



PUBLIC INQUIRY INTO LIVERPOOL CITY COUNCIL

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

**PUBLIC HEARING
SYDNEY**

**TUESDAY, 29 JULY 2025
AT 2.02 PM**

DAY 11

APPEARANCES

Ms T McDonald SC, Senior Counsel Assisting

Ms B Anniwell, Counsel Assisting

Mr E McGinness, Counsel Assisting

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

Mr T Boyle, Counsel for Mr J Akaja

Mr P English, Counsel for Mr F Portelli

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<THE HEARING COMMENCED AT 2.02 PM

COMMISSIONER: Yes, Ms McDonald.

5 **MS McDONALD:** We are resuming the evidence of Mr Ajaka.

COMMISSIONER: Yes.

10 **MS McDONALD:** I understand he is outside.

COMMISSIONER: Anything else to do before we begin.

MS MCDONALD: I didn't know whether you wanted to re-swear Mr Ajaka.

15 **COMMISSIONER:** I do, yes. I will just have you re-sworn, Mr Ajaka, seeing as it has been a few days since you were last here.

MR AJAKA: Thank you.

20 **<JOHN GEORGE AJAKA, AFFIRMED**

MS McDONALD: On the last occasion, I did say I had finished. As my usual practice there are just a couple of questions, an area that I wanted to revisit.

25 **COMMISSIONER:** Yes.

MS McDONALD: I do anticipate I will be relatively short.

30 **COMMISSIONER:** All right.

MS McDONALD: Could you just excuse me.

35 **MS McDONALD:** Mr Ajaka, I wanted to return to the topic of when you commenced as the CEO at Liverpool City Council, which was around December 2022. The position with a number of people who were already employed there as directors. Now, there is a document that I might be able to show you, which has been downloaded but before that occurs, do you recall that there was a director of planning and compliance called David Smith?

40 **MR AJAKA:** I remember there was a David Smith. I think he was planning.

MS McDONALD: According to the material that the inquiry has received, his employment was terminated on 30 December 2022, a deed was entered into, and that there was an ex-gratia payment made to him.

45 **MR AJAKA:** I can't remember the date but the rest would be about right.

MS McDONALD: And also on 30 December, Peter Diplas, who had been the acting CEO, I think, before Tina Bono, and then who returned to a director's role, his employment was terminated with an ex gratia payment, and also a Paul Perrett who was a director, also his employment was terminated.

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MR AJAKA: That'd be correct.

MS McDONALD: Were you part of the decision-making process whereby Mr Smith's employment was terminated?

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MR AJAKA: Yes. They're the initial discussions I had with the directors.

MS McDONALD: And is -

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MR AJAKA: Before I went overseas.

MS McDONALD: Right. So this was some time in December?

MR AJAKA: Correct.

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MS McDONALD: And the initial - you'd never worked with Mr Smith before?

MR AJAKA: No.

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MS McDONALD: You had an initial discussion with him by himself or with a number of directors?

MR AJAKA: I met with all of the directors first, and then I asked for the directors to wait outside, and then I had individual discussions with each director.

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MS McDONALD: And the individual discussion you had with Mr Smith, what did that concern?

MR AJAKA: It was the same discussions with all the directors. It basically indicated how I intended to operate, wanted to be sure that they were happy to be part of the team, happy to work with. If they weren't happy to stay on, I was prepared to consider a termination agreement with them, and then, ultimately, we discussed 26 weeks, and they made the decision as to whether to accept it or not.

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MS McDONALD: All right. And you made that offer only to certain directors or all the directors?

MR AJAKA: No, I made that offer to each of the five directors. Three of them accepted it. Two of them said no.

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MS McDONALD: And that was - sorry.

MR AJAKA: Two of them said no.

MS McDONALD: And the three who accepted it were Mr Smith, Mr Diplas and Mr Perrett?

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MR AJAKA: From memory, correct.

MS McDONALD: Did you have a discussion - sorry, I withdraw that. When you said, "This is the way I intended to operate", what did you indicate to them.

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MR AJAKA: That I wanted one team. I wanted us working together. I was aware at that stage of the toxic environment that was happening in council and with employees. I wanted that to stop. I'd use expressions like, "I do not want an us versus them mentality. It's got to be us, one team." I expect all the directors to be working together with me, and to be happy to be working here.

15

MS McDONALD: Before you had this conversation with Mr Smith, did you have a discussion with the mayor, Mr Mannoun, about any of the directors?

MR AJAKA: From recollection, the mayor had indicated to me that there was quite a bit of dysfunction at council. He indicated that to me before I even put in the application when he phoned me on those two occasions, indicating that he needed me to resolve. He did indicate that there were some issues between the directors themselves, and then issues between the directors and the staff.

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MS McDONALD: Did he give - did he nominate any of the directors?

MR AJAKA: From memory, it would have been definitely Mr Smith and definitely Mr Diplas. I can't remember if he mentioned any of the others.

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MS McDONALD: Mr Ajaka, in answering that you used the terminology "would have been". You used the term "would have been".

MR AJAKA: Yes.

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MS McDONALD: Do you have a recollection of that?

MR AJAKA: I - I definitely recollect those two. I don't have a recollection of the others. That's why I say "would have been".

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MS McDONALD: And do you recall at all concerning Mr Smith what the mayor - whether the mayor raised anything specifically about him?

MR AJAKA: That - the planning, which is one of the issues he raised in me, that the planning department was not functioning well. DAs weren't being dealt with in an appropriate time. There was a very large waiting list, serious delays and didn't believe that he was up for the job.

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MS McDONALD: Did you raise those particular criticisms with Mr Smith?

MR AJAKA: No.

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MS McDONALD: The next person I wanted to ask you about, or next employee, I'm sorry, is Raj Autar.

MR AJAKA: Yes. He was the other director whose name I keep forgetting.

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MS McDONALD: Who was the director of infrastructure and environment. According to the material we have, his contract was terminated on 3 February 2023.

MR AJAKA: That date would be about right. If I recall, I mentioned that three took the offer, two said no, they wanted to stay, and then some time later, the fourth director, whose name I couldn't remember, came to see me, and decided that he wanted to also leave and wanted to know that the offer was still the same.

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MS McDONALD: At any time before the termination of his contract, did Mr Mannoun raise anything about Raj Autar with you?

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MR AJAKA: Not that I can recall.

MS McDONALD: Did Mr Autar inform you of why he decided to leave?

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MR AJAKA: He'd said that he had spoken to his wife and felt that it was time for him to move on.

MS McDONALD: Did you have any issue with the way he was performing his work?

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MR AJAKA: No. I actually indicated to him that I really did want him to stay. I felt that the work that he had been doing in that short time I was there was exemplary.

MS McDONALD: Why did - if he wanted to leave after speaking to his wife, to move on, why was he offered an ex gratia payment? Why wasn't he just paid what he was legally entitled to under his contract?

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MR AJAKA: When I spoke to all five directors, I made the same offer to all five directors. I did indicate to all five directors that they could have some time to think about it. I did indicate that it wasn't a redundancy. It wasn't a payment in accordance with their contract. It was - I've signed a non-disclosure, so I can't specify the amount, but it was an amount less than what it was, and so three accepted it straightaway. The other two said no, they wanted to stay. And then Raj came back, and I had already committed that I would keep the offer on the table if he changed his mind or if the other director, Tina Bono, had changed their mind, and I wanted to stick to that agreement that I'd reached.

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MS McDONALD: So with Mr Autar, who you've given evidence was doing a very good job, by allowing him or paying him this ex gratia payment, you were actually incurring additional costs on the rate payers of Liverpool.

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MR AJAKA: Correct.

MS McDONALD: Did that concern you at the time?

10 **MR AJAKA:** No, what concerned me the most when I first started, and I had made that very clear to everyone, that my hiring practice has always been - my retention practice has always been that I wanted people that were absolutely capable of doing the job and absolutely wanted to be there to do the job. From my experience, unless you tick both those boxes, it was never going to work. And if an employee did not
15 want to be there - in particular, a director - then that's why I made the initial offer to them that if you don't want to be here, if you want to move on, let me know because either you want to - and I thought that the two of them wanted to stay.

20 **MS McDONALD:** But legally, they're allowed to terminate their contract upon appropriate notice under the contract.

MR AJAKA: Correct.

25 **MS McDONALD:** And in doing that, there is no additional ex gratia payment that has to be funded by the rate payers of Liverpool.

MR AJAKA: Agreed.

30 **COMMISSIONER:** When you spoke to all five of the directors, did you have any concerns about the performance of any of them?

MR AJAKA: I'd only been - the information I had about the two that the mayor had indicated that weren't doing their job, but personally, no, I didn't at that stage. But, again, I was happy for them to stay, but I wanted them to want to stay,
35 Commissioner. I didn't want them there if they didn't want to be there and didn't want to work together. That was - my aim was to stop the toxicity within it, and if I had to have a whole new team, then I had to have a whole new team that would work effectively.

40 **COMMISSIONER:** At that stage, had you formed a view as to whether it was toxic and if so why.

MR AJAKA: I'd definitely formed a view by that stage if it was toxic in the very earlier discussions I had with the staff and the USU and the delegates of the USU. It
45 was clear.

MS McDONALD: Sorry, these were discussions you had in December?

MR AJAKA: Yes. In that first week.

MS McDONALD: And when you say "toxic", toxic in what way?

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MR AJAKA: The original term toxic came from the USU delegates that I met with in the first day. Toxic in the fact that everyone was fighting with everyone were their words. Toxic in that, you know, the mayor wasn't respecting them. The mayor was continually making adverse statements against them. Toxic in that they were fighting
10 with managers. One of the most toxic aspects was certain human resources employees working with them were creating problems, and the final aspect of it was the 53 matters that were - the industrial relation type matters that were - it was just a figure unheard of.

15 **MS McDONALD:** The 53 grievances.

MR AJAKA: Grievances or industrial relation - that had escalated to the industrial relations.

20 **MS McDONALD:** And, sorry, your reference to something about human resource people?

MR AJAKA: Yes, POD I think it was called in those days.

25 **MS McDONALD:** I'm sorry?

MR AJAKA: POD. People and - it was a nice acronym.

MS McDONALD: It's basically human resources.
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MR AJAKA: It was called POD. I never got used to it. I always called them human resources.

