

**RC letters A1:
Correspondence with USyd managers over public comments, 2017**

After misconduct charges were laid against Jay Tharappel, I exchanged several letters with FASS Dean Annamarie Jagose

FASS Dean
University of Sydney
22 April? 2017

Dear Annamarie

My tutor and PhD student Jay Tharappel was handed some documents yesterday, under your name, concerning alleged misconduct. He was asked to respond by 30 April.

Your document reproduces some of his social media comments, then lists some generic heads of misconduct. However the document contains no detail of imputations, that is of how these comments are said to constitute misconduct. In these circumstances an informed and reasonable response is not possible.

Jay cannot be left to guess what is in your mind.

As a matter of natural justice you must provide him the relevant detail, that is, how his posts are said to constitute misconduct. Further, you should disclose any documents in the university possession which led to these allegations.

This disclosure of imputations and complaint documents is required by civil law, and the University's misconduct process is subject to review by civil law

yours sincerely

Tim Anderson
Senior Lecturer
Political Economy

From: Annamarie Jagose
Sent: Sunday, 23 April 2017 11:19 AM
To: Tim Anderson
Cc: Jay Tharappel; Luke Bayne; Kim Fletcher; Simon Tormey
Subject: Re: Allegations regarding Jay Tharappel

Dear Tim,

While I thank you for your email, I am not completely clear in what capacity you are writing to me. Since you describe Jay Tharappel as your tutor and PhD student, it seems most likely that you are extending him a form of pastoral support. Do I have this right?

If you are Jay's support person, however, then it is not appropriate that you advocate on his behalf. The role of a support person in a disciplinary process is to support the staff member in question, but not to participate or advocate in the process or otherwise make any representations in relation to the matter. Please let me know if you are taking up some other role in relation to this matter.

In the meantime, I will respond directly to Jay on the questions you have posed.

Regards,
Annamarie.

Dear AnnaMarie

Supplying Jay with details of your allegations is what is important. At the moment there is no link in the document between his tweets and your general claims about misconduct.

If you intend (for example) to consider the false and defamatory public statement against Jay by the Armenian National Council (ANC-AU), it would be better if you disclosed that fact.

As for what might be appropriate, I notice that you make a unilateral demand to keep this process private. This come AFTER the university has collaborated with the Daily Telegraph to smear Jay, i.e.

"The university has commenced an investigation in the behaviour of a casual staff member who is alleged to have made offensive comments to a journalist on social media today. The University takes the allegations very seriously and is examining whether any breaches of its codes of conduct have occurred." Jay is clearly identified in the story.
'Sydney University Tutor investigated after racially charged attack on Daily Telegraph reporter of Armenian descent', DT, 11 April

The university administration cannot make these matters public or private simply when it suits. Students and staff are already aware of your process against Jay and you can expect to see public discussion quite soon.

best wishes

Tim

26 April
Dear Tim,

Thank you for your email.

I don't consider that the public statements made by the University breach Jay's confidentiality, as they relate to conduct he is alleged to have engaged in on Twitter and Facebook, which are both publicly available websites.

I note that you have not indicated in what capacity you are assisting Jay and again request your clarification of this.

If you are Jay's support person, I remind you that you are required to keep this matter confidential. At the meeting with Professor Caine on 21 April 2017, you were advised as such, and my letter to Jay also made it clear that any support person is required to comply with the confidentiality requirement.

Until your status is clarified, I will not include you in any further related email communications.

Regards,
Annamarie

26 April

Hi Annamarie

My principal role is as Jay's academic supervisor and I support him in that capacity

If you don't want to share your communications with me that is fine,

However your general argument about confidentiality remains hollow

The university chose to assist in a Daily Telegraph public smear against a PG student and junior academic (re your point: the university instituting some sort of prosecution against Jay was NOT public until the university made it so)

Now it pretends to swear him to secrecy in some sort of star chamber inquiry, where he is not even provided with details of the complaint

No-one will respect that sort of hypocrisy

Best wishes

Tim



Dr Tim Anderson
Senior Lecturer, Political Economy
School of Social and Political Science
University of Sydney,
NSW 2006, Australia
Phone +61 2 9351 4783
Email: t.anderson@sydney.edu.au

To Prof Annamarie Jagose
Dean FASS
University of Sydney
annamarie.jagose@sydney.edu.au

19 May 2017

Dear Annamarie

Re. Attempt to bully and gag junior employee Jay Tharappel

Thank you for sending a copy of your 'Outcome' letter (17 May) re Mr Jay Tharappel. I reject its substance as I rejected the process you undertook, over the past month. Unlike your complaint and outcome letters, I will give a detailed reasoning for this conclusion.

I take very seriously the University's treatment of its employees, particularly junior and vulnerable employees. Bullying, double standards, non-disclosure of relevant facts and interests and a failure of 'due process' are matters that affect us all.

What is worse in this case is that there appears to be ongoing, secretive collaboration with powerful media companies (in particular News Ltd) to smear and then gag a junior employee, because of his political arguments. The university clearly sees his views as inconvenient.

Public abuse of Jay Tharappel by the University

After your initial complaint letter (20 April), I complained to you in my second email (of 23 April) that the University had "collaborated with the Daily Telegraph to smear Jay", by the gratuitous disclosure of an "investigation into the behaviour of a casual staff member who is alleged to have made offensive comments to a journalist [etc]". The lurid front page story of the Daily Telegraph clearly identified and vilified Jay, a junior staff member of our university. It is clear that the substance of the tabloid attack would not have existed had someone in university management not divulged it to the Daily Telegraph.

I consider this private collaboration with a powerful media organisation against a junior member of staff to be a 'breach of public trust' and 'the dishonest or partial exercise of ... official functions', specified terms of 'corrupt conduct' under section 8 of the ICAC Act (1988). As your office has assumed responsibility for both the investigation and prosecution of this inquiry, we can safely assume that early disclosure of the 'investigation' to the Daily Telegraph was made by you, or with your approval.

Your disingenuous response to me (26 April) was that “the public statements made by the University [do not] breach Jay’s confidentiality, as they relate to conduct that he is alleged to have engaged in on ... publicly available websites.” You knew very well I was referring to the University’s “investigation”, not to his social media comments.

That evasiveness was underscored and aggravated by (i) an unfair process where you refused to disclose detailed imputations of the complaints; (ii) concealed detail of letters of complaint, from the interested journalists and others; and (iii) insisted (with threats) that Jay not speak to anyone about “this matter”, i.e. about the effective ‘star chamber’ process.

The Process

Your initial 20 April letter to Jay was almost generic, with his four social media posts attached. There were no detailed imputations to link Jay’s pasted social media comments to a recitation of parts of the university’s code of conduct. No meaningful explanation.

No detailed imputations were given to allow Jay to formulate a proper response. Nor did you at any stage disclose details of outside complaints made to the university. This was despite emails from me which complained “the document contains no detail of imputations ... [as] required by civil law” (21 April), plus a call for disclosure of complaints including of “the false and defamatory public statement made against Jay by the Armenian National Council” (23 April), which we know was sent to the University. Jay similarly told you: “I cannot identify the particular imputations you are making” (23 April), while NTEU Industrial Officer Simon Kempton, later on (15 May), repeated “nowhere did you provide any further details as to how his behaviour may have breached the policy”. Mr Kempton went on to point out that “Clause 309(c) of the [Enterprise] Agreement states that ‘the staff member will be provided with allegations in sufficient detail to ensure that they have a reasonable opportunity to respond’ ”. I don’t know how you imagine you might use a ‘finding’ based on this sort of faulty process to underscore any future disciplinary action, as your 17 May letter threatens.

