




From: [Manuel Graeber](#) 
Date: 18 November 2021 at 18:06:39 Australian Eastern Daylight Time
To: [Vice Chancellor](#) 
Cc: [Simon Kempton](#) 
Subject: **Re: Internal Audit reference SI 2021-19**

Dear Vice-Chancellor,
Dear Mark,

I have trusted my report on multiple instances of wrongdoing at the University including by audit to you personally on 27 September 2021 (below) because you were the only member of university management above Professor Garton who was not conflicted. All these instances happened under Garton and/or his predecessor, Dr Michael Spence, respectively.

Professor Jagose has been promoted several times under Garton and Spence and is therefore not in the required independent position to investigate their maladministration.

Such an investigation needs to be carried out by an independent authority, i.e., external to management, that reports directly to you, e.g., an integrity commission as suggested by USAP Council.

Many colleagues have been bullied into submission. Therefore, if you do not wish to involve the police at this stage as I have suggested, witnesses will only come forward if they can trust your personal assurances that there will be no more retribution from management.

I am not authorised to provide additional names of witnesses at this point, but I would be happy to convey to them what you want me to pass on.

It is very relevant in this context that travel restrictions are still in place which makes a deadline of 19 November 2021 for a complete submission totally unrealistic.

Allow me also to point out that I was approached by an informer in my official role as USAP President. This makes my being targeted by management in response to my submission the more unacceptable.

What is most concerning is that audit under Professor Garton effectively ignored the witness statements of three senior professors who were approached with a report about coercion, attempted bribery and blackmail. Instead, University audit under Professor Garton chose to go with Professor John Hunt's version of his interaction with a vulnerable person.

This begs the question why audit behaved as it did, and it needs strong evidence of scrutiny to rebuild trust.

Another question that needs answering is why the colleague who reported Hunt's alleged wrongdoing chose to turn to senior colleagues instead of line management, HR, or audit. I did not have any prior personal interactions with the informer. The complete lack of trust in management ahead of your own arrival is a fact.

Importantly, as you are aware by now my report on maladministration is not the only one that has been brought to the attention of both the NTEU and USAP, but it is the tip of the iceberg.

Having to reinstate proper management practices at such a large scale must be a daunting prospect for you but you are in the unique position to put things right and many senior academics will support you.

I would personally prefer to give my own statement to the police because it would save me much time.

However, I am willing to assist you if you think that an internal solution can be found that is fully compliant with academic standards.

Therefore, I would like to provide more background information which extends my earlier submission to audit:

My first very significant negative experience with the abuse of power apparently introduced by Dr Michael Spence and Professor Stephen Garton goes back a few years. I had written what I believe still is the best publication that has so far come out of the Brain and Mind Centre (formerly BMRI): <https://www.science.org/doi/abs/10.1126/science.1190929>. I won a related ARC grant subsequently, but I was never consulted or even informed when the decision was made to abandon our zebrafish facility upon which this grant entirely depended. My co-investigator, Professor Tom Becker, left the country and quit academia as a result of the blow and when I asked the DVCR, Duncan Ivison, for help to rescue the grant at the time, he let me down as well (his email dated 28.8.16). We were world-leaders in brain research on microglia and synapses at the time, but my only choice was to start building an alternative research program from scratch which has kept me busy since then. It takes many years to get to the level of an invited article in Science or Nature.

Another very negative experience of abuse of power under Spence and Garton concerns the targeting of students. I find it mind-boggling that a university can afford to take such risks. Specifically, I am referring to an article which has already informed the public (honisoit.com/2021/05/crisis-after-crisis-the-toxic-managerial-culture-in-the-faculty-of-medicine-and-health/) but also to a letter that was sent to the line management of Professor Robert Vandenberg and Associate Professor Suzanne Ollerenshaw dated 19 May this year. Their behaviour is essentially a continuation of the culture introduced by Professor John Hunt and notably occurred under the same line management (see my submission to audit).

In addition, I am referring to one of my own students, Dr [REDACTED], who was treated very unfairly. I strongly recommend offering [REDACTED] the opportunity to continue his project as he has a case

against the University. [REDACTED] lost his wife to breast cancer. Before she died her brain full of metastases was treated in a unique way that is of great scientific interest. [REDACTED] wants me to dissect the brain of which he is the legal custodian. I am probably more qualified to do this than anyone else in Australia given my professional background. However, [REDACTED] PhD project was terminated by FMH management after we had been given incorrect information (email from Professor Cogger dated 4 June 21). [REDACTED] is in the possession of internal email correspondence which proves that his termination was pre-meditated by FMH management. The Chancellor was personally informed by [REDACTED] but did not rectify the situation. In my opinion, the Chancellor is putting her reputation at risk by relying on FMH management in this case.