MS McDONALD: And what was the complaint or the issue about them?
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MR AJAKA: So a number of the human resources staff were actually placed in particular sections as opposed to all being in their one area. Two in particular were placed down at the operations depot in Rose Street, and there were a huge number of complaints that were coming from both sides. The staff were complaining about the
40 POD, and the POD staff were complaining about the staff, and, at one stage, it was clear that it couldn't continue like that, and I moved the two employees out of operations back to head office.

MS McDONALD: Who was the director looking after POD?
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MR AJAKA: At the time?

MS MCDONALD: ...

MR AJAKA: It would have either been Tina Bono or acting would have been Farooq Portelli, corporate.

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MS McDONALD: No further questions.

COMMISSIONER: Thank you. Yes, Ms Richardson.

10 **MS RICHARDSON:** Mr Ajaka, my name is Ms Richardson. I'm acting on behalf of Mayor Mannoun.

MR AJAKA: Yes.

15 **MS RICHARDSON:** I'm going to ask you some questions.

MR AJAKA: Yes, I'm sorry, if you could possibly just speak up a little bit. My hearing's not the best.

20 **MS RICHARDSON:** Certainly. If at any point I'm not clear, please ask me to repeat what I ask.

MR AJAKA: Appreciate that.

25 **MS RICHARDSON:** So, Mr Ajaka, you commenced as CEO in about December of 2022; is that correct?

MR AJAKA: Yes.

30 **MS RICHARDSON:** So I wanted to start with some questions about the meeting and the lead-up to the council meeting in April of last year where the police were called.

MR AJAKA: Yes.

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MS RICHARDSON: So I want to focus on that period of time first if we may. So you gave evidence last week that Mayor Mannoun sent you an email which has been called the four point email whereby he - if this OLG.001.001.0310. And while that is happening, I'll just give some context, and then the email will be brought up.

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ASSOCIATE: (Indistinct)

MS RICHARDSON: Yes, please. If we could go to the second page, please. If you go down a bit further. Yes. Stop. So you gave evidence last week, Mr Ajaka, that the mayor sent you and two others this email on 12 April of last year.

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MR AJAKA: Correct.

MS RICHARDSON: And you will see there it's headed Confidential Next Steps Budget, and then the mayor asks you to provide modelling and recommendations for the budget in respect of four enumerated things. Do you recall receiving that email?

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MR AJAKA: Yes.

MS RICHARDSON: And the context of that, was it that council staff were in the process of preparing the budget for the following financial year. That the context -

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MR AJAKA: Sorry, could you repeat that.

MS RICHARDSON: Sorry. The context in which this email was sent was that the council staff were in the process of working on the budget for the following year.

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MR AJAKA: I don't think that was the context that I received it. We'd already had some previous discussions before that had come through to me.

MS RICHARDSON: Certainly. So there was an ongoing process whereby budget line items were dealt with in terms of would they be in or out and so on, and you'd already had discussions about that. Is that correct?

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MR AJAKA: Yes.

MS RICHARDSON: And isn't it the case that part of the budget process is that it goes over a couple of months with lots of meetings, and the line items change in terms of whether things are going to be included or excluded and what type of surplus or deficit it might produce. Is that correct? It happens over a period of time?

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MR AJAKA: Yes.

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MS RICHARDSON: Thank you. And this email was sent as part of that process. Is that correct.

MR AJAKA: Again, I didn't take it as part of that process. I took it as a response to the discussions he and I had about the removal of certain staff, to which I indicated I could not do that, and then suddenly this email appeared.

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MS RICHARDSON: So you agree that the subject matter of the email was about the budget, and the mayor asked for modelling, and then you responded by asking Mr Portelli to undertake the modelling. Is that correct.

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MR AJAKA: I agree with that's what it says, yes.

MS RICHARDSON: And that's what happened. Is that right?

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5 **MR AJAKA:** Again, I sent the email to Mr - to the mayor, deputy mayor and Mr Portelli to organise a meeting to discuss it because, again, my view was this was just another way of the mayor raising with me a way of removing these positions when he did not agree with me that this was, in fact, an inappropriate way to deal with this. It was a restructure, not simply a budget adjustment.

10 **MS RICHARDSON:** Could we just look at the top of that page 2, please. We see here the - if we could straddle the bottom of the second page, your immediate response was to send an email back to all of the recipients, including Mr Portelli, saying:

"Hi, Mr Mayor, as discussed."

15 And talking about time meeting - arranging a time to meet. And then you asked Mr Farooq Portelli to put the figures together. Correct?

20 **MR AJAKA:** Correct. But, again, it's as discussed. I'd already had a discussion with the mayor between his email and that one going out where, again, I said to him, "You know, this is a restructure. You can't be doing this, but let's get together and we can discuss it, and then the email went out, "As discussed, Lauren will arrange for Farooq and I to meet with you and the deputy mayor to discuss."

25 **MS RICHARDSON:** Mr Ajaka, you gave evidence last week that you did ask Mr Portelli to do the modelling in response to the request from the mayor. Do you recall that evidence?

MR AJAKA: Yes.

30 **MS RICHARDSON:** And that there was no problem, from your perspective, for the mayor asking you to provide that modelling. You recall giving that evidence?

MR AJAKA: Yes.

35 **MS RICHARDSON:** And that's your evidence today, that it was perfectly proper for the mayor to ask you to undertake that modelling as part of the budget process?

MR AJAKA: I think I said if this was the only thing that I'd received or discussed with the mayor, that would be correct, but there was more to this email than just that.

40 **MS RICHARDSON:** Well, I want you to focus on the terms of the email. Do you stand by your evidence that the mayor asked you to model the four points that were in that email, that you asked Mr Portelli to do that, and you didn't see any problem with the mayor asking you to undertake that modelling. Is that still your evidence?

45 **MR AJAKA:** As I indicated, if this was the only email that I'd received, or the first time this had been raised, I would not have seen any problem with that at all. But I'd already discussed with the mayor on numerous occasions that this is not simply

a budget adjustment; this is a restructure. And it was on that basis that I indicated to the mayor I would arrange a time for Farooq and I to meet with him and the deputy mayor to discuss. In the meantime, I asked Farooq to put the figures together and see me to discuss.

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MS RICHARDSON: And isn't it the case that, looking at the four things that the mayor asked you to model, your evidence is that you didn't see that there was a problem with the mayor asking you to do modelling of that kind. I'm focusing on the four things that he asked you to model in the email. Do you stand by that evidence.

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MR AJAKA: Look, I think I've already answered that. I don't know how many times I can repeat it.

15

MS RICHARDSON: I'm not asking you for things that are not in the email. I'm asking you to focus on the four things he asked you to model, and you asked Mr Farooq Portelli to do that modelling. Is it your evidence that you did not have a problem with the mayor asking you to model those matters? Yes or no?

20

MR AJAKA: As I indicated, if this was the only matter that had ever been arisen, the answer would have been I saw no problem with it at all. But as it wasn't, I saw a problem with it, and that's why I discussed it with him and indicated that Lauren would arrange a time for Farooq and I to meet with him and the deputy mayor to discuss.

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MS RICHARDSON: So that meeting happened on 16 April; is that right?

MR AJAKA: If that's the date, yes.

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MS RICHARDSON: I can tell you from the documents, that's correct.

MR AJAKA: Thank you.

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MS RICHARDSON: And the people present were the mayor, yourself -

MR AJAKA: I'm sorry, I'm really having a little bit of difficulty hearing you.

MS RICHARDSON: Sorry. It's my fault.

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MR AJAKA: Not at all.

MS RICHARDSON: Is it the amplification through the microphone or is it just my lack of volume.

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MR AJAKA: I tend to look at lips as well.

MS RICHARDSON: Okay. So if I look -

MR AJAKA: I've got hearing aids. Yes. If you look at me and just project a little bit more, it becomes easy for me to hear. Sorry.

5 **MS RICHARDSON:** I'll do my best.

MR AJAKA: It's my fault.

10 **MS RICHARDSON:** I'm trying to read and I'm short-sighted, so I'll try and do all those things.

MR AJAKA: We all have issues.

15 **COMMISSIONER:** Never a truer word.

MS RICHARDSON: The people present at the meeting were yourself, the mayor, Mr Portelli and the deputy mayor, Ms Macnaught.

20 **MR AJAKA:** Correct.

MS RICHARDSON: And it was in your office and it was arranged by someone who was working with you. Correct.

25 **MR AJAKA:** Yes Lauren was the acting EA at the time for me.

MS RICHARDSON: Thank you. And were you sitting next to Mr Mannoun, the mayor, at the meeting?

30 **MR AJAKA:** No. From memory, the way it was is Mr Portelli and I were sitting next to each other, and on the other side of the table the deputy mayor and the mayor, and the mayor was directly in front of Mr Portelli, and the deputy mayor was exactly in front of me.

35 **MS RICHARDSON:** Well, I want to suggest to you that you were sitting next to the mayor and that he was on your right at that meeting.

MR AJAKA: No. That's not my recollection at all.

40 **MS RICHARDSON:** And the purpose of the meeting was to - was as part of the budgetary process; is that right?

45 **MR AJAKA:** No. The purpose of the meeting was for me to, again, discuss with the mayor why we couldn't do the four things that he was suggesting unless it was a restructure - unless it was seen as a restructure, which would require a motion by council and would require at least four, five or six months to implement.

MS RICHARDSON: And they were - the four things in the email were four things that the mayor wanted to have modelled for the purposes of the budget; correct? That's what he wanted to happen.

5 **MR AJAKA:** Well, that's what he was saying in the email, but I -

MS RICHARDSON: That's what he wanted the modelling for. Is that right.

10 **MR AJAKA:** Well that's what he was saying in the email, but I didn't accept that.

MS RICHARDSON: And you were aware that the mayor had said to you on multiple occasions that he wished to have a budget that was either balanced or not in deficit, that that was a strong desire he wanted to achieve from a policy perspective.

15 **MR AJAKA:** So in the various meetings over the few months when it was over 20 million, he had thrown the papers in the air, so it was clear that that was not acceptable.

20 **MS RICHARDSON:** Well, I will just ask you, Mr Ajaka, to answer my question. Do you agree with me - just attend to my question - do you agree with me that the mayor had communicated to you on multiple occasions from a policy perspective his strong wish that the budget that was ultimately passed would either be balanced or not in deficit. Do you agree with that?

25 **MR AJAKA:** In the beginning, yes, but towards the end the communication was coming through that he wanted about 15 million plus in the black.