Non-disclosure of outside complaints made to the university compound the failure to detail the complaints. Of course, you will probably have to provide them anyway, if and when Jay makes an FOI application. Regardless, we have good reason to believe that the university has representations from one or both journalists and also a defamatory statement from the Armenian National Council of Australia, of which Mr Loussikian’s father is a member. Your non-disclosure of these documents up to and including the ‘Outcome’ letter of 17 May suggest you wish to hide those communications, further indicating collusion with News Ltd.

Substance of your Findings

Only a little more detail of the imputations appeared in the findings, too late of course for Jay to respond. Most of that letter remained vague. The criticism of Kylar Loussikian did indeed have some elements of personal attack (‘traitor’) embedded in the political criticism (of Mr Loussikian’s political dishonesty and perversity over the recent US missile attack on Syria). However the reference to his Armenian ethnicity was not deprecatory, rather it was used to indicate hypocrisy. The criticism was certainly not (as you claimed) “on the basis of” his ethnicity, rather it was to suggest ‘he should have known better’. The two tweets together show clearly that reference to Armenian history, in this case, was not gratuitous. If you did

not or do not understand this, that well illustrates the point of providing detailed imputations. It is foolish to suggest that mere reference to ethnicity (or race or gender, etc) is unethical or prohibited in legitimate public discussion and criticism.

On the criticism of Michael Koziol, the use of the word “pathetic” is very mild personal comment, in context of several reasoned points which Jay pointed out constituted omissions from his interview in Mr Koziol’s subsequent article. I do not accept that this response represents any form of misconduct. Rather, bad faith in the complaint process is indicated by pursuing such trivial criticism. I believe Jay has pointed out to you that Mr Koziol and Mr Loussikian are friends. No doubt they are waiting with baited breath for another university leak to celebrate - in typical tabloid form - your ‘findings’ against Jay.

In sum, I reject this process you have steered against a junior member of staff, apparently to ingratiate the university with a powerful media corporation. I urge you to abandon this sad attempt at political censorship by voiding your 17 May ‘outcome’ letter to Jay Tharappel.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tim Anderson', written in a cursive style.

Dr Tim Anderson
Senior Lecturer
Political Economy
SSPS, FASS



Professor Annamarie Jagose FAHA
Dean, Faculty of Arts and Social Sciences

30 May 2017

Dr Tim Anderson
Department of Political Economy
University of Sydney NSW 2006

PRIVATE AND CONFIDENTIAL

Dear Tim,

ALLEGATIONS RELATING TO YOUR CONDUCT

I wish to advise that allegations have been made in respect of your conduct which, if substantiated, may constitute Misconduct or Serious Misconduct as defined in **clause 3** of the *University of Sydney Enterprise Agreement 2013-2017* (the **Enterprise Agreement**).

Given the serious nature of the allegations, I have determined that they will be dealt with under **clause 309(c)** of the Enterprise Agreement. Extracts of the relevant sections of the Enterprise Agreement are attached to this letter.

You are currently employed as a Senior Lecturer on a full time basis in the School of Social and Political Sciences within the Faculty of Arts and Sciences.

As an employee of the University, you are required to comply with the University's policies and procedures.

You have a Twitter account called @timand2037, from which "Tweets" are published by you (or on your behalf) under the name "tim anderson". The public profile of this account describes you as "Senior Lecturer at the University of Sydney".

You have a Facebook account and the public profile of this account describes you as "Senior Lecturer – 1993 to present" at University of Sydney.

Allegations

The allegations, which relate to material published on your Twitter account and Facebook account are that:

- (a) You have breached the Code of Conduct – Staff and Affiliates, by engaging in conduct that:
 - (i) does not constitute an exercise of the best professional and ethical judgment, or the carrying out of duties and functions with integrity and objectivity;
 - (ii) is not fair and reasonable;
 - (iii) does not treat members of the public with respect, impartiality, courtesy and sensitivity;
 - (iv) does not comply with the University's Public Comment Policy.

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sydney.edu.au

ABN 15 211 513 484
CRICOS 0026A

- (b) You have breached the Public Comment Policy, by engaging in conduct that:
 - (i) does not uphold the outstanding reputation of the University in the community;
 - (ii) does not constitute the exercise of good and ethical judgement in public comment;
 - (iii) is not professional or exercise appropriate restraint;
 - (iv) does not maintain the highest professional standards;
 - (v) may bring the University into disrepute,

(the **Allegations**).

Particulars of the Allegations are set out in **Appendix A (Conduct)**.

Potential Misconduct and breach of University Policy

If substantiated, the Conduct and Allegations could amount to Misconduct or Serious Misconduct and Disciplinary Action may be taken pursuant to the Enterprise Agreement, up to and potentially including the termination of your employment.

In particular, if substantiated, in addition to breaching of the policies set out above, the Conduct and Allegations could amount to a breach of:

- (a) the Enterprise Agreement; and
- (b) your contract of employment.

Opportunity to respond to the Allegations

Pursuant to **clause 309(c)** of the Enterprise Agreement, you have 10 days in which to provide a response to the Allegations. You can do so in writing or by contacting my office to arrange an interview. If you wish to provide a response, please do so by 5pm, 9 June 2017.

Any written response should be forwarded to me, marked 'Private and Confidential'.

Following receipt of any response that you provide, I will make an assessment and determine what will happen next.

You will have:

- (a) a full opportunity to respond to the Allegations (although you are not obliged to do so);
- (b) an opportunity to meet with me (prior to 7 June 2017) and to bring a support person to any such meeting, if you wish, for the purpose of observing the meeting and providing support;
- (c) an opportunity to make written submissions (before or after the interview as long as they are received by 9 June 2017),

before a final decision is made.

It is important for you to know at this stage, no findings have been made about the Allegations and no decision will be made until I have had an opportunity to consider any response you wish to provide.

Please note the University reserves the right to put further allegations to you regarding this matter.

Confidentiality

This matters raised in this letter are **confidential**, and I direct you to refrain from disclosing to, or communicating with, anyone, the contents of this letter, the Allegations or any information or documents relating to them, other than to members of your family (or support person), your professional adviser on the basis they provide you with an undertaking that they will comply with the above confidentiality direction or unless you are required to do so by law or with the prior written consent of the University. You may of

course speak with University staff who are directly involved in the process such as myself or Kim Fletcher, Associate Director, HR Relationship Group.
The University takes the need for confidentiality very seriously, and reserves the right to take disciplinary action if the confidentiality direction is not adhered to.

Support

I also wish to remind you of the support available to you under the University's Employee Assistance Program (see: <https://intranet.sydney.edu.au/employment/support/eap/>.)
If you have any questions about the contents of this letter, please do not hesitate to contact me or alternatively Kim Fletcher on 9036 9670 or kim.fletcher@sydney.edu.au.

