Yes.

**MS McDONALD:** Roughly when did you first meet Mr Mannoun?

**MS MYERS:** In the nineties, when we were teenagers.

30 **MS McDONALD:** Yesterday, you gave evidence that you were Liverpool born and bred. Was - when you say "teenagers", did you attend the same school?

**MS MYERS:** No, we had the same circle of friends.

35 **MS McDONALD:** And was this a circle of friends around Liverpool?

**MS MYERS:** Yes.

40 **MS McDONALD:** Right. Now, going back to the events in April 2024, I now want to take you to 22 April, which was a Monday. Would document INQ.023.001.0011 be brought up, please. But would you go to page 3, and it can be live streamed. I took you to your blue message beforehand, I think yesterday, and we had ended up with:

45 "Have a good weekend."

**MS MYERS:** Yes.

**MS McDONALD:** Would you go to the bottom of that page. We're now on 22 April:

5 "Good morning, John. Would you like a coffee or tea for 9 am meeting? Sandie is having a tea."

The coffee order is made and you reply:

10 "Sandie's here, she's just using the bathroom."

**MS MYERS:** Yes.

**MS McDONALD:** Now, the reference to "Sandie" in those messages, who's that?

15 **MS MYERS:** Sandie Morthen.

**MS McDONALD:** She was the organiser from the union?

20 **MS MYERS:** Yes.

**MS McDONALD:** Did you know before she arrived that there was a scheduled meeting with her?

25 **MS MYERS:** Yes. John had asked me to schedule the meeting.

**MS McDONALD:** When did he ask you to schedule the meeting?

**MS MYERS:** I think it was the week prior.

30 **MS McDONALD:** Do you remember which day?

**MS MYERS:** No.

35 **MS McDONALD:** Did he tell you why he wanted to have this meeting?

**MS MYERS:** No, just that they were going to have a meeting and to contact Sandie to schedule an appropriate time.

40 **MS McDONALD:** Before that date of 22 April, were there regular meetings between Mr Ajaka and Sandie Morthen in her capacity as the union organiser?

**MS MYERS:** I believe so, but I wasn't working in that office then.

45 **MS McDONALD:** That's right. Sorry. You were only there - you were acting. I do apologise. All right. So you organised the coffees. They have a meeting?

**MS MYERS:** Yes.

**MS McDONALD:** After the meeting, does Mr Ajaka discuss with you what was discussed during the meeting?

5 **MS MYERS:** Not in great detail, but that they had discussed - well, some of what was happening between John and the mayor.

**MS McDONALD:** Sorry, anything else?

10 **MS MYERS:** Mr Ajaka had said that Sandie knew of some information before she had even arrived, and it seemed to take Mr Ajaka by surprise.

**MS McDONALD:** What else do you recall about Mr Ajaka's description to you or discussion with you about that meeting with Sandie?

15 **MS MYERS:** He said they had discussed an email from an anonymous person - USU Advocate, and I remember him saying that Sandie brought a copy of the email to the meeting.

20 **MS McDONALD:** And did Mr Ajaka still have a copy of this?

**MS MYERS:** I can't recall.

25 **MS McDONALD:** Can you just excuse me. When Mr Ajaka commented that he was taken by surprise because Sandie knew more information than he was expecting, did he say what information she had?

**MS MYERS:** Not in great detail, but that it was about the 150 jobs.

30 **MS McDONALD:** Now, during that post-meeting with Sandie with Mr Ajaka - you just said it was about the 150 jobs. Can you recall, did Mr Ajaka in that conversation refer or - specifically or expressly to 150 jobs?

35 **MS MYERS:** I don't think it was that morning that he told me that. It was in, I think, the following day and he said Sandie knew about that before she arrived at the meeting.

40 **MS McDONALD:** So that was a discussion with Mr Ajaka the next day? I'll come to that shortly. All right. Could you please just excuse me. I'm sorry, Ms Myers. You also referred to an anonymous email by somebody known as the USU Advocate.

**MS MYERS:** Yes.

45 **MS McDONALD:** Do you recall, did Mr Ajaka have a copy of that with him?

**MS MYERS:** I can't recall.

**MS McDONALD:** All right. Would you bring up, please, LCC.001.003.0461. And it's page 4.

**ASSOCIATE:** (Indistinct) document on the live stream?

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**MS McDONALD:** Yes, please. And can you see about halfway down that page, there's an email from USU Advocate, subject matter:

"Distress at Liverpool Council."

10

**MS MYERS:** Yes.

**MS McDONALD:** And then it's dated Monday the 22nd, at 1.59 pm, and there's a reference to Mr Ajaka and then some further references to the mayor. And can you see then there's the entry:

15

"He has four staff members in his" -

That's not it. Sorry. So there's that email which is supportive of Mr Ajaka, critical of the mayor. And then if we can move to the preceding - the bottom of page 2. Can you see that?

20

**MS MYERS:** Yes.

**MS McDONALD:** And then if you go down to page - and that's Wednesday the 24th. And if you keep on going down - excuse me. And then if you go to the beginning of the document, there's an email on 25 April. And if you keep on going, on the second page can you see there's a reference to shafting the CEO:

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"Shafted the CEO. Trying to shaft two directors. Trying to shaft 150 staff members."

30

So in the emails that we have from the USU Advocate, it appears that the 150 is first mentioned in that email of the 25th?

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**MS MYERS:** Yes.

**MS McDONALD:** I'm just wondering whether - in the kind of the events that keep on occurring during that week, whether the reference that you made to the USU Advocate email wasn't made by Mr Ajaka immediately after the interview with Sandie but might have been later on in the week?

40

**MS MYERS:** Yes, that could be correct.

**MS McDONALD:** Okay. Could we jump back to INQ.023.001.0011, at page 4. From the date at the top of this message - it's still on the 22nd, but at 4.44 pm.

45

**MS MYERS:** Yes.

**MS McDONALD:** And your message is to John:

5 "Just checking in to make sure you're okay. Hope there hasn't been any further negative developments this afternoon."

And then you say:

10 "Mr Mayor is telling me he wants peace and to come to a compromise. He just won't initiate it and wants an apology. He said you activated the unions and I told him to the best of my knowledge they already knew everything, and then he stopped responding to me."

And then Mr Ajaka messages:

15 "Tried to call you."

**MS MYERS:** Yes.

20 **MS McDONALD:** The part of your message where you say:

"Mr Mayor is telling me he wants peace and to come to a compromise".

25 When were you told that by Mr Mannoun?

**MS MYERS:** We - possibly that afternoon. The mayor made a habit of coming to sit and talk to me while I was working when John had left the office. Or it could have been on a text exchange.

30 **MS McDONALD:** Excuse me for a second. Excuse me for - I think -

**COMMISSIONER:** Would it assist if I disappeared for five minutes?

35 **MS McDONALD:** Yes. That'd be - I'm sorry.

**COMMISSIONER:** All right. Someone can just let me know when you're ready.

**MS McDONALD:** Yes. I do apologise, Commissioner.

40 **MS RICHARDSON:** I'm sorry for the interruption. It's just that I have the text message between Ms Myers and Mayor Mannoun on this exact topic.

**COMMISSIONER:** Okay.

45 **MS RICHARDSON:** I understand - I think might assist if it's dealt with at -

**COMMISSIONER:** Yes. No trouble at all. Someone can let me know when you're ready to proceed.

**MS McDONALD:** Yes.

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**COMMISSIONER:** And, Ms Myers, you don't feel the need to sit there - if it's more comfortable for you to be somewhere else, you can go outside as well. Someone will let you know when we're ready.

10 **MS MYERS:** Okay.

**COMMISSIONER:** I'll adjourn until I'm told we're ready.

**<THE HEARING ADJOURNED AT 10.38 AM**

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**<THE HEARING RESUMED AT 11.02 AM**

**COMMISSIONER:** Yes, Ms McDonald.

20 **MS McDONALD:** Ms Myers, just before our short break we were provided with a couple more of the text messages between you and the mayor, and I'm just going to take you to those now. The first one, and this is jumping around a little bit, you will recall yesterday that I took you to the email that the mayor sent Mr Ajaka on about - I think it was 12 April, where he had the four matters that he wanted  
25 budgeting and recommendations about.

**MS MYERS:** Yes.

30 **MS McDONALD:** Do you recall that? And then I took you to a text exchange, where you said something like:

"Tone and pitch of the email perfect."

**MS MYERS:** Mm-hmm.

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**MS McDONALD:** And you gave evidence yesterday that at times your view was that some of the email messages from the mayor, the tone and pitch wasn't perfect.

**MS MYERS:** Yes.

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**MS McDONALD:** Could document NMA.011.001.0001 be brought up, please.

**ASSOCIATE:** Do you want that document on the live stream?

45 **MS McDONALD:** Yes. Thank you. Now, yesterday the copy of this exchange that was from your phone ended with the message from Mr Mannoun of:



"Now the budget is at 5 million deficit, it's the right time for us to provide suggestions."

Then, looking at it, you respond:

5

"It is. He can lose it, but he still needs to address it. You asked ever so nicely."

And then the emoji next to that, what's it?

10 **MS MYERS:** I was being sarcastic, and it's an emoji sticking its tongue out.

**MS McDONALD:** And in use of the emoji, does that indicate sarcasm?

**MS MYERS:** I'm not sure.

15

**MS McDONALD:** All right. But then you say:

"Plus, the points you raise are valid."

20 That last comment, was that sarcastic or -

**MS MYERS:** No.

**MS McDONALD:** That was your view?

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**MS MYERS:** Yes.

**MS McDONALD:** And then at - sorry, if we move up a little bit. Then there's just a question about your first week there, and you respond.

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**MS MYERS:** Mm-hmm.

**MS McDONALD:** And the question about your first week there, that is your first week as the acting executive assistant to the CEO?

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**MS MYERS:** Yes.

**MS McDONALD:** Now, I was asking you some questions - excuse me for a minute - about a text message exchange after the meeting with Sandie Morthen.

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**MS MYERS:** Yes.

**MS McDONALD:** Between her and Mr Mannoun. Excuse me for a minute. There are a couple more email - not emails, text messages in the chain which I'll just take you to. Would you please bring up NMA.011.001.0003.

45

**ASSOCIATE:** Do you want that (indistinct)?

5 **MS McDONALD:** Yes, please. Now, this commencement of a text message exchange seems to have started either on 16 April or before that, and you can see the first exchange is about raising - about what happened at the church. Is that an exchange about the stabbing that occurred at an Orthodox church?

**MS MYERS:** Yes.

10 **MS McDONALD:** Then if you follow down the page - and you've got something that's sent on 16 April, and then on 19 April there seems to be - is that a Judge Judy video or something?

**MS MYERS:** Yes.

15 **MS McDONALD:** Then if we go across the page - and you can see there at the bottom it's got Corporate Jargon on Instagram, "Judge Judy doesn't put up with" - something or other. So was that just something flippant or fun that you were exchanging?

20 **MS MYERS:** Yes.

**MS McDONALD:** If we go to the bottom of that page, page 2, again you're having a chat - this is on 22 April. You raise, what, rewatching Game of Thrones?

25 **MS MYERS:** Yes.

**MS McDONALD:** Now - sorry. Can I - just before taking you to the next exchange, sending the Judge Judy and raising Game of Thrones, does that reflect the outside-council relationship you had with the mayor that you mentioned this morning, that you've known each other since you were teenagers?

30 **MS MYERS:** Yes.

**MS McDONALD:** And you knew each other growing up in the Liverpool area?

35 **MS MYERS:** Yes.

**MS McDONALD:** Now, at the bottom of that page, the mayor says:

40 "I'm disgusted and feel terrible."

Now, if we can go to page 3, my understanding of how this works - you've replied to some of that?

45 **MS MYERS:** Yes.

**MS McDONALD:** So to the mayor's comment of:

"I'm disgusted and feel terrible."

You say:

5

"That's not good. It's a terrible situation."

**MS MYERS:** Yes.

10 **MS McDONALD:** Now, I'll come back to that in a sec, but the "should I", that's a reference to, "Should I watch Game of Thrones?"

**MS MYERS:** Yes.

15 **MS McDONALD:** And you comment:

"It's violent in parts but the plotting is good."

Now, when the mayor referred to:

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"I'm disgusted and feel terrible."

And you say:

25 "That's not good. It's a terrible situation."

When you responded, what was your view that Mr Mannoun was referring to?

**MS MYERS:** The situation with John Ajaka.

30

**MS McDONALD:** Now, then at - towards the bottom of that page, his question:

"How are you?"

35 You respond:

"I'm okay. Going with the flow."

**MS MYERS:** Yes.

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**MS McDONALD:** Then if we go to the next page, is this of - some kind of video clip?

**MS MYERS:** Yes.

45

**MS McDONALD:** And was it Mr Mannoun who posted that?

**MS MYERS:** Yes.

**MS McDONALD:** And it's of a song called Been There Done That.

5 **MS MYERS:** Yes.

**MS McDONALD:** And then you respond:

"Haha."

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**MS MYERS:** Mm-hmm.

**MS McDONALD:** Then your next message on that page is:

15 "Exactly. Just interesting to see what comes to light from different people at all levels."

**MS MYERS:** Yes.

20 **MS McDONALD:** So when you say "exactly", is that a response to the song Been There Done That?

**MS MYERS:** Yes.

25 **MS McDONALD:** Your comment of:

"Just interesting to see what comes to light from different people at all levels."

What was that referring to?

30

**MS MYERS:** Whenever there is conflict the mayor and the CEO, a lot of the staff start to show their position on what they think of the conflict and what position they will take in terms of support for either side.

35 **MS McDONALD:** Okay. Then if we can move a little bit down, Mr Mannoun says:

"I'm seriously over this stuff. I don't get paid enough to deal with this or get treated like this."

40 And you respond:

"I understand. Do you think it's too far gone to salvage and find compromise or you just wanted to be done with it?"

45 **MS MYERS:** Yes.

**MS McDONALD:** And if we go to the next page, the response is:

"I would love to. That's what I've been waiting for all week. Now he's activated the union, he's pissed more people off."

5 And then you respond:

"To the best of my knowledge, the USU were informed by someone else and ready to move. Granted, I'm not privy to everything, so who knows really. He had a scheduled meeting with Sandie this morning to discuss something else and she was already across everything, which seemed to take him by surprise."

10

**MS MYERS:** Yes.

**MS McDONALD:** Can I ask you, where he says:

15

"I would love to. That's what I've been waiting for all week."

What was your - what did you understand that Mr Mannoun was raising there?

**MS MYERS:** That he was open to repairing the relationship with John as long as he apologised.

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**MS McDONALD:** When he says:

25 "He's now activated the union, he's pissed more people off."

What was your understanding of what he was referring to there with:

"He's activated the union".

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**MS MYERS:** That the issue was beginning to spill out publicly, outside of the Council and - I can't recall if it had already been on the radio already, but it was - it ended up being on the radio and going out further than just the Council.

35 **MS McDONALD:** The Ray Hadley interview, are you referring to?

**MS MYERS:** Yes.

**MS McDONALD:** That occurred the next morning on the 23rd. Do you recall any flyers from the union being circulated around Liverpool City Council on the 22nd?