Furthermore, Alzheimer's disease is set to become the most important human disease in the developed countries within the next couple of decades. I discovered the original brain sections of the first Alzheimer disease patient in Munich. I am also the only neuropathologist in the direct line of Alois Alzheimer which is why my office has unique historical treasures belonging to the famous Munich school of neuropathology. Some of this material has travelled with me as part of my Department at Imperial College London which I closed in 2007 to distance myself from a corrupt university executive. I subsequently won a whistle-blowing case against them. This Alzheimer material is world-famous and therefore requires special security. Following instances of theft at the BMC (BMRI), I and others received the broadest possible authorisation from our executive officer to protect our offices and I upgraded security to a camera at the end of 2019 a few months before COVID started. I left it in place during the lockdowns as a precautionary measure. When FMH managers with a sinister plan (which is documented) entered my office and got caught by the security camera they complained, and Professor Garton has been very clearly and repeatedly complicit fabricating charges against me obscuring the fact that a main purpose of the camera was to protect the reputation of the university in addition to my own. Such dishonesty as demonstrated by Garton is absolutely incompatible with academic standards.

Regarding the maladministration in FMH it is also worth noting that the Chancellor did not inform Senate about the very serious concerns USAP voiced in a letter to Dr Spence who protected FMH management. The Chancellor was copied in on that correspondence.

Taken together and referring to your all staff address of 9 November 2021, the critical difference between Harvard University and Sydney University is not money in my experience but principle: Harvard University has *veritas* in its crest and when I put a comparable matter to its management about 30 years ago, Harvard University delivered as expected by the public.

I am fully aware that you have inherited a difficult situation from your predecessors. However, if you want to instil trust and reinstate accountability at our university in order to reverse its decline, this is an excellent opportunity.

In addition to audit, the Office of General Counsel which now also reports to you needs to be aligned with academic principles. When Professor Tony Masters blocked the [REDACTED] matter from reaching the Academic Board, the University's policy officer, Kerrie Henderson, a lawyer, declared a conflict of interest when I asked her to confirm that Masters had overstepped his authority.

You have obviously nothing to do with all these failings and you are in the position to put this university back on track by means of your personal integrity. Many are hoping that you will be able to turn the page. Please do and

- Align the Office of General Counsel with academic principles especially truth seeking.
- Create a truly independent Integrity Commission that is only beholden to academic principles and not a tool of the executive.

- Increase transparency and accountability by involving academics trusted by staff in the organisation and committees that make decisions.

This week I learned that the only shared office of my research team has been assigned to another Faculty.

This is remarkable for several reasons:

- a. Like with the zebrafish facility I was not consulted, and no consideration was given how that would impact me and my research.
- b. Our floor is dedicated to brain tumour research based on a Commonwealth contract and the proposed new use has absolutely no connection and is in violation of it!
- c. Why would another Faculty be given space which is very limited on our floor if even the SLHD (RPAH Department of Neuropathology on our floor) with whom I am closely collaborating has been denied a mission critical expansion?
- d. Federal Health Minister Greg Hunt is aware of our joint plan to establish the National Centre for Brain Tumour Neuropathology (attachment 1) to be known as the Jack Fleming Centre which requires this space.
- e. I have committed to carrying out a whole genome analysis of Jack Fleming (attachment 2). We have the data, and we need secure space for the analysis which this office provides.
- f. The office is also planned to provide COVID-safe microscopy space for our team members.
- g. We have unique capacity for building an international standard neuropathology training program in Australia (the country is behind in this area and does not have the medical specialty yet; I was co-chair of the launch of the European Fellowship), and we cannot afford a disruption like this again.

The repeated obstruction of my work and the work of my colleagues needs to stop. I have tried every avenue of possible remedy within the University, and you are the only person who can rectify the situation. I have not taken these matters outside so far out of loyalty to the institution.

I am submitting this based on the assumption that you will appreciate an honest report.

Yours sincerely

Manuel

PROFESSOR MANUEL B. GRAEBER MD PhD FRCPATH I
Neuropathologist

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[http://sydney.edu.au/medicine/people/academics/profiles/
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From: Vice Chancellor
<vice.chancellor@sydney.edu.au>

Date: Friday, 5 November 2021 at 14:26
To: Manuel Graeber
<manuel.graeber@sydney.edu.au>
Cc: Simon Kempton <skempton@nteu.org.au>,
Annamarie Jagose
<annamarie.jagose@sydney.edu.au>
Subject: Re: Internal Audit reference SI 2021-19

Dear Professor Graeber,
Thank you for your email, dated 27 September 2021, concerning Internal Audit's preliminary assessment of your allegations of wrongdoing.
I am committed to ensuring that the University of Sydney's procedures for responding to public interest disclosures are demonstrably impartial and robust, and regret that you are dissatisfied with the outcome of the preliminary assessment process.