Regards,

Annamarie Jagose

cc Kim Fletcher, Associate Director, HR Relationship Group
Professor Simon Tormey, Head of School
Case File

Attachments: Appendix A
University of Sydney Enterprise Agreement 2013-2017 Clauses 3 and
309 Code of Conduct – Staff and Affiliates
Public Comment Policy

Appendix to (30 may 2017) allegations letter

#1



tim anderson @timand2037 · May 4

Murdoch press fabricates 'genocide threat' story in attempt to intimidate anti-war academics. #Syria. #Armenia. @kloussikian @Commissar_Jay

Murdoch journalist fools Armenian Council with fake 'genocide threat'

SARIN GASBAG

Kylar Loussikian: "Syrian chemical weapons attack deserved [Trump's] military response". Academic Tim Anderson "launched a bizarre rant" in defence of Syria.

Jay Tharappel: "Kylar Loussikian ... Armenian name right? ... traitor [who] wants a second Armenian genocide .. stabbing Syria in the back"

Kylar's father Hratch Loussikian is a Director of the Armenian Council

Armenian National Council of Australia: Jay Tharappel said "Armenians .. **deserve a second genocide** ... racially vilifying slander"

Kylar Loussikian: "Uni tutor in **genocide threat** ... [after] Kylar Loussikian exposed close links between ... Anderson and ... Bashar al Assad"

Tim Anderson: Hey Kylar, did you draft this lie for the ANC-AU? Armenians "**deserve a second Armenian Genocide**"? Or are you going to blame your dad?

Kylar Loussikian: "Had nothing to do with it"

4 20 24

#2



tim anderson @timand2037 · May 4

Replying to @timand2037 @kloussikian @Commissar_Jay

Colonial media resorts to almost any sort of personal attack to intimidate dissent from the official war line.

7 13

tim anderson @timand2037 · 8h
Murdoch press fabricates 'genocide threat' story in attempt to intimidate anti-war academics. #Syria. #Armenia. @kloussikian @Commissar_Jay

Murdoch journalist fools Armenian Council with fake 'genocide threat'

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Kylar Loussikian: "Had nothing to do with it"

← 2 ↻ 3 ❤ 11

Len Sekret @SekretLen · 5h
Take it easy on them Tim.. maybe English is not their first language.. Google translate does make a mess from English <-> Armenian :D

← 1 ↻ 1 ❤

tim anderson @timand2037 Follow

Replying to @SekretLen @kloussikian @Commissar_Jay

Kylar is fluent in lying english

LIKE 1

6:10 PM - 4 May 2017

← ↻ ❤ 1

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#4



tim anderson @timand2037 · May 5

Replying to @timand2037 @kloussikian @Commissar_Jay

basis of the fake story, compare for yourself

Fair summary? Compare the ANC-AU claim with the tweets

Jay Tharappel @Commissar_Jay
Kylar Loussikian, Armenian surbame name right? You do realise your people face genocide if the Syrian government...
fb.me/8lXmd6c2f
11:46 - 11 Apr 2017

Jay Tharappel
Devastating intellectual critique by Kylar Loussikian, the traitorous scum who desperately wants a second Armenian genocide. How much did they pay you, traitor? I guess stabbing Syria in the back with that surname is the best way of telling the world that you're for sale, right?

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Home / Media Releases / ANC-AU demands apology for racial slur by Sydney University tutor

News

ANC-AU DEMANDS APOLOGY FOR RACIAL SLUR BY SYDNEY UNIVERSITY TUTOR

Wednesday, 12 April 2017

"University of Sydney tutor, Jay Tharappel, took to social media accusing that "Armenians (with that surname) are "back stabbing", "traitorous scum" and deserve a "second Armenian genocide"."

SYDNEY: The Armenian National Committee of Australia (ANC-AU) has written to the Vice-Chancellor of the University of Sydney in protest of one of the university's tutors using a journalist's Armenian origin to attack him for an article he wrote for The Daily Telegraph.

Armenian-Australian News Limited (journalist, Kylar Loussikian's article reportedly exposed areas between University of Sydney lecturer, Dr Tom Anderson and Syrian President Bashar al-Assad. In response, University of Sydney tutor, Jay Tharappel, took to social media accusing that "Armenians (with that surname) are "back stabbing", "traitorous scum" and deserve a "second Armenian genocide".

2 10 12

#5



Tim Anderson with Jay Tharappel and Kylar Loussikian

May 5 at 10:21am · 🌐

Murdoch press fabricates 'genocide threat' story in attempt to intimidate anti-war academics. Academic Jay Tharappel said Daily Telegraph journalist Kylar Loussikian was a traitor to his Armenian ancestry, inviting a 'second genocide' on the Armenian people, by attacking (on false pretexts) the Syrian Government, a historic protector of the Armenian people. The Murdoch journalist responded with a fabricated 'genocide threat' story.

Murdoch journalist fools Armenian Council with fake 'genocide threat'

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Jay Tharappel: "Kylar Loussikian ... Armenian name right? ... traitor [who] wants a second Armenian genocide .. stabbing Syria in the back"

Kylar's father Hratch Loussikian is a Director of the Armenian Council

Armenian National Council of Australia: Jay Tharappel said "Armenians ... **deserve a second genocide** ... racially vilifying slander"

Kylar Loussikian: "Uni tutor in **genocide threat** ... [after] Kylar Loussikian exposed close links between ... Anderson and ... Bashar al Assad"

Tim Anderson: Hey Kylar, did you draft this lie for the ANC-AU? Armenians "**deserve a second Armenian Genocide**"? Or are you going to blame your dad?

Kylar Loussikian: "Had nothing to do with it"

👍 Like 💬 Comment ➦ Share

👍 🤔 😬 76



Tim Anderson with Jay Tharappel and Kylar Loussikian

May 5 at 10:21am

Murdoch press fabricates 'genocide threat' story in attempt to intimidate anti-war academics. Academic Jay Tharappel said Daily Telegraph journalist Kylar Loussikian was a traitor to his Armenian ancestry, inviting a 'second genocide' on the Armenian people, by attacking (on false pretexts) the Syrian Government, a historic protector of the Armenian people. The Murdoch journalist responded with a fabricated 'genocide threat' story.

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Kylar Loussikian: "Had nothing to do with it"

Like Comment Share

76

40 shares



Daniel Ka I'm confused, so kylar didn't make the statements, and they where falsely attributed to him?

Like · Reply · 1 May 5 at 10:29am



Zian Aledrikh Where is Kylar from? I noticed some Turkish Armenians try to hide their Armenian ancestry and become Turkish nationalists (for some reason) so I kind of feel like concluding his family is Turkish Armenian but idk

Like · Reply · 1 May 5 at 10:29am



Tim Anderson As the graphic points out, Kylar's father is a member of the Armenian National Council of Australia.

Like · Reply · 2 May 5 at 11:09am



Zian Aledrikh No no I mean by descent 😊 Not necessarily by nationality

Like · Reply · May 5 at 11:09am



Tim Anderson Kylar is australian of armenian ancestry.