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**MS MYERS:** No, I can't recall. Now -

**COMMISSIONER:** Sorry, Ms McDonald, what's the date of this exchange? Is this the 22nd?

45

**MS McDONALD:** This is still the 22nd.

**COMMISSIONER:** I see.

**MS McDONALD:** Hold on. It starts on 22 April, at about 1.15 pm.

5

**COMMISSIONER:** That's the Monday. And the Hadley interview was the Tuesday morning?

**MS McDONALD:** Yes. Excuse me for a minute. Excuse me. The message that you received from Mr Mannoun along the lines of:

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"That's what I've been waiting for all week."

And your view of that was that he was waiting for an apology.

15

**MS MYERS:** Yes.

**MS McDONALD:** Did you raise the question of an apology and giving an apology with Mr Ajaka?

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**MS MYERS:** Yes.

**MS McDONALD:** Did you raise it with him after you received this message?

**MS MYERS:** I can't recall. Mr Ajaka had told me that Councillor Goodman was acting as some sort of mediator between himself and the mayor and that they were trying to negotiate a time and place for the apology to happen. Mr Ajaka, I can't recall which date specifically, expressed frustration that the terms of the apology kept changing.

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**MS McDONALD:** The terms of the apology - can you remember any of the terms that had been imposed or - sorry - yes, imposed or required to be given with the apology?

**MS MYERS:** He had mentioned that the date and/or time kept shifting, whether it was to be in the mayor's office with the mayor alone or if other councillors needed to be there. At one point, Mr Ajaka said that the period - taking a period of leave became attached to the apology and - they were all the things that he mentioned.

**MS McDONALD:** So your role in the possible apology was primarily discussing it with Mr Ajaka? You described that Councillor Goodman had this kind of mediator role between the two men. You didn't try and facilitate it in any way?

40

**MS MYERS:** No. My concern was whether John needed a specific time blocked out in his diary.

45

**MS McDONALD:** As his acting executive assistant, you controlled his diary?

**MS MYERS:** Yes.

5 **MS McDONALD:** If there was going to be a time inserted for an apology, would you have been the one to have made that entry into the diary?

**MS MYERS:** Yes.

10 **MS McDONALD:** Do you recall, at any time, were entries made into the diary for an apology that then didn't come to pass or was then changed?

**MS MYERS:** I can't recall.

15 **MS McDONALD:** I want to ask you some questions about the council meeting on 24 April. Did you regularly attend council meetings?

**MS MYERS:** Yes.

20 **MS McDONALD:** Were you required to?

**MS MYERS:** No.

**MS McDONALD:** But you did it out of interest?

25 **MS MYERS:** Yes.

**MS McDONALD:** Did you attend the meeting on the 24th?

30 **MS MYERS:** Yes.

**MS McDONALD:** Now, with meetings - excuse me for a minute - is it - it's the usual process that an agenda is created?

35 **MS MYERS:** Yes.

**MS McDONALD:** Circulated beforehand?

**MS MYERS:** Yes.

40 **MS McDONALD:** And part of the agenda includes, like, a - sorry, I've gone blank - an order of business?

**MS MYERS:** Yes.

45 **MS McDONALD:** Could document INQ.001.001.1065 be brought up, please.

**ASSOCIATE:** Do you want this document -

**MS McDONALD:** Yes, please. Right. You can see that's Council Agenda For the Ordinary Council Meeting, 24 April?

5 **MS MYERS:** Yes.

**MS McDONALD:** And if we progress through - and I think it's page 4. Yes. Can you see there an Order of Business?

10 **MS MYERS:** Yes.

**MS McDONALD:** And opening, Acknowledgement of Country and prayer, national anthem, apologises, et cetera, confirmation of minutes. Declarations of interest, public forum, then mayoral minutes. And then it would appear that there are reports  
15 and also notices of motion and things like that.

**MS MYERS:** Yes.

**MS McDONALD:** The reference to the public forum, what's your understanding of  
20 what that refers to?

**MS MYERS:** It is a section of the meeting where members of the public can register to address Council either on a - an item that is on the business paper or an item that is not on the business paper.  
25

**MS McDONALD:** That is of concern to the person?

**MS MYERS:** Yes.

30 **MS McDONALD:** And are there limitations in that - I think there's a time limitation? Maybe you can only speak for about three minutes, something like that?

**MS MYERS:** Yes, but with - the Council can move for an extension and grant it.

35 **MS McDONALD:** So we've got public forum coming before mayoral minutes?

**MS MYERS:** Yes.

**MS McDONALD:** Would you bring up the minutes from that meeting, please.  
40 INQ.001.001.1099. And this can be live streamed. So they're the minutes of the meeting of 24 April. Would you go through to page 12, please. Might have to go to the previous page. So there seems to be some motions being debated. And then if we go to page 12 - excuse me. Would you first go to page 8. You can see there's a mayoral minute and it's one of those, kind of, ceremonial mayoral minutes,  
45 farewell and thanking a Professor Glover.

**MS MYERS:** Yes.



**MS McDONALD:** And then if you keep on going. Then on page 9, at about halfway through, there is - the mayor advises the Council would now move into a closed session to discuss a confidentiality mayoral minute.

5

**MS MYERS:** Yes.

**MS McDONALD:** And then if you keep on going, there's a debate about whether that will happen, and at the beginning of page 10 there's the closed session. And then after that confidential mayoral minute, a report was circulated to the chamber and noted, and then you can see underneath that there are - it's dealing with Mr Ajaka and his employment, where basically he's going on leave and Mr Breton is going to be the acting chief executive officer.

10

**MS MYERS:** Yes.

**MS McDONALD:** And if we keep on going, on page 11 that appears to be carried. Then at the top of 12, there was a recess of the meeting at 5.44 - top of page 12. Then you turn to open session. The meeting resumed at 6.05. And then you've got the public forum.

20

**MS MYERS:** Yes.

**MS McDONALD:** So from the order of business in the agenda, it would appear that instead of being public forum and then mayoral minutes, it was swapped around?

25

**MS MYERS:** Yes.

**MS McDONALD:** To your recollection, was there any - did you, at the time, know - at the time of the meeting, did you know that the two matters were going to be swapped around?

30

**MS MYERS:** No.

**MS McDONALD:** Now - and when you said that you attended the meeting, were you in the chamber?

35

**MS MYERS:** Yes.

**MS McDONALD:** At some point in the afternoon, did you exchange some text messages with the mayor?

40

**MS MYERS:** Yes.

**MS McDONALD:** Would document INQ.023.001.0013 on page 2 be brought up. And it can be live streamed. Could you move down the page. The starting point is that message of 24 April, at 2.44, which you send with:

45

"Did you forget public forum?"

**MS MYERS:** Yes.

5

**MS McDONALD:** And then the mayor responds with:

"No. Some people have stamina, others don't."

10 The face, is - did you insert that face or does Mr Mannoun insert that emoji?

**MS MYERS:** It was me.

**MS McDONALD:** All right. And then immediately underneath, it says:

15

"He was never going to stay. I should have left confidential till the end."

And then across the page, you respond:

20 "Yes, you should have. And you should have stuck to the run sheet and avoided the whole circus. Once again, our city is an embarrassment."

Then the response is:

25 "Me and Fiona couldn't take him being next to us. He really hurt us."

And you respond:

30 "You've said things to me that are more hurtful than that. I bet you've never even noticed or given it a second thought. Don't talk to me about being hurt."

And then Mr Mannoun responds:

"Oh, sorry for doing so. Was not aware."

35

**MS MYERS:** Yes.

**MS McDONALD:** All right. Can I take you back to page 2, where you ask about, "Do you forget the public forum." Raising at that point the public forum, does that reflect that at the meeting, instead of following the order of business, mayoral minutes jumped over public forum?

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**MS MYERS:** Yes.

45 **MS McDONALD:** The response by Mr Mannoun of:

"No. Some people have stamina, others don't."

What was your understanding of what he was referring to in that comment?

5 **MS MYERS:** I couldn't determine if he was referring to Peter Ristevski or John Ajaka. When he skipped over the public forum and went straight to the mayoral minutes, at a certain point Peter Ristevski, who was a registered speaker, started to heckle the mayor from the gallery.

10 **MS McDONALD:** And again, the emoji that you inserted, does that - what does that indicate or reflect?

15 **MS MYERS:** It's eye-rolling. I didn't think that it was an appropriate thing for the mayor to do, to change the order, because it seemed obvious to me that it would inflame the situation with Peter Ristevski.

**MS McDONALD:** The mayor responds:

"He was never going to stay. I should have left confidential till the end."

20 Again, your understanding of what he was referring to there?

**MS MYERS:** I believe he - I reread this a number of times when he sent it, and took it to mean that he was referring to Peter Ristevski staying in the chamber for the full meeting.

25 **MS McDONALD:** All right.

**MS MYERS:** And then the mayor was explaining he should have moved the confidential item to the end of the meeting as to not disrupt the meeting.

30 **MS McDONALD:** And if we can go to the next page. You respond:

"Yes, you should have. Should have stuck to the run sheet."

35 The run sheet's the order of business in the agenda?

**MS MYERS:** Yes.

40 **MS McDONALD:**  
"And avoided the whole circus."

Now, Mr Mannoun's response then:

45 "Me and Fiona couldn't take him being next to us. He really hurt us."

Your understanding of the "him being next to us" -

**MS MYERS:** I took that to mean that he was referring to John.

**MS McDONALD:** Mr Ajaka.

5

**MS MYERS:** Yes. But it could be taken either way.

**MS McDONALD:** Excuse me for a minute. I'm about to leave this topic, but I just had another question for you. The magic number, 42 - sorry, the magic number, 150 - you've spoken about the radio interview with Ray Hadley on the Tuesday morning.

10

**MS MYERS:** Yes.

**MS McDONALD:** And during that interview, which was with Steve Donley, an official from the union, he raised the 150 jobs.

15

**MS MYERS:** Yes.

**MS McDONALD:** So for the wider public, that was, in a sense, a very - that was a public announcement of this was what the union said it had been told or heard about job losses - proposed job losses at the council?

20

**MS MYERS:** Yes.

25

**MS McDONALD:** Did you have a discussion with John Ajaka about the number 150 and where it came from?

**MS MYERS:** Yes.

30

**MS McDONALD:** In that timeline leading up to the council meeting, do you recall when that discussion was?

**MS MYERS:** It was either the afternoon of the 23rd or on 24 April.

35

**MS McDONALD:** How did the conversation arise? Did you raise with Mr Ajaka, you know, this 150 jobs?

**MS MYERS:** Mr Ajaka was expressing his frustration. We were sitting at his desk in his office. I think I was having him sign routine correspondence while he was talking. He seemed very frustrated and he said, "I've been racking my brain about where the 150 number has come from. I just can't work out where it's come from," and I asked him did he want to know what I thought.

40

**MS McDONALD:** And did he?

45

**MS MYERS:** Yes.

**MS McDONALD:** And did you tell him what you thought?

**MS MYERS:** Yes.

5

**MS McDONALD:** What did you say?

**MS MYERS:** I said, "If you took a simplistic view, if it was someone who hadn't really delved into the issue and you were working on the assumption if you took - remove two directors from the structure, they may be assuming whoever came up with the number that once the directors were made redundant that all of the staff underneath them would also be made redundant. And the figure may not be exactly 150, but it may have come close to that number."

10  
**MS McDONALD:** All right. So you were just hypothesising that it could be that the two directors and the managers went, and then the workforce underneath those two directors -

**MS MYERS:** Yes.

20

**MS McDONALD:** The flow-on effect may be that they were all made redundant as well. And if you took that approach or that analysis, you'd come up with a figure that could be 150 or close to 150?

25 **MS MYERS:** Yes.

**MS McDONALD:** When you put forward that - posit that theory, did Mr Ajaka respond?

30 **MS MYERS:** Yes. He thought about it for a moment and he said, "I think you might be onto something there," or something along those lines.

**MS McDONALD:** All right. Would that be an appropriate time?

35 **COMMISSIONER:** Yes. We're going to take a break now, Ms Myers, for about 20 minutes. We'll resume at about five to 12. So feel free to stretch your legs and get some fresh air until then.

**MS MYERS:** Thank you.

40

**COMMISSIONER:** And I'll adjourn until five to 12.

**<THE HEARING ADJOURNED AT 11.35 AM**

45 **<THE HEARING RESUMED AT 12.03 PM**

**COMMISSIONER:** Yes, Ms McDonald.

5 **MS McDONALD:** Ms Myers, I want to ask you some questions arising from the type of evidence that we saw before the break. And you will recall that there have been a number of text messages between you and Mr Mannoun, you and Mr Ajaka, and you and Mr Mallard that you've been taken to.

**MS MYERS:** Yes.

10 **MS McDONALD:** The phone that you were using, was that a council-provided phone?

**MS MYERS:** No.

15 **MS McDONALD:** It was your own private phone?

**MS MYERS:** Yes.

20 **MS McDONALD:** And I'm not being critical in any way, but messages that you were exchanging between those three gentlemen, if it raised a council matter or a council issue, what determined whether that exchange of messages would be TRIM-ed? That is, captured and put into the document management system of the Council?

25 **MS MYERS:** Whether or not there was an action attached to the correspondence, or if it was relating to an existing council matter.

30 **MS McDONALD:** Right. Now, those matters that you've identified, do you know - did that arise from a policy or a direction that you got, or was that something that you worked out yourself that in the circumstances would be appropriate?

**MS MYERS:** It was explained when I started at Council, and then Council has a records management policy.

35 **MS McDONALD:** All right. Who explained it - that would have been back in 2015?

**MS MYERS:** Yes.

**MS McDONALD:** And do you recall who explained it to you?

40 **MS MYERS:** NazaN Behdjet, who was the acting EA to the mayor at that time, explained parts of it to me, as she was doing a handover with me in the role. I would have had a level of discussion about it with Deborah Cuthbertson, who was my supervisor. And I did TRIM training with the - I can't remember his correct title at the time, but the gentleman that was responsible for records in Council.  
45

**MS McDONALD:** Would you have taken a different attitude if the exchanges were occurring not on a personal or a private - personal or a private phone but were being - for example, if you were using a council-provided phone?

5 **MS MYERS:** Possibly. It would depend on the content of the messages.

**COMMISSIONER:** Could you just help me understand the document management system that was at Council when you were there. It's been referred to as TRIM, but I think it has a different name officially.

10

**MS MYERS:** It's called Content Manager.

**COMMISSIONER:** Yes. And when you were uploading or saving a document into - or TRIM-ing a document, as it has been described, how do you know - does it go into a folder or a location or how does it work?

15

**MS MYERS:** Depending on which area of Council you work in, there is a - it's up to the area or business unit, sometimes the directorate, how your records are saved. You can create containers and subfolders and containers within the containers, and you can attach a level of security access to the containers, depending on what - the content is being saved into them.

20

**COMMISSIONER:** And the directorates can design that to meet their needs?

25 **MS MYERS:** Yes.

**COMMISSIONER:** All right. What about emails? Were they saved into that system?

30 **MS MYERS:** Yes.

**COMMISSIONER:** Automatically or did it require someone to take an action to do it? Do you know?

35 **MS MYERS:** You could set it up either way. So you could set rules up in your Outlook, through Content Manager, to automatically put them into the containers, or you could do them manually yourself through a Content Manager plug-in that was attached to the Microsoft Office package - so Outlook, Word, Excel - there would be a tab on your command ribbon where you could save directly into the Content Manager system.

40

**COMMISSIONER:** And was the Content Manager system a centralised document storage system, such that it could be searched?

45 **MS MYERS:** Yes.