30 **MS RICHARDSON:** Okay. I'll come back to that. And during that meeting, you accept that as part of the interchange of ideas at that meeting, that you became very frustrated and said to Mr Mayor, "For the love of God, shut the fuck up." You accept you said that to him.

35 **MR AJAKA:** I wasn't very frustrated. It was more from concern about what he was putting to me was completely inappropriate.

MS RICHARDSON: Well, I want to suggest to you, Mr Ajaka, that to say to someone - you accept that wherever he was sitting, he was sitting in close proximity to you at the meeting?

40 **MR AJAKA:** He was across the table.

MS RICHARDSON: He was in close proximity to you sitting down at a table; correct.

45 **MR AJAKA:** Yes. He was definitely across the table from me, yes.

MS RICHARDSON: Would you accept that he was in close proximity to you?

MR AJAKA: I would have taken the close proximity as sitting next to me, but he was sitting across the table from me. It's a fairly wide table.

5 **MS RICHARDSON:** Well, do you - I want you to accept that you did not say, "For the love of God, shut the fuck up" out of concern for Mr Mannoun; you said it because -

10 **MS McDONALD:** Well, I object. He didn't say he said it out of concern for Mr Mannoun. He said, "I was concerned", which may raise concern for another issue.

COMMISSIONER: That's my recollection.

15 **MS RICHARDSON:** I'll ask a different question.

COMMISSIONER: Thank you.

20 **MS RICHARDSON:** I want to suggest to you that you - that they were - do you accept that that was something that was quite inappropriate to say to the mayor in the context of that meeting?

MR AJAKA: Yes.

25 **MS RICHARDSON:** And I want to suggest to you that you said it in anger and frustration to him.

MR AJAKA: No.

30 **MS RICHARDSON:** You don't accept that.

MR AJAKA: There was no anger whatsoever, and there was really no frustration at that time. As I said, I was concerned about him raising and putting to me matters that were completely inappropriate.

35 **MS RICHARDSON:** And I want to suggest that you were seeking to shut the mayor down in his discussion of matters, and that you swore and said those words in frustration to him. Do you accept that?

40 **MR AJAKA:** Again, I didn't say them in frustration. I wasn't trying to shut the mayor down. I was trying to point out to the mayor that what he was doing was, saying, was inappropriate, and it should, you know, cease.

45 **MS RICHARDSON:** And isn't it the case that after you said it, the mayor said to you, "What did you say?", and you responded, "Don't make me repeat it. You heard me."

MR AJAKA: Correct.

5 **MS RICHARDSON:** And I suggest to you that that was also an aggressive response to take with the mayor after you had used words to that effect. Do you agree with that?

MR AJAKA: No.

10 **MS RICHARDSON:** You don't agree with that.

MR AJAKA: There was no aggression.

15 **MS RICHARDSON:** And do you accept that you said those words in the heat of the discussion?

MR AJAKA: There was - there was nothing heated about it. The mayor was very calm in what he was putting to me and I responded back to him in a calm way. It was just that it was completely inappropriate.

20 **MS RICHARDSON:** Well, I want to suggest to you that in your interview as part of - with Mr Harvey as part of the WEIR review, you accept that you had said those words in the heat of a discussion. Do you accept that characterisation of what you said?

25 **MR AJAKA:** I don't recall in the heat of a discussion with Mr Harvey.

MS RICHARDSON: Well, isn't that what happened? That you were having a discussion and - well, I'll go back a step. Is this an unusual thing for you to use language like that when you're having a professional meeting with someone?

30 **MR AJAKA:** Yes.

MS RICHARDSON: Isn't it the case that the explanation is that you said it in the heat of a discussion you were having with the mayor?

35 **MR AJAKA:** Again, as I've said, it was a situation where he put something to me that was completely inappropriate, and when I discussed it with him - and it was a discussion - I then indicated to him at some stage, "For the love of God" and the rest of it. Enough.

40 **MS RICHARDSON:** And I want to suggest to you that your language and tone that day was jarring and shocking to the people who were -

MR AJAKA: Sorry, I missed part of that.

45 **MS RICHARDSON:** I want to suggest to you that your language and tone that day was jarring and shocking to the people who were there at the meeting.

MR AJAKA: I'm sure - I'm sure they were shocked.

5 **MS RICHARDSON:** And that it was jarring that you would speak like that to the mayor to those people.

MR AJAKA: I don't understand the concept of "jarring".

10 **MS RICHARDSON:** Well, you accept that they would be shocked -

MR AJAKA: Yes.

MS RICHARDSON: - to hear you use that type of language with the mayor.

15 **MR AJAKA:** Shocked, stunned, yes.

MS RICHARDSON: And do you agree with me that in that meeting where you were discuss - you accept that in the meeting you were discussing the four points that were listed in the mayor's four-point memo. You accept that's what you were
20 discussing in the meeting?

MR AJAKA: So when the comment was made by me, we had only discussed a point number 1. We had not - directors only, so we were only halfway through point number 1. After the comment was made, we continued the meeting and
25 discussed the second part of point 1, the managers. Then we discussed part 2. Then we discussed part 3. The meeting concluded at the end of part 3. I think it was about another 20 minutes after the comment was made, and then the mayor and deputy mayor left.

30 **MS RICHARDSON:** And do you agree with me that at no point in the meeting was there any discussion that there would be 150 job losses that might occur? Do you agree with that?

MR AJAKA: Yes.
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MS RICHARDSON: That was never discussed, correct.

MR AJAKA: No, it was never raised.

40 **MS RICHARDSON:** And that was never raised by Mayor Mannoun with you up to this point? It was never in contemplation, was it, that there would be 150 job losses; correct?

MR AJAKA: Correct.
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MS RICHARDSON: And you knew that at all times, that that was not in contemplation by the council, 150 job losses.

MR AJAKA: As far as I'm aware, no one had ever spoken about 150 job losses.

5 **MS RICHARDSON:** No one within the council who had any type of decision-making role had ever discussed 150 job losses.

MR AJAKA: No one had never discussed it with me. The mayor never discussed it with me. I never raised it with anybody.

10 **MS RICHARDSON:** So you knew - and I'll come back to this later - but when the unions started making public statements that it was proposed that there would be 150 job losses, that that was false; correct?

15 **MR AJAKA:** As I indicated, it's not something that I had stated. It was raised subsequently at the Peter Harvey interview, and I made it very clear that it had nothing to do with me. I had no knowledge of it, and I believe Sandy Morthen made it very clear to Mr Harvey that someone had told them, and it was not me, but she wouldn't reveal who it was.

20 **MS RICHARDSON:** Just so we can go more quickly, just focus on my question.

MR AJAKA: I thought I was, I'm sorry.

25 **MS RICHARDSON:** No. I'll just ask it again. Do you agree with me that given it had never been discussed within council or contemplated that there would be 150 job losses, that when the union were saying in the public domain that it was slated that there would be 150 job losses, that that rumour was false. Do you agree with that?

30 **MR AJAKA:** I agree that it was not correct. Yes.

MS RICHARDSON: It was false, wasn't it.

MR AJAKA: It's not correct.

35 **MS RICHARDSON:** And it was not correct to your knowledge at the time, was it, because you knew that 150 job losses was not in contemplation; correct?

MR AJAKA: Correct.

40 **MS RICHARDSON:** Thank you. And I just want to talk to you about Ray Hadley interview. Are you aware that - so just to give you a time post, the meeting we were just discussing happened on 16 April, and the council meeting where the police were called happened on 24 April. Have you got those dates clear.

45 **MR AJAKA:** Yes.

MS RICHARDSON: As goalposts, if you like.

MR AJAKA: Thank you.

5 **MS RICHARDSON:** And did you become aware in the morning before the council meeting that Steven Donnelly from the union went on Ray Hadley and discussed the upcoming council meeting.

MR AJAKA: I was told about it after the interview.

10 **MS RICHARDSON:** Okay. You were told about it on the same day as the interview?

MR AJAKA: Yes.

15 **MS RICHARDSON:** Because it was big news, wasn't it.

MR AJAKA: I think I had about eight or nine people ring me to tell me it happened.

20 **MS RICHARDSON:** So you knew promptly after the Ray Hadley interview what Mr Donnelly had told Ray Hadley; correct?

MR AJAKA: I was told by the people who rang me.

25 **MS RICHARDSON:** And were you told that Steven Donnelly had repeated the claim to Ray Hadley that there were 150 jobs at risk?

MR AJAKA: I was told that.

30 **MS RICHARDSON:** That that's what he said.

MR AJAKA: I was told that.

MS RICHARDSON: Thank you.

35 **COMMISSIONER:** Sorry, Ms Richardson can you remind me of the date of the interview with Mr Hadley.

40 **MS RICHARDSON:** It was 23 April at 10.40 am. We've just had that transcribed, and we've also had, I think, the audio of the interview already has a number, but we have had it transcribed, which I think has also been given Inquiry numbers. Just to assist you, I don't know whether this can be put on the screen because - but the number is NMA.001.001.0007.

45 **COMMISSIONER:** Right. See if we can put that up.

MS RICHARDSON: Whatever is easiest for you. We can either put it on the screen or you can read it, Mr Ajaka.

COMMISSIONER: Let's try and put it on the screen if we can.

MS RICHARDSON: Thank you.

5

MS McDONALD: Can I just check whether the associate has got the number.

ASSOCIATE: Can this be live streamed?

10 **MS RICHARDSON:** Yes, please. So I won't go through all of it, Mr Ajaka, I will just ask you a few things.

MR AJAKA: Yes.

15 **MS RICHARDSON:** You will see there - I will refer to rows - in the fourth row, SD, so that's Mr Donnelly speaking. Sorry, in the third row, Mr Hadley says."

"Let's go through what you know or perhaps have been told that they're at risk
20 Liverpool City Council 150 jobs. Is that what you've been told or what you know?"
Can you see that?

MR AJAKA: I can see that yes.

25 **MS RICHARDSON:** Then the next line, Mr Donnelly says:

"We were out there at a mass meeting this morning. There is 150 jobs on the line.
The CEO, John Ajaka, has been told that there will be a council meeting tomorrow at
2 o'clock. They'll go into a closed session and the so-called mayor, Ned Mannoun,
30 will sack him."

Do you see that?

MR AJAKA: I can see that, yes.

35

MS RICHARDSON: So what I'm focusing on today is you said lots of people rang you up after this interview with Hadley to tell you what had been said; correct?

MR AJAKA: Correct.