Like · Reply · May 5 at 11:10am

Like · Reply · May 5 at 11:09am

Tim Anderson Kylar is australian of armenian ancestry.

Like · Reply · May 5 at 12:19pm

Write a reply...

Anthony Raymond Corbett Report: Who is Really Behind ISIS
<https://www.corbettreport.com/episode-295-who-is-really-...> See More

Episode 295 – Who is Really Behind ISIS? : The Corbett Report

As bombs start dropping in Syria and Iraq, the world is once again being asked to cower in fear of a shadowy terror group that most people hadn't heard of just a few months ago. But even the most cursory examination of ISIS's past, its connections, and the actors populating it reveal a very differen...

CORBETREPORT.COM

Like · Reply · May 5 at 11:14am

Rima Drifter I'm also confused

Like · Reply · May 5 at 11:27am

Catherine Schrodinger Yeah... I know Tim. A truly "WTF?" moment. Anyone who "misunderstood" Jay's comment has a major problem with English comprehension... or is being wilfully and deliberately misleading.

Like · Reply · 3 · May 5 at 11:42am

Tim Anderson Daniel and Rima, Kylar and his bosses, and the ANC, verbaled Jay, tried to put false words in his mouth.

Like · Reply · 2 · May 5 at 12:20pm

Rima Drifter oh I see: "deserve" vs "want" a second genocide

Like · Reply · May 5 at 12:55pm

Tim Anderson No. Switch of subject. Jay says Kylar 'wants' (ie invites). Murdoch press and ANCAU says Jay calls for / Armenians deserve.

Like · Reply · 1 · May 5 at 2:26pm

Rima Drifter right right

Like · Reply · 1 · May 5 at 2:47pm

View more replies

Write a reply...

Lulu Mikhail That's truly fucked up.

Like · Reply · 1 · May 5 at 2:09pm

Didi Anandarama thanks for exposing !

Like · Reply · 3 · May 5 at 2:46pm

Tim Anderson basis of the the fake story, check it out

Fair summary? Compare the ANC-AU claim with the tweets

Like · Reply · 3 · May 5 at 6:24pm

Tom Vernham And the Armenian Genocide was orchestrated by Donmeh Jewish "Young Turks" to facilitate and protect the Rothschild's Pipeline from Baku to Batumi.....?



Tom Vernham And the Armenian Genocide was orchestrated by Donmeh Jewish "Young Turks" to facilitate and protect the Rothschild's Pipeline from Baku to Batumi.....?

The same "Young Turks" were the very same people who also facilitated the slaughter of Armenians and Greeks in the burning of Smyrna while 27 Axis ships sat in the Bay and did nothing because they were negotiating post war rebuilding contracts and contracts for Mosul oil.....?

Like · Reply · May 6 at 1:11am



Roger Rivenell So many people think that Murdoch papers are reliable. Oh well, there's one born every minute.

Like · Reply · 2 · May 6 at 3:04am



Write a comment...



#7



tim anderson @timand2037 · May 5

Murdoch journalist Rick Morton says Australian complicity in Sept 2016 mass murder at #Deir_Ezzor should be swept under the table. #Syria.

Rick Morton: "I do understand the point" ... but the Australian crime **should be swept under the table**

• Morton, Rick [rick.morton@news.com.au]

4/29/2014-2019

Thanks Tim, appreciate it. I do understand the point. Enjoy your weekend.

Rick

Assad defender condemns Diggers for Syria airstrike 'murder'

The Australian 11:00AM April 29, 2017

• Tim Anderson

To: Morton, Rick [rick.morton@news.com.au]

Sent from

Hi Rick

Anderson said "Australians should be considered murderers even if the airstrike was unintentional" - Rick Morton

if the Deir Ezzor killings were deliberate (as the Syrians and Russians believe) it is murder and a war crime if it was accidental it is also murder and a war crime, as Australian forces had and have no legal basis for being in Syria further, the attack directly assisted ISIS.

Imagine if Syrian war planes came uninvited to Australia, killed 100 Australian soldiers just as they were fighting terrorists and then said, sorry, mistake! How would we react?

best wishes
Tim



Partisangirl @Partisangirl · 16h

Replying to @SquigglyRick

Then you agree with Tim Anderson's statement that the crime should not be swept under the table?

1 13



Rick Morton @SquigglyRick · 17h

Replying to @Partisangirl

No?

8

42

26



tim anderson @timand2037 · May 5

Murdoch journalist Rick Morton's war propaganda. Helps whitewash the CW false flag in 2013, then the 2016 Deir Ezzor massacre. #Syria.

Journalists who spread lies in support of the terrorist war against Syria

Rick Morton



'Social affairs' writer for *The Australian*, Rick Morton, also does war propaganda. On 23 Jan 2014 he wrote:

"A UN report provided overwhelming evidence that only the Syrian regime was capable of committing documented chemical weapon attacks."

The UN report said no such thing. That report allocated **no blame** for 5 confirmed attacks but did say two were 'against soldiers' and one against 'soldiers and civilians'. By mid Jan there were SEVEN independent reports discrediting CW accusations against the Syrian government. Morton either deliberately lied or recklessly spread this lie. The effect of his deceit is to justify more terrorist attacks against Syrian soldiers and civilians.

Independent reports published before Morton's piece: (1) Gavlak and Ababneh (MINT PRESS, 29 Aug) report that residents in Ghouta blame Saudis for providing CW to the FSA; (2) ISTEAMS group provides 17 Sep report saying the massacre videos preceded the attack, which used staged and fake images; (3) Seymour Hersh, famous US journalist writes 19 Dec that US intelligence was fabricated 'to justify a strike' on Syria; (4) Peace Association and Lawyers for Justice in Turkey Issues a report in December saying 'most of the crimes' against Syrian civilians, including the Ghouta attack, were committed by 'armed rebel forces in Syria'; (5) UN report of 12 Dec does not allocate blame but confirms five CW attacks, three 'against soldiers'; (6) New York Times (Dec) retreats from its telemetry evidence claims, admitting vector analysis was 'speculative'; (7) MIT investigators Lloyd and Postol report 14 Jan that Sarin gas 'could not possibly have been fired ... from government controlled area'.

3 68 46

#9



tim anderson @timand2037 · May 5

Replying to @timand2037

Yellow journalist Rick Morton runs off crying to his lawyers, when the tables are turned.

Rick Morton @SquigglyRick

Replying to @timand2037 @sclark_melbs @Partisangirl

Tim, you'll be hearing from the lawyers.

#10



tim anderson @timand2037 · May 6

Replying to @timand2037

Covering up a real massacre with lies: "condemns diggers", "Australians should be considered murderers". Great work Rick Morton.

↩ 3 ❤️ 14

#11



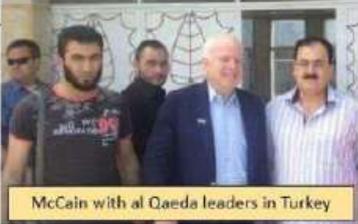
tim anderson @timand2037 · May 10

The United States Studies Centre is bringing Senator John McCain, a key US war criminal, to the University of Sydney.