**COMMISSIONER:** Thank you.

**MS McDONALD:** Messages that are exchanged on an app like WhatsApp - this is my understanding - depending on the settings, those messages can just automatically be deleted within a relatively short period of time?

5

**MS MYERS:** Yes.

**MS McDONALD:** Did the mayor utilise a WhatsApp messaging exchange?

10 **MS MYERS:** Yes.

**MS McDONALD:** And to your knowledge, did any of the other councillors?

**MS MYERS:** Yes.

15

**MS McDONALD:** What about staff members?

**MS MYERS:** I'm not sure.

20 **MS McDONALD:** All right. Did you have, like, a WhatsApp communication, say, with other executive assistants?

**MS MYERS:** No.

25 **MS McDONALD:** The issue of - sorry. First off, the use of the WhatsApp messaging system, was that subject to any kind of guidance or procedures by the Council as - you know, as to whether it was appropriate?

**MS MYERS:** No.

30

**MS McDONALD:** And when I say "appropriate", it's because of that ability for the messages to be automatically deleted. So you can't - there was no, "This messaging app shouldn't be used in these circumstances," or "at all" or anything like that?

35 **MS MYERS:** No. If correspondence was Council business and formal correspondence, it would be either in written form on an electronic or hard copy document or through email.

40 **MS McDONALD:** And just following on from a question from the Commissioner, setting up that - any email is automatically TRIM-ed, to use that verb - again, was there any guidance as to where it - whether it should be compulsory with certain emails or a certain person working in a certain level or part of the organisation, for emails to be automatically TRIM-ed?

45 **MS MYERS:** Not that I'm aware of. It was a personal preference how someone wanted to set that up.



**MS McDONALD:** All right.

5 **COMMISSIONER:** So just - I'm sorry, just before you move on, just so I make sure I understood an earlier answer you gave to counsel assisting, did I understand you correctly that there was no policy or guidance as to whether or not Council business should be conducted through text message, WhatsApp - insert any other online messaging platform - during your time at the Council?

10 **MS MYERS:** Not that I can recall. I may have had verbal conversation -

**COMMISSIONER:** That's all right. Just doing the best you can -

**MS MYERS:** Yeah.

15 **COMMISSIONER:** - sitting here.

**MS MYERS:** About, you know - just reinforcing that email was always the preferred option for formal internal and external correspondence.

20 **COMMISSIONER:** And did the Council use a - whilst you were there, a platform like Microsoft Teams that allowed a chat function?

**MS MYERS:** Yes, that was introduced at a certain point in time. And people could create their own channels, which would have a channel chat attached to it.

25 **COMMISSIONER:** Was it Teams or something else, do you know?

**MS MYERS:** Teams.

30 **MS McDONALD:** Would document LCC.002.001.5928 be brought up. And it can be live streamed. Do you see there it's Liverpool City Council Records Management Policy. And if we move down the first page, can you see it's got:

35 "Adopted 26 June 2015."

**MS MYERS:** Yes.

**MS McDONALD:** And if we move through to page 14, just with the versions, it seems the first version was in March 2003. Is that how I read that table?

40 **MS MYERS:** Yes. Yes.

**MS McDONALD:** And then this notes versions 2, 3, and 4, the date, and describes them as "minor changes"?

45 **MS MYERS:** Yes.

**MS McDONALD:** So if we accept the description of a minor change, it would appear that this policy substantially has been in operation since about March 2003?

**MS MYERS:** Correct.

5

**MS McDONALD:** Now, if we go back to page 1, can you recall, before you left the employment of the Council in June of this year, was this the current policy?

10 **MS MYERS:** I'm not sure if - if that's - it would depend where that copy was obtained from.

**COMMISSIONER:** Do you know, Mr Emmett? We might be able to get to the end point quicker.

15 **MR EMMETT:** Can I confirm after lunch?

**COMMISSIONER:** Yes.

20 **MR EMMETT:** The answer is I have some of those instructions. I just want to confirm them all before we -

**COMMISSIONER:** That's perfectly fine. Just if you knew while you were sitting there -

25 **MR EMMETT:** Yes.

**COMMISSIONER:** - we might be able get -

30 **MR EMMETT:** Yes. The answer is we will be able to assist on that - in a decisive manner shortly, but -

**COMMISSIONER:** Thank you.

35 **MR EMMETT:** Thank you.

**COMMISSIONER:** I'm grateful.

40 **MS McDONALD:** I understand we were provided this by the Council in answer to a notice.

**COMMISSIONER:** I see.

**MS McDONALD:** LCC - asking for particular policies, but -

45 **COMMISSIONER:** That's all right. We'll get to the bottom of it.

**MS McDONALD:** I might leave this until my learned friend, over lunch -

**COMMISSIONER:** Yes, if that's convenient.

**MS McDONALD:** Because to ask some questions about this, it's redundant, would -

**COMMISSIONER:** That was -

**MS McDONALD:** - probably not be that helpful.

**COMMISSIONER:** - part of the purpose of my interjection.

**MS McDONALD:** All right. Can I move to another topic, Ms Myers. I want to put a couple of just factual propositions to you to introduce the topic, and then I'm going to apply to go to a private session. All right?

**MS MYERS:** Okay.

**MS McDONALD:** Now, you've given evidence about, obviously, the mayor, Mr Mannoun, and you've also given evidence about another gentleman called Peter Ristevski, who, for example, attended the 24 April meeting.

**MS MYERS:** Yes.

**MS McDONALD:** And you would know that he also was elected a councillor in the September '24 -

**MS MYERS:** '24, yes.

**MS McDONALD:** Now, you became aware, either late 2023 or maybe early 2024, that Mr Mannoun had commenced defamation proceedings against Mr Ristevski?

**MS MYERS:** Yes.

**MS McDONALD:** And those defamation proceedings - ultimately, there was a hearing date on 30 September 2024 in the New South Wales District Court.

**MS MYERS:** Yes.

**MS McDONALD:** And a judgment was handed down on about 29 November 2024.

**MS MYERS:** Yes.

**MS McDONALD:** Now, in the lead-up to that hearing date, at one point was it proposed that you may provide an affidavit or a statement in the proceedings?

**MS MYERS:** Yes.

**MS McDONALD:** That didn't eventuate?

**MS MYERS:** No.

5 **MS McDONALD:** Commissioner, could we move into a private session now. The basis of the application is that I anticipate some of the answers by Ms Myers may raise some personal information.

10 **COMMISSIONER:** All right. Is there any difficulty with those in the room who are here presently remaining for the private session?

**MS McDONALD:** I think other than a support person, everybody else is a lawyer.

15 **COMMISSIONER:** Everybody else is a lawyer. Yes. We don't have room for many others. All right. We might just - I'm sorry to impose on someone who's closest to the door - perhaps close the door. Thank you very much. Pursuant to section 12B of the Royal Commissions Act, I direct that the next part of these proceedings take place in private and that those who may - who are currently in the hearing room may remain. I also direct that the transcript of the private portion of these proceedings not be  
20 published otherwise than in accordance with the usual form of order. And I'll just wait until I have the nod from the operator that we are in private.

**<THE HEARING ADJOURNED TO PRIVATE SESSION AT 12.18 PM**

25 **<THE HEARING RESUMED AT 12.34 PM**

**COMMISSIONER:** Thank you. Yes.

30 **MS McDONALD:** Thank you. Take you back to a text message exchange with Mr Mallard in about April 2024. INQ.050.001.0022. Yes. Now, I asked you some questions about this yesterday, but we were concentrating more on this question of:

"Ned's gone into overdrive. I believe he's told his office to take the lead."

35 Et cetera.

**MS MYERS:** Yes.

40 **MS McDONALD:** And you can see underneath that message from you there seems to have been a message that you had received from Betty Boustani?

**MS MYERS:** Yes.

45 **MS McDONALD:** And when you said, "I believe has told his office", you included Ms Boustani under that term, "his office"?

**MS MYERS:** Yes.

**MS McDONALD:** At this point, physically within - you'd be in Civic Place now, wouldn't you?

5 **MS MYERS:** Yes.

**MS McDONALD:** Was Ms Boustani's office or desk relatively close to the mayor's office?

10 **MS MYERS:** Yes. It was outside of it.

**MS McDONALD:** So if - I think we've had a description of, like, the mayoral suite or the mayoral offices. She was located there?

15 **MS MYERS:** Yes.

**MS McDONALD:** Now, if we go to the second page, you say:

20 "I won't be taking orders from her. She needs to work on how she asks for things from people."

Strictly within the organisational structure of the Council, did Ms Boustani have, I'll use the legal term, jurisdiction or - to issue you with orders or directions?

25 **MS MYERS:** No.

**MS McDONALD:** Can I go back to - when did you first meet her?

30 **MS MYERS:** In - when I first began working at Council.

**MS McDONALD:** So again -

35 **MS MYERS:** In 2015. I can't be sure if it was in 2015 or 2016. I remember meeting her on the street as the mayor and I were walking and she was walking the other way, and he stopped and had a brief interchange with her and introduced me. And I spoke to her frequently over the phone when she was trying to reach the mayor.

**MS McDONALD:** And was that in the period 2015 to 2016?

40 **MS MYERS:** Yes.

**MS McDONALD:** When you were walking with the mayor and you ran into her, and you were obviously introduced, did the mayor introduce her in any capacity?

45 **MS MYERS:** That she had done legal work for him. I can't recall if it was still in progress or if it had been concluded.

**MS McDONALD:** And after that introduction, at times she would contact the mayoral office and be put through to you to try and arrange -

5 **MS MYERS:** No, she would call the mayor's personal mobile, and he had a divert on his phone that - when he didn't answer, that it would forward to me.

10 **MS McDONALD:** Right. So when the message - when the call had been diverted to you, you would answer it and she would say something like, what, "I want to arrange a meeting," or a -

**MS MYERS:** Or she would just like to speak to him. It was more so that I could take messages for the mayor, so that they could be provided quickly to him - to return calls.

15 **MS McDONALD:** All right. Now, moving from that period to when Mr Mannoun becomes the mayor again towards the end of '21, after he's become mayor again, it's - and you're his executive assistant, does the procedure whereby if a call came on his mobile and it would be diverted to you - was that reinstated?

20 **MS MYERS:** No.

**MS McDONALD:** During this - the second period of Mr Mannoun's mayor - time as a mayor, did you come across Ms Boustani again?

25 **MS MYERS:** Yes.

**MS McDONALD:** In what circumstances?

30 **MS MYERS:** In August 2023, the mayor had left the office to go outside to attend to other things. He had afternoon meetings scheduled - and I can't recall if I phoned him or he phoned me, but we had a phone discussion and he asked me did I remember Betty Boustani, and I said yes, and he said, "I just had lunch with her." and he asked what I thought of Betty becoming the senior adviser at Council. I replied to him and had said something along the lines of, "If you can work with her, great." And felt that  
35 her legal background would assist in that position.

**MS McDONALD:** After that conversation, did anything else occur on that day?

40 **MS MYERS:** Yes. So as part of the conversation, he told me that he was going to introduce Betty to John Ajaka, and I - I may have said something along the lines of did he need me to organise a time or speak to John's EA, and he said, "No, I mean now. I'm bringing her to the office to meet him now." And I asked had he let John know or did I need to do that, and his - from memory, I think he said he would contact John himself. And a short time later they arrived at the office.  
45

**MS McDONALD:** Would you please bring up INQ.050.001.0025. Yes, please. Now, this is on 23 August 2023, at 1.43 pm.

**MS MYERS:** Yes.

**MS McDONALD:** And you send a message to Mr Mannoun:

5

"Call me as soon as you're done with Betty, please."

And then there's a message back:

10

"Can you bring Shayne in, please."

And then you respond:

"He's coming now."

15

**MS MYERS:** Yes.

**MS McDONALD:** When you'd received the call about "I'm bringing Betty in now", et cetera, were you there when - I assume the mayor and Betty arrived at Council?

20

**MS MYERS:** Yes.

**MS McDONALD:** You were there at that time?

25

**MS MYERS:** Yes.

**MS McDONALD:** And did they go into the mayoral - mayor's office?

**MS MYERS:** Yes.

30

**MS McDONALD:** Did Mr Ajaka join them?

**MS MYERS:** Yes.

35

**MS McDONALD:** And are you sending the message:

"Call me as soon as you're done with Betty, please."

Because you had other things you needed to discuss with him?

40

**MS MYERS:** Yes.

**MS McDONALD:** And that's where he said:

45

"Can you bring Shayne in".

**MS MYERS:** Yes.

**MS McDONALD:** And contacted Mr Mallard.

**MS MYERS:** Yes.

5

**MS McDONALD:** Did he come up?

**MS MYERS:** Yes, he did.

10 **MS McDONALD:** And did the three of - the mayor, Ms Boustani and Mr Mallard - sorry, there's more than three - four - Mr Ajaka then have a meeting?

**MS MYERS:** Yes.

15 **MS McDONALD:** After that, was - did the - Mr Mannoun say anything to you as a result of that meeting between the four of them?

**MS MYERS:** Not that I can recall. Shayne was only in there for a brief amount of time, and when he came out he expressed that he thought Betty was a suitable  
20 candidate for the senior adviser role, but it would need to go through the correct process and that it would likely be a direct appointment.

**MS McDONALD:** And it was likely that it - sorry?

25 **MS MYERS:** It would be a direct appointment into the role. So it would be temporary for 12 months.

**MS McDONALD:** After that conversation with Mr Mallard, did - Ms Boustani was appointed under a direct contract for about 12 months?

30

**MS MYERS:** Yes.

**MS McDONALD:** In the lead-up to that direct appointment, did you have any other dealings with her?

35

**MS MYERS:** I did. I think I had a phone call with her. It was more to talk about her starting at Council - like, her start date. I know Betty had been asked to provide her CV before the offer was issued, but that part wasn't handled - I don't think it was handled by me or by Shayne. I think Julie Scott was assisting. And then Betty had  
40 followed up after the phone discussion about what - in a text, what time she should arrive on her first day.

**MS McDONALD:** And from that period where she was appointed as a direct appointment, was her location - of her desk or office or whatever - near the mayoral offices or in the mayoral offices?

45



**MS MYERS:** Yes. Where I sat at the desk - at my desk, there was a room to my right, which had formerly been a waiting room for guests, and there were two desks in there and Betty took up the desk that Shayne Mallard had been using when he was in the senior adviser role.

5

**MS McDONALD:** So it was your understanding that she was kind of a direct replacement for the position that Shayne had occupied?

**MS MYERS:** Yes.

10

**MS McDONALD:** Excuse me for a minute. Now, as you said in your evidence, it was a direct appointment and it - that has a limit of 12 months?

**MS MYERS:** Yes.

15

**MS McDONALD:** Even though physically she was in the mayoral offices area, what was your understanding of who she was reporting to?

**MS MYERS:** I can't recall specifically. It could have been reporting into the manager of City Economy, which was Julie Scott, or the CEO.

20

**MS McDONALD:** Before the end of the 12-month appointment, was there - at any time, did the reporting structure change and she was reporting to Shayne Mallard?

25

**MS MYERS:** Yes.

**MS McDONALD:** Now, do you recall around the beginning of September - it must be '24 - an exchange of messages with Mr Mallard concerning Ms Boustani's position?