40

MS RICHARDSON: And did they - I think you've already said they told you that part of what the union delegate had said to Mr Hadley was that there were 150 jobs on the line at Liverpool Council; correct?

45 **MR AJAKA:** That's what Mr Donnelly had said, yes.

MS RICHARDSON: But also you were told that after the interview on the same day that that's what he had said.

5 **MR AJAKA:** Yes. It was one of the things I was told, yes.

MS RICHARDSON: Thank you. Were you also aware there had been a mass union meeting at the council on the morning of 23 April?

10 **MR AJAKA:** I was told that, yes.

MS RICHARDSON: And were you also told that Mr Donnelly had told Mr Hadley on the radio that there was going to be a council meeting the following day where they'd go into a closed session and the mayor would seek to sack you. Were you told that that's what he had said on the radio?

15 **MR AJAKA:** Correct. That was the second thing I was told, that I was going to be sacked.

20 **MS RICHARDSON:** Thank you. And if you could go over the page, please, and we see in the fourth row on the top it starts, Mr Hadley:

"Okay. Let me declare an interest here. I've known John for quite some time, I know his family."

25 Is that correct? Does he know your family?

MR AJAKA: He knows my wife well. They worked together.

30 **MS RICHARDSON:** Would you describe yourself as friends with Mr Hadley.

MR AJAKA: I wouldn't say he is a friend. He is someone I know.

MS RICHARDSON: Has he been to your house to socialise.

35 **MR AJAKA:** No.

MS RICHARDSON: But would you accept his characterisation that he has known you for quite some time.

40 **MR AJAKA:** Yes.

MS RICHARDSON: And that he knows your family.

45 **MR AJAKA:** Yes.

MS RICHARDSON: And if you look at the row in the middle of that page, Mr Donnelly says:

5 "Tell you about Mr Ajaka, it tells you that he's got everything under control. He is doing a fantastic job and all the staff - the members now have voted that they'll stop work tomorrow and then go to the council meeting at 2 o'clock to protest out in front of the new chambers."

Do you see that?

10 **MR AJAKA:** Sorry.

MS RICHARDSON: Do you see that.

MR AJAKA: Yes, thank you. Someone just pointed an arrow to me. Yes.

15 **MS RICHARDSON:** Then he goes on to say that:

"Every member of the USU will be there at 2 o'clock tomorrow."

20 **MR AJAKA:** Yes, I see that.

MS RICHARDSON: So were you also told where people were giving you an account of what had been said on the radio that what had happened at the meeting, the mass meeting at the council, that morning was they'd voted to stop work tomorrow in order to go to the council meeting and protest?

25 **MR AJAKA:** I see that.

MS RICHARDSON: No, I'm just asking you.

30 **MR AJAKA:** Sorry.

MS RICHARDSON: That's okay. You were told that day, were you, that that was what Mr Donnelly had said to Mr Hadley, that the members had voted that morning at their mass meeting to stop work the following day in order to go to the council meeting and protest?

40 **MR AJAKA:** The calls that I received from the eight or so people basically said two things, about 150 people being sacked, and that I was going to be sacked. I don't believe any of them mentioned the part about the demonstration of those that phoned me.

MS RICHARDSON: But isn't it the case that you knew in advance of the meeting that large number of union members and council employees were going to be there to protest.

45 **MR AJAKA:** I was told at some stage that that was going to happen.

MS RICHARDSON: And that was before the meeting?

MR AJAKA: Correct. But not by any of the eight people that had phoned me.

5 **MS RICHARDSON:** And if we could please turn to the bottom of the third page, and the final line is Ray Hadley saying:

"And there will be a protest by the union tomorrow at this 2 o'clock meeting where, according to Steve Donnelly, the mayor is doing his best to remove John Ajaka."

10 So were you told anything to that effect in the afternoon of this radio interview that that is what was planned for the following day?

15 **MR AJAKA:** I don't think anyone told me that was said at the end. As I said, I didn't hear the program.

MS RICHARDSON: So when you were told that day that the union had gone on Ray Hadley and said that 150 jobs were at risk at Liverpool Council, was it the case you were aware that that would be received as very controversial news in the community in Liverpool if there were 150 jobs at risk in the council?

MR AJAKA: Yes.

25 **MS RICHARDSON:** And that you understood, did you, at the time that that would mean that the meeting the following day was likely to be very volatile.

MR AJAKA: I mean, there had been previous demonstrations when I first started that we were able to put a stop to. Council meetings are open meetings. You can't restrict people from coming to them. But yes, I knew that there was going to be a demonstration.

35 **MS RICHARDSON:** So you knew there was going to be a demonstration, and you knew that the fact that there was a rumour that there would be 150 job losses, you were aware, weren't you, the day before, that the meeting the following day was going to be extremely volatile; correct?

40 **MR AJAKA:** No. The demonstration by the unions in the past haven't been volatile. I mean, there's a little bit of chanting, there's placards, but there's never been a situation where it was volatile to my knowledge.

MS RICHARDSON: Well, you knew that the union delegate had said that all of the union members would stop work and go to the meeting in order to protest; correct?

45 **MR AJAKA:** Yes.

MS RICHARDSON: And so that would be a large number of people to be expected at the council meeting protesting.

MR AJAKA: Correct.

5 **MS RICHARDSON:** And, in fact, I think you've given evidence in the WEIR review that, by your observation, there were 150 people outside the chamber protesting and 150 people inside do you recall that.

10 **MR AJAKA:** I don't know if it was 150 inside and outside opposed to 150 in total. I honestly can't recall it. The chamber was full. Whatever the capacity was, it was full, and there would have been about 70, 80 people outside, maybe 100.

15 **MS RICHARDSON:** I want to suggest to you that you told Mr Harvey during the WEIR review that there were up to 150 people outside. Does that seem consistent with your recollection.

MR AJAKA: I don't recall that. If that's the case, then that's the case.

20 **MS RICHARDSON:** And you agree with me that the people who were outside were chanting?

MR AJAKA: We could just hear them in the inside.

MS RICHARDSON: You could hear them chanting; correct.

25 **MR AJAKA:** But we couldn't hear - I couldn't hear what they were saying, but I could hear chanting.

30 **MS RICHARDSON:** Thank you. And you were aware at the time that they were holding up placards and signs?

MR AJAKA: I wasn't seeing them or seeing them, but I assumed they were, or someone may have mentioned to me they were.

35 **MS RICHARDSON:** But were you later told that the placards - some of them have very offensive slogans on them in relation to the mayor?

MR AJAKA: No. I'm just aware of one offensive comment that was made. I was told about it after the event.

40 **MS RICHARDSON:** Well, you were aware that one of the things that was being chanted or yelled out was:

"Put pork on your fork."

45 **MR AJAKA:** That one I was told about.

MS RICHARDSON: And you were aware that that was a deeply offensive phrase to the mayor as a Muslim.

MR AJAKA: Absolutely.

5

MS RICHARDSON: And that that was a phrase that had been deployed against him in the past and had made him extremely upset.

MR AJAKA: Correct.

10

MS RICHARDSON: And were you also later told that one of the people protesting had actually brought a toy pig to the protest out the front of the council chambers?

MR AJAKA: I don't recall that. I don't have a recollection of that.

15

MS RICHARDSON: So it's the case, isn't it, that when you were told after the Ray Hadley interview on - I think the council meeting was the Wednesday, the 24th, so this is the Tuesday, when you were told on the Tuesday after the morning Hadley interview that the union delegate was saying in public that 150 jobs at risk, you knew that was a rumour that was not correct. Is that the case?

20

MR AJAKA: Well, I did not believe for one moment that the 150 was correct. I didn't believe that anyone would take it seriously.

25

MS RICHARDSON: Just listen to my question. You were aware that when you were told that the union organiser had been saying on Ray Hadley that there was likely to be 150 job losses, you knew at the time that that was a rumour and it was a rumour that was not correct. Is that the case?

30

MR AJAKA: Yes.

MS RICHARDSON: And you knew that that rumour was likely - well, would be likely to cause significant unrest and distress amongst staff?

35

MR AJAKA: I would have assumed that.

MS RICHARDSON: You would have - that would have been obvious to you at the time, wouldn't it?

40

MR AJAKA: Yes.

MS RICHARDSON: And it's the case, isn't it, that you knew the day before the Hadley interview that the union was publicly disseminating information that there was likely to be 150 job losses at the council. Do you accept that?

45

MR AJAKA: I can't remember in the sequence, but I do remember at one stage hearing it, yes.

5 **MS RICHARDSON:** Well, I want to suggest to you, and I'll have this interview brought up to be clear, that what happened was the union rang you, and they told you that their understanding was that there would be 150 job losses, and that was on 22 April, which was the Monday. Do you recall that?

10 **MR AJAKA:** I can't recall the date, but I recall receiving a phone call from Sandy Morthen, and I indicated to her that is completely incorrect. There is no talk of 150 job losses.

15 **MS RICHARDSON:** Well, I want to suggest to you that in your interview with Mr Harvey as part of the Weir review, at no point did you suggest that you told the union via Sandy Morthen that the 150 job loss proposition was not correct, that you have not previously stated that.

20 **MR AJAKA:** It was put to me that I was the one who put the 150 job losses to the union, and I made it clear that it was not me. I had never mentioned that. The first I'd heard of it was from the USU or from some email that had come through from an advocate, and Sandy Morthen made it clear to Peter Harvey that the person who told her was not John Ajaka, but she would not reveal who the person was.

25 **MS RICHARDSON:** But it's the case, isn't it, that the union rang you and the union told you that they - their understanding was that there would be 150 job losses; correct?

MR AJAKA: Yes, that's my recollection, and I said, "No, that's not correct".

30 **MS RICHARDSON:** And you knew that on 22 April, which was two days prior to the council meeting?

MR AJAKA: That may well be the case. I can't remember the date.

35 **MS RICHARDSON:** And I wanted to suggest to you that if you had, in fact, said to Sandy Morthen, is that a man or a woman.

MR AJAKA: A female.

40 **MS RICHARDSON:** What she, was it she that rang you to say we understand there's going to be 150 job losses at the council? Was she the union person?

MR AJAKA: Yes.

45 **MS RICHARDSON:** That if you had said to her in response, "No, that's not correct" that's something that you would have told Mr Harvey as part of your interview with him in the couple of months after the events. Do you accept that?

MR AJAKA: As I said, it was made clear to Mr Harvey that I was not the person who said that.