I understand from your email that you have evidence in support of your allegations that you have not yet presented to the University, due to the lockdown and associated impacts of COVID-19. I would be grateful if you would provide this further evidence to Professor Annamarie Jagose, Provost and Deputy Vice-Chancellor, (copied on this email) at your earliest convenience, and by no later than **Friday 19 November 2021**.

I have asked Professor Jagose to oversee any further investigation of your allegations. Should you have any questions, you are welcome to contact her at annamarie.jagose@sydney.edu.au.

Yours sincerely,
Mark Scott

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From: Manuel Graeber

<manuel.graeber@sydney.edu.au>

Date: Monday, 27 September 2021 at 5:16 pm

To: Mark Scott <mark.scott@sydney.edu.au>

Cc: Vice Chancellor

<vice.chancellor@sydney.edu.au>, Simon Kempton

<skempton@nteu.org.au>

Subject: Internal Audit reference SI 2021-19

Dear Vice-Chancellor,

I regret to inform you that the University's internal audit process is not working.

We disagree completely with the conclusions drawn by McLoughlin/Dai below as they effectively amount to a cover-up.

Key evidence could not yet be presented because of COVID as audit are fully aware.

We recommend either reopening the process immediately but under the supervision of a truly independent and objective investigator or by passing the matter on to the police. The latter would have the distinct advantage that the necessary procedures would be simplified.

Yours sincerely,

Manuel Graeber

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From: Martin McLoughlin
<martin.mcloughlin@sydney.edu.au>

Date: Monday, 27 September 2021 at 15:47
To: Manuel Graeber
<manuel.graeber@sydney.edu.au>
Cc: Dan Dai <dan.dai@sydney.edu.au>
Subject: Privileged and confidential - report of alleged wrongdoing [Internal Audit reference SI 2021-19]

Dear Professor Graeber

I refer to previous communications in relation to the complaint which you raised with Internal Audit on 25 May 2021, which is being handled by the University as a Public Interest Disclosure in accordance with the [Reporting Wrongdoing Policy 2012](#).

As you are aware, we have spoken to a number of complainants as part of our assessment of the complaint, which has now been completed. We have also interviewed both of your witnesses and reviewed relevant University records.

The allegations which you made and which were considered by this assessment were as follows:

1. Professor John Hunt, the former Head of School, allegedly attempted to bribe and blackmail a vulnerable young colleague in order to 'go after their Supervisor';
2. When Professor Sarah Young learned that your office had a security camera, she used her position to try and find out whether there could be potentially incriminating material either on the camera or stored elsewhere. As proven by the camera recording, Professor

Sarah Young and Mr Matthew Storey were executing Professor Robyn Ward's long-standing and completely unreasonable plan to move you out of your dedicated (Commonwealth contract) research environment, the true reason for their visits to your office on 11 and 12 February 2021;

3. On 4 June 2021, you broadened your allegations to suggest that the persons of interest in the alleged wrongdoing included the Chancellor, Professor Garton (then Vice-Chancellor and Principal), Dr Michael Spence (former Vice-Chancellor and Principal), and Professor Robert Vandenberg (Head of School of Pharmacology), in addition to the individuals you previously raised allegations against; and
4. Your allegation against Professor Garton was that he had signed off a letter of allegation including fabricated charges which were fabricated after and in response to your wrongdoing submission to Internal Audit.

After considering all of the information available, we are satisfied, on the balance of probabilities, that all of the allegations are unsubstantiated:

- In relation to allegation 1, whilst it was established that Professor Hunt did give the junior academic \$300, it could not be substantiated that it was for an improper or corrupt purpose;

- In relation to allegations 2 and 4, there was a lack of evidence to support these allegations; and
- In relation to allegation 3, no evidence supported your claim that the Chancellor, Professor Garton, Dr Michael Spence and Professor Robert Vandenburg had committed any wrongdoing.

There is one aspect of the complaint which has been referred to HR as falling outside the jurisdiction of Internal Audit and that is the issues which you raised in relation to the alleged culture in the Faculty, and in regard to the allegations you made about bullying and harassment. I have been advised that as a result of management and staff concerns about the culture of School of Medical Science (SoMS) staff within the MFB building, a cultural review will be undertaken shortly. The scope had intended to be limited to SoMS staff within the MFB, however we can ensure that the review extends an invitation for you to take part.

Further, the University takes very seriously allegations of bullying and harassment. If you have any additional material that the University should consider with regard to bullying and harassment I would ask you to please contact Naomi Connolly, Senior Workplace Relations Advisor in Human Resources at naomi.connolly@sydney.edu.au.

We are now treating the complaint as closed. If, in the future, you have additional evidence which you wish to provide, please reach out to Internal Audit in confidence and we will assess whether the matter should be re-opened.

Thank you for bringing this matter to the University's attention.

Kind regards

Martin

Martin McLoughlin | Acting Chief Internal Auditor
The University of Sydney
Internal Audit

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