30

**MS MYERS:** Yes.

**MS McDONALD:** Would document INQ.050.001.0018 be brought up.

35

**ASSOCIATE:** Do you want that on the live stream?

**MS McDONALD:** Yes, please. I'll just take you through these messages. At the beginning there's something, and you say:

40

"That's what they look like."

Is that just something else?

**MS MYERS:** Yes, that's -

45

**MS McDONALD:** We'll ignore that.

**MS MYERS:** Yep.

**MS McDONALD:** If we can move down that page. Now, you can see:

5 "From Jason. We also need to chat with Betty, as we cannot extend her and she may have to compete for the position after she completes her 12 months, which ends soon."

And then there's:

10 "Ned again."

**MS MYERS:** Yes.

15 **MS McDONALD:** That was something you received from Mr Mallard?

**MS MYERS:** Yes.

20 **MS McDONALD:** Your understanding of it, where he commences with, "From Jason", and then we've the section:

"We also need to chat."

And then he has:

25 "Ned again."

What was your understanding of that - those, kind of, two messages?

30 **MS MYERS:** He was just - before these messages, we had wanted to initiate the competitive recruitment round process for Betty's position. I can't recall the particular time, but it was - if not one month, maybe multiple months before then, so that it would not be a rushed process before the end of Ms Boustani's contract. We were instructed to hold and not go to competitive recruitment round because of the  
35 430 investigation that the OLG was conducting.

**MS McDONALD:** Who gave you that direction?

40 **MS MYERS:** Shayne informed me of that, and I understood he was given that direction from the acting CEO, Jason Breton.

**MS McDONALD:** So your understanding - that was a direction not to go to the -

45 **MS MYERS:** Just to hold on it.

**MS McDONALD:** Hold off.

**MS MYERS:** And not proceed at that time.

**MS McDONALD:** And then so this message of:

5 "From Jason."

The issue of compete for the position after she completes her 12 months, how does that arise in the chronology?

10 **MS MYERS:** That would have been happening then and there, whatever the date of that message is.

**MS McDONALD:** 2 September?

15 **MS MYERS:** Yes.

**MS McDONALD:** So does that indicate that the hold on not proceeding to the competitive procedure has now been lifted?

20 **MS MYERS:** Just that the contract was coming to an end, I believe, later in that current month of September, and that a discussion would need to be had with Betty about her employment.

**MS McDONALD:** All right. And the reference to "Ned again," do you know what  
25 that refers to?

**MS MYERS:** It was likely Mr Mallard's view that perhaps the mayor was asking what was happening with Betty's employment.

30 **MS McDONALD:** All right. And would we go to page 2, please. Now, is - again in blue, they're your messages:

"What we recommended should happen in the first place."

35 **MS MYERS:** Yes.

**MS McDONALD:** And then:

40 "May have to compete. Ah, no, Jason, she would have had to compete no matter what. That's a competitive process is."

Your reference to:

45 "What we recommended should happen in the first place."

What's that referring to?

**MS MYERS:** The - when we had attempted to initiate the competitive recruitment round earlier so that it would not be rushed.

**MS McDONALD:** And you were told to put that on hold?

5

**MS MYERS:** Yes.

**MS McDONALD:** And then are you just making a reference to "may have to compete", which seems to pick up the words from what appears to be a message from Jason?

10

**MS MYERS:** Yes.

**MS McDONALD:** And you say:

15

"She would have had to compete no matter what. That's what a competitive process is."

**MS MYERS:** Yes, the - my view was - I took issue with the word "may", because if Ms Boustani was interested in continuing in that role at Council there was no other option. It was mandatory that a competitive recruitment round needed to be conducted.

20

**MS McDONALD:** Now, just jumping on around a little bit. You will remember the message that I took you to originally where you said something along the lines of, "I don't take orders from Betty."

25

**MS MYERS:** Yes.

**MS McDONALD:** And then there was - and:

30

"She needs to work on how she asks for things from people."

**MS MYERS:** Yes.

35

**MS McDONALD:** What was your experience working with her?

**MS MYERS:** It was positive. I had - it had been repeated to me by various staff that sometimes her approach in asking for things was not appropriate.

40

**MS McDONALD:** And when you say "not appropriate", did these other members of staff - was it in terms of -

**MS MYERS:** They felt that -

45

**MS McDONALD:** - politeness or -

**MS MYERS:** Sometimes. Or other times, it - they felt that they were being directed to do things.

**MS McDONALD:** Where she didn't have the authority to direct?

5

**MS MYERS:** Yes.

**MS McDONALD:** Can you remember any examples?

10 **MS MYERS:** No.

**MS McDONALD:** And when you were still the executive assistant to the mayor and she commenced work under the - on the 12-month contract, did you work together on many matters or did you, kind of, have your area and she had her area?

15

**MS MYERS:** I spent some time showing Betty basic - standard Council office procedures, how to get into the Orion HR system, how to fill out your time sheet, explain different aspects of Council to her because she had not worked in Local Government before. And using Content Manager, explaining why we use things, making sure that she had read all the policies and just helpful information.

20

**MS McDONALD:** Okay. So moving on from the helpful information you provided to her when she started under the 12-month contract, when the work that she was doing and the work that you were doing as the executive assistant - was there much crossover or did you just really, kind of, do whatever work that you had been assigned separately?

25

**MS MYERS:** Most things were separate. If they're matters - if Betty or anyone in that role is working on matters that concern the mayor or attending meetings with the mayor, there would be some overlap. My role was more to schedule the meetings and obtain any information through the Content Manager system, such as assigning briefing note requests to other areas of Council, depending on the topic of the meeting.

30

And because I had been working alone in that office and role for such a long period of time, there was little pieces of crossover with any of the senior advisers when that role was reinstated, because before that I was doing all of it myself and now parts of that were splitting off and going to the senior adviser - to either undertake or to follow up.

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40

**MS McDONALD:** Right. You described that she would be doing work on matters concerning the mayor.

**MS MYERS:** Sorry, that's probably incorrect. Any matters that she was required - if it was a meeting and she was required to attend with the mayor. So both positions, mine and the senior adviser role - so we interface with the rest of the organisation to

45

obtain any relevant information in - ahead of meetings that the mayor may need to attend, to make sure that the mayor is properly briefed.

**MS McDONALD:** Is that an appropriate time?

5

**COMMISSIONER:** Yes. Ms Myers, we're going to break for lunch. We'll resume again at 2 pm.

**MS MYERS:** All right.

10

**COMMISSIONER:** So if you wouldn't mind being back just a couple of moments before then, I'd be most grateful. And I'll adjourn till 2. Thank you.

**<THE HEARING ADJOURNED AT 1.00 PM**

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**<THE HEARING RESUMED AT 2.13 PM**

**COMMISSIONER:** Yes, Ms McDonald.

20 **MS McDONALD:** Commissioner, there were two matters that I wish to raise, but also my learned friend wants to raise a matter too.

**COMMISSIONER:** Yes.

25 **MS McDONALD:** I'll let him go first.

**COMMISSIONER:** Thank you.

30 **MR EMMETT:** I'm grateful to my learned friend. Commissioner, we have produced two documents over the luncheon adjournment, one being a records management standard from 2023 and the other being an information and communication technology policy from 2019. Could we just say this. There's a reference to an earlier summons. There was - on my instructions, there was no summons that requested these documents. The 2015 document that was adverted to was produced because it  
35 was attached to another document which was responsive to a summons you issued earlier, Commissioner. Nothing really turns on that. I just wouldn't want a suggestion that these documents were responsive to a earlier summons and should have been produced earlier. But they're here.

40 **COMMISSIONER:** I understand the point. I'm not too troubled about that. If we have the - and just so I'm clear, the documents that have been produced - I think I described them as a records management policy - they are the documents that - whether I've described it correctly or otherwise - that comprise the relevant policy for those purposes?

45

**MR EMMETT:** Those are my instructions. Thank you very -

**COMMISSIONER:** Thank you, Mr Emmett.

**MR EMMETT:** Thank you, Commissioner.

5 **COMMISSIONER:** I'm most grateful.

**MS McDONALD:** Commissioner, I haven't had a chance to look at those.

10 **COMMISSIONER:** Yes.

**MS McDONALD:** On the basis that Ms Myers has given evidence of her understanding of what she had to comply with and how she complied with it -

15 **COMMISSIONER:** Yes.

**MS McDONALD:** - I won't take her to those documents. If an issue arises about their application, I can pursue that with other witnesses.

20 **COMMISSIONER:** Yes. That's understood.

**MS McDONALD:** May I raise two matters?

**COMMISSIONER:** Yes.

25 **MS McDONALD:** The first matter is before the luncheon break I asked some questions which arose from defamation proceedings brought by Mr Mannoun -

**COMMISSIONER:** Yes.

30 **MS McDONALD:** - against Mr Ristevski, and for part of that we went into a private session.

**COMMISSIONER:** Yes.

35 **MS McDONALD:** Can I indicate that it is counsel assisting you that the relevance of the evidence that was adduced goes to matters of Council and Council's policies and operation of work health and safety issues and hazard reports. Other matters dealing, if I can describe them, with substance of the defamation proceedings, as indicated by the questioning - by the questions, we're not interested in and we would  
40 also be making a submission it's not ultimately relevant to your consideration of the terms of reference.

**COMMISSIONER:** Thank you.

45 **MS McDONALD:** The second matter is I want to turn to some final questions about Ms Boustani. The questions about Ms Boustani - though I do accept there was a text message put up which referred to the way that she dealt with other staff, but the

concentration on the issue of the senior adviser position is more what was the position, how it was filled, who did it answer to, how did it operate in practice.

5 Although, obviously, Mr Mallard occupied the position and then Ms Boustani has subsequently occupied the position, we do not anticipate that the inquiry will be examining Ms Boustani's actual work or - how can I put this - how any questions about her - the adequacy of how she has performed in that role. It is more, as I said, why was the role created, how did it fit in, how did it deal with - in the organisational structure.

10

**COMMISSIONER:** Processes, policy structures, as opposed to performance by any individual occupying that role from time to time?

**MS McDONALD:** Yes. Yes.

15

**COMMISSIONER:** I understand. Thank you.

**MS McDONALD:** Now, Ms Myers, in respect of Ms Boustani - if you can excuse me for a minute. We've heard evidence that there was the first stage of the restructure of the Council, which included two directors being made redundant, and that led to your position as an executive assistant then made redundant.

20

**MS MYERS:** Yes.

**MS McDONALD:** In addition, in June 2025, following a fire drill or a fire evacuation, did you have a discussion with Ms Boustani?

25

**MS MYERS:** Yes.

**MS McDONALD:** This was when you'd all evacuated the building and were waiting to go back in?

30

**MS MYERS:** Yes.

**MS McDONALD:** Did Ms Boustani raise with you an issue about uncertainty in respect of her employment?

35

**MS MYERS:** Yes.

**MS McDONALD:** What did she say?

40

**MS MYERS:** We started the conversation - she asked me if I would be staying at Council, and I told her that I would be leaving on 1 July. She raised concerns that she was uncertain and unclear on who she would report to from the 2 July, which was the official date - Shayne and I both finished on 1 July, and she had concerns - that she was unclear on her reporting line from 2 July.

45



**MS McDONALD:** After that discussion with her, did you exchange some messages?

**MS MYERS:** Yes.

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**MS McDONALD:** Would document INQ.050.001.0012 be brought up. And it can be live streamed. Now, this commences with a message that you've sent Ms Boustani?

10 **MS MYERS:** Yes.

**MS McDONALD:** You're checking in and you ask:

15 "Any progress or clarity reached on your employment situation? HR advised me conversations were reaching a conclusion. I pressed them last week on looking after you, after our chat during the fire drill, and lack of communication on reporting line."

And then if we move to the bottom of this page, there's a message from Ms Boustani. She thanks you, and then:

20

"I was formally made an offer today, which would apply from 2 July. It's a big pay cut, unfortunately, but still considering it. Thanks for all your help."

25 Et cetera. And if we go to the next page, she's going to see you for drinks next Friday. Was that some kind of farewell?

**MS MYERS:** Yes.

30 **MS McDONALD:** For you and Mr Mallard?

**MS MYERS:** Yes.

**MS McDONALD:** And then you send an email:

35 "Glad you've gotten the offer so you've got something to consider instead of radio silence. Make whatever decision is best for you."

Now, your farewell drinks - did Ms Boustani arrive at the drinks?

40 **MS MYERS:** Yes.

**MS McDONALD:** At the drinks, did she inform you whether she took up this alternative offer?

45 **MS MYERS:** Yes.

**MS McDONALD:** And did she tell you what the alternative job was?

**MS MYERS:** No.

5 **MS McDONALD:** Did she say to you - sorry, I'll start again. The issue that you discussed during the fire drill was, well, it - "Under the organisational chart at the moment, I report to Mr Mallard. If he's being made redundant, who am I reporting to?" Did she say whether that had been resolved?

10 **MS MYERS:** No, that's what she was - do you mean in the verbal conversation?

**MS McDONALD:** I'm not being clear, I apologise. That was the issue she raised - when you saw her at drinks on that Friday and she said that she'd taken the offer, did she say to you who she was reporting to?

15 **MS MYERS:** No.

**MS McDONALD:** And you didn't get details about what the job was or -

20 **MS MYERS:** No.

**MS McDONALD:** And is it your understanding that Ms Boustani is still working at the Council?

25 **MS MYERS:** Yes.

**MS McDONALD:** Excuse me for a minute. I'd asked you about the communications that we've seen through text messaging and whether those messages were then recorded or downloaded, or whatever the term is, into the Council management - document management system. I also asked you about use of  
30 WhatsApp, and my recollection is this morning I also asked you about whether the mayor used WhatsApp at times.

**MS MYERS:** Yes.

35 **MS McDONALD:** Did he?

**MS MYERS:** Yes.

40 **MS McDONALD:** To your observation, did he use it often?

**MS MYERS:** I couldn't comment on the frequency, but I know that it was used to communicate with the Council as a whole, with certain groups of councillors, sometimes the CEO and possibly other executives.

45 **MS McDONALD:** And to your knowledge, were any of those WhatsApp communications in some way downloaded or a permanent record kept of them?

**MS MYERS:** No.

**MS McDONALD:** Did you ever have a discussion with the mayor about his use of the WhatsApp method of communicating?

5

**MS MYERS:** Yes.

**MS McDONALD:** Roughly when did that occur?

10 **MS MYERS:** In 2022. I can't recall the month.

**MS McDONALD:** What did you say to him?

15 **MS MYERS:** I had prepared a memo to inform the full Council of the progress of the CEO recruitment, and when I finished preparing it the mayor came to the office late in the afternoon and I presented it to him, and he gave it back to me and said, "I'm not doing this. I'm not interested in sending this." And I asked why and said it was a formal record and it was good practice to inform the rest of the Council outside of the panel what was happening with the process, to avoid them asking questions on the floor of council. And the mayor said, "If I want them to know something, I'll tell them on the WhatsApp group."

20 **MS McDONALD:** Did you raise with him anything further about use of the WhatsApp group?

25

**MS MYERS:** That I felt that for that particular communication and what the matter was, that it needed to be more formal than that and that sending a message on a WhatsApp group was not a formal, appropriate way of informing the elected body.

30 **MS McDONALD:** And as you've said, that - the particular subject matter was the recruitment of the new CEO?

**MS MYERS:** Yep. So how the process was going, where the panel was at, at that point in time, with the process.

35

**MS McDONALD:** When you raised with him your view of the appropriateness of a more permanent record that then could be TRIM-ed or whatever, did he respond?