5 **MS RICHARDSON:** I'm asking you a different question. If you had, in response to Ms Morthen telling you they thought there would be 150 job losses, if you had, in fact, said to her, "No that's not correct", that is something that you would have told Mr Harvey in May of last year as part of your transcript of interview. Do you accept that?

10 **MR AJAKA:** I was answering very specific questions that Mr Harvey was asking me, so I can't recollect that I said that or didn't say that.

MS RICHARDSON: And so you knew on the Monday, the 22nd, that the union had rung you saying, "We think there are 150 job losses", and you knew the following day - is it the case that you understood after the union delegate had gone on Ray Hadley and repeated those claims, that the matter had escalated significantly?

MR AJAKA: I don't know what you mean by (indistinct)

20 **MS RICHARDSON:** Well it had escalated significantly, hadn't it, because now the union were not just ringing you up and saying, "This is our understanding." They were going on a popular radio station to repeat the claim; correct?

MR AJAKA: Correct.

25 **MS RICHARDSON:** And isn't that a significant escalation? Do you agree that that's a significant escalation?

MR AJAKA: I wouldn't use the term significant escalation.

30 **MS RICHARDSON:** Well, it was getting more controversial, wasn't it?

MR AJAKA: Yes.

35 **MS RICHARDSON:** Because you knew that when people at Liverpool Council in the community understood that there might be 150 job losses to be considered at a council meeting the following day, that that would be a very controversial proposition; correct?

40 **MR AJAKA:** Not quite. Almost.

MS RICHARDSON: Pardon.

MR AJAKA: Not quite, but almost. I don't think it's at that level.

45 **MS RICHARDSON:** Well, isn't it a matter of common sense, if you think about what has happened, 150 people turned up outside with placards and were chanting.

MR AJAKA: Yes.

5 **MS RICHARDSON:** Correct? And the council chamber was full inside, and the mood of the meeting was - would you agree it was agitated and tense?

10 **MR AJAKA:** No, they were very calm. They were sitting there. They were hardly speaking, but my understanding is they turned up because they were concerned about my being sacked. I did not at that time accept that the mayor would sack me without any form of notice.

MS RICHARDSON: Well, you also -

15 **MR AJAKA:** There had been no discussion on sacking me. There had been no indication by him that I was going to be sacked. There was nothing in the business paper about my being sacked.

20 **MS RICHARDSON:** Isn't it obvious as a matter of common sense that if you've got a council with a rumour being propagated by email and also via a very popular radio station that there's going to be 150 job losses, and the way it was framed by the union delegate is that the CEO, John Ajaka, has said this is happening, that it was obvious to you -

25 **MR AJAKA:** I never said that the 150 were going to be sacked.

MS RICHARDSON: Mr Ajaka, I'm talking about what the union delegate told Mr Hadley that you had said that was happening. I'm not suggesting that -

30 **MR AJAKA:** I'm sorry.

MS McDONALD: I object.

MR AJAKA: I disagree I never said that.

35 **COMMISSIONER:** Mr Ajaka just pause. There's an objection.

MR AJAKA: Sorry.

40 **MS McDONALD:** Your Honour, looking at the transcript I don't know whether that's a fair representation of what the union rep said. I'm just looking at page 1 and it's the fourth row that:

45 "We are out on a mass meeting there are 150 jobs on the line, then the CEO has been told that there will be a council meeting tomorrow they'll go into a closed session, and the mayor will sack him."

COMMISSIONER: I think the difficulty (indistinct) everything that source of the 150 to Mr Ajaka in this interview.

MS McDONALD: Yes.

5

COMMISSIONER: Is it somewhere else?

MS RICHARDSON: I'll reframe the question.

10 **COMMISSIONER:** Thank you.

MS RICHARDSON: Wasn't it obvious to you, Mr Ajaka, that by at least the period immediately after the Hadley interview on the day before the meeting, that the council meeting the following day was likely to involve significant issues in managing it because of the controversy over whether there would be 150 job losses. Wasn't that obvious to you -

15

MR AJAKA: No.

20 **MS RICHARDSON:** - the day before. Not obvious.

MR AJAKA: No. As I said before, there had been previous demonstrations. There had been no issue. There'd been previous times where employees would be in the chamber, public members be in the chamber. There were no issues. The only issues that arose in the chamber were usually from a member of the public, not from an employee.

25

MS RICHARDSON: Well, I want to suggest to you, isn't it obvious that the message that was being put out in the media that there was slated to be 150 job losses, and that there was going to be a meeting the following day, was dynamite news in terms of the likely impact it would have on the conduct of that meeting the next day. Do you accept that?

30

MR AJAKA: No.

35

MS RICHARDSON: And/or that it was at least going to be very controversial issue and would make that meeting very difficult to manage. Do you agree with that?

MR AJAKA: No.

40

MS RICHARDSON: Do you agree with the fact that meeting, as it happened to play out, was a very difficult meeting to manage because of the number of protestors who turned up?

45 **MR AJAKA:** No. The difficulty was more from the non-employees that turned up, that would not leave, that were yelling out interjections to the mayor.

MS RICHARDSON: Well, you agree that there were a large number of people at the meeting.

MR AJAKA: Correct. Inside the chamber, yes.

5

MS RICHARDSON: And that there are a large number of people outside the chamber.

MR AJAKA: Correct. But, as I said, we could hardly hear them.

10

MS RICHARDSON: And you're aware that they are outside the chamber chanting with placards.

MR AJAKA: I wasn't aware of the placards, but I'm aware that they were chanting, but I couldn't actually hear what they were chanting. It was my fault.

15

MS RICHARDSON: And the estimates you gave to Mr Harvey that there were in total 300 people, half inside the chamber and half outside the chamber; correct?

MR AJAKA: I can't recall that, but if that's what I said, then that's what I said.

20

MS RICHARDSON: That was your recollection a month after the meeting.

MR AJAKA: If that's what it was, that's what it was.

25

MS RICHARDSON: And do you agree with me as that meeting played out it was a very difficult meeting to manage in terms of managing the large number of people who wanted to be in the chamber; correct?

MR AJAKA: There was absolutely no difficulty in the beginning. The matters, the first initial matters that were proceeding were proceeding well. No interjections. No one else was talking. It was only when the mayor to everybody's surprise moved a motion to have a closed session that the difficulties arose.

30

MS RICHARDSON: And do you agree that things escalated at that stage?

35

MR AJAKA: Well, they didn't escalate. The worst that occurred was that the members - those in the public would not leave after we left.

MS RICHARDSON: Well, Mr Ajaka, do you accept that things escalated because the police were called?

40

MR AJAKA: They would not leave. Again, there were no actual incidents. They were just sitting there. A couple of the members of the public who were not employees were the ones who were screaming out, if you can use that term, to the mayor, but all of the employees just sat there. They were taking no action

45

whatsoever. The police were called, as I understand it, because the mayor was frustrated that they would not leave.

5 **MS RICHARDSON:** Isn't it the case that the police were called because a minute had been passed for the council to go into confidential session, which required the clearing of the council room, and people would not obey that direction. That is why the police were called. Do you accept that?

10 **MR AJAKA:** Yes.

MS RICHARDSON: Just - my learned friend has asked if we've a short break, if that's -

15 **COMMISSIONER:** Is that a convenient time?

MS RICHARDSON: Yes, thank you.

COMMISSIONER: All right. Well, I'll come - 12 past to be precise. Five minutes.

20 **MR AJAKA:** Thank you, Commissioner.

<THE HEARING ADJOURNED AT 3.07 PM

25 **<THE HEARING RESUMED AT 3.13 PM**

MS RICHARDSON: Mr Ajaka, what I wanted to suggest to you is that if you, in fact, wanted to de-escalate the situation about the 150 job loss public rumour, that, as CEO, you ought to have issued a press release making clear that that was not in contemplation. Do you accept that?

30 **MR AJAKA:** In hindsight, absolutely.

MS RICHARDSON: And that you should have issued that press release on the Monday, the 22nd of April when you first became aware that that was a rumour that the union was spreading. Do you accept that?

MR AJAKA: Yes.

40 **MS RICHARDSON:** And that the following morning when the union delegate had gone on Ray Hadley to repeat the rumour, that by that point it was absolutely clear that what was required of you as a CEO was to issue a prompt press release making clear that that rumour was false. Do you accept that?

45 **MR AJAKA:** In hindsight yes.

MS RICHARDSON: Well, I want to suggest to you that that ought to have been obvious to you at the time given your understanding that that rumour was going to be very controversial. Do you accept that was obvious to you at the time?

5 **MR AJAKA:** No.

MS RICHARDSON: Well, I want to suggest to you that it ought to have been obvious to you as the CEO at the time that what you ought to do as CEO was to promptly issue a press release making apparent that that rumour was being spread,
10 and it was false. Do you accept that?

MR AJAKA: As I said, in hindsight, yes.

MS RICHARDSON: Well, I'm asking you a different question, that it ought to have
15 been obvious to you at the time that the course that needed to be taken to de-escalate the situation was for you, as the CEO, to issue such a press release. Do you accept that?

MR AJAKA: As I said, it wasn't, but in hindsight, it should have been.
20

MS RICHARDSON: Well, I want to suggest to you, Mr Ajaka, as a person of the level of experience that you have had in public and professional life, and you agree with me that you're well versed in issuing press releases and dealing with matters in the public domain; correct? That if one wanted to take a course of de-escalating the
25 situation, it was obvious that the course was to issue a press release disavowing the rumour; correct?

MR AJAKA: At the stage that this has happened, I had had no communication with the press. The mayor was out almost every day talking to everybody.
30

MS RICHARDSON: Mr Ajaka -

MR AJAKA: I made a decision not to deal with the press, and so that's why it wasn't obvious to me at that stage. But I'm saying to you in hindsight, when you put it to me
35 the way you did, I should have done that, and I accept that, but I didn't.

MS RICHARDSON: What I want to suggest to you, Mr Ajaka, is that someone with your longstanding political experience and experience in dealing with the media, that it would have been obvious to you at the time that if you wished to
40 de-escalate the situation, that the obvious step was to issue a press release dispelling the rumour. Correct? That was obvious at the time.

MR AJAKA: Look, it wasn't obvious to me at the time. That's what I'm saying to you. But I agree with you that it should have been obvious to me at the time, but it
45 wasn't.

MS RICHARDSON: What I want to suggest to you is that it was obvious, and that the reason why you did not take that course is that you were not seeking to de-escalate the situation.

