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HOME
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**BRONZED
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BACK PAGE

Wollongong academic's dismissal illegal

Uni loses sack case



DR STEELE

By JODIE DUFFY

Outspoken Wollongong University academic Dr Ted Steele was illegally sacked, a Federal Court found yesterday.

Vice-Chancellor Gerard Sutton did not have the power to instantly dismiss the senior biologist after he made public embarrassing allegations in February about the University's marking processes.

The National Tertiary Education Union will contact the university today seeking the senior biologist be immediately reinstated and financially compensated.

The former associate professor of microbiology was forced to cash in his superannuation to support his family.

"It's no fun to be instantly dismissed when you're 52, I have teenage boys and a mortgage," he said. "I now have no retirement fund for my future."

For Dr Steele the damages have been considerable. No longer does he have an \$80,000 a year salary, but he has also lost his biology laboratory and six months valuable research time.

He said his work into the genetic mechanisms of evolution was internationally recognised. It had been "a major piece" of his life for 23 years.

While he is relieved with the court's decision, he said it was only the first leg of the legal battle, unless the university agreed to give him his job back.

"I'm quite humbled by it really," he said of the decision. "Justice has been done as far as the enterprise agreement is concerned, but we still have to wait and see how it pans out over my reinstatement."

While Justice Catherine Branson found the university had misinterpreted the enterprise agreement, she stopped short of passing judgment on Dr Steele's conduct or making orders



Pixie Skase (centre) is supported by daughter Amanda Larkins and her husband Tony Larkins as they arrive at the funeral service for Christopher Skase in Majorca yesterday. Skase died at his home on the Spanish Mediterranean island on Sunday. Picture: DANI CARDONA/Reuters

Family's fury as Skase cremated

Christopher Skase's family has laid the blame for the fugitive businessman's death squarely on the Australian Government.

attempts to extradite her stepfather from Spain had caused his death. "It killed him," she said outside the Bon Sosec crematorium yesterday.

Skase's stepdaughter, Amanda Larkins, said stress from Australia's constant

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DR DONALDSON

Union urges Sutton to stand down

By JODIE DUFFY

The National Tertiary Education Union (NTEU) called on Vice-Chancellor Gerard Sutton to resign yesterday alleging he had damaged Wollongong University's reputation.

NTEU division secretary Dr Mike Donaldson made the demand after Federal Court Judge Catherine Branson handed down her decision that tenured academic Dr Ted Steele was illegally sacked.

Dr Donaldson said Dr Steele had been attacked and dismissed for allegedly bringing the name of Wollon-

gong University into disrepute, "but that's exactly what the vice-chancellor has done," he claimed.

And further he said: "Gerard Sutton has done more to damage the university's reputation than everyone put together, if he's got one ounce of moral fibre in him he will stand down."

The case he claimed had attracted adverse media publicity for the university and international boycotts were now in place, with three tertiary associations condemning the dismissal and the vice-chancellor's alleged contempt for academic freedom.

The court found that Professor Sutton had failed to follow the due process as set out in the agreement.

The NTEU said the decision sent a clear message to all Australian universities (that) "the union spent 18 months negotiating that enterprise agreement and Gerard Sutton decided off his own bat to sack Dr Steele".

"It's a big day for academics and an important decision, it now says to all universities that they have to take enterprise agreements seriously," Dr Donaldson said.

Prof Sutton declined to comment on the matter yesterday.

Steele wins case over dismissal

FROM PAGE 1

he should be reinstated. She said she wanted more information from the university and the union and gave them five days to settle the matter or have it relisted.

Yesterday Professor Sutton issued the following brief statement: "On legal advice there will be no further comment at this stage."

Dr Steele was sacked after he publicly slammed the University's honours assessment as a sham, claiming it had "shonky marking practices".

He made comments to the media that he had been coerced into agreeing to boost the marks of two honours students he had originally failed. The university strongly denied the allegations, but his comments fired a national debate into claims full-fee paying international students were given preferential treatment.

Dr Steele yesterday stood by his remarks, but said he had never told journalists he had been instructed to increase a student's mark.

"I have suffered for speaking the truth as I saw it and the consequences have been horrific," he said.

He is heartened by the national and international support he has received from his colleagues who view his sacking as an assault on academic freedom.

Prof Sutton failed to follow fair dismissal procedures, of outlining the allegations of the misconduct in writing, giving the academic 10 days to respond and then having the matter heard by a committee.

In its efforts to have Dr Steele reinstated the union will rely on a resolution of the Wollongong University Council which implied in June it would stand by the Federal Court's decision.

"This is an important case for all academics," NTEU industrial officer Trish Mullins said.

"The Federal Court has upheld the obligation of vice-chancellors to follow fair discipline procedures and it has rejected the university's view that it has the right to instantly dismiss an academic."

Wollongong University Postgraduate Association vice-president Leisa Ridges called on the university to fully inquire into the issue of compromising standards of marking.

"We are concerned about the allegations that standards may have been compromised," she said. "It's a changing academic climate and there are ever growing demands on academics to look for alternative funds for research."

She also urged the university to make public the results of its investigations on the issue to date.



Dr Ted Steele outside the Federal Court in Sydney yesterday after winning his case against the University of Wollongong. Picture: PETER RAE, Fairfax



In Friday's Mercury

24-page television magazine



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Tug sent to rescue stranded ship

A merchant ship drifting powerless off the Queensland coast was being rescued last night by a tug sent to its aid from Cairns.

The 3500 tonne general cargo ship ANL Purpose broke down on Monday and was drifting 466km north-east of Mackay.

The weather and sea in the area were reported to be calm and the ship was drifting slowly, but was unable

to anchor because the water was 2km deep.

A spokesman for the Australian Search and Rescue Authority said the tug Giru had reached ANL Purpose at 6pm and was in the process of attaching a tow line.

A spokesman for Adsteam Marine, owner of Giru, said ANL Purpose would be towed south, where it would be met off Gladstone by another of the company's tugs and towed to Brisbane.

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