Key al Qaeda supporter John McCain coming to the University of Sydney

"The United States Studies Centre at the University of Sydney (USSC) is honoured to host US Senator John McCain, Chairman of the Senate Armed Services Committee, for the Alliance 21 Lecture in Sydney ... Senator McCain will address the future of US alliances and engagement in Asia during his speech."

DATE & TIME	VENUE
Tuesday, 30 May, 5.00pm - 6.30pm	Sydney, TBC



McCain with al Qaeda leaders in Turkey

McCain with Libyan al Qaeda leader Belhadj

↩ 9 ↻ 78 ❤️ 50

ends

6 June 2017

Dear Annamarie,

With respect to your letter of 30 May, let me begin by asking you to step aside.

1. I criticised your conduct of charges made against Mr Jay Tharappel, a tutor and doctoral student in my care. Indeed, in response to my private 19 May letter to you, which contained some blunt criticism, you responded with two emails in rapid succession which strongly suggest that your 30 May letter is a reprisal. In your email (22 May at 5.30pm) you simply reject all criticism, adding the claim that “this letter itself breaches our Code of Conduct”. Almost simultaneously (22 May at 5.26pm) you wrote to me: “I would like to meet with you, following some of your recent social media activity ...” The immediate history, combined with these emails, leads me to conclude that this latest exercise is a reprisal.

2. In my letter of 19 May I criticised what I regard as an attempt to bully and gag Mr Tharappel, by colluding with journalists from the Daily Telegraph to smear him in a front page tabloid attack. He was a junior academic for whom both you and I had a duty of care. That tabloid attack would not have appeared had you not leaked information about your ‘investigation’. Indeed Jay first heard of your ‘investigation’ through the Daily Telegraph. I regard that as a breach of trust on your part.

3. I infer that the charges against Mr Tharappel were motivated by a concern to protect the university from media criticism it was receiving over the 18-19 April conference on Syria that we organised. It also seems that you and Simon Tormey (apparently your designated ‘monitor’ of social media activity) are concerned at adverse media coverage, as a result of staff engaged in critical discussion of the war on Syria. However I remind you of the University’s specific support for intellectual freedom (EA s.254), including on “the operations of the university”, including “controversial views” so long as there is not “harassment, vilification or intimidation”. There is nothing in my comments which constitutes “harassment, vilification or intimidation”.

4. In the course of your secretive proceedings against Mr Tharappel you refused to provide specific details of your allegations (imputations), a course you repeat against me in your 30 May letter. You pretend to draw my attention to s.309(c) of the Enterprise Agreement (“the staff member will be provided with allegations in sufficient detail to ensure that they have a reasonable opportunity to respond”), but it appears you have little regard for it. Instead you, or Simon Tormey on your behalf, have trawled through some social media comments then, making not even one specific imputation, present me with 10 pages and an implicit ‘please explain’. I regard this as an abuse of process.

5. For these reasons I apprehend serious bias. I cannot accept that you are acting as an impartial manager and I ask you to step aside and pass the matter to someone who might be regarded as impartial. I further ask that the new investigator provides the necessary further details or imputations regarding the allegations, prior to my response.

Yours sincerely
Tim Anderson
Political Economy, SSPS

8 June

Dear Tim,

I am not persuaded by the position you set out in your email in a number of respects.

First, your comments in relation to the process the University conducted in response to complaints about the conduct of Jay Tharappel suggest that you do not understand (or possibly do not accept) the obligations of staff under University policy and the University's rights to investigate complaints of misconduct against a staff member. The process followed was appropriate in all respects. Your concerns are without foundation and I do not propose to respond any further in relation to them.

Second, I do not accept that the allegations put to you in my letter dated 30 May (**Allegations**) lack sufficient specificity. Both the relevant University policies and the conduct alleged to be in breach of the policy were identified, and copies of the social media comments that are the subject of the allegations were attached to the letter. However, to further assist you, I will provide by separate letter, further particulars of the Allegations and extend the timeframe for your response. I aim to provide this letter to you by close of business tomorrow, failing which, it will be next Tuesday. Although you are not required to respond, the Allegations are serious, and I would encourage you to treat them as such and provide a considered response.

Third, I reject your allegation against me of bias. You have provided no facts nor other information that provides any basis for a genuine concern that I am (or could reasonably be perceived to be) prejudiced or otherwise unfairly influenced against you. It is my responsibility as Dean to manage allegations of misconduct against members of staff and I am satisfied that there are no grounds for me to step aside from my responsibilities in relation to this investigation.

Finally, the serious accusations you make against me individually and the University, which you have repeated in other public communications, as well as other recent conduct of yours raise further concerns and, in my view, require further allegations to be put to you for your response. These will be provided to you in writing at the same time as I provide the additional particulars of the 30 May allegations referred to above.

Best,
Annamarie.

PROFESSOR ANNAMARIE JAGOSE | FAHA
Dean
Faculty of Arts and Social Sciences
THE UNIVERSITY OF SYDNEY
Quadrangle Building A14 | The University of Sydney | NSW | 2006
E annamarie.jagose@sydney.edu.au
W <http://sydney.edu.au/arts/>

Note: The NTEU wrote a letter to senior management and the matter was taken up by Provost Stephen Garton.



Professor Stephen Garton FAHA, FASSA, FRAHS
Provost and Deputy Vice-Chancellor

26 June 2017

PRIVATE AND CONFIDENTIAL

Dr Tim Anderson
Department of Political Economy
University of Sydney NSW 2006

Dear Tim,

FURTHER ALLEGATIONS RELATING TO YOUR CONDUCT

I refer to Professor Annamarie Jagose's letter to you dated 30 May 2017 (**30 May Letter**).

At the Dean's request, I have agreed to assume responsibility for the investigation of the allegations set out in the 30 May Letter and for the matters referred to in this letter.

Further allegations

Since the 30 May Letter, the University has become aware of further matters concerning your conduct that, in my view, require additional allegations to be put to you for your response (**Further Allegations**). If substantiated, the Further Allegations, in themselves, may constitute Misconduct or Serious Misconduct as defined in **clause 3** of the *University of Sydney Enterprise Agreement 2013-2017* (the **Enterprise Agreement**).

Given the serious nature of the Further Allegations, I have determined that they will be dealt with under **clause 309(c)** of the Enterprise Agreement.