5 **MR AJAKA:** No, I disagree with that completely.

MS RICHARDSON: And I want to suggest to you that by staying silent, it would have been obvious to you that your actions in staying silent that you were, in fact, escalating the situation.

10

MR AJAKA: No.

MS RICHARDSON: And is it the reason why you stayed silent and did not seek to de-escalate the situation was because you had, in effect, fallen out with the mayor in your earlier meeting on 16 April?

15

MR AJAKA: No.

MS RICHARDSON: And isn't it the case that after you had told the mayor to shut the fuck up at that meeting, that at no point did you apologise to the mayor for your conduct at that meeting. Is that correct?

20

MR AJAKA: That's correct. I had attempted to by speaking continuously with Councillor Mel Goodman.

25

MS RICHARDSON: I will come to your attempts, but just so we can do the building blocks, do you accept at that point did you apologise for your conduct to the mayor?

30 **MR AJAKA:** Correct.

MS RICHARDSON: And you accept that your offices were 10 metres away from each other.

35 **MR AJAKA:** Correct.

MS RICHARDSON: And isn't it the case that you had regularly phoned Mr Mannoun on his mobile phone as part of your ongoing relationship, that you could easily telephone him?

40

MR AJAKA: Correct.

MS RICHARDSON: Correct. And, as my learned friend put to you last week, you could go up and knock on his door and say sorry. Correct?

45

MR AJAKA: Correct.

MS RICHARDSON: And that that would have nipped in the bud a conflict, if you had have gone and apologised to the mayor for your conduct in that meeting. Do you accept that?

5 **MR AJAKA:** Yes.

MS RICHARDSON: And I want to suggest to you that the reason why you did not apologise to the mayor is because you were, by your conduct, adding to the escalation in this conflict. Do you accept that?

10

MR AJAKA: No.

MS RICHARDSON: And on - and do you agree that - did you go to the mass meeting of staff at Liverpool Council on the morning of 23 April, which was the day before the council meeting, which was the mass meeting at which there was discussed 150 job losses? Did you go to that meeting?

15

MR AJAKA: No. I don't think I was even aware there was a meeting.

20 **MS RICHARDSON:** Well, weren't you aware that the union member had told Ray Hadley that there had been a mass meeting at work where there had been a vote to stop work the following day?

25 **MR AJAKA:** As I said, I didn't hear the Ray Hadley interview. I just got told a few things.

MS RICHARDSON: So were you aware prior to the council meeting on the 24th that there had been a mass meeting of staff to discuss the 150 job losses?

30 **MR AJAKA:** I don't have any recollection of that.

MS RICHARDSON: And on the morning, you recall that the council meeting was scheduled to start at 2 pm?

35 **MR AJAKA:** All council meetings are scheduled to start at 2 pm?

MS RICHARDSON: And that was the case for that meeting; correct?

40 **MR AJAKA:** It would have been, yes.

MS RICHARDSON: And that Mr Mannoun sent you an email at about 11:19 am that morning asking you - I'll go back a step. Was it ordinarily the case that, as CEO, you would sit next to the mayor at council meetings?

45 **MR AJAKA:** Yes.

MS RICHARDSON: And Mr Mannoun sent you an email that morning, I think we should put that up. OLG.001.001.0311_0002.

ASSOCIATE: (Indistinct).

5

MS RICHARDSON: Yes, please. Do you recall receiving that email?

MR AJAKA: Yes.

10 **MS RICHARDSON:** And that he told you that he didn't feel safe at his place of work.

MR AJAKA: That's what the letter says, yes.

15 **MS RICHARDSON:** And he linked that to the way you had spoken to him at the meeting on the 16th? Do you recall -

MR AJAKA: Yes.

20 **MS RICHARDSON:** Do you recall reading that?

MR AJAKA: Yes, yes.

MS RICHARDSON: Then about five paragraphs, down, he says:

25

"I therefore inform you, because of the environment that you have created, I am finding it difficult to chair today's meeting with you sitting next to me. Could you please make suitable arrangements to make sure a safe environment is provided to myself and others. My preference is to have the deputy mayor sitting next to me."

30

Do you see that?

MR AJAKA: Yes, yes.

35 **MS RICHARDSON:** So you understood that what the mayor was asking you to do was to please not sit next to him at the meeting.

MR AJAKA: Yes.

40 **MS RICHARDSON:** Correct.

MR AJAKA: I was stunned when I received this. Yes.

45 **MS RICHARDSON:** And isn't it the case that you refused to sit at a different spot at the meeting. Is that correct?

MR AJAKA: I immediately responded to that letter and set out in that response my views.

5 **MS RICHARDSON:** But if you focus on my question. Isn't it the case, and we'll turn up the email, that you refused to comply with that request and sit somewhere different at the meeting. Is that correct?

10 **MR AJAKA:** I did not agree with him, and I considered that he was simply playing games as - especially with the last paragraph, that I'd not made any attempt to apologise. He knew well that I'd been talking to Councillor Mel Goodman on numerous occasions arranging a time to meet with him for the purpose of the apology.

15 **MS RICHARDSON:** And -

MR AJAKA: And as far as him not feeling safe, with all due respect, I didn't accept that at all. I mean it was just extraordinary that he would say something like that to me.

20 **MS RICHARDSON:** But do you agree that you refused to sit somewhere else at the meeting? Is that correct?

MR AJAKA: No, I responded to that and pointed out the reasons why.

25 **MS RICHARDSON:** And isn't it the case that at the meeting you refused to sit somewhere different. Is that right?

30 **MR AJAKA:** After I sent my letter, he didn't respond back. I took it that the matter was over, and when we arrived at the meeting, we sat next to each other, and we went through the normal course, so I thought the issue was completely over.

MS RICHARDSON: So is the answer to my question you agree with me that you did not sit somewhere differently to your usual spot?

35 **MR AJAKA:** Yes.

MS RICHARDSON: Correct. Thank you. You're understanding when you went to that meeting, wasn't it, that the mayor might move on a motion to have your appointment terminated that afternoon?

40 **MR AJAKA:** I never for one moment believed he would actually do it.

MS RICHARDSON: Well, I'm asking you a different question.

45 **MR AJAKA:** I'm sorry.

MS RICHARDSON: Your understanding at the time was that before that meeting that the mayor intended to move on a motion to have his appointment terminated. Was that your understanding.

5 **MR AJAKA:** No. That was not my understanding. No. That was a rumour that was going around, but I didn't believe it.

MS RICHARDSON: Well, you had heard that rumour?

10 **MR AJAKA:** I'd heard that rumour and didn't accept it.

MS RICHARDSON: In fact, you wrote to him in the email, if we could go up to the previous page please:

15 "I am well aware that you have advised a number of people that you intend to move a motion to have my appointment terminated."

MR AJAKA: Correct.

20 **MS RICHARDSON:** So that was your state of understanding at the time; correct?

MR AJAKA: That was my understanding that he was telling people that, but, again, I did not actually believe for a moment he would do it. I mean, no notice whatsoever was given to me. Nothing was advised. There was nothing in the business papers.
25 Again, it just - I didn't accept it.

MS RICHARDSON: Were you aware - sorry.

MR AJAKA: That's all right.
30

MS RICHARDSON: You were aware he did not move on such a motion at that meeting; correct?

MR AJAKA: Sorry, say that again.
35

MS RICHARDSON: You are aware that he did not, in fact, move on such a motion at that meeting. He did not put up a motion to have your contract terminated at the meeting; correct?

40 **MR AJAKA:** Well I'm aware that we went through the meeting in the normal procedure. A motion was passed in effect commending me and the staff, and I thought the matter was completely over.

MS RICHARDSON: Just focus on my question, Mr Ajaka. Are you aware that at
45 that meeting, the mayor did not move on any type of motion to have your appointment terminated. Do you accept that?

MR AJAKA: No, that's not what I was informed.

5 **MS RICHARDSON:** I'm not asking you what you were told in advance of the meeting. I'm asking you in terms of what happened at the meeting, do you agree that the mayor did not move on a motion to have your contract terminated at the meeting; correct?

10 **MR AJAKA:** No, I was told that the mayor moved a mayoral minute to have it terminated, but he was unable to get the numbers, and that it went from that to putting me on special leave, and he was able to get the numbers for that. But I was informed that he did, in fact, try and terminate my contract at that meeting, but one of the liberal councillors would not vote with him.

15 **MS RICHARDSON:** Now, at the meeting, do you agree that one of the motions that was passed in open session was that the council actually directed the CEO to send an email to all staff advising them of the commitment to increase staff and where Liverpool Council is in terms of head count roles and budget. Are you aware that that motion was passed?

20 **MR AJAKA:** Yes, I think that was the same motion that also commended the staff and the CEO.

25 **MS RICHARDSON:** Just listen to my question, Mr Ajaka. Do you accept that part of that motion in paragraph 6 was a direction to the CEO to send an email to all staff, in effect, clarifying the issue in relation to the staffing?

MR AJAKA: Part of the motion, yes.

30 **MS RICHARDSON:** Correct? And do you accept that an email to that effect should have gone out prior to this meeting?

MR AJAKA: I'm sorry, I don't understand the question.

35 **MS RICHARDSON:** Do you accept that an email to that effect from the CEO should have gone out prior to this meeting?

MR AJAKA: I've already answered that, yes, but not in response to that motion. It didn't exist at the time.

40 **MS RICHARDSON:** It should have - the CEO, you, should have understood that that was necessary and should have happened prior to the meeting; correct?

MR AJAKA: As I said, in hindsight, yes, I should have done that.

45 **MS RICHARDSON:** So you're aware that when the mayor advised that the council would move into closed session to discuss a confidential mayoral minute, that that required the chamber to be cleared?

MR AJAKA: Correct.

5 **MS RICHARDSON:** And you agree that the people who were in the chamber, which was a mixture of staff and members of the public, refused to leave the chamber; correct?

10 **MR AJAKA:** I found that out after I left. So we left first, myself and the directors, and then a short time later - when I say short time, within a minute or two, I noticed none of the public were coming out.

MS RICHARDSON: And you went back into the chamber, did you?

15 **MR AJAKA:** I received a message from one of the staff that the mayor wanted me to go back into the chamber and directed me to tell the staff to leave.

20 **MS RICHARDSON:** And isn't it the case that you received a message - I think it was a text message - from Shayne Mallard, a director, to the effect that you should tell your employees to get out of the chamber. They've been directed by the mayor. Do you recall receiving a text message to that effect?

