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WEEKEND EDITION



EXCLUSIVE: KIM BEAZLEY'S NEW LIFE



CHRYSLER'S BIG VOYAGE

WEEKENDER

DRIVE

Steely resolve

A defiant University of Wollongong Vice-Chancellor yesterday declared the university's reputation was intact despite a long-running battle with maverick professor Dr Ted Steele.

Professor Gerard Sutton said, given the same legal advice, he would "do what I did again" in sacking the biology professor whose allegations of soft marking fuelled a nationwide debate.

EXCLUSIVE

By LISA SEWELL

Dr Steele will be reinstated and his allegations re-examined after the Federal Court this week affirmed a previous ruling that the university had acted unlawfully when it dismissed the outspoken academic in February last year.

In a wide-ranging exclusive interview with the *Mercury*, Prof Sutton revealed he would stand aside from the process that would now decide Dr Steele's future.

Dr Steele's claims to a Sydney newspaper that he had been coerced to boost the marks of two students he had originally failed, his dismissal and his subsequent court case have put the

university under intense media and academic scrutiny.

However, Prof Sutton rejected union and student body claims that his handling of the controversy had damaged the university. "I didn't become a vice-chancellor to be loved but to enhance the reputation of the university," he said.

CONTINUED PAGE 2



PROF SUTTON



RESCUE MISSION: Police rescuers with two teenage boys who were trapped by rising floodwaters at American Creek, Mt Kembla.

Picture: ROBERT PEET

Boy drowns, 2 rescued

A boy drowned near Nowra, two teenagers were trapped by floodwaters at Mt Kembla, and chaos hit the region's roads in a disastrous and tragic start to the Easter holidays.

The nine-year-old drowned in a freak accident yesterday while he was playing with a friend near a weir on a property at Budgong, 20km west of Nowra.

The boy became stuck in a pipe while attempting to cross the swollen weir around 10.30am.

Heavy rains also caused Mt Kembla's American Creek to rise, stranding two teenagers in dense bushland for more

than two hours. Police Rescue Squad officers used machetes to cut their way through lantana to reach the boys.

On the nation's roads, eight people had died by late last night as rain disrupted holiday traffic.

Two people died in Queensland yesterday, with one death in NSW and one in Tasmania.

In the Illawarra, there were no serious car accidents but 88 motorists were fined for speeding in the 24 hours from midnight on Wednesday.

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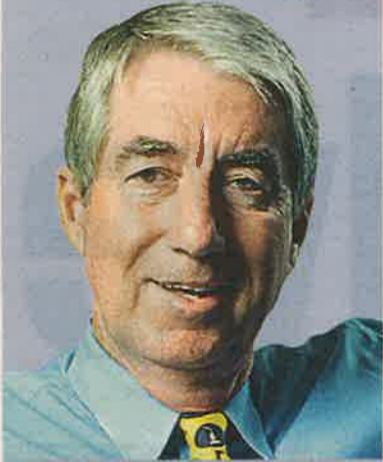
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THE TED STEELE CASE

Sutton says there's no need for him to resign

FROM PAGE ONE

"You only need to look at the national and international reputation of this university - it's never been higher than it is now."

Prof Sutton claimed morale remained high at the university, despite calls from the Student Representative Council and the Post-Graduate Association for his resignation.

"I would think the morale and confidence level at the University of Wollongong is higher than at any other university in the country, so I don't accept any need to restore confidence," he said.

"It's quite common for student unions to call for the resignation of vice-chancellors. This occurs at universities around the country on a regular basis and has occurred to me before, and if I continue to do my job as CEO of the university it will happen to me again."

Prof Sutton said he had sacked Dr Steele because his allegations had the potential to tarnish the university's reputation.

"Dr Steele's allegations questioned his colleagues' academic integrity and reputations, as well as that of the university," he said.

"That was the basis for the dismissal."

Prof Sutton said a six-week investigation before Dr Steele's sacking had found his claims to be groundless.

"The decision to dismiss Dr Steele came after six weeks of interaction between Dr Steele and myself, Dr Steele and his colleagues in the department and a thorough investigation of his claims," he said.

"Dr Steele even referred his allegations to the NSW Ombudsman who found that the allegations were unsubstantiated."

"What became clear during the investigations was that the grading procedure which was used had been held up as Australian best practice ... there was no upgrading of marks."

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PROF SUTTON



DR STEELE

Prof Sutton said he sought legal advice before sacking the outspoken academic, and again when he launched the appeal against the unfair dismissal verdict.

"We acted on strong legal advice. If I had the same legal advice in the same situation I would do what I did (again)," he said.

"My job as CEO is to protect the reputation of the university and particularly the academic reputation of the 13 members of the biological sciences department."

"Of course, with hindsight, if I knew we would lose in the Federal Court, if I knew the legal advice was

flawed, clearly I would have taken the route the Federal Court said."

He stressed that the court's ruling was concerned solely with procedure and did not address either the reasons for, or merits of, the dismissal.

"We accept fully the Federal Court's decision and its implications. Now the decision has been made it clears the way for a further hearing to test Dr Steele's allegations," Prof Sutton said.

He claims he would have no problem continuing a working relationship with Dr Steele on his return.

"For me, it is not a personal issue, it's a pro-

fessional issue. I would have no difficulty working with Dr Steele in a professional capacity," he said.

"I do think there may be issues both for Dr Steele and his colleagues in the biological sciences department, because of the serious allegations Dr Steele made against them, but I can't offer comment on their behalf."

However, Prof Sutton drew attention to a public written statement from two of the department's lecturers which stated: "Dr Steele made specific, demonstratively wrong allegations in the media and did not use the legit-

imate pathways for complaint within the university. We believe that his actions have significantly damaged the reputation of the department and individual academics within it, our past and present students and the university as a whole."

Prof Sutton said the university had not spent a "substantial" amount of money defending the dismissal and questioned the National Tertiary Education Union's estimate of \$40,000 in legal costs.

"I am surprised at the union's claims of their level of expenditure - of course these would need to be documented and tested," he said.

Steele allegations will be re-examined

By LISA SEWELL

A Federal Court decision that Dr Ted Steele's dismissal was unlawful means he will get his job back but he will still face a hearing.

It will re-examine his allegations that he was forced to upgrade the marks of two students.

The outcome of the hearing will determine Dr Steele's future at the university.

It has not been decided who will preside at the hearing but Vice-Chancellor Professor Gerard Sut-

ton said he would not take part.

Prof Sutton said under the university's enterprise agreement, the Vice-Chancellor was the final decision maker but he did not think it appropriate in this instance.

"We are already in discussions with the National Tertiary Education Union to try and determine a mechanism that is seen to be fair to the union, fair to the university - in particular to Dr Steele's colleagues and fair to Dr Steele," he said.

"It will allow Dr Steele an opportunity to have his allegations

tested, which he should welcome if he has confidence in the substance of his allegations.

"Whatever mechanism is used to test the substance of Dr Steele's allegations - I will play no role in that."

"I have already indicated to the union that I am prepared to step aside from any involvement whatsoever."

Prof Sutton said the university had outlined two options to the union and was awaiting its reply.

"I have suggested that the Pro

Vice-Chancellor Operations John Patterson - who has had no involvement in this and is a union member - will act as the final decision maker on the basis of advice from a committee," he said.

"That committee will consist of an external chair, a nomination from the union and a nomination from the Pro Vice-Chancellor Operations."

Prof Sutton said the second option involved the appointment of an independent adjudicator.

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