

STRICTLY CONFIDENTIAL

REPORT FROM THE COMMITTEE ESTABLISHED IN REFERENCE
TO THE DISPUTE IN THE DEPARTMENT OF COMMERCE

The Committee was established by Resolution of the Council on 19th October, 1979 "to report on the substance of the dispute in the Department of Commerce and to use its good endeavours in discussion with Professor Williams and Dr. Spautz and other members of the Department to restore a position in which normal academic work can proceed in the Management Section of the Department of Commerce".

The Committee has met on some twelve occasions and has had discussions with a number of members of staff from both Sections in the Department of Commerce and students enrolled for the M.B.A. degree. The Committee has had a lengthy discussion with Professor Williams. Dr. Spautz declined to meet the Committee save on conditions which were unacceptable to it: he was present, however, for an initial "without prejudice" meeting at which Professor Williams also was present. Apart from meeting individuals, the Committee had access to a file submitted by Professor Williams (consisting chiefly of documents issued by Dr. Spautz), to a considerable number of papers distributed by Dr. Spautz and to various other papers, official and unofficial.

At its initial meeting with Professor Williams and Dr. Spautz the Committee sought to establish the ambit of the dispute to be investigated subsequently. It concluded that this encompassed (a) aspects relating to the content of the Ph.D. thesis of Professor Williams; (b) issues relating to the supervision of the research for and the examination of that thesis, and to the composition of the

Selection Committee which recommended the appointment of Professor Williams as a Professor in this University; (c) the legitimacy and effectiveness of Professor Williams' Headship and administration of the Management Section of the Department of Commerce and of his position and work as co-ordinator of the M.B.A. course; (d) charges by Dr. Spautz of "conspiracy" on the part of members of the University; and (e) the "campaign" waged by Dr. Spautz against Professor Williams and the manner in which that campaign has been and is being conducted.

The Committee has had excellent co-operation from everyone who has been concerned in its deliberations, with the exception of Dr. Spautz, who has been unco-operative to a marked degree and has placed obstacles in the way of its work.

In reference to (a) and (b) above, the Committee is of the view that it would be quite improper from many points of view for it to challenge the worth of the doctorate conferred upon Professor Williams by the University of Western Australia or to comment on the examiners of that thesis. It was made clear to Professor Williams that it was entirely a matter for him to decide whether he was prepared to discuss these issues with this Committee. In the event, Professor Williams, having declared some reservations, arising from the principles involved in and the precedent which might be thought to be established by such a discussion, did discuss his thesis at length with the Committee.

Taking all evidence before it into account, the Committee concludes that Dr. Spautz's allegations of plagiarism relate more to the alleged use of secondary sources and the closeness of the wording of thesis sentences, phrases and expressions to these sources. The accusations themselves mainly relate to limited parts of a summary early in the thesis of existing literature touching on the subject matter of the thesis. Certain corrections were made on an errata

sheet at the time of the award of the degree (though that award was not contingent upon this): such errata sheets are not uncommon. The body of the thesis remains unaffected by the criticism. Furthermore, as a proportion of the total volume of the thesis, the passages are a very minor amount. Finally, the connection between the words in the thesis and the sources is often tenuous. We conclude that in essential terms the allegations of plagiarism are unfounded.

On the matter of statistical and analytical techniques used in the thesis, there is doubtless room for debate as Professor Williams acknowledged - the translation from attitudes, expressed attitudes and attributes to behaviour and the manipulation of these into statistics remains problematic. Dr. Spautz may have a serious contribution to make in reference to the statistics and analysis, but there is ample opportunity for him to make that contribution in a positive and constructive manner and he could do so through the appropriate journals and without personal animosity. At present, it seems that his possible intellectual contribution is clouded by emotional considerations.

Dr. Spautz's mistake, if he has valid points to make, is to condemn an interpretation of a complicated matter as "fraud" and to ascribe "incompetence" to someone who has demonstrated considerable competence. Independent evidence furnished by Professor Williams suggests that his work is, indeed, extremely well regarded. It should be recorded here that Professor Williams' endeavours to follow up and refine his doctoral work through ongoing research has attracted threats from Dr. Spautz of interference through contact with bank managers who are a source of data.