MR AJAKA: I may have received a text message as well. I can't recall now. But I was definitely told the mayor wanted me to go back in and tell them to leave.

25 **MS RICHARDSON:** And isn't it the case that there was a delay of some 10 minutes where the members - the people in the chamber did not leave and - do you agree with that? That there was a period where they had been asked to leave and people were refusing to leave?

30 **MR AJAKA:** There was definitely a period. I can't tell you how long.

MS RICHARDSON: And if I suggest it was approximately about 10 minutes, does that sound correct?

35 **MR AJAKA:** It could have even been longer. I just can't recall it.

MS RICHARDSON: Thank you.

40 **MR AJAKA:** At least 10 minutes, yes.

MS RICHARDSON: Thank you. And I want to suggest to you that in that period, you did not - in that 10-minute period, you did not tell the council employees to leave the council chamber in accordance with the direction of the mayor. Do you agree with that?

45 **MR AJAKA:** I was directed by the mayor to leave the chamber. I left the chamber. I do not believe I could go back into the chamber without being told - in a sense

authorised to go back in. I was standing outside following the direction that was given to me. When I got the direction, I went back in.

5 **MS RICHARDSON:** And I want to suggest to you that there was a delay before you gave any type of direction to people in the chamber that they should leave.

10 **MR AJAKA:** As soon as I was told the mayor wanted me to go in, I believe I went in almost instantaneously, but there was a period from when I left to when I got the direction to go in.

MS RICHARDSON: And do you recall that Mr Ristevski was in the chamber refusing to leave, and he was yelling at the mayor:

15 "You're a coward."

MS HAMILTON-JEWELL: Councillor - sorry - Commissioner, I object to this (indistinct).

20 **COMMISSIONER:** At the moment, all that is being asked is Mr Ristevski in the chamber yelling at the mayor in the context where members of the public have been asked to leave. I don't know that it's put any higher than that. So I will allow the question.

25 **MS HAMILTON-JEWELL:** May it please.

MS RICHARDSON: I'll break it down. You know what Mr Ristevski looks like?

MR AJAKA: Yes.

30 **MS RICHARDSON:** Did you see him at the council meeting that day?

MR AJAKA: Yes, he and other members of the public.

35 **MS RICHARDSON:** And he was a member of the public at that point because he was no longer a councillor.

MR AJAKA: Correct.

40 **MS RICHARDSON:** Were you present when he was yelling out at the mayor:

"You're a coward, you're a coward, they are not" -

Pointing to the public:

45 "They're not going anywhere. You can call the police."

Were you there when he said those words?

MR AJAKA: I remember the first part. I don't recall the second bit.

MS RICHARDSON: Sorry, you remember the, "You're a coward" words?

5

MR AJAKA: Were said, yes.

MS RICHARDSON: That Mr Ristevski was yelling that at the major?

10 **MR AJAKA:** Yes. But I was leaving the chamber as that was happening, but I recall it being said while I was leaving.

15 **MS RICHARDSON:** Now, I want to suggest to you that your evidence that Mayor Mannoun tried to put up a motion to have your contract terminated at the meeting in closed session is not correct, that the motion was only ever in relation to special leave.

20 **MR AJAKA:** As I indicated, I was told by someone that that was the original aspect, but that he was unable to get it through, and then it moved to special leave, and it took some time before that occurred, and that's why there was such a long delay before it occurred.

MS RICHARDSON: Was that based on something that someone told you?

25 **MR AJAKA:** Correct.

MS RICHARDSON: You didn't see a document to that effect; correct?

30 **MR AJAKA:** Sorry, I didn't hear that.

MS RICHARDSON: You didn't see a document to that.

MR AJAKA: No, I haven't seen any documents.

35 **MS RICHARDSON:** Right. So after the mayoral confidential minute was passed, the effect of that in part was that you were placed on a period of special leave. You are aware of that? You were informed of that?

40 **MR AJAKA:** I was informed of that by the mayor and the deputy mayor in the kitchen.

MS RICHARDSON: Thank you. Is that a kitchen that adjoins the council chamber room?

45 **MR AJAKA:** Yes.

MS RICHARDSON: And so Shayne Mallard went with you when the mayor told you that information; is that correct? In the kitchen?

MR AJAKA: Correct.

5

MS RICHARDSON: And it's the case, isn't it, that when you were in the kitchen with Mr Mallard, he communicated to you that the mayor's preference was for you to not go back into the council room given the situation in the council room. Do you recall that, that you were asked not to go back into the chamber?

10

MR AJAKA: My recollection is with the mayor was the one who told me not to go back into the chamber, not Mr Mallard.

MS RICHARDSON: Either way, that message was conducted to you.

15

MR AJAKA: Yes.

MS RICHARDSON: To please not go back into the chamber; correct?

20 **MR AJAKA:** Yes. After I was told about the special leave.

MS RICHARDSON: Okay. And you did not agree with that approach, and you insisted on going back into the chamber when the resolution was announced; is that correct?

25

MR AJAKA: When I was with - correct.

MS RICHARDSON: I just want to move to some other topics, Mr Ajaka. You've given evidence last week about the number of staff utilised by the mayor. Do you recall that evidence last week?

30

MR AJAKA: Sorry, that I?

MS RICHARDSON: You gave evidence last week about the number of staff that worked for the mayor.

35

MR AJAKA: Yes.

MS RICHARDSON: And you are aware that under the civic expense and facilities policy at the council that the mayor is entitled to a dedicated personal assistant?

40

MR AJAKA: An EA.

MS RICHARDSON: Yes.

45

MR AJAKA: Yes.

MS RICHARDSON: And that that's an entitlement of the mayor.

MR AJAKA: An EA and a deputy EA. Two.

5 **MS RICHARDSON:** And you're aware that - and so Mr Mannoun had those staff.
Is that your evidence?

MR AJAKA: Correct.

10 **MS RICHARDSON:** And that was within his entitlement?

MR AJAKA: Correct.

15 **MS RICHARDSON:** And that you're aware that - so I want to suggest to you that
your evidence that the mayor had four staff is not correct.

MR AJAKA: No, he also had the entitlement to a senior policy advisor and a junior
policy advisor. That's what I was informed of, that there would be the total of four.

20 **MS RICHARDSON:** Well, who were the senior policy and junior policy advisor
that you are speaking of?

25 **MR AJAKA:** So when I first started, it was Shayne Mallard who ultimately was
replaced by Betty Boustani, then it was Haris Strangas. Shayne/Betty were the
senior, Haris was the junior, and they were all outside his office.

MS RICHARDSON: In relation to Haris, how do I pronounce his surname?

30 **MR AJAKA:** Haris Strangas.

MS RICHARDSON: He was a government relations officer; correct?

MR AJAKA: For Ned Mannoun or previous?

35 **MS RICHARDSON:** Well, I want to suggest do you that his role at council was as
a government relations officer, and so he was available to the council generally?

40 **MR AJAKA:** Well, my understanding was that he was hired as the junior policy
advisor and made available to the mayor.

MS RICHARDSON: And he was also made available to the council generally in
that role?

45 **MR AJAKA:** Not that I'm aware of. That may have occurred later in time.

MS RICHARDSON: Now, you gave evidence last week about whether you had conversations with Mr Mannoun about who works for who and so on. Do you recall that - your evidence about that last week?

5 **MR AJAKA:** Yes.

MS RICHARDSON: And do you recall having a lunch with Mr Mannoun in February of 2023. So it was shortly after you had been appointed as CEO, and I think it was a lunch between you, Mr Mannoun, Scott Philips, who was the CEO of Local
10 Government New South Wales and also I think Carmelo Pesce, the mayor of Sutherland and some other people. Do you recall that lunch?

MR AJAKA: No, but I had quite a number of lunches with Mr Mannoun, that one specifically though.
15

MS RICHARDSON: There would have been a lunch at that point.

MR AJAKA: Absolutely.

20 **MS RICHARDSON:** And with people like that?

MR AJAKA: As I said, I had many lunches he would organise people to come and visit and ring me at the last minute and ask me to join him.

25 **MS RICHARDSON:** Okay. And I want to suggest to you that as a result of a discussion that was had at that lunch, that you had said something to the effect to Mr Mannoun at the lunch that he, as mayor, that you're just spokesperson for council. Do you recall saying that to Mr Mannoun?

30 **MR AJAKA:** At the lunch?

MS RICHARDSON: Yes.

MR AJAKA: No.
35

MS RICHARDSON: Or do you recall saying something to that effect around that time?

MR AJAKA: That Mr Mannoun?
40

MS RICHARDSON: That his role as a mayor was really as just a spokesperson for the council.

45 **MR AJAKA:** No. On a number of occasions, Ned Mannoun would say to me, "I'm the spokesperson of council", and on occasions I would say, "Yes, you're the spokesperson of council, among other things." But I'd also usually qualify it by

saying, "You're the spokesperson of council of matters that have been approved by the council, and you're the spokesperson in that regard."

5 **MS RICHARDSON:** What I want to suggest to you is that the gist of the conversation you were having was that you had unduly confined the role of mayor by saying to him, "You're the spokesperson of council", and that by your comments you didn't recognise the full role of the mayor under the Local Government Act.

10 **MR AJAKA:** Absolutely not.

MS RICHARDSON: Do you recall having a discussion to that effect?

15 **MR AJAKA:** No. As I said, no. That was one of his many functions, that he was the spokesperson of the council.

MS RICHARDSON: And that Mr Mannoun discussed with you the terms of the relevant provision in the Local Government Act, which is section 226, to point out to you that that provision had been amended and contemplated a broader role for the mayor. Do you recall having a discussion to that effect?

20 **MR AJAKA:** I don't recall a discussion to that effect.

MS RICHARDSON: Are you aware that section 226 of the Local Government Act, which I can tell you it describes the role of the mayor, and subsection (j) is to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council. You are aware that it says that?

25 **MR AJAKA:** Yes. From memory, yes. Something like that.

MS RICHARDSON: So the reference to general manager there we read CEO; correct?

30 **MR AJAKA:** Yes.

MS RICHARDSON: So you agree with me that part of the role of mayor is not just to be a spokesperson, but it includes providing - included providing strategic direction to someone like you as the CEO?

35 **MR AJAKA:** Yes.

MS RICHARDSON: And -

40 **MR AJAKA:** Is it possible to see the whole section, the whole -

45 **MS RICHARDSON:** I think so.