40 **MS MYERS:** Only that he didn't want to do it and that he felt sending the message in WhatsApp was his preferred method. I don't recall if it was that same interaction or previous interactions when we had discussed informing the Council as a whole - that the mayor's view was that there was a make-up on the recruitment panel of councillors - that you had an independent, a Labor councillor and two Liberal councillors - that it was their responsibility to update their party counterparts on the Council on how the process was travelling.

45

**MS McDONALD:** Sorry. So by that time, the committee or the panel had been established?

**MS MYERS:** Yes.

5

**MS McDONALD:** And as you outlined, one independent, one Labor and two Liberals?

**MS MYERS:** From memory, I think that was the make-up.

10

**MS McDONALD:** And the view was that if there were questions - information about or questions concerning the recruitment of the CEO process, that could - those inquiries could be made of - for example, if it was a Labor councillor, the Labor councillor representative on the panel?

15

**MS MYERS:** Yes.

**MS McDONALD:** And not, in a sense, emanate from him?

20 **MS MYERS:** Yes.

**MS McDONALD:** Excuse me for a minute. I want to ask you, to begin with, at a general level - when you were working as the executive assistant to the mayor but also when you became the executive assistant initially to the director of City Futures - did you have any observation of Mr Mannoun wanting to become involved in operational matters?

25

**MS MYERS:** From time to time, yes.

30 **MS McDONALD:** How did you become aware of that?

**MS MYERS:** Either through verbal conversations with the mayor or possibly through the forwarding of requests or complaints that he had received from the community and the instruction that was provided, or emails that I could see coming into his inbox or meeting invitations that I felt were inappropriate.

35

**MS McDONALD:** If there was some kind of entry into the diary or an invitation that you did not think was appropriate, what would you do in those circumstances?

40 **MS MYERS:** I would decline it and remove it from the mayor's diary, and then want to have a discussion with him about why I had removed it. That was not always possible in a timely manner, but if it was inappropriate I would decline it once it - as soon as it was received.

45 **MS McDONALD:** When you refer to invitations - to, what, attend a meeting? Something -

**MS MYERS:** Yes.

**MS McDONALD:** - like that. Are those invitations being made internally?

5 **MS MYERS:** Yes.

**MS McDONALD:** Was there an incident in about April 2023, when there had been some kind of invitation to attend some kind of meeting which dealt with operations made by Mr Breton?

10

**MS MYERS:** Yes.

**MS McDONALD:** And at that point, Mr Breton wasn't the acting CEO but was either the director of Operations or the acting director of Operations?

15

**MS MYERS:** Yes.

**MS McDONALD:** And when the invitation was made - can you just assist me, if an invitation is made, does it automatically go into the diary?

20

**MS MYERS:** It will show as a tentative entry.

**MS McDONALD:** Which usually requires somebody to confirm it?

25 **MS MYERS:** Yes.

**MS McDONALD:** And your intervention to decline it, that was after the invitation was made and you saw it, in a sense, sitting there in the diary?

30 **MS MYERS:** Yes.

**MS McDONALD:** Why did you form - do you recall what it was about and why you formed the view that it was inappropriate?

35 **MS MYERS:** There were a few reasons. The content of the meeting I felt was too operational. I can't - it was something possibly to do with contributions, but I can't be specific on -

**MS McDONALD:** Developer contributions, so 7.11?

40

**MS MYERS:** Possibly. I looked at what other staff had been invited into the meeting and what they would be discussing, and I didn't feel it was appropriate for the mayor to attend. Normally - by declining it, the normal process, I would think, is that the directors who attend - if there were any attending that meeting would then brief the mayor separately, as to not have the mayor in the room for what would be an operational discussion with other staff, or for whoever organised the meeting to speak with the CEO first, to relay - if the mayor had intentions of what he was

45

wanting to get out of the meeting - if there was a different way of managing it, so that the mayor could still receive the information that he was seeking, but the staff would still be separated and comfortable to discuss operational matters without elected officials present.

5

**MS McDONALD:** That outline that you've given, is - when you were the executive assistant to the previous mayor, was that the way the matters proceeded?

10 **MS MYERS:** Usually the former mayor would go direct to the CEO. On some occasions she would go straight to the director, but most often it was through the CEO when information was requested, or through me to the CEO.

**MS McDONALD:** Would you bring up document INQ.023.001.0004.

15 **ASSOCIATE:** Do you want that on the live stream?

**MS McDONALD:** Yes, please. This is an exchange between you and Mr Mannoun on 18 April 2023.

20 **MS MYERS:** Yes.

**MS McDONALD:** Mr Mannoun sends you a message:

25 "Why did you pull me out of that localisation discussion with Jason?"

**MS MYERS:** Yes.

**MS McDONALD:** And you responded, if we can just move down a little bit - that's fine:

30

"Because of the content."

And that is linked with your evidence of if it was inappropriate - that is, it was really an operational matter.

35

**MS MYERS:** Yes.

**MS McDONALD:** And then you say:

40 "Talk to John if you want to attend. That is what Jason should have done."

"John" is John Ajaka?

**MS MYERS:** Yes.

45

**MS McDONALD:** So you are suggesting there part of the procedure you just outlined - that the CEO should be involved if there's some issue that the mayor either wants to know about or a member of staff wants to involve the mayor about?

5 **MS MYERS:** Yes. Not perhaps in every instance, but if it was specific information - it's so that it can be checked is it appropriate that the mayor and/or a councillor have that information, should they be privy to part of it but not all of it. It depended on what their objective was for wanting the information.

10 **MS McDONALD:** Your evidence that you gave, which was along the lines of, "Well, look, depending on the circumstances, you know, the CEO should become involved or there can be a briefing paper after the staff meet back to the mayor, to answer any issues that the mayor may have" - I know we kind of seem obsessed by procedures and policies, but was that set out anywhere?

15 **MS MYERS:** On most occasions you would follow the interaction with staff policy, but it would happen sometimes - it may not necessarily be the mayor, but if a councillor requested certain information it also needed to - not only be checked against the policy, but also if one was asking for it, then - and it was - should all of  
20 them be given the same information. So it would depend on the context of which it was being requested.

**MS McDONALD:** That issue about if one councillor requested information and the issue about, well, if that councillor gets it everybody should get it, was that a matter  
25 that the CEO would turn his or her mind to?

**MS MYERS:** Yes. Sometimes it may be raised by a member of the executive. It may be a very valid point that someone's raised, where they pick up, "Well, we haven't briefed the Council on this matter. Perhaps it would be appropriate to do so at  
30 this point in time because one of them has raised it. Is it the right time to provide all of them with the information and/or a briefing?"

**MS McDONALD:** I want to move to another topic, dealing with information that is available within Council but maybe only to certain people or in certain  
35 circumstances, and whether at times either the mayor or councillors obtain that information and disclosed it.

**MS MYERS:** Mm-hmm.

40 **MS McDONALD:** Can I first ask you about matters of salary. So we've heard evidence about - putting to one side the directors - that managers and then staff working in the particular directorates, they would have an award classification. That's linked to the salary system or the salary scheme at the Council, but at times some people, because of their particular role, could be paid at a market rate.

45 **MS MYERS:** Yes.

**MS McDONALD:** And was it the position that within Council - if you occupied the position of a planner within the planning section, what salary you actually received was confidential to you?

5 **MS MYERS:** Yes.

**MS McDONALD:** It wasn't something that - unless the person wanted to tell other people, that other members of staff would necessarily know - or had a right to know, sorry.

10

**MS MYERS:** Can you please re-ask the question?

**MS McDONALD:** Sorry. My example of the planner who's getting a certain salary, that fact was private to the planner?

15

**MS MYERS:** Yes.

**MS McDONALD:** Obviously somebody within Human Resources would have known?

20

**MS MYERS:** Yes. And their direct line of management.

**MS McDONALD:** And their direct line of management. A fellow planner didn't have a right to know what that planner was earning?

25

**MS MYERS:** No.

**MS McDONALD:** Excuse me. And also was it your understanding that you could obtain from somebody with authority within Human Resources of a list of full-time employees, their positions and their salary?

30

**MS MYERS:** Yes, but it would be restricted to a very small number of people.

**MS McDONALD:** Do you recall, in May 2023, circumstances in which Mr Mannoun obtained a copy of - if I describe it as the FTE detail report?

35

**MS MYERS:** Yes, but I believe it was received in April.

**MS McDONALD:** Okay. Can you assist us, in the circumstances of April, when he was - how he received it?

40

**MS MYERS:** He requested that I ask for it over the phone and not via email, and I made a phone call to another PA in the Corporate Services section and explained what was requested. Then I went about my duties and went out to lunch, and when I came back from lunch the hard copy - list was facedown on my chair. Then a short while later, I had a call from the CFO - or I may have had a missed call, which I returned, and he asked did I get what was left on my chair for my boss. I said that

45



I had the document, and he told me that it was very important that no one knew that the mayor had it.

5 **MS McDONALD:** And after that phone call, did you provide the list to the mayor?

**MS MYERS:** Yes.

10 **MS McDONALD:** Subsequently, was there a text message exchanged with the mayor in which the list was raised?

**MS MYERS:** Yes.

15 **MS McDONALD:** Would document INQ.023.001.0005 be brought up, please. And that can be live streamed. You can see the date there, 8 May?

**MS MYERS:** Yes.

20 **MS McDONALD:** If we can - and there seems to be a message from the mayor, something about:

"The Minister can speak if he attends."

And:

25 "Make sure it's in John's diary."

**MS MYERS:** Yes.

30 **MS McDONALD:** That's something -

**MS MYERS:** That's something irrelevant.

35 **MS McDONALD:** - irrelevant? Sorry, irrelevant to the questions I'm going to ask you.

**MS MYERS:** Correct.

**MS McDONALD:** If we proceed down, you go:

40 "Yep."

And then:

45 "Also can you let Shayne have a look at the list of positions in Council. Don't let him keep it. He's meeting with Farooq tomorrow."

**MS MYERS:** Yes.

**MS McDONALD:** The reference to the list of positions, is that the list of - that I've described as the FTE detail report?

5 **MS MYERS:** Yes.

**MS McDONALD:** You gave evidence of obtaining it - the conversation with - I think you said the CFO.

10 **MS MYERS:** Yes.

**MS McDONALD:** And that you took it in to the mayor. After doing that and until you received this text message, do you know what happened to it?

15 **MS MYERS:** Sometimes it stayed in the mayor's office. Other times it was given back to me, to keep safe and to make sure that no one knew that we had it.

**MS McDONALD:** When you got this message of letting Shayne have a look, that's Shayne Mallard?

20

**MS MYERS:** Yes.

**MS McDONALD:** Did you give him a ring or contact him?

25 **MS MYERS:** He was in the senior adviser position.

**MS McDONALD:** So he's in the vicinity?

**MS MYERS:** Yeah.

30

**MS McDONALD:** Yes.

**MS MYERS:** And I let him look at it at his desk and then retrieved it back.

35 **MS McDONALD:** All right. Ultimately, do you know what happened with the list?

**MS MYERS:** I kept the hard copy for the remainder of the time that I was in the mayor's office, and then I took it with me when I moved to City Futures and just kept it in a folder in my drawer.

40

**MS McDONALD:** The direction that - or the request that you let Shayne have a look at it, "he's meeting with Farooq tomorrow", do you know what that was about? What the meeting with Mr - and, sorry, "Farooq" is Mr Portelli?

45 **MS MYERS:** I think it was a budget meeting.

**MS McDONALD:** All right. Could document INQ.021.001.0003 be brought up. But please don't live stream it.

**COMMISSIONER:** Have I made an order about this document?

5

**MR EMMETT:** I don't know that you have, Commissioner. An application has been made - or a communication has been made between the solicitors about requesting an order in relation to this document. I don't know that an order has been made yet.

10 **MS McDONALD:** I don't - excuse me. No, hasn't been made yet. That's why I asked for it not to be live streamed, but -

**COMMISSIONER:** Should I do it now?

15 **MS McDONALD:** Yes, that would be good. Thank you.

**COMMISSIONER:** All right. The - pursuant to - Mr Emmett, is the usual form of order appropriate?

20 **MR EMMETT:** Yes, Commissioner.

**COMMISSIONER:** The document with the document identifier INQ.021.001.0003 - pursuant to section 12B of the Royal Commissions Act, I direct that that document not be published other than in accordance with the terms of the  
25 usual order.

**MS McDONALD:** Ms Myers, looking at the first page of the document - and we can scroll through it if it assists you, but you can see it's got a number of columns with - gosh, position description, revised - thank you - budget, FTE, new position,  
30 next year budget, et cetera?

**MS MYERS:** Yes.

**MS McDONALD:** And you can see at the beginning there's a heading City  
35 Presentation, City Presentation Office. And then, for example, there will be what appears to be, I would suggest, a position number, maybe?

**MS MYERS:** Yes.

40 **MS McDONALD:** A position description?

**MS MYERS:** Yes.

**MS McDONALD:** And then if you follow along that row, information about their  
45 salary?

**MS MYERS:** Yes.

**MS McDONALD:** I can take you - we can scroll through the whole document if it would assist you, but just looking at that part of the first page, does that appear to be the FTE detail report that you obtained -

5

**MS MYERS:** Yes.

**MS McDONALD:** - for Mr Mannoun?

10 **MS MYERS:** Yes.

**MS McDONALD:** And I asked you - that can be taken down. I asked you some questions beforehand about within the council staff whether planner A could actually know what planner B earns. The same provision about, in a sense, confidentiality,  
15 was it your understanding that also applied to members of the governing body?

**MS MYERS:** Yes.

**MS McDONALD:** Excuse me for a minute. Excuse me.  
20

**MS MYERS:** Could I please have a break?

**COMMISSIONER:** Of course you can. Why don't we break until 3 pm. Okay. 10 minutes.  
25

**MS McDONALD:** Yes. I'm having a - I can't find a document. I'd be very grateful.

**COMMISSIONER:** No, that's all right. Ms Myers just asked for a break and that's perfectly fine. We'll adjourn for 10 minutes and I'll resume at 3. Thank you.  
30

**<THE HEARING ADJOURNED AT 2.50 PM**

**<THE HEARING RESUMED AT 3.17 PM**

35 **MS McDONALD:** Ms Myers, before the break I had asked you some questions about the mayor requesting and being provided with that FTE detail report.

**MS MYERS:** Yes.

40 **MS McDONALD:** I want to ask you about another time where, on social media, the mayor referred to salaries - at a more general level, but salaries received by council staff.

**MS MYERS:** Yes.  
45

**MS McDONALD:** Would document INQ.023.001.0018 be brought up, please. And it can be live streamed. You can see from this page it's on the Liverpool City

Council - I think Facebook page, and it's something about the mayor out on site, turning the first sod for a new playground.

**MS MYERS:** Yes.

5

**MS McDONALD:** Would you turn to page 2. I think this is how it works. Down the bottom, there's a message - excuse me for a minute. My understanding is that it started with the posting about the new playground.

10 **MS MYERS:** Yes.

**MS McDONALD:** There seems to have then been some kind of comment or response. And then we have:

15 "Ned Mannoun, Mayor of Liverpool: Dianna Halo, I get paid 127,000 per year. The CEO who employs and runs the organisation gets paid 550, directors 380, managers get between 200,000 and 300,000, and some assistants 150,000."