The Further Allegations, are that:

- (a) On 30 May 2017, you published or caused to be published:
 - (i) on Facebook, a 'post' a copy of which is **Appendix B**; and
 - (ii) on Twitter, a 'tweet' a copy of which is **Appendix C**.
- (b) The post and tweet referred to in paragraph (a):
 - (i) stated that the University had "threatened to sack" you, which was false and without foundation;
 - (ii) included an extract from the 30 May Letter:
 - (A) which was confidential;
 - (B) which related to a confidential matter; and
 - (C) the publication of which was in breach of the direction with respect to confidentiality given to you in the 30 May Letter.
- (c) On 31 May 2017, you sent or caused to be sent an email to staff members in the Department of Political Economy faculty making allegations about Annamarie Jagose personally and the University (**31 May Email**). In the 31 May Email, you:
 - (i) made statements which were without foundation and were derogatory in nature, including that:

- (A) the University has an "effective social media police" group which monitors public comments by staff involved in controversy;
 - (B) the University colluded with the Daily Telegraph to smear Mr Tharappel;
 - (C) the University engaged in a "shameful exercise and breach of trust".
- (ii) published details of a confidential matter relating to Mr Tharappel's employment with the University.
- A copy of the 31 May Email is **Appendix D**.
- (d) on 6 June 2017, you sent or caused to be sent an email to Annamarie Jagose making allegations about her personally and the University (**6 June Email**). In the 6 June Email, you made statements which were without foundation and were derogatory in nature, including that:
- (i) the 30 May 2017 Letter was a reprisal by Annamarie Jagose against you;
 - (ii) Annamarie Jagose leaked information to the Daily Telegraph about the investigation relating to Mr Tharappel;
 - (iii) the allegations put to Mr Tharappel were motivated by a concern to protect the University from media criticism of the 18-19 April conference on Syria;
 - (iv) the investigation relating to Mr Tharappel was not properly conducted and Annamarie Jagose had little regard for the Enterprise Agreement;
- A copy of the 6 June Email is set out in **Appendix E**.
- (e) The conduct referred to in paragraph (c), (d), (e), (f), constitutes a breach by you of the Code of Conduct – Staff and Affiliates, in that it:
- (i) does not constitute an exercise of the best professional and ethical judgment, or the carrying out of duties and functions with integrity and objectivity;
 - (ii) is not fair and reasonable;
 - (iii) does not treat staff with respect, impartiality, courtesy and sensitivity; and
 - (iv) discloses confidential University information.
- (f) Further, the conduct referred to in paragraphs (c), (d), constitutes a breach by you of:
- (i) the Code of Conduct – Staff and Affiliates, in that it is conduct that does not comply with the University's Public Comment Policy; and
 - (ii) the Public Comment Policy, in that it:
 - (i) does not uphold the outstanding reputation of the University in the community;
 - (ii) does not constitute the exercise of good and ethical judgement in public comment;
 - (iii) is not professional or demonstrates appropriate restraint;

- (iv) does not demonstrate the highest professional standards; and
- (v) may bring the University into disrepute,

(the **Further Allegations**).

Additional information in relation to 30 May Letter

I refer to Annamarie Jagose's email to you dated 8 June 2017, and enclose, by way of a Schedule to the 30 May Letter, further particulars of the Allegations set out in the 30 May Letter.

Potential Misconduct and breach of University Policy

If substantiated, the Allegations and Further Allegations could amount to Misconduct or Serious Misconduct and Disciplinary Action may be taken pursuant to the Enterprise Agreement, up to and potentially including the termination of your employment.

In particular, if substantiated, in addition to breaching the policies set out above, the Allegations and Further Allegations could amount to a breach of the Enterprise Agreement and/or your contract of employment.

Opportunity to respond to the Allegations and Further Allegations

Pursuant to **clause 309(c)** of the Enterprise Agreement, you have 10 days within which to provide a response to the Allegations and the Further Allegations. You can do so in writing or by contacting my office to arrange an interview. If you wish to provide a response, please do so by **5pm, Thursday, 6 July 2017**.

Any written response should be forwarded to me, marked 'Private and Confidential'. Following receipt of any response that you provide, I will make an assessment and determine what will happen next.

You will have:

- (a) a full opportunity to respond to the Allegations and Further Allegations (although you are not obliged to do so);
- (b) an opportunity to meet with me (prior to 6 July 2017) and to bring a support person to any such meeting if you wish for the purpose of observing the meeting and providing support;
- (c) an opportunity to make written submissions (before or after the interview as long as they are received by 6 July 2017),

before a final decision is made.

It is important for you to know at this stage, no findings have been made about the Allegations and Further Allegations and no decision will be made until I have had an opportunity to consider any response you wish to provide.

Please note the University reserves the right to put additional allegations to you regarding this matter.

Confidentiality

Tim, I remind you that the matters raised in this letter, and in the 30 May Letter, are **confidential**, and I direct you to refrain from disclosing to, or communicating with, anyone, the contents of this letter, the 30 May Letter, the Allegations, the Further Allegations, or any information or documents relating to them, other than to members of your family (or support person), your professional adviser on the basis they provide you with an undertaking that they will comply with the above confidentiality direction or unless you are required to do so by law or with the prior written consent of the University. You may of course speak with University staff who are directly involved in the process such as myself or Ms Kim Fletcher, Associate Director, HR Relationship Group.

I remind you that the University takes the need for confidentiality very seriously, and reserves the right to take disciplinary action if the confidentiality direction is not adhered to.

Support

I also wish to remind you of the support available to you under the University's Employee Assistance Program (see: <https://intranet.sydney.edu.au/employment/support/eap/>.)

If you have any questions about the contents of this letter please do not hesitate to contact me or alternatively Ms Fletcher, on 9036 9670 or kim.fletcher@sydney.edu.au.

Yours sincerely,



Stephen Garton

cc Kim Fletcher, Associate Director, HR Relationship Group
Professor Simon Tormey, Head of School
Case File

Attachments: Schedule to 30 May Letter
Appendix B
Appendix C
Appendix D
Appendix E

SCHEDULE TO 30 MAY LETTER

Further particulars of Allegations

It is alleged that the Conduct set out in Appendix A breaches the Code of Conduct – Staff and Affiliates and/or the Public Comment Policy as follows:

1. In relation to items #1, #4, #5 and #6 of Appendix A, you published or caused to be published comments by Mr Tharappel that you were aware were the subject of a confidential investigation by the University for an alleged breach of his obligations to the University.
2. In relation to item #1 of Appendix A, you published or caused to be published statements that were derogatory in nature, by:
 - (i) stating that a Murdoch journalist, Mr Kylar Loussikian, "fool[ed] [the] Armenian Council with [a] fake "genocide threat"";
 - (ii) stating that Murdoch press "fabricate[d] [a] "genocide threat" story in [an] attempt to intimidate anti-war academics";
 - (iii) directly "tagging" the Twitter user name of Mr Loussikian @kloussikian in the Tweet and setting out quotes that you attributed to Mr Loussikian, which gave rise to the imputation that it was Mr Loussikian who had fabricated a "genocide threat" story in an attempt to intimidate anti-war academics;
3. In relation to item #2 of Appendix A, you published or caused to be published statements that were derogatory in nature, by:
 - (i) stating that "colonial media resorts to almost any sort of personal attack to intimidate dissent from the official war line";
 - (ii) directly "tagging" the Twitter user name of Mr Loussikian @kloussikian in the Tweet, which gave rise to the imputation that it was Mr Loussikian who resorts to almost any sort of personal attack to intimidate dissent from the official war line;
4. In relation to item #3, you published or caused to be published statements that were derogatory in nature, by:
 - (i) stating that "Kylar is fluent in lying english [sic]";
 - (ii) directly "tagging" the Twitter user name of Mr Loussikian @kloussikian in the Tweet, which gave rise to the imputation that it was Mr Loussikian who was a liar;
5. In relation to item #5, you:
 - (i) published or caused to be published statements that were derogatory in nature, by:
 - (A) stating that a Murdoch journalist, Mr Kylar Loussikian, "fool[ed] [the] Armenian Council with [a] fake "genocide threat"" and responded to Mr Tharappel "with a fabricated "genocide threat" story";
 - (B) stating that Murdoch press "fabricate[d] [a] "genocide threat" story in [an] attempt to intimidate anti-war academics";