It would seem that the major thrust of Professor Williams' thesis occurs in the body of his work unaffected by any possible suggestion of plagiarism: and the crucial idea, or theory, which he propounds is significant in a new and developing field of predictability of success or failure in small business in which

little research has been done to date. The persons who have assessed the thesis are of high standing in the academic community.

If, contrary to the weight of evidence before the Committee, there were to be substance in Dr. Spautz's criticism, it should be a matter for academic debate in an appropriately enquiring manner: and Professor Williams' work would undoubtedly be of considerable value in stimulating such debate. Dr. Spautz's accusations, on the other hand, are unscholarly.

In reference to (b) in particular (issues relating to the supervision of the research for and the examination of Professor Williams' thesis and to the composition of the Selection Committee which recommended the appointment of Professor Williams as a Professor in this University) the criticisms made by Dr. Spautz are to the effect that Professor Williams had inadequate supervision for his thesis and that Professor Williams was involved in the appointment of his examiners. There were also suggestions that one of the examiners was in some way improperly involved in the appointment of Professor Williams to the Chair which he holds and that the University is now engaged in a "cover-up". Dr. Spautz has produced no evidence to substantiate these charges. The Committee is satisfied, insofar as it may be relevant, that Professor Williams had more than adequate supervision of the thesis research. More importantly, the Committee is satisfied that Professor Williams played no part in the appointment of his examiners - and that he had no knowledge of who they were until recently when he learnt by chance that one of them was a Professor at a university in Melbourne. He remains unaware of the identity of the other two examiners. The Committee has ascertained independently who the other examiners were: neither is or was resident in Australia, at least at the relevant times. None of the three played any direct part in the appointments procedures relating to Professor Williams and there is no evidence whatsoever of any indirect involvement. The suggestion of a "cover-up" or conspiracy by the University has no

substance in any evidence at all.

On the matter of (c) (the legitimacy and effectiveness of Professor Williams' Headship and administration of the Management Section of the Department of Commerce and of his position and work as co-ordinator of the M.B.A. course) the Committee finds that Professor Williams legitimately performs the function of Head of the Management Section on delegation from the Head of the Department of Commerce and that this delegation is recognised and endorsed by the Vice-Chancellor and by Council itself. The legitimacy of Professor Williams' work as co-ordinator of the M.B.A. course on the appointment made by the Dean of the Faculty of Economics and Commerce and noted by the Board of Studies in Business Administration is also beyond question. On the efficiency of Professor Williams in performing these duties assigned to him, the Committee finds that Professor Williams has worked conscientiously and effectively, but that his efforts have been severely jeopardised over the last year through the constant antagonism of Dr. Spautz.

The charges by Dr. Spautz of "conspiracy" on the part of members of the University [(d) above] are quite unsubstantiated. There is no shred of evidence to support the contention of conspiracy and abundant indications to the contrary. One aspect of the conspiracy allegations turns on the question of the appointments procedure relating to the Chair of Commerce occupied by Professor Williams. It may be noted that Dr. Spautz was an unsuccessful applicant on two occasions for that Chair which was subsequently and pursuant to a third advertisement offered to Professor Williams. The Committee is quite satisfied that the selection procedures used in the appointment

of Professor Williams were correctly followed and that the validity and appropriateness of that appointment is beyond question. There is a quite separate issue, pertaining not to this particular appointment but to appointments in general, as to the most efficacious procedure for appointment to chairs. All procedures have advantages and disadvantages and if it were at some stage thought appropriate to review procedures it should be made quite clear that this is in no way a consequence of the particular issue which is before Council at this time.