**MS MYERS:** Yes.

20

**MS McDONALD:** And the reference is - and then down the bottom, there's - he further says:

25 "Having said all that, I think the CEO has to lift his game, make the city look better, and the new acting CEO is doing that, albeit not as" -

And then the message is cut out. The reference to the assistants getting \$150,000, to your knowledge, was that a reference to a particular person within the Council?

30 **MS MYERS:** Yes.

**MS McDONALD:** And to your knowledge, did that - the amount that that particular person was receiving wasn't generally known?

35 **MS MYERS:** Yes.

**MS McDONALD:** And you had a conversation with that person about it?

**MS MYERS:** Yes.

40

**MS McDONALD:** About this posting. And was that particular person upset about it?

**MS MYERS:** Yes.

45

**COMMISSIONER:** What's the date of this? Or at least the original post to which these replies or comments have been posted?

**MS McDONALD:** I think we might have to look into that, unless Ms Myers could -

**COMMISSIONER:** That's all right.

5 **MS McDONALD:** - assist us. I -

**MS MYERS:** From memory, it was -

10 **MS McDONALD:** Sorry?

**MS MYERS:** - in 2024. I couldn't indicate the month.

**COMMISSIONER:** That's all right.

15 **MS McDONALD:** If I say about 11 July 2024?

**MS MYERS:** I'm unsure.

20 **MS McDONALD:** All right.

**MS MYERS:** I couldn't be certain.

**MS McDONALD:** But you think it was some time in 2024?

25 **MS MYERS:** Yes.

**MS McDONALD:** We can do a screenshot of this, but it was 9 - sorry, the original one - the original one was 9 July 2024.

30 **COMMISSIONER:** Thank you.

**MS McDONALD:** Also while we're on this subtopic of information obtained, Liverpool City Council at least a couple of times per year would hold a citizenship ceremony?

35 **MS MYERS:** Yes.

**MS McDONALD:** Did you, when you were the executive assistant to the mayor, have a role in organising that?

40 **MS MYERS:** Only assisting the Civic and Citizenship coordinator identify suitable dates for ceremonies, which would then be placed in the mayor and councillors' diaries by the councillor support officer.

45 **MS McDONALD:** And was it your understanding that part of the procedure to participate as a new citizen in the ceremony is that you had to attend Council and, in

a sense, register your details - sorry, I'll start again. Is it your understanding that to become a citizen you make an application to a federal department?

**MS MYERS:** Yes.

5

**MS McDONALD:** And as part of that, is it your understanding that you provide identification details?

**MS MYERS:** Yes.

10

**MS McDONALD:** Which could be like a passport number or some other identifying information?

**MS MYERS:** Yes.

15

**MS McDONALD:** Moving now to the ceremony that's run by the Council, if you want to be part of that ceremony, again is there a procedure where you've got to, in a sense, verify who you are with a Council official?

20

**MS MYERS:** It's almost the process but not quite.

**MS McDONALD:** Okay.

25

**MS MYERS:** So whoever is registered for a particular ceremony is determined by the federal department, and they provide the list of conferrees to Council. And depending on the number of conferrees on the list, you will be able to tell how many can be accommodated in one ceremony, and then stagger them per ceremony date. Council had no say over the numbers. Some months you would have no applications or conferrees come through and other months you could have hundreds.

30

**MS McDONALD:** Once Council works out who's going to be bestowed citizenship at a particular ceremony, is there some kind of verification with the person who's going to become a citizen with the information they've provided to the federal department?

35

**MS MYERS:** Yes, on the morning of the - or day of the ceremony. When they arrive - they're told to arrive at a specific time before the ceremony, to allow for registration of every conferree, where their ID details are checked against the list provided by the Department of Immigration, and you - the people on the registration desk need to sight photo identification and check their details match what's on the list from the department and reconfirm their postal address for their certificate to be posted out to.

40

**MS McDONALD:** The information that's sent from the federal department, is it known -

45

**MS MYERS:** As a PVL list.

**MS McDONALD:** PVL?

**MS MYERS:** Yes.

5

**MS McDONALD:** And that checking, as you said, usually appeared - sorry, takes place before the ceremony?

**MS MYERS:** Yes.

10

**MS McDONALD:** And at the end of the ceremony, what happens with the PVL list?

**MS MYERS:** All of them are recollected by the Civic and Citizenship coordinator, and there is a clean copy that has to be signed at the end of the ceremony by the  
15 presiding officer.

**MS McDONALD:** And if the mayor is attending the ceremony, is he usually the presiding officer?

20 **MS MYERS:** Yes. There's protocols around who can and can't be the presiding officer.

**MS McDONALD:** And once the presiding officer signs off the PVL sheet, what  
25 happens to it?

**MS MYERS:** The Civic and Citizenship coordinator returns it to the department. That happens so that they can then distribute the citizenship certificates and address any people who may not have shown up, or their details could be incorrect and they need a correction.

30

**MS McDONALD:** And the PVL sheet, is it or a copy of it, to your knowledge, allowed to be retained by the Council or anybody within the Council?

**MS MYERS:** The - it would be limited to the Civic and Citizenship coordinator  
35 because they're responsible for that area, but I would think it would be - they would be stored in a secure container in Content Manager because they contain people's private details.

**MS McDONALD:** And ultimately, to your knowledge, they - are the details  
40 either - returned to the department?

**MS MYERS:** The signed list is returned.

**MS McDONALD:** All right. You spoke about the list being kept in some kind of  
45 confined or confidential -

**MS MYERS:** It could be. I'm only assuming there, because it was not my role.



**MS McDONALD:** Was anybody else, either within the Council or the governing body, supposedly to have any other access to that list other than the presiding officer signing it at the end of the ceremony?

5

**MS MYERS:** No, not - not that list. The mayor and councillors were entitled to have a list of the names and a postal address for any new conferrees, should they wish to write them a congratulatory letter after the ceremonies.

10 **MS McDONALD:** Okay. So that's restricted to name and postal address?

**MS MYERS:** Yes.

15 **MS McDONALD:** All right. Other details that were on the PVL list were not supposed to be distributed or disseminated -

**MS MYERS:** No.

20 **MS McDONALD:** - to the councillors or mayor?

**MS MYERS:** No.

25 **MS McDONALD:** At any time, did the mayor make a request for that additional information that was contained on the PVL?

**MS MYERS:** Yes.

**MS McDONALD:** When was that?

30 **MS MYERS:** He - I can't pinpoint the exact time, but definitely in the 2021 term. At one - he had requested before - could I obtain the full list for him with the contact details, meaning phone and email, for the conferrees, and I had reminded him that he was not permitted to have that information, and declined. At a certain point, he asked that I instruct the staff at Citizenship not to present him with the hard copy form at  
35 the end of the ceremony and that he would prefer them to be brought to the office for him to sign there, and then expressed that his intent was for me to then scan the lists in so that a copy could be retained with the details.

40 **MS McDONALD:** And did you do that?

**MS MYERS:** No.

**MS McDONALD:** Did you inform him that you were not going to do that?

45 **MS MYERS:** Some occasions I would. Other occasions I would just arrange with the Civic and Citizenship coordinator to come and retrieve the list after it was signed. I can't recall ever giving him one. It could have happened.

**MS McDONALD:** But you do recall that, at least on one occasion or maybe other occasions, that request was made by the mayor?

5 **MS MYERS:** Yes.

**MS McDONALD:** Excuse me for a minute. Just a couple of other discrete topics. Mayoral minutes.

10 **MS MYERS:** Yes.

**MS McDONALD:** When you were the executive assistant to the mayors, was - there's obviously a procedure or part of a council meeting known as a mayoral minute?

15 **MS MYERS:** Yes.

**MS McDONALD:** Did you have a role in the preparation of the mayoral minute?

20 **MS MYERS:** Yes.

**MS McDONALD:** The mayoral minutes from the records of council meetings before the inquiry, often they are matters of congratulating a constituent who's got an award or won a prize, and at times they can be a resolution noting the passing of  
25 a citizen and providing condolences to families?

**MS MYERS:** Yes.

**MS McDONALD:** So you've kind of got those types of mayoral minutes. Did you  
30 have a role in preparing those?

**MS MYERS:** Yes.

**MS McDONALD:** And what was your role?  
35

**MS MYERS:** Usually to either do a first draft for the mayor's consideration, or if the mayor had written the minute themselves, they would have me format it, correct any errors in the document and make sure it was in the correct format to provide to the Executive Services team.

40 **MS McDONALD:** So with those types of mayoral minutes - let's assume it was a constituent has won a prize or had been given an award. You may do the research, draft it. The mayor gives it the tick?

45 **MS MYERS:** Yes. Sometimes it would be other staff that would prepare the content.

**MS McDONALD:** Okay.

**MS MYERS:** If it wasn't something that I could easily obtain.

**MS McDONALD:** And once it's been finalised, where does it go then?

5

**MS MYERS:** It's emailed to the Executive Services team, so that they're aware. It depends on the timing of when the minute is being provided. If it's before the cut-off for papers to be published in the business papers, it would be emailed across to them or assigned in Content Manager, and it would go into the business paper. If it had missed the cut-off, it would be - still be provided to that team so that they had a copy to place on the screen during the meeting. And a copy, if there was sufficient time, would be provided to the CEO as a courtesy, so they were aware of the minute and they could review it and determine if any legal advice or further information was required before it was moved on the floor.

15

And if it was prepared very last-minute, it would still be emailed to Executive Services for the screen in the meeting, but I would print hard copies and take them down to the chambers to place on councillors' desks and some of the executives', so that they would be aware that it was going to be moved.

20

**MS McDONALD:** Just concentrating on the mayoral minute that is created after the cut-off for the preparation of the business papers/agenda items, you've given the example there where it - it's after the cut-off, but there seems to be time for it to be provided to the CEO, for a copy to be put up on the screen, et cetera, and also for a copy to be given to other councillors so they know what's coming.

25

**MS MYERS:** Yes.

**MS McDONALD:** Were there instances, when you were the executive assistant to Mayor Mannoun, where there was a mayoral minute which wasn't one of those ceremonial ones but was a mayoral minute of more substance that was created at the last moment?

30

**MS MYERS:** Yes.

35

**MS McDONALD:** To your recollection, did that happen often?

**MS MYERS:** Yes. It may not be that the minute was one of greater substance, though. It would depend meeting to meeting, but a lot of - more often than not, they were prepared in a rush at the last minute.

40

**MS McDONALD:** And if they're prepared in a rush at the last moment - can you give us an example of one that was prepared in a rush at the last moment? And when you say at the last moment, say, for example, the council meeting was starting at 2 pm, when would - I take it you're involved because either the mayor has drafted something or says to you, "I want this as a mayoral minute," and you have got to start drafting something for him to review?

45

**MS MYERS:** Yes.

5 **MS McDONALD:** Can you recall an example where something like that was prepared in a rush?

10 **MS MYERS:** The mayoral minute proposing to terminate Dr Jackson's employment as CEO was not given enough time and attention, and I was still typing the document while the council meeting was in progress.

15 **MS McDONALD:** So this was a mayoral minute that was going to recommend the termination of employment of Dr Jackson?

20 **MS MYERS:** Yes.

25 **MS McDONALD:** Do you recall - were you provided with a draft by the mayor?

**MS MYERS:** I can't recall. I know that he had several discussions with counsels - general counsel, and they had obtained advice through, I believe, LG New South Wales - or Local Government New South Wales, the membership body. At one point in the meeting, they called a recess and the general counsel came upstairs to help me finish the minute, and we were both quite distressed in trying to do so. More so, from my perspective, that it was not going to adequately address all the things that it should, or there may be legal things that should be in there that - it just felt rushed and it was a lot of pressure to prepare it like that.

**MS McDONALD:** So you were actually typing it?

30 **MS MYERS:** Yes.

**MS McDONALD:** And you had the general counsel come up, kind of looking over your shoulder and looking at the content of it?

35 **MS MYERS:** Yes.

**MS McDONALD:** The procedures that you outlined with a mayoral minute, that the CEO would get a copy as a courtesy matter, the other councillors may get a copy - I assume in respect of this mayoral minute, none of those niceties were observed?

40 **MS MYERS:** No, it would have - it was a minute prepared to be moved in a confidential session because it involved a member of staff. The minute was different to other minutes because I applied a watermark to it, and each copy was numbered to ensure that none of the councillors could keep them or reproduce them.  
45 And at the end of the meeting, they were all retrieved back.

**MS McDONALD:** And when you say at the end of the meeting, was that at the end of the closed session?

**MS MYERS:** Yes.

5

**MS McDONALD:** Excuse me. Would you bring up, please, LCC.002.007.0016.

**ASSOCIATE:** (Indistinct) on the live stream?

10 **MS McDONALD:** Just hold on for a sec. Thanks. This is probably a big ask,  
Ms Myers. The document that has come up, this is the document we have, which  
appears to be - sorry. Could you just move it up a bit. No, I don't think that's the right  
one. Sorry. We'll just leave it. Forget that. Take that down. Thanks. The mayoral  
minutes being prepared at the last moment, in particular where they're a matter of  
15 either substance or complexity, did that place you under pressure?

**MS MYERS:** Yes.

20 **MS McDONALD:** And to your observation, depending on what the topic was, did it  
place other staff members -

**MS MYERS:** Yes.

25 **MS McDONALD:** Did you ever have a discussion with Mr Mannoun about, "Why  
are you preparing this so late?"

**MS MYERS:** Always. Sometimes he would send the topics weeks in advance. But if  
I ever tried to ask on the progress and if he had drafts or if he could meet with me, or  
if I scheduled time, he would just not turn up.

30

**MS McDONALD:** He would not turn up?

**MS MYERS:** No.

35 **MS McDONALD:** Do you want to take a quick break?

**MS MYERS:** No.

40 **MS McDONALD:** All right. Okay. I want to ask you about another incident. And  
the reason why I'm asking you about it is primarily the effect on you and also your  
observed - observations about effect on other staff. Do you recall that there was an  
announcement in 2023 - it was the announcement by the mayor and his wife, who  
was standing for election. It was on about 17 March 2023 and it was an  
announcement about the funding of a pool at Hammondville.

45

**MS MYERS:** Yes.

**MS McDONALD:** Do you recall that?

**MS MYERS:** Yes.

5 **MS McDONALD:** Before the announcement was made, did you know it was going to be announced?

**MS MYERS:** No.

10 **MS McDONALD:** To your knowledge, did anybody within Council - and when I say "Council", I'm talking about the staff - know that it was going to be announced?

**MS MYERS:** Not that I was aware of.

15 **MS McDONALD:** When it was announced, you were the executive assistant to the mayor - you were in that position at that time, March '23?

**MS MYERS:** Yes.

20 **MS McDONALD:** As the executive assistant, were you contacted by press or members of the staff or other people about it?

**MS MYERS:** I can't recall if it was on the morning of the announcement, but certainly the following work week. I was fielding questions from other staff on why  
25 didn't I tell anyone, why didn't I alert the Comms manager or the CEO that this was happening. People were assuming that I had known about it and chosen to withhold the information.