- (C) directly "tagging" the Facebook account of Mr Loussikian in the Post and setting out quotes that you attributed to Mr Loussikian, which gave rise to the imputation that it was Mr Loussikian who had fabricated a "genocide threat" story in an attempt to intimidate anti-war academics,
6. In relation to item #6, you published or caused to be published statements that were derogatory in nature, by stating that Mr Loussikian "verbaled [Mr Tharappel], [and] tried to put false words in his mouth";
7. In relation to items #7, #8, #9 and #10, you published or caused to be published derogatory statements in relation to a journalist, Mr Rick Morton. In particular:
- (i) in item #7, you stated that Mr Morton considered that an "Australian crime should be swept under the table";
 - (ii) in item #8, you stated that Mr Morton published "war propaganda", "spread lies in support of the terrorist war against Syria" and "either deliberately lied or recklessly spread [a lie]";
 - (iii) in item #9, you stated that Mr Morton was a "yellow journalist" and that he had "[run] off crying to his lawyers, when the tables are turned";
 - (iv) in item #10, you made a statement suggesting that Mr Morton was "covering up a real massacre with lies";
8. In relation to item #11, you published or caused to be published a statement without foundation, being that Senator John McCain was "a key US war criminal",

(Further Particulars).

Appendix B



Tim Anderson

May 30 at 3:50pm

University of Sydney policy says: "Staff and affiliates are encouraged to engage in debate on matters of public importance". Apparently not!

University of Sydney threatens to sack me for criticising the deceitful war propaganda of News Ltd journalists, and for showing that the university's latest guest John McCain is a key al Qaeda supporter

Dear Tim,

ALLEGATIONS RELATING TO YOUR CONDUCT

I wish to advise that allegations have been made in respect of your conduct which, if substantiated, may constitute Misconduct or Serious Misconduct as defined in **clause 3**.

Don't mention the war!

Journalists who spread lies in support of the terrorist war against Syria

Rick Morton

The most egregious thing he used a picture from 2005!

Key al Qaeda supporter John McCain coming to the University of Sydney

McCain's visit to Sydney University is co-sponsored by News Ltd.

Like Comment Share

Appendix C



tim anderson
@timand2037

+ Follow

University of Sydney policy says "Staff and affiliates are encouraged to engage in debate on matters of public importance". Apparently not!

University of Sydney threatens to sack me for criticising the deceitful war propaganda of News Ltd journalists, and for showing that the university's latest guest John McCain is a key al Qaeda supporter

Dear Tim,
ALLEGATIONS RELATING TO YOUR CONDUCT

I wish to advise that allegations have been made in respect of your conduct which, if substantiated, may constitute Misconduct or Serious Misconduct as defined in **clause 3**

Don't mention the war!

Journalists who spread lies in support of the terrorist war against Syria

Rick Morton
Social affairs writer for The Australian, Rick Morton, publishes war propaganda. On 23 Oct 2013 he wrote:
"A US report provided overwhelming evidence that only the Syrian regime was capable of committing documented chemical weapons attacks."
The US report said the only thing that could account for the deaths of 15 children and 42 others was the Syrian regime's use of chemical weapons. Morton's report was based on a report by the UN which Morton had written for News Ltd. Morton's report was based on a report by the UN which Morton had written for News Ltd.

Key al Qaeda supporter John McCain coming to the University of Sydney

"The United States Studies Centre at the University of Sydney (USSC) is honored to host US Senator John McCain, Chairman of the Senate Armed Services Committee, for the Alliance 21 Lecture in Sydney... Senator McCain will address the future of US alliances and engagement in Asia during his speech."
DATE & TIME: Tuesday, 30 May 5.30pm - 6.30pm VENU: Sydney TRC

McCain's visit to Sydney University is co-sponsored by News Ltd.

RETWEETS 157
LIKES 162



5:34 PM - 30 May 2017

Reply 12 Retweet 187 Like 162 Message

Appendix D

From: Tim Anderson <t.anderson@sydney.edu.au>

Date: 31/05/2017 9:04 AM (GMT+10:00)

To: _Arts SSPS Political Economy Board <_ArtsSSSPSPoliticalEconomyBoard@mcs.usyd.edu.au>

Cc: _Arts SSPS Political Economy Casual Tutors <_ArtsSSSPSPoliticalEconomyCasualTutors@sydney.edu.au>, _Arts SSPS Political Economy Hon Associates <_ArtsSSSPSPoliticalEconomyGeneral@mcs.usyd.edu.au>

Subject: USyd management trying to gag anti-war academics

Dear PE Colleagues

USyd management have been gunning for Jay Tharappel and myself over the past few weeks, this is mainly due to our criticism of News Ltd journalists over the war.

in my case also because of posting about USyd hosting al Qaeda supporter Senator John McCain

After a month of correspondence this has now gone public

FYI

best wishes

Tim

Anti-war academic gagged at Sydney University
Tim Anderson

Anti-war academic Jay Tharappel - a tutor and doctoral student - has been gagged by an effective 'secret social media police' group set up at the University of Sydney, to monitor public comments by staff involved in controversy.

This extraordinary development began with an anonymous leak from University management to the Daily Telegraph that Jay was "under investigation" for a "racially charged social media attack". The tabloid ran a front page story (11 April) vilifying the young academic. He found out his employer's investigation through the Daily Telegraph's smear story. That front page story would not have occurred had university management not helped create it.

A week later, when Faculty of Arts and Social Sciences (FASS) Dean Annamarie Jagose did press misconduct charges, she swore the casual tutor to secrecy.

The Daily Telegraph story formed part of a torrent of abuse, mostly from News Limited media, against organisers of our successful conference 'After the War on Syria', which took place on 18-19 April at Sydney University. The conference was seen as pro-Syria and anti-war, while virtually all the corporate and state media backed Trump's 6 April missile strike on Syria. In fact media attacks helped swell attendance at the successful conference, video of which is online here:

<https://counter-hegemonic-studies.net/.../syria-conference-2.../>

The Murdoch media through repeated abuse of us ("Sarin Gasbag", "Pro-Assad Boffin", "Uni loonies", "genocide slur") tried to pressure the university to act against the conference and its organisers. Jay's comments were in response to two of these crusading journalists.

Dean Jagose's 20 April letter to Jay, after the conference, cited several of his posts and the University's code of conduct. However it did not detail any particular imputations, as is normally required in civil law. Rather it called for his 'defence', while demanding that nothing of the inquiry be made public.

Jay, myself and an NTEU union representative urged that Dean Jagose state specific imputations (the University's Enterprise Agreement states that 'the staff member will be provided with allegations in sufficient detail to ensure that they have a reasonable opportunity to respond') but she refused. She also refused to release any detail of complaints that had been made against Jay to the university. Jay was left to present a 'defence' without any detailed knowledge of what had been alleged against him.

There was no hearing. In her 17 May 'outcomes' letter Dean Jagose found 'misconduct' proven, but gave only a little more detail.