When we turn to (e) (the "campaign" waged by Dr. Spautz and the manner in which that campaign has been and is being conducted), it is important to recognise that the word "campaign" is the term deliberately used by Dr. Spautz and that he is quite unequivocal in describing his campaign as one to secure the departure of Professor Williams from this University. Dr. Spautz is committed to that end, declares it to be an ethical obligation for him to devote his efforts singlemindedly in pursuance of it and has shown no willingness to contemplate amending his actions. The methods which he employs involve systematic denigration of Professor Williams, character assassination and what amounts in many ways to "psychological warfare". Evidence given to the Committee indicates that Dr. Spautz is quite unwilling to listen to arguments which run counter to his own, and that he adamantly refuses to accept even the possibility that he is wrong in his judgment or mistaken in his methods. He seems to believe implicitly that all the methods which he has adopted are justified by the end in view. He is essentially unmoved by arguments which demonstrate the ill-effects of his campaign upon individual members of staff, particularly Professor Williams, upon students, upon the Department of Commerce collectively and upon himself. He has exhibited duplicity in referring to a "rumour" (relating to the possibility of

study leave for both himself and Professor Williams) when he was in fact the author of that rumour and admitted this to be the case.

The Committee wishes to stress with all the emphasis that it can command that irrespective of any "justice" or credence that there may be in Dr. Spautz's cause (and it has detected none) the nature and objectives of Dr. Spautz's campaign are quite foreign to the idea of a university and must be brought to an end.

There are some other matters which the Committee must draw to the attention of Council. The activities of Dr. Spautz have severely affected the research work of Professor Williams and have interfered in a serious fashion in the research work of other members of the Department. The teaching of the Department has been hindered by the preoccupation of Professor Williams and Dr. Spautz with the matter and by the involvement of other members of staff in it, and the general morale of the Department has been adversely affected in the extreme. All this is directly attributable to Dr. Spautz. In seeking to involve staff and students in the dispute, Dr. Spautz takes up and misrepresents (consciously or unconsciously) in writing responses which an approach has elicited from the staff member or student. Persons so misrepresented have been disturbed over this though fortunately by now most have learnt that it is best for them not to be drawn by Dr. Spautz into correspondence over his version of their conversation. There is good evidence to suggest, also, that the status of the M.B.A. Degree in the eyes of persons outside of the University has been detracted from as a consequence of Dr. Spautz's activities. It is also the case that students have suffered adversely in general terms of the atmosphere of the Department, in the effects of the dispute on teaching, and through the involvement of them by Dr. Spautz in the dispute. There have been accusations by staff and students of intimidation by Dr. Spautz and pestering by him, and there is clear evidence of this. There is also evidence of a plan by Dr. Spautz to gain advantage for himself and a student. A female student in the Department of Commerce,

residing at Dr. Spautz's house, in collusion with Dr. Spautz, contacted the Chairman in an endeavour to secure academic "standing" (for which she was not eligible) in exchange for a promise to accompany Dr. Spautz on study leave to America with a view to persuading him not to return to Newcastle. Dr. Spautz has admitted to his awareness from the beginning of the student's approach to the Chairman, although the student had insisted that the Chairman should not acquaint Dr. Spautz of it. Dr. Spautz has declined to offer an explanation for this deception.

The Committee is unaware of Dr. Spautz's motivation in these matters. His obsession with his campaign has been interpreted by some individuals - staff and students - as signs of a pathological condition of paranoia - and masochism has also been suggested. At another level it has been proposed that Dr. Spautz's actions are explicable in terms of a deliberate use of his knowledge of psychological techniques to wage a calculated campaign against Professor Williams. Yet again, it has been put to the Committee that Dr. Spautz is in need of a friend and adviser, and perhaps of professional medical help. In the submission of some people interviewed, there are suggestions of an antipathy of Dr. Spautz towards the religious beliefs of Professor Williams and of other political and ideological differences, dwelt upon by Dr. Spautz but not raised as a matter of contention by Professor Williams. Dr. Spautz says that he is a necessary agent of a high ethical mission which demands that he continue to devote himself to bring about the departure of Professor Williams from the University.

