

** see my letter of 1977 Feb 9 to Mr Joyce Briggs which is as effective a refutation of this as any.*

1. The Committee consisted of Mr. H. B. Yates (Chairman), Professor F. W. Shotton and Mr. P. A. Garrett, and met Mr. Chaplain on three occasions: the 5th, 14th and 27th March. The hearing, which lasted in total 12 hours, was confidential and privileged.

2. On the advice of the University Solicitor the following procedure was adopted:-

- (i) Although the University was not required by law either to have or to reveal any reasons for terminating Mr. Chaplain's employment, as the action taken was in accordance with his contract of employment, the following grounds on which the University's decision was based were communicated by letter to Mr. Chaplain prior to the first meeting:
 - (a) Inability over a considerable period to work in reasonable accord with other members of the forecast staff of the Observatory
 - (b) Sustained refusal to accept direction by, or to carry out the instructions of, the Scientific Director, Dr. E. T. Stringer
 - (c) The issue of forecasts contrary to the express instructions of Dr. Stringer
 - (d) Persistent endeavours to exceed the authority delegated to Mr. Chaplain, as being appropriate to his limited professional competence, in dealings with subscribers to the Observatory's services and others.
- (ii) Mr. Chaplain was invited to be accompanied by one person to act as an adviser or representative, but chose to be alone except for the meeting held on 27th March, when Mr. A. L. Kelley attended as an adviser.
- (iii) Mr. Chaplain was invited to make a statement, either verbally or in writing, relevant to the matters under review at the beginning and at the end of the hearing and to remain present throughout with the right to question any other person the Committee called before it and to see and comment upon any documents formally produced to the Committee at their hearing.
- (iv) Subject to the approval of the Committee as to their admissability, Mr. Chaplain was invited to produce any documents and to call any person to make a statement.
- (v) The Committee stated that their object was to ensure that Mr. Chaplain's grievance was fully and fairly heard, and it was agreed that a copy of the written report of the Committee should be made available to Mr. Chaplain in order that he may, if he wishes, make a written statement on the report and present it to the Secretary for submission with the Committee's report to the Council.
- (vi) Mr. Chaplain was reminded that it was necessary for him to show cause why his employment should not have been terminated, there being no burden on the University, and this point was impressed upon Mr. Chaplain in presenting his case.

3. At each meeting the Chairman explained to Mr. Chaplain and to witnesses the procedure to be followed. Mr. Chaplain at all times expressed his agreement with the methods employed by the Committee in conducting the hearing, and on no occasion complained that he had not had every opportunity to present his case.

4. Six witnesses at Mr. Chaplain's request were called before the Committee, whose members questioned them on matters relevant to the issues under examination. Mr. Chaplain was freely allowed to question these witnesses and to comment on any evidence submitted by them. The witnesses were:-

Dr. E. T. Stringer	Scientific Director - Observatory
Mr. D. Osborne)	
Mr. H. Brenholz)	Observers - Observatory
Dr. P. Shanker)	
Miss D. Morgan	Secretary - Observatory
Mr. A. L. Kelley	Former Director of the Observatory

5. Various documents produced by Mr. Chaplain were considered by the Committee and Mr. Chaplain had the opportunity to see all other documents submitted to the Committee.

6. Following the final meeting on 27th March, Mr. Chaplain was invited to prepare a written statement setting out the substance of his case. This was received on 31st March and at a private meeting of the Committee on 2nd April was considered in conjunction with the verbal and written evidence submitted during the hearing.

7. The Committee have examined Mr. Chaplain's case against each of the four grounds given to him for the termination of his appointment, and find as follows:-

- (a) "Inability over a considerable period to work in reasonable accord with other members of the forecast staff of the Observatory"

The evidence submitted, including Mr. Chaplain's own account of his behaviour on several occasions, clearly established that this ground was factually correct.

- (b) "Sustained refusal to accept direction by, or to carry out the instructions of, the Scientific Director, Dr. E. T. Stringer"

The Committee heard evidence concerning several instances. In general this ground was not wholly disputed by Mr. Chaplain, who agreed that a number of verbal and written directions given by the Scientific Director, Dr. E. T. Stringer, were knowingly and wilfully disregarded by him for diverse reasons, none of which in the view of the Committee was justified. The Committee were satisfied this ground was established.

- (c) "The issue of forecasts contrary to the express instructions of Dr. Stringer"

From the evidence it was established that instructions had been given that no 7- and 30-day probability forecasts were to be issued from the Observatory except on request, and then only with reservations and qualifications. Mr. Chaplain agreed he continued to issue forecasts without regard to these limitations and contrary to Dr. Stringer's instructions. The Committee were satisfied that Mr. Chaplain was aware of these instructions, and the Committee did not consider there were any circumstances which justified Mr. Chaplain's actions.

- (d) "Persistent endeavours to exceed the authority delegated to Mr. Chaplain, as being appropriate to his limited professional competence, in dealings with subscribers to the Observatory's services and others"

There was evidence of a number of instances in which in the opinion of the Committee there had been usurpation of authority, and the Committee were satisfied that this ground had been substantiated.

8. The Committee formed the view that Mr. Chaplain felt he was justified in adopting his own assessment of priorities and in exceeding the authority delegated to him because he considered his judgement to be superior to that of the Scientific Director. The Committee do not accept that such a belief justified Mr. Chaplain's actions.

9. Having most carefully examined all the evidence before them, and having given full consideration to Mr. Chaplain's submission, the Committee unanimously find that the action taken in terminating Mr. Chaplain's appointment was completely justified and that there were no mitigating circumstances which would warrant deciding against taking this step.

10. The Committee therefore recommend that the original decision to terminate Mr. Chaplain's appointment should stand.

22.4.69.