



THE UNIVERSITY OF NEWCASTLE

NEW SOUTH WALES, 2308

FROM THE VICE-CHANCELLOR AND PRINCIPAL:  
PROFESSOR D. W. GEORGE

Telephone (049) 68-0401

6 March, 1979.

Dr. M. E. Spautz,  
Department of Commerce.

Dear Dr. Spautz,

In reference to your letter of 5 March, 1979, a photocopy of which you handed to me at the meeting in my office on that date attended by Professor Jager, Professor Williams, yourself and (at your request) Mr. Burke, I make the following comments :

1. Professor Williams was awarded the degree of Doctor of Philosophy by the University of Western Australia prior to joining this University. It would, in my opinion, be highly improper and very offensive for this University to question the academic judgment of the University of Western Australia.
2. Professor Jager made clear to you at our meeting, the nature of the administrative duties he has delegated to Professor Williams in accordance with the arrangements he, as Head of the Department, proposes for the administration of the Department. I was glad to have your assurance that you will carry out diligently those duties allocated to you by Professor Williams.
3. I have invited Professor Williams to provide me with a written response to your claims regarding events alleged to have occurred on 1 November, 1978.
4. The role of the Council in any allegations against the professional competence of a member of the academic staff may be inferred from its Resolution 151/70, a copy of which is attached. On the information in front of me I can find no allegations of negligence, inefficiency or misconduct in the performance of duties as would justify the reference of your complaints for the attention of the Council.
5. I note your discourtesy to Professor Williams, and, by inference, to the Council which gave him the title of Professor, by your unwillingness to address him in the customary way.

In conclusion, may I comment that differences of opinion on academic matters are not infrequent in universities. Even if their resolution should not be possible, academic courtesies involve a willingness to agree to differ without disruption to the normal life of a Department.

Yours sincerely,

  
D. W. George.  
Vice-Chancellor.

pm 6-8-81 r 12-8-81

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It was RESOLVED 151/70:

*that Council note that, in the event of an allegation being made against the professional competence of a member of the academic or teaching staff, the Vice-Chancellor intends to adopt the following procedures:*

1. Any complaint of neglect or misconduct or any report of a felony or misdemeanour as in subsection (3) of section 6 of By-law 3.6.1, on the part of a member of academic or teaching staff shall be in writing and shall, unless the Vice-Chancellor himself makes such complaint or report, be made to the Vice-Chancellor.
2. The Vice-Chancellor, after such consultation as he deems expedient, may decide whether or not any complaint or report should be brought to the attention of Council.
3. The Council shall consider any complaint or report brought before it and decide whether or not it is necessary to enquire into the capacity or conduct of the member of staff concerned.
4. If Council decides that it is necessary to enquire into the capacity or conduct of a member of staff, it shall, in order to meet the by-law requirement that it conduct a proper enquiry, constitute a Committee of Enquiry consisting of the Deputy Chancellor as Chairman, the Deputy Chairman of Senate, the Dean of the Faculty concerned, two members of the Council and two members of the academic staff of the University.  

In the event of the Deputy Chairman of Senate or a Dean being either the subject of the enquiry or the person who initiated or made the complaint, his position on the Committee of Enquiry shall be taken by another Dean nominated by the Deputy Chancellor.
5. The member of staff concerned shall;
  - (a) be given twenty-eight days notice of the nature of the enquiry and the time and place appointed for it.
  - (b) have full right to attend and produce such statements and to give and adduce such evidence on his own behalf as may be relevant.
  - (c) to have a representative attend and exercise on his behalf the rights set out in (b) above.