**MS McDONALD:** So did that place you under stress?  
30

**MS MYERS:** Yes.

**MS McDONALD:** And also if there are assertions that, you know, "Why didn't you tell other people within the staff" - potentially unpleasant for you?  
35

**MS MYERS:** Yes.

**MS McDONALD:** Could you just excuse me for a minute. I think I'm down to two last topics, so nearly there. Excuse me for a minute. You gave some evidence earlier  
40 where - it was in the context of the email - sorry, the text message after Mr Mannoun had sent to Mr Ajaka the email about, "Can you do modelling and recommendations for the four aspects dealing with the budget."

**MS MYERS:** Yes.  
45

**MS McDONALD:** And do you remember that there was a text exchange between you and Mr Mannoun, where he said something like, "What's the tone like?" and you answered, "Perfect."

5 **MS MYERS:** I know the exchange, but that was probably not correct - reflection of it.

**COMMISSIONER:** The first bit (indistinct) the second bit, yes.

10 **MS MYERS:** Yes.

**MS McDONALD:** Sorry. I was just trying to -

15 **COMMISSIONER:** It's all right.

**MS McDONALD:** - cut to - sorry. I'll put it this way. Do you recall that you gave some evidence that at times the mayor's emails that he was sending people were either rude or could be interpreted as bullying or, in your view, not in an appropriate expression or tone?

20 **MS MYERS:** Yes.

**MS McDONALD:** Also, when you were the executive assistant and then in the business leader position with - to the director of City Futures, at times, did you - or  
25 did Mr Mallard either raise with you or make comments about email exchanges that he had with the mayor?

**MS MYERS:** Yes. More so text message conversations.

30 **MS McDONALD:** And in those, did Mr Mallard raise that at times he found certain text messages to either be abusive or rude?

**MS MYERS:** Yes.

35 **MS McDONALD:** Sorry, if you can just excuse me for a minute. All right. Could we bring up INQ.050.001.0020.

**ASSOCIATE:** Do you want this document on the live stream?

40 **MS McDONALD:** This one, yes. Yes. Now, this is 24 February 2024. Is it a message from Mr Mallard to you?

**MS MYERS:** Yes.

45 **MS McDONALD:** Where he says:

"Morning. Thinking if I take that corner meeting room and put property into my prison office once we are settled."

Then:

5

"Ned has gone off the rails on CEO and me this morning, insulting and demeaning messages. I'm nearly over it."

**MS MYERS:** Yes.

10

**MS McDONALD:** And then you respond:

"What is he going off about this time? I think a lot of people are nearly over it. It's awful."

15

And if we would go to the second page - this is Mr Mallard again:

"Both of you treat me like shit, my role isn't important. Your attitudes are permeating through the organisation. I don't like it."

20

And from what appears underneath, did you take that to be some kind of text message or something received by Mr Mallard and the CEO from the mayor?

**MS MYERS:** Yes. He had copied it and pasted it from his text chain with the mayor.

25

**MS McDONALD:** All right. And then you respond with:

"Bit rich coming from him, after being consistently absent."

30

Et cetera.

**MS MYERS:** Yes.

**MS McDONALD:** Are you okay?

35

**MS MYERS:** Yep.

**MS McDONALD:** And then Mr Mallard continues:

40

"There's a lot more. I'm calling his bluff."

Et cetera:

"I'm not here to be degraded and insulted, considering how hard I'm working. John is a bit upset too."

45

**MS MYERS:** Yes.



**MS McDONALD:** Do you recall what prompted the text messages from the mayor and what this was all about?

5 **MS MYERS:** From memory, it may have been to do with the budget.

**MS McDONALD:** All right.

10 **MS MYERS:** But it could have been another matter.

**MS McDONALD:** When you commented:

"That's a bit rich coming from him, after being consistently absent."

15 What were you referring to there?

**MS MYERS:** That he was not present in the office for long periods of time because he had personal matters to attend to outside of Council. It was widely known through Council that the mayor was not good with time management, and a lot of times he  
20 would either not turn up for things or be extremely late. It was a constant problem in both terms that he was mayor.

**MS McDONALD:** I want to now show you another text message from Mr Mallard, but I would ask for this not to be put up on the live stream. INQ.050.001.0021. Sorry,  
25 can you just move that up a wee bit. You can see that's from Mr Mallard on 25 February, at 9 pm?

**MS MYERS:** Yes.

30 **MS McDONALD:** He says:

"Hi, I'm off work tomorrow."

Then some other things.  
35

**MS MYERS:** Yes.

**MS McDONALD:**

40 "Approved by CEO after text abuse by the mayor."

**MS MYERS:** Yes.

**MS McDONALD:**  
45

"No problem sharing that is why I'm not in office."

**MS MYERS:** Yes.

**MS McDONALD:** And then:

5 "No meetings with mayor unless I approve."

**MS MYERS:** Yes.

10 **MS McDONALD:** And then if we can go to the next page, can you see:

"Wed's council, will be interesting what he does. Told John he's moving Comms to report to him."

15 "Comms", is that "Communication"?

**MS MYERS:** Yes.

**MS McDONALD:** And then you've got:

20 "Hit the nail on the head there. However, I've seen him do this to previous directors, and his response to me when I said, 'You can't speak to people like that,' was along the lines of, 'They shouldn't be in those roles, then, if they can't hack it.' So there is some level of awareness."

25 **MS MYERS:** Yes.

**MS McDONALD:** Again, do you know what prompted Mr Mallard to send that email to you, what the particular issue was?

30 **MS MYERS:** The mayor wanted the Communications team to move out from under Shayne as director of City Futures, to be redirected to report directly to the CEO. The mayor and I had had a verbal discussion about this, and it was the same day that I mentioned earlier when I asked him what he was doing with John, because it had become apparent their relationship had broken down.

35 And this was the same issue why I went to see him. He - appeared that he was grouping Shayne in with his displeasure towards the CEO, and we had a discussion about that. He felt Mr Ajaka was too disconnected from the staff body, and he felt moving this team underneath him as CEO would force him to have more interaction  
40 internally through the lower levels of staff.

**MS McDONALD:** All right. Just on that, was it your observation that Mr Ajaka didn't have interaction with, kind of, lower levels of staff? I know you only were  
45 there for a couple of weeks.

**MS MYERS:** This was - when we were at Moore Street, John was often so heavily scheduled in his diary there often wasn't a lot of time for him to informally move

through the floors - or walk the floor, as people like to refer to it - to interact with the staff. It was difficult at the beginning of his tenure because he had inherited the restructure process which had not been going well. So that did take a lot of his focus and time. And then given his public profile, he was probably a CEO that was in  
5 higher demand to some other former CEOs because of his - he was a higher profile CEO because of his parliamentary career. So stakeholders were very keen to meet with him as the new CEO of Liverpool City Council. So his diary was quite heavily booked.

10 **MS McDONALD:** Just pausing there. Commissioner, this hasn't been - the message hasn't been live streamed. You will note some comments, I think, in the original message and that was why I was hesitant in it being live streamed.

15 **COMMISSIONER:** That ties into the passage of evidence that was taken the other day in private, doesn't it?

**MS McDONALD:** Yes. Our application would be a non-publication order over it.

20 **COMMISSIONER:** All right. In relation to document INQ.050.001.0021, pursuant to section 12B of the Royal Commissions Act, I direct that that document not be published otherwise than in accordance with the terms of the usual order.

25 **MS McDONALD:** Excuse me for a minute. I'm sorry, Commissioner. Could I just make an inquiry, in a sense, through you or -

**COMMISSIONER:** I don't mind you whispering across, if that is more convenient and efficient.

30 **MS McDONALD:** I just have one quick topic, which won't take very long.

**COMMISSIONER:** Yes.

35 **MS McDONALD:** Not wanting to restrict my learned friend, but she's given a rough indication of about 20 minutes. I understand - and I'll speak for my friend if it's okay - at the moment she has got about 20 minutes of cross-examination, but there are a couple of matters where she's still waiting for instructions.

**COMMISSIONER:** Yes.

40 **MS McDONALD:** I was looking at whether we could finish this afternoon, but in - there's a possibility the instructions might come through. I suppose -

45 **COMMISSIONER:** Look, I am - as I think would be clear by now - that we're three and a half weeks in - entirely open to practical and efficient suggestions. So if there's a prospect of finishing Ms Myers this afternoon so that she doesn't have to come back, that would be good. But I perfectly understand if there's a need to take

instructions overnight as well. So I'm open to whatever the parties think is the best way forward.

5 **MS McDONALD:** All right. May I inquire through you, Commissioner, if - it would appear that we may be here for 20 minutes and it may finish then.

**COMMISSIONER:** Yes.

10 **MS McDONALD:** May I inquire whether Ms Myers would want that or -

**COMMISSIONER:** Of course.

15 **MS McDONALD:** - would she prefer to come back for a short period some time tomorrow.

**COMMISSIONER:** Do you want - why don't I do this. Why don't I just break for - have you finished?

20 **MS McDONALD:** There's just one small topic.

**COMMISSIONER:** All right. Why don't you finish that small topic. Then I'll take two minutes so that Ms Myers doesn't feel pressured to answer a question in the witness box with everybody in here. And then she can let us know - I can be  
25 let - know whether there's a preference to continue or not, and if that can happen, that can happen. And if not, and if - Ms Richardson will let me know if she needs time overnight, and we can take a different course.

30 **MS McDONALD:** I think I've actually got two tiny topics. The question of the confidentiality with the mayoral minute for the termination of Dr Jackson -

**MS MYERS:** Yes.

**MS McDONALD:** Could we bring up LCC.002.007.0072.

35 **ASSOCIATE:** Do you want that document on the live stream?

**MS McDONALD:** Yes. That, you can see, is the mayoral minute, personnel matter, 2 February, and it concerns the termination of Dr Jackson's contract.

40 **MS MYERS:** Yes.

**MS McDONALD:** And can you see, if we move a little bit - yes, there's that watermark of "Confidential".

45 **MS MYERS:** Yes.

**MS McDONALD:** Is that what you were referring to when you were preparing it?

**MS MYERS:** Yes.

5 **MS McDONALD:** And then in addition, you said that individual copies would be provided to the councillors in a closed session, but at the end of the closed session you would make sure that you got back from each councillor a copy of this?

**MS MYERS:** Yes, in addition to the watermark I had hand-numbered them.

10 **MS McDONALD:** Okay. Excuse me for a minute. I don't have a second topic. So they're my questions.

**COMMISSIONER:** All right. Why don't I take that two minutes. Ms Myers shouldn't feel pressured one way or the other - as to whether you would prefer to  
15 finish now or come back tomorrow. Have a discussion with your counsel, and that can be communicated.

**MS MYERS:** Okay.

20 **COMMISSIONER:** I don't want you to do that in the witness box.

**MS MYERS:** Thank you.

**COMMISSIONER:** All right. I'll just take two minutes.  
25

**MS RICHARDSON:** Can I just indicate - sorry, to interrupt.

**COMMISSIONER:** I'm sorry.

30 **MS RICHARDSON:** I am ready to start, but it's obviously up to Ms Myers whether she would prefer to have a break now -

**COMMISSIONER:** I'm grateful.

35 **MS RICHARDSON:** - and come back tomorrow. I'm ready to start.

**COMMISSIONER:** Thank you for that indication. So we can finish you this afternoon if you like. Or if you'd prefer to finish and come back tomorrow, you can just let me know. I'll take two minutes. I'm just going to stand outside the door, and  
40 someone can give me a nod.

**<THE HEARING ADJOURNED AT 4.06 PM**

**<THE HEARING RESUMED AT 4.10 PM**

45 **MS RICHARDSON:** Thank you, Ms Myers. My name's Ms Richardson. I'm acting on behalf of Mayor Mannoun. So Ms McDonald asked you some questions today

about the - an email that Mayor Mannoun sent through to CEO John Ajaka with four points about modelling and recommendations. It was on about 12 April last year, sort of a few weeks before the council meeting in April. Do you recall that?

5 **MS MYERS:** Yes.

**MS McDONALD:** If we could bring up the text message, please.  
NMA.011.001.0001. I'll just give you a recap of what was in the email, but you tell me if you would like to see a copy of it. Do you recall that he had - the mayor had  
10 sent through an email to Mr Ajaka and Farooq Portelli and the deputy mayor with four points on it in relation to the budget?

**MS MYERS:** Yes.

15 **MS RICHARDSON:** One was about a reduction of management costs by modelling - whether that could be achieved by lessening the amount of directors and managers. Two was a million dollar reduction in wages by removing non-core function positions. Three, annual comparison of legal expenses. And four was about income projected from leasing. Do you remember - we call it - that - the  
20 four-point email.

**MS MYERS:** Yes.

**MS RICHARDSON:** Does that make sense?  
25

**MS MYERS:** Yes.

**MS RICHARDSON:** And then if we look at the text there - I think you've already agreed with Ms McDonald that the text we see there are in relation to that email that  
30 you said to Mr - the mayor that the tone and pitch of that email was perfect.

**MS MYERS:** Yes.

**MS RICHARDSON:** And you meant that when you said it?  
35

**MS MYERS:** Yes. It was -

**MS RICHARDSON:** Like, you weren't being sarcastic. It was genuine feedback; is that right?  
40

**MS MYERS:** Yes.

**MS RICHARDSON:** And then we see there from Mr Mannoun:  
45 "He will still lose it, he will hate this."

And so on. And the mayor refers to the budget at \$5 million deficit, but you were aware, weren't you, that it was a key policy objective of the mayor to try and achieve a balanced budget?

5 **MS MYERS:** Yes.

**MS RICHARDSON:** And then you write:

"It is."

10

When you said, "It is," were you responding to:

"It is the right time for us to provide suggestions about the budget?"

15

Is that what you meant?

**MS MYERS:** Yes.

**MS RICHARDSON:** And then you wrote:

20

"He can lose it, but he still needs to address it."

**MS MYERS:** Yes.

25

**MS RICHARDSON:**

"You asked ever so nicely, plus the points you raise are valid."

30

Now, you gave evidence this morning to Ms McDonald that when you say, "The points that you raise are valid," you weren't being sarcastic and that that was your view at the time. Is that correct?

**MS MYERS:** Yes, I thought they were valid questions for a mayor to be asking a CEO.

35

**MS RICHARDSON:** So the four - I'll call it the four point email that the mayor had asked the CEO to seek modelling and recommendations about, was it the case, given your experience over some years at Liverpool Council, that you thought that they were valid points for the mayor to be raising as part of the budgetary process?

40

**MS MYERS:** I thought the points were valid in the sense that at that point the mayor was just seeking information and that's all he was asking for. It appeared that the word "modelling", he was after different scenarios for - to assist with budget forecasting.

45

**MS RICHARDSON:** And you thought it was valid to seek modelling about that information?

**MS MYERS:** If that was what he was after.

5 **MS RICHARDSON:** And - but you understood from the email that that was what he was after and, in your view, that was valid information for the mayor to be asking for?

10 **MS MYERS:** Yes, I can't recall what my view would have been at the time. It may have just been saying that to the mayor to reassure him about his email.

**MS RICHARDSON:** You said at the time:

"The points you raise are valid."

15 You think, given that you wrote that to the mayor, you meant it at the time?

**MS MYERS:** Yes.

20 **MS RICHARDSON:** It's the case, is it, that the mayor mentioned to you at various points in relation to Mr Ajaka's management style that - the mayor's view that he doesn't like to make hard decisions?

**MS MYERS:** Yes.

25 **MS RICHARDSON:** And he likes to be popular with staff, and part of that is he doesn't want to make hard decisions. Do you agree with that?

