

Office of the Inspector of the Independent Commission Against
Corruption



Ref: A5653734
13 February 2023

Professor Manuel Graeber
By email: manuel@graeber.net

Dear Professor Graeber

I refer to your email of 9 February 2023 and the letter attached concerning your complaint about the Independent Commission Against Corruption (ICAC).

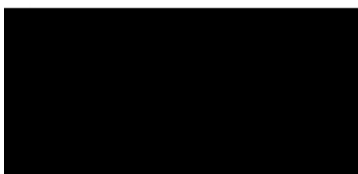
I have decided to treat your letter as a public interest disclosure in accordance with the requirements of the *Public Interest Disclosures Act 1994* (PID Act). Accordingly, the following timeframes apply to how I deal with your disclosure:

- in accordance with section 6D(1A) of the PID Act, I need to acknowledge receipt of a disclosure within 45 days and provide a copy of my PID Policy, and
- in accordance with section 27 of the PID Act, I must notify the person who made the disclosure within 6 months of the disclosure being made, of the action taken or proposed to be taken in respect of the disclosure.

I acknowledge receipt of your disclosure and attach a copy of my Office's PID policy for your information.

To inform my assessment of your complaint, I have asked the Commission to provide a response to it. After I have received a response and assessed it, I will write to you further.

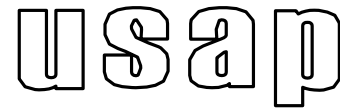
Sincerely



Gail Furness SC
Inspector of the Independent Commission Against Corruption

Subject: Ref: A5640903
Date: Thursday, 9 February 2023 at 21:14:38 Australian Eastern Daylight Time
From: Manuel Graeber <manuel.graeber@sydney.edu.au>
To: oiicac_executive@oiicac.nsw.gov.au <oiicac_executive@oiicac.nsw.gov.au>
BCC: Manuel Graeber <manuel.graeber@sydney.edu.au>
Priority: High
Attachments: USAP_Inspector of the ICAC_A5640903.pdf

Please kindly see attached letter



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Gail Furness SC
Inspector of the Independent Commission Against Corruption
oiicac_executive@oiicac.nsw.gov.au

Dear Ms Furness,

Our Council of the *University of Sydney Association of Professors* (USAP) has become increasingly aware of management behaviours at our university that violate academic values including honesty, this in a way that we believe to be formally corrupt.

USAP is an organization of almost 50 years and forms an integral part of the university. It further is a chapter of the *Australian Association of University Professors* (AAUP) and per its constitution (https://usap.sydney.edu.au/usap-constitution_2022/), USAP is entitled to make representations to the appropriate bodies or authorities.

The violation of academic standards by university managers has become so obvious in recent years that a dedicated USAP Integrity Committee was founded. This committee has received numerous reports from senior academic staff which are concerning, and some complaints have also reached ICAC (below).

Notably a management complaint by then Vice Chancellor Dr Michael Spence of comparatively minor importance involving overpayment of funds by the University of Sydney for security services, was investigated by the ICAC and resulted in formal action against the perpetrators (ICAC Report May 2020). In contrast, the ICAC has rejected for investigation, several far more serious complaints by senior academic staff, about improbity amongst the University's senior management (case numbers E08/0920, E20/0836, E21/2250, and E22/0855). It must be stressed that the ICAC refused to investigate these cases, despite the reported miscreance having much more undermined the public function of the University, and also eroded basis for public confidence in the institution, than was the case for the fully investigated wayward actions reported by Vice Chancellor Spence. In case number E20/0836 example, the ICAC refused to investigate, regardless of being advised of a person who obtained a public sector position on basis of a pretended PhD qualification, a corrupt act that conforms word for word with an ICAC YouTube video of an example of corruption the ICAC is obliged to investigate, https://www.youtube.com/watch?v=GOLoWdcnK_o.

The difference in the ICAC's handling of the comparatively trivial and academically irrelevant case about security personnel brought by the Vice Chancellor, and that of the serious abuses and corruptions reported of the University's Management by academic staff, is not only striking, it is in itself suggestive of corruption. Given the critical role of the ICAC, we believe this is a matter of deep public concern.

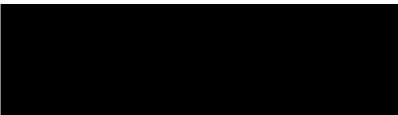
The Ombudsman has already referred case E22/0855 to ICAC again, but USAP Council recommends that all of the above cases should be reopened and properly investigated.

Truth and honesty have an especially strong meaning for academics and ICAC needs to be aware of the serious consequences if complaints by academics are not investigated. We have examples of the same perpetrators acting in all of the above cases which span a decade, likely encouraged by ICAC's lack of response.

The work of the ICAC officer who has dealt with the last two cases should be scrutinized as contact with university management without a submitter's knowledge appears to have occurred and the particular officer also ignored his own conflict of interest when accepting a case, he had rejected before. The circumstances of the rejection of the first two mentioned cases should also be looked at as there appears to be a pattern of not only unequal attention being given to matters that were brought to ICAC by management vs academics, but also a clear avoidance of the more egregious cases which concern core academic values and may have significant repercussions for the university and public.

I am submitting this letter following discussion with and on behalf of USAP Council, but I am more than happy to be personally named as the submitter.

Kind regards



Manuel B. Graeber

PROFESSOR MANUEL B. GRAEBER MD PhD FRCPATH | Neuropathologist

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<http://sydney.edu.au/medicine/people/academics/profiles/manuel.graeber.php>

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Cc: USAP Council