Members of Council may consider that there is sufficient cause to proceed immediately to formal processes relating to the conduct of Dr. Spautz. Part of the remit of the Committee was to use its good endeavours to restore a position in which normal academic work could proceed. The Committee considers that one last effort should be made

to resolve matters in the academic theatre - that is, without resort to law. There are members of the Department of Commerce (including Professor Williams) who would extend a hand of friendship to Dr. Spautz though in most cases this would be contingent upon his willingness to amend his ways. The question is whether Dr. Spautz can bring himself to look with a more enlightened eye upon his activities. The Committee cannot know with certainty the answer to this question. However, it is convinced that firm steps are essential immediately in order that the Department may function properly henceforth and in order that staff and students may proceed about their tasks unhindered.

RECOMMENDATIONS:

The Committee accordingly recommends as follows:

- (1) That Council, having considered the report of the Committee appointed at its meeting on 19th October, 1979, resolve
 - (a) to express its confidence in the qualifications and ability of Professor Williams, confirm the appropriateness of his appointment to a Chair within the Department of Commerce and declare that it recognises the value of his contribution to the work of the University, and
 - (b) that Dr. Spautz be informed accordingly.
- (2) That Council resolve
 - (a) that no further correspondence be entered into with Dr. Spautz by the University relating directly or indirectly to any of the matters referred to in the body of this Report as falling within the ambit of the dispute, except on the initiative of the Council or the Vice-Chancellor, and

- (b) that Dr. Spautz be informed accordingly.
- (3) That Council resolve to direct Dr. Spautz to stop forthwith conducting his campaign against Professor Williams and in particular and without prejudice to the generality of the foregoing
- (a) not to involve or seek to involve students, staff or officers of the University directly or indirectly in challenges to I the legitimacy of the qualifications held by Professor Williams and of his appointment to a Chair within the Department of Commerce at this University and to II his holding the positions of Head of the Management Section within that Department and M.B.A. Course Co-ordinator within the Faculty of Economics and Commerce
- (b) not to display in any part of the University material relating directly or indirectly to this campaign and not to use any classroom, office or other part of the University or any University photocopying machine or other office equipment in connection therewith.
- (4) That Council resolve to inform Dr. Spautz that if he disobeys any direction contained in the foregoing resolutions, such disobedience may inter alia be regarded as "misconduct" within the meaning of the By-Laws of the University and that the University will take such action in respect of such disobedience as it may be advised.


The Committee is particularly concerned to ensure that a return to normality is secured in the Department of Commerce forthwith. In this respect it wishes to emphasise that the evidence indicates that the proximity of Dr. Spautz's office to that of Professor Williams and other members of the Department has exacerbated the problems. It is anticipated that Council will be sympathetic to the view that it has

an obligation to protect Professor Williams in particular from further harassment. Furthermore the Committee is satisfied that Dr. Spautz has carried the conflict into the classroom and in other ways to students. These considerations suggest the desirability of Dr. Spautz's relocation and indicate advantages in curtailing his contact with students for the time being.

The Committee wishes to emphasise the constructive nature of its proposals in these respects. The recommendations below are designed in part to protect the Department and in part to give Dr. Spautz the opportunity to reflect coolly upon the situation. Notwithstanding the fact that Dr. Spautz has stated that he is not prepared to work in the same Department as Professor Williams without continuing to wage his campaign against him it is still hoped that implementation of the proposals below will lead him to adopt a more constructive attitude towards his work and his colleagues.

It is accordingly recommended:

- (5) That Council resolve to advise the Vice-Chancellor in consultation with the Head of the Department of Commerce to relocate Dr. Spautz in an office elsewhere than in the Social Sciences Building pending a review of the situation in the light of Dr. Spautz's response to these resolutions of Council.
- (6) In view of the evidence that Dr. Spautz has carried the dispute to students, that Council resolve to advise the Vice-Chancellor and the Head of the Department of Commerce that Dr. Spautz should not for the time being be required to teach in his subject pending a review of the situation in the light of Dr. Spautz's response to these resolutions of Council.


 Professor M.P. Carter, Chairman
 Associate Professor G. Curthoys
 Professor K.E. Lindgren

4th December, 1979.