COMMISSIONER: Yes, I think we have it in the system.

MR AJAKA: From recollection, there's also some other subsections and -

5 **COMMISSIONER:** There's many.

MS RICHARDSON: There's a whole list.

10 **COMMISSIONER:** We'll just have it brought up.

ASSOCIATE: (Indistinct).

MS RICHARDSON: Sorry? Section -

15 **COMMISSIONER:** At what point in time? Is it pre the amendments.

MS RICHARDSON: Well, I think relevantly if this can be done, February 2023, I think that's probably going to be in the same form as -

20 **ASSOCIATE:** (Indistinct).

COMMISSIONER: What's the version we have? August 2024, that's previous whatever amendments commenced. We will go with that one.

25 **MS RICHARDSON:** I think that's likely to be correct.

COMMISSIONER: Was 226 amended at the same time? You don't know.

30 **MS RICHARDSON:** I can't assist with that, I'm sorry.

COMMISSIONER: That's all right. That provision is in both versions, so we're on safe ground, I think.

35 **MS RICHARDSON:** Good. So take your time to read that, but I would also draw to your attention -

MR AJAKA: Yes.

40 **MS RICHARDSON:** - the provisions that refer to the general manager, subsection (j), (k) and (n).

MR AJAKA: Yes.

45 **COMMISSIONER:** Scroll down. You tell me when you get to the end of (g). Take your time, and we can then scroll up.

MR AJAKA: Yes.

MS RICHARDSON: So I think you agree with me that the role of the mayor goes well beyond being a mere spokesperson for the council. Do you agree with that?

5 **MR AJAKA:** Yes, I've always agreed with that. My view wasn't that that's the only role of the mayor.

MS RICHARDSON: And I want to suggest to you that Mr Mannoun at no point said to you that you work for him.

10

MR AJAKA: He said it on a number of occasions.

MS RICHARDSON: And I want to suggest to you that what he, in fact, said was, "I'm not your boss, but I'm also not just a spokesperson of council."

15

MR AJAKA: No.

MS RICHARDSON: And that he was saying words like, "I'm not your boss, but I'm not just a spokesperson" in the context of a discussion between the two of you about section 226 of the Local Government Act and what it set out as the role of the mayor. Do you accept that?

20

MR AJAKA: No, I don't. I don't accept that. Any discussions he and I had were always on the basis that he was the spokesperson of council, and, yes, he would speak to me about matters, but - and policies - but these were policies approved by council. In other words, he's the spokesperson of council of matters determined by council. He couldn't just go and determine something on his own. It had to still be determined by council. It's why on so many occasions I would say to him, "If you really want me to do this, you need to move a motion or a mayoral minute, have it passed by council, and then I will immediately implement it." And that occurred on many occasions, where a motion would be passed where the CEO is directed to do X.

25

30

MS RICHARDSON: So Mr Mannoun was well aware, wasn't he, that he required council resolutions to approve those kinds of activities.

35

MR AJAKA: I made that very clear to him on many occasions.

MS RICHARDSON: But Mr Mannoun was aware of that himself. Do you accept that?

40

MR AJAKA: I would assume he would listen to me when I said it.

MS RICHARDSON: Well, because he - that's the pathway he, in fact, took which was to seek council resolutions to approve the relevant activities; correct?

45

MR AJAKA: I would accept that, yes.

5 **MS RICHARDSON:** Now, last week you gave evidence that the mayor would name certain employees that he wanted terminated. I want to suggest to you that he never made any comment to you about a particular staff member that he wanted terminated.

MR AJAKA: That's not correct.

10 **MS RICHARDSON:** And are you aware, I want to suggest to you, that he made one or two negative comments about staff and the fact that grass had not been cut. Are you aware of that?

15 **MR AJAKA:** He was always making negative comments about the staff in relation to grass and in relation to toilets, in relation to other matters. Yes.

MS RICHARDSON: Well, I want to suggest to you that he wasn't always doing that, that he did that on very few occasions.

20 **MR AJAKA:** He was doing it on more than a few occasions, and I wasn't the only person he was doing it with. As I said, he sometimes used a scatter-gun approach where he would send out a WhatsApp message to myself, the director, a few other people, sometimes five or six people at once. Sometimes Strangas would be in the SMS. It was happening quite regular.

25 **MS RICHARDSON:** And that Mr Mannoun emailed you about bathrooms on multiple occasions and he -

MR AJAKA: Sorry, I -

30 **MS RICHARDSON:** That Mr Mannoun emailed you about bathrooms on multiple occasions and -

MR AJAKA: Yes. I think they were SMSs or WhatsApp messages with photos.

35 **MS RICHARDSON:** And reminded you of the resolution of council to have more bathroom clean-ups at peak times. Do you recall receiving messages to that effect?

40 **MR AJAKA:** I don't remember the resolution peak times, but he was definitely sending photos, SMSs. In one particular case I believe he had one of his sons with him and he was just outraged at how dirty the bathroom was, the toilet block was.

MS RICHARDSON: Are you aware there was a council resolution to that effect to have more bathroom clean-ups at peak times?

45 **MR AJAKA:** Correct.

MS RICHARDSON: And that that's what he was expressing his dissatisfaction about?

5 **MR AJAKA:** I don't know if he was doing that in relation to the peak times, but he was definitely expressing his dissatisfaction.

MS RICHARDSON: And do you agree that one of the issues about employees that you and Mr Mannoun had was - is disagreement with the approach you took of withdrawing an IRC action in relation to an employee who had used the
10 Islamophobic slur against him of "putting pork on your fork." Are you aware that he was unhappy about that approach you took?

MR AJAKA: No, he never mentioned that to me. He was aware that I had resolved the issue and that there was an agreement that the staff had undertaken to me that no
15 such comments would ever be made in the future. And also it occurred at the same time and he was made aware that I was going to take the billboard down outside of operations, and that the staff had agreed not to be driving trucks with adverse comments on the mayor. That was all part of the agreement reached with the USU and remained literally in force right up until the council meeting when I was - that
20 matter occurred where I was told subsequently the "Pork on the Fork" arose again for the very first time.

MS RICHARDSON: That people were chanting that at the meeting?

25 **MR AJAKA:** I was told they were chanting about it. I was told one employee was chanting about it at the meeting and it ended up, I understand, being the same employee. But that was the first time from when I resolved the matter. I was surprised that it raised its head again.

30 **MS RICHARDSON:** You agree that that was a very difficult matter that the mayor had to deal with, that there were billboards with adverse comments being driven by council staff?

MR AJAKA: As I said, when I first started it became very evident to me that there
35 was a very toxic culture and relationship between the mayor and the staff. And there was this almost tit-for-tat approach. They did something, he'd do something, they'd do something, he'd do something. You know, within a very short period of time I was proud of the fact that I was able to put an end to it, resolve it and everyone went on their way to do their job as they should. It only, again, raised its head in a very sad
40 way after that council meeting.

MS RICHARDSON: Is it your understanding that the employee that was chanting "Put pork on your fork" at the council meeting on 24 April was the same employee who had said it previously and been the subject of IRC proceedings about it?
45

MR AJAKA: I was told that subsequently.

MS RICHARDSON: And he was - it was those proceedings that you had withdrawn; is that correct?

5 **MR AJAKA:** I'd seen that we had settled them and then the proceedings were withdrawn because they were settled. I think, from memory, the USU, on behalf of the employee, had commenced the proceedings and they withdrew it when we came to an agreement .

10 **MS RICHARDSON:** Do you agree with me that Mr Mannoun never said anything to the effect that, in terms of photos or communications, that certain people should be cut out of photos that were disseminated by the communications team?

MR AJAKA: He was saying that to the employees and that's - (cross-speaking)

15 **MS RICHARDSON:** No, I'm asking you, do you agree he never said that to you?

MR AJAKA: When I discussed with him that the communications were doing this, he basically walked away. But he never admitted it, if that's what you're asking me.

20 **MS RICHARDSON:** But do you agree with me that at no point did he say to you, "I would like communication staff to only feature certain people in photos." Do you accept that?

25 **MR AJAKA:** No, he never said that specifically to me.

MS RICHARDSON: I just note the time. There's just one last short topic, if that's convenient, Mr Commissioner.

30 **COMMISSIONER:** Convenient to do it now?

MS RICHARDSON: I think so. I might start.

COMMISSIONER: Yes. Yes.

35 **MS RICHARDSON:** It's short.

COMMISSIONER: Does anyone have any difficulty if we sit on? No one.

40 **MS RICHARDSON:** It would only be a minute or two.

COMMISSIONER: No, no, that's fine.

45 **MS RICHARDSON:** Last week, Mr Ajaka, you gave evidence about a councillor interaction with staff policy. Are you aware of that policy?

MR AJAKA: Yes.

MS RICHARDSON: And you're aware that that policy has been in existence for some time at Liverpool Council and various versions of it?

5 **MR AJAKA:** Yes, absolute - I think, from memory, 2020 all the way through to, I think this is June 2023, the last one that I saw.

MS RICHARDSON: Well, I can tell you from the document it goes well before that.

10 **MR AJAKA:** I just recollect the 2020. I think they're the ones that I saw when we looked at the final one in June 2023.

MS RICHARDSON: So I just wanted to - the first - we can see from the document that the first version is as far back as 2002.
15

MR AJAKA: Look, okay.

MS RICHARDSON: So I just wanted to clarify one aspect of your evidence.

20 **MR AJAKA:** Yes.

MS RICHARDSON: You weren't suggesting that that policy was introduced as a new policy aimed at something Mr Mannoun was doing; is that correct?

25 **MR AJAKA:** No. No.

MS RICHARDSON: So is that correct or not correct?

MR AJAKA: No, it wasn't introduced simply because of what a councillor or the
30 mayor (indistinct) -

MS RICHARDSON: It had been in existence for some time.

MR AJAKA: - policy existed. But like so many policies, they were being updated.
35

MS RICHARDSON: And I think I might deal with this tomorrow because I'm going to have that policy put up on the screen.

COMMISSIONER: All right. Is there anything else to do this afternoon? No? All
40 right. Mr Ajaka, we'll resume at 10 am in the morning.

MR AJAKA: Thank you, Commissioner.

COMMISSIONER: And I'll adjourn until 10 am. See you then.
45

MR AJAKA: Thank you.

<THE HEARING ADJOURNED AT 4.00 PM