30 **MS MYERS:** I don't recall him expressing about it being popular with the staff. I only recall two occasions when he said, "He doesn't want to make the hard decisions."

**MS RICHARDSON:** And did Mr Mannoun explain what he meant by "the hard decisions"?

35 **MS MYERS:** He didn't go into great detail. He said he doesn't - the first occasion he said, "He doesn't want to make the hard decisions around the budget." And the second time was at Civic Place, and in April, and he repeated the same phrasing, that, "He doesn't want to make the hard decisions."

40 **MS RICHARDSON:** But did you understand at the time that "making the hard decisions" was about the budget and cuts that might need to be made to the budget?

**MS MYERS:** Yes.

45 **MS RICHARDSON:** And did you understand that part of the tension between the mayor and the CEO in this budgetary process - I think you've given evidence that it was happening in February and March, in terms of -



**MS MYERS:** Yes.

**MS RICHARDSON:** - the draft budgets being looked at.

5

**MS MYERS:** Yes.

**MS RICHARDSON:** That there was tension between the mayor and the CEO because the mayor had a view about seeking to achieve a balanced budget and that some hard decisions might need to be made, and Mr Ajaka did not want to make those discussions, in the mayor's view. Do you agree with that?

10

**MS MYERS:** Yes. And there were some other items that contributed to the tension between them, not just the budget issues.

15

**MS RICHARDSON:** But is one of the key things that was adding to the tension their differing views about the budgetary process?

**MS MYERS:** Yes.

20

**MS RICHARDSON:** And the mayor had a very firm view that he was seeking a balanced budget. Is that correct?

**MS MYERS:** Yes.

25

**MS RICHARDSON:** So that what the mayor wanted to happen in relation to the budget was decisions be made such that a balanced budget was achieved?

**MS MYERS:** Yes.

30

**MS RICHARDSON:** And in his view, that he expressed to you, was that Mr Ajaka wasn't wanting to do what the mayor wanted to do in terms of making sure the budget was balanced. Do you agree with that?

35

**MS MYERS:** Yes.

**MS RICHARDSON:** You were asked some messages about - sorry, you were asked about some text messages that were sent on 19 April. So this is about three days after what we're calling the "swearing meeting". That you - they were messages between you and Mr Ajaka and that you recounted to Mr Ajaka that - the mayor:

40

"Mr Mayor's disappointed you've put no effort into apologising to him or trying to talk to him after the incident the other day."

45

Do you recall that?

**MS MYERS:** Yes.

**MS RICHARDSON:** Was it your understanding in the way the mayor had communicated to you that he was genuinely disappointed that Mr Ajaka had not apologised to him?

5

**MS MYERS:** Yes, and the mayor expressed that he didn't feel that Mr Ajaka was remorseful for the incident.

**MS RICHARDSON:** And was it your understanding that that had genuinely upset the mayor, that - the blow up that had happened when Mr Ajaka had sworn at him?

10

**MS MYERS:** Yes.

**MS RICHARDSON:** And I think you also gave evidence today about a text message where you asked the mayor whether he would seek to - whether he would like to salvage the relationship. Do you recall that?

15

**MS MYERS:** Yes.

**MS RICHARDSON:** And the mayor said back to you that, you know, he really would. Do you recall that?

20

**MS MYERS:** Yes.

**MS RICHARDSON:** Did you take that based on your interactions with the mayor that he genuinely meant that, that he wished to salvage the relationship if that could happen?

25

**MS MYERS:** I did, but there was a small part of me that felt he had already made his mind up of what course of action he would prefer to take.

30

**MS RICHARDSON:** So is that just based - your prediction of what you thought might be happening as opposed to what someone said to you?

**MS MYERS:** It was - I can't recall the sequence order, but the mayor and I had a verbal discussion. It was the same discussion that I gave evidence on where I asked the mayor would it make a difference if Mr Ajaka apologised to him, and the mayor was silent and refused to answer the question. And then he also expressed in that discussion that he would want Mr Ajaka to take a long period of leave to let him do what he needed to do with the budget.

35

40

**MS RICHARDSON:** Well, what I want to suggest to you is that what the mayor said to you is that the reference to "leave" was the mayor suggested to you that Mr Ajaka needed to take some leave because he was exhibiting signs of stress, and that the swearing meeting where he, in effect, blew up and told him to "shut the fuck up" was an example of that?

45

**MS MYERS:** No, that was not my understanding of his comment.

5 **MS RICHARDSON:** Well, I want to suggest to you that it was in that context that the mayor said that Mr Ajaka needs to take some leave; it was in relation to the stress that Mr Ajaka was showing. Do you agree with that?

**MS MYERS:** No.

10 **MS RICHARDSON:** And that he said that, "He needs to take some leave, and when he gets back the budget will be done." Do you agree with that?

**MS MYERS:** No.

15 **MS RICHARDSON:** I want to suggest to you he didn't say, "He needs to take a nice long holiday and let me get on with what I want to do with the budget."

20 **MS MYERS:** No. He said, "He needs to take a nice long holiday so I can do what I need to do with the budget, and then everybody will be happy." And then I asked him if the holiday meant holiday until termination or he could return afterwards, because it appeared for several months that the relationship was possibly not going to be reparable even if they had a balanced budget.

25 **MS RICHARDSON:** Well, is it the case that you just wondered - isn't it the case that you just wondered in your mind as to whether or not it was a holiday or a termination? I thought the evidence you gave earlier was that you just - that was something you thought in your mind rather than verbalising.

30 **MS MYERS:** It could be - I've - Ned emphasised the "long" - the word "long" while he was speaking. And he was what I would call very slightly smirking while he was saying it. So I did not feel that he was saying it out of concern for John's health.

**MS RICHARDSON:** My learned friend asked you some questions about, on 23 or 24 April - this is prior to the council - the big council meeting last year.

35 **MS MYERS:** Yes.

**MS RICHARDSON:** That Mr Ajaka said to you words to the effect of, "I'm racking my brain as to where the unions have got the 150 number from."

40 **MS MYERS:** Yes.

45 **MS RICHARDSON:** Do you recall that? Did you ever discuss with him on that day, like prior to the council meeting, why he didn't issue a communication to staff that the 150 number was wrong?

**MS MYERS:** Not that I can recall.

**MS RICHARDSON:** Ms Myers, you gave some evidence about the Comms team being moved so that they would report to the CEO.

**MS MYERS:** Yes.

5

**MS RICHARDSON:** Are you aware that in that previous term, the Comms team had reported to the CEO?

**MS MYERS:** Yes.

10

**MS RICHARDSON:** So there was nothing out of the usual about the fact that the Comms team had been moved to report to the CEO. Do you agree with that?

**MS MYERS:** Yes, as long as it was done in the proper manner.

15

**MS RICHARDSON:** So what term was it where the Comms team was reporting to the CEO?

**MS MYERS:** I believe every other term that since I had been employed at Council, I'm sure in 2015 - I can't be certain on 2015 - but that I thought they did report through to the CEO then. The term, Mayor Waller term, I'm sure they reported in to the CEO. It would show on the structure diagrams.

20

**MS RICHARDSON:** Thank you. All right.

25

**MS MYERS:** But it wasn't unusual.

**MS RICHARDSON:** It wasn't unusual for the Comms team to report to the CEO.

**MS MYERS:** No.

30

**MS RICHARDSON:** Is that correct?

**MS MYERS:** No.

35

**MS RICHARDSON:** And so the fact that the Comms team was reporting to the Director of City Futures was unusual. Do you agree with that?

**MS MYERS:** Not unusual. It was just a different structure.

40

**MS RICHARDSON:** And you gave some evidence about information that was made available. Is it a PVL sheet or a PBL sheet?

**MS MYERS:** V.

45

**MS RICHARDSON:** V for violet?

**MS MYERS:** Yes.

**MS RICHARDSON:** Okay. You gave some evidence about information that would come into Council's hands as a result of organising the citizenship ceremony?

5

**MS MYERS:** Yes.

**MS RICHARDSON:** And it's the case, isn't it, that if the mayor was the presiding officer in respect of those ceremonies, that the presiding officer would have to sign off on the document that had the list -

10

**MS MYERS:** Yes.

**MS RICHARDSON:** - of persons and their postal address?

15

**MS MYERS:** Yes.

**MS RICHARDSON:** And so on that document it was the name of the person who was a recipient - or did you call them a conferree?

20

**MS MYERS:** Yes. It would be the full list of conferrees for that specific ceremony.

**MS RICHARDSON:** That would be a name and their postal address. Is that correct?

25

**MS MYERS:** No, it would be their full set of personal information.

**MS RICHARDSON:** Well, I thought you referred to there was a version of the list which had the name and the postal address?

30

**MS MYERS:** That would be produced afterwards. So it was almost, I suppose, not a redacted list but just that information would be extracted and be provided to the mayor and councillors should they wish to send a congratulatory letter.

**MS RICHARDSON:** And so is it your evidence that the version that the presiding officer would sign - was required to re-sign - that the version that the presiding officer was required to sign had name, postal address and other information?

35

**MS MYERS:** I believe so, yes.

40

**MS RICHARDSON:** Do you recall one way or the other?

**MS MYERS:** My understanding it was the full list with all details. So their date of birth, phone number, email, whether they were male or female, their full name.

45

**MS RICHARDSON:** The version that the presiding officer signed?

**MS MYERS:** Yes.

**MS RICHARDSON:** But can you remember one way or the other about that?

**MS MYERS:** My memory is that it was the full list.

5

**MS RICHARDSON:** And I want to suggest to you that the mayor asked you to scan a copy of documents that he signed so he had a record of what documents he had actually signed. Do you agree with that?

10 **MS MYERS:** My recollection is that he wanted to keep the data on the list. He had made frequent requests in the past about how he could obtain the full lists of data.

**MS RICHARDSON:** Well, I want to suggest to you that what the mayor said to you is that he wanted you to scan the documents he was asked to sign so that he could  
15 have a record of the documents that he had signed. Do you accept that?

**MS MYERS:** He - it's possible that he could of.

**MS RICHARDSON:** And that he did not ask you to scan copies of any document  
20 that had broader information including phone numbers. Do you agree with that?

**MS MYERS:** No, he definitely asked me that.

**MS RICHARDSON:** Those are my questions. Thank you.

25

**COMMISSIONER:** Thank you, Ms Richardson. Does any other party - Ms Brigden, any questions from you?

**MS BRIGDEN:** No. Thank you.

30

**COMMISSIONER:** Thank you.

**MS McDONALD:** Just -

35 **COMMISSIONER:** One?

**MS McDONALD:** Very quickly. You were asked some questions leading up to April 2024 about the relationship between the CEO and Mayor Mannoun.

40 **MS MYERS:** Yes.

**MS McDONALD:** And one - I think on two occasions you answered something along the lines of, "Other items or other matters were adding to the tension between the CEO and the mayor."  
45

**MS MYERS:** Yes.

**MS McDONALD:** So other items in addition to the budget?

**MS MYERS:** Yes.

5 **MS McDONALD:** What were those other items or matters?

**MS MYERS:** Mr Ajaka became frequently - well, more frustrated over his tenure, that when the mayor would have a - more so a complaint email from a constituent or a stakeholder, that he wouldn't just contact John as the CEO, and that he would  
10 sometimes send emails that would be copied to John, several directors, possibly a few managers, and John referred to it as a scattergun approach. And what would happen is it would sometimes come overnight from the mayor. Whoever saw it first would start working on it, not realising everyone else who was copied in was doing the same thing, and that caused a lot of frustration for John, and he had expressed  
15 that he had asked the mayor to stop doing that.

John asked me on more than one occasion, "Why did the mayor do that?" And the - he didn't appreciate that style of communication. And so from John's perspective, that was frustrating him. The mayor continued - for a short period, I  
20 think he did just go straight through John as the CEO, but on occasion it would - it happened again - of what John would describe as a scattergun approach.

The mayor expressed to me in a verbal conversation that he felt John did not pay enough attention to him as mayor, and that he's - he felt John did not feel his role as  
25 mayor was important, and that he felt John gave more time to the local MPs and the USU than he did to him as mayor. And that seemed to cause - like, be a point of tension from the mayor's perspective - that he felt John was not treating their professional relationship with the respect that it deserved.

30 **MS McDONALD:** You were taken to some of those text messages between you and the mayor, which raised - where the mayor raised there didn't seem to be any effort in an apology coming.

**MS MYERS:** Yes.

35 **MS McDONALD:** And my learned friend said to you - asked you a question along the lines of, "So it appeared that the mayor was genuinely upset at the incident." Do you remember that?

40 **MS MYERS:** Yes. Yes.

**MS McDONALD:** Yesterday you gave evidence about being forwarded by the mayor, and indeed being shown by the mayor in the presence of the deputy mayor, a Facebook video. Do you remember that?

45

**MS MYERS:** Yes.

**MS McDONALD:** Which was relatively quick, but it had as a theme, "Shut the F up." When that was shown to you - and I think your evidence was it was on 17 April, so the day after the swearing meeting.

5 **MS MYERS:** Yes.

**MS McDONALD:** Did you form a view at that point whether the mayor was genuinely upset at the incident?

10 **MS RICHARDSON:** Well, I object to this. I object to this. What is the relevance of this, in terms of thinking about what was in the mayor's head when he sent her a video? I mean, the question can be put to the mayor about why that video was sent. But I do object to this in circumstances where the witness has given evidence that she felt a view that it was - that he felt genuinely upset, and now we have  
15 re-examination on a topic that I did not go to, in terms of this video -

**COMMISSIONER:** Well -

20 **MS RICHARDSON:** About what was in someone's - or how did she feel about what was in someone else's head. It's so tangential and irrelevant, and in my submission it's prejudicial to my client.

**MS McDONALD:** Well, it's, in substance, asking the same question that my friend put, "Was your perception after those" - that the mayor was genuinely upset at the  
25 incident. It's asking the same question but referring to the particular video that was shown and forwarded to her.

**COMMISSIONER:** I think there's force in that. But ultimately, how does it help me either way, in addressing my terms of reference? Whether Ms Myers thought it was  
30 genuine or had a different view might have changed from time to time, based on information she had. What do I do with that, ultimately?

**MS McDONALD:** Well, I suppose it's the use or the relevance of the opinion that she expressed in a question to my friend. If they're both tainted by that -  
35

**COMMISSIONER:** As I say, I think there's force in that, and submissions can be made about that ultimately, but as I sit here now, I'm not sure that it ultimately helps me too much, if I can put it that way.

40 **MS McDONALD:** They were the questions.

**COMMISSIONER:** All right. Thank you. Ms Myers, that completes your evidence. I'm very grateful for your attendance over yesterday and a very long day today, and you're free to go.  
45

**MS MYERS:** Thank you.



**<THE WITNESS WITHDREW**

**MS McDONALD:** And I hate to say this: Ms Myers isn't excused.

5   **COMMISSIONER:** No witness is being formally excused, but once that can happen that can be communicated to Ms Myers and those who are representing her.

**MS McDONALD:** Tomorrow we have Mr Ajaka.

10   **COMMISSIONER:** Right.

**MS McDONALD:** Could you excuse me. For 10 o'clock.

15   **COMMISSIONER:** All right. Is there anything else to do this afternoon? All right. I'm grateful for everyone sitting late to finish Ms Myers this afternoon. And I'll adjourn until 10 am. Thank you.

**<THE HEARING ADJOURNED AT 4.39 PM**