



THE LAW REFORM COMMISSION  
AUSTRALIA

The Hon. Mr. Justice M. D. Kirby  
Chairman

7TH LEVEL.  
99 ELIZABETH STREET,  
SYDNEY 2000.  
BOX 3708, G.P.O., 2001.  
TELEPHONE: 231-1733  
DX 1165

14 July 1981

*Brian Martin,*

YOUR ARTICLE ON DR. M.E. SPAUTZ

Thank you for your courtesy in sending with your letter of 2 July copy of your draft article concerning Dr. Spautz.

I will send copy of the article to the Vice Chancellor of the University of Newcastle and will leave it to him to decide whether it should be distributed.

I do not have the time just now to read the article carefully. However, my failure to comment on it should not be taken as acceding to some of the statements in it. Amongst those which have caught my eye, I do not agree, in particular, with the inference on page 24 that undue emphasis was given in this matter to order and insufficient to due process. Furthermore, you appear to have overlooked the fact that the University of Newcastle did not ignore Dr. Spautz' complaint of plagiarism. Amongst other things, it suggested that such a complaint was more properly directed to the university which granted the degree complained about, namely the University of Western Australia. As I understand it, that university has rejected Dr. Spautz' complaint.

There are many other points in your paper with which I would beg to differ. However, as Dr. Spautz continues to threaten legal action, I suppose it is best to leave the matter for a time as it may have to be debated in court. You will have realised from reading the committee's report that we were greatly saddened by the case as it was unfolded before the committee.

*Yours sincerely,  
M.D. Kirby*

M.D. KIRBY

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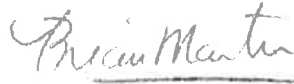
2 July 1981

Mr Justice M. D. Kirby  
Deputy Chancellor  
University of Newcastle

Dear Justice Kirby,

Your comments on the enclosed draft would be appreciated, especially in relation to my comments relating to the 'Kirby Committee'. You have my permission to give copies of the draft to the others who were members of that Committee, or alternatively I can send copies to anyone you would like to specify.

Yours sincerely,

A handwritten signature in cursive script that reads "Brian Martin". The signature is written in dark ink and is positioned above a horizontal line.

Brian Martin