Jay's criticism of journalist Kylar Loussikian (his surname indicates Armenian heritage) was that he was a 'traitor' to Armenians for backing the missile attack on Syria. Historically, Syria provided refuge to Armenians, after the genocide under the Ottoman Empire. Dean Jagose, however, wrongly claimed Jay's criticism was "on the basis of" his ethnicity. In his criticism of Fairfax journalist Michael Koziol, Jay had used the word "pathetic", because Koziol had quoted him out of context. Dean Jagose also regarded this as a form of misconduct.

The FASS Dean concluded there was 'misconduct', but not 'serious misconduct', and issued a 'warning'. However the sting was in the tail. Any similar indication of lack of "respect, impartiality, courtesy and sensitivity" to the public would lead to "further Disciplinary Action, up to and potentially including the termination of your employment". A regime of "appropriate monitoring" would be set up to police this threat.

Further, Dean Jagose added, "this matter is confidential" and he was "directed to refrain from disclosing [it] to anyone ... the University takes the need of confidentiality very seriously, and reserves the right to take disciplinary action if you fail to adhere to this direction." The star chamber was to remain hidden.

However I was sent a copy of this letter and I did not agree to any such confidentiality. The abuse of process under this secret regime deserves to see the light of day.

University of Sydney management clearly colluded with the Daily Telegraph to smear a young academic in their care – even though he is only employed three hours a week – and then set about trying to gag him. As the initial 'findings' were based on such flimsy grounds, it appears likely the secret monitoring group is ready to jump on almost any conflictual interaction by staff with powerful media groups.

Meanwhile Murdoch journalists are no doubt waiting with baited breath for another chance to smear. What a shameful exercise and breach of trust by university management.

Appendix E

From: Tim Anderson
Sent: Tuesday, 6 June 2017 1:29 PM
To: Annamarie Jagose; skempton@nteu.org.au
Cc: Simon Tormey; Kim Fletcher; Elizabeth Hill
Subject: Re your letter of 30 May

Dear Annamarie,

With respect to your letter of 30 May, let me begin by asking you to step aside.

1. I criticised your conduct of charges made against Mr Jay Tharappel, a tutor and doctoral student in my care. Indeed, in response to my private 19 May letter to you, which contained some blunt criticism, you responded with two emails in rapid succession which strongly suggest that your 30 May letter is a reprisal. In your email (22 May at 5.30pm) you simply reject all criticism, adding the claim that "this letter itself breaches our Code of Conduct". Almost simultaneously (22 May at 5.26pm) you wrote to me: "I would like to meet with you, following some of your recent social media activity ...". The immediate history, combined with these emails, leads me to conclude that this latest exercise is a reprisal.

2. In my letter of 19 May I criticised what I regard as an attempt to bully and gag Mr Tharappel, by colluding with journalists from the Daily Telegraph to smear him in a front page tabloid attack. He was a junior academic for whom both you and I had a duty of care. That tabloid attack would not have appeared had you not leaked information about your 'investigation'. Indeed Jay first heard of your 'investigation' through the Daily Telegraph. I regard that as a breach of trust on your part.

3. I infer that the charges against Mr Tharappel were motivated by a concern to protect the university from media criticism it was receiving over the 18-19 April conference on Syria that we organised. It also seems that you and Simon Tormey (apparently your designated 'monitor' of social media activity) are concerned at adverse media coverage, as a result of staff engaged in critical discussion of the war on Syria. However I remind

you of the University's specific support for intellectual freedom (EA s.254), including on "the operations of the university", including "controversial views" so long as there is not "harassment, vilification or intimidation". There is nothing in my comments which constitutes "harassment, vilification or intimidation".

4. In the course of your secretive proceedings against Mr Tharappel you refused to provide specific details of your allegations (imputations), a course you repeat against me in your 30 May letter. You pretend to draw my attention to s.309(c) of the Enterprise Agreement ("the staff member will be provided with allegations in sufficient detail to ensure that they have a reasonable opportunity to respond"), but it appears you have little regard for it. Instead you, or Simon Tormey on your behalf, have trawled through some social media comments then, making not even one specific imputation, present me with 10 pages and an implicit 'please explain'. I regard this as an abuse of process.

5. For these reasons I apprehend serious bias. I cannot accept that you are acting as an impartial manager and I ask you to step aside and pass the matter to someone who might be regarded as impartial. I further ask that the new investigator provides the necessary further details or imputations regarding the allegations, prior to my response.

Yours sincerely

Tim Anderson
Political Economy

From: Annamarie Jagose
Sent: Tuesday, 30 May 2017 8:05 AM
To: Tim Anderson
Cc: Simon Tormey; Kim Fletcher
Subject: Private and Confidential

Dear Tim,

As requested, please find attached a letter advising of allegations regarding your conduct.

I encourage you to consider all of the information outlined, including the sections regarding the opportunity to respond, confidentiality and support.

Regards,

Annamarie.

PROFESSOR ANNAMARIE JAGOSE | FAHA

Dean

Faculty of Arts and Social Sciences

THE UNIVERSITY OF SYDNEY

Quadrangle Building A14 | The University of Sydney | NSW | 2006

E annamarie.jagose@sydney.edu.au

W <http://sydney.edu.au/arts/>



5 July 2017

Dear Stephen

Re. Misconduct allegations

Thank you for your letter of 26 June and for those extra details, which did not appear in the letter of 30 May. In saying that I don't mean to say that I take these allegations as genuine.

I remind you that, in my private letter to Dean Annamarie Jagose of 6 June (now your App E, and which you seek to characterise, in itself, as 'misconduct'), I provide evidence that her initial allegations against me were reprisals for my criticism of her conduct of the process against Jay Tharappel. My harshest criticism was directed at university disclosure to a tabloid paper that a misconduct process aimed at Mr Tharappel was afoot. I reiterate my comments in that 6 June letter, that I view Dean Jagose's behaviour as part of an attempt to protect the university from controversy arising from staff engaged in critical discussion of the war on Syria. However the process against Mr Tharappel involved substantial abuse.

In relation to the reprisal allegations against me, I remind you of the university's specific support for intellectual freedom (EA s.254), including on 'the operations of the university', including 'controversial views' so long as there is not 'harassment, vilification or intimidation'. The full clause is this:

INTELLECTUAL FREEDOM

254 The Parties are committed to the protection and promotion of intellectual freedom, including the rights of:

- (a) Academic staff to engage in the free and responsible pursuit of all aspects of knowledge and culture through independent research, and to the dissemination of the outcomes of research in discussion, in teaching, as publications and creative works and in public debate; and*
- (b) Academic, Professional and English language teaching staff to:*
 - (i) participate in the representative institutions of governance within the University in accordance with the statutes, rules and terms of reference of the institutions;*
 - (ii) express opinions about the operation of the University and higher education policy in general;*
 - (iii) participate in professional and representative bodies, including Unions, and to engage in community service without fear of harassment, intimidation or unfair treatment in their employment; and*
 - (iv) express unpopular or controversial views, provided that in doing so staff must not engage in harassment, vilification or intimidation.*

I am published in the area of war and war propaganda (The Dirty War on Syria, 2016, now in seven languages; and several articles on Latin America) and on the compromises the University of Sydney has made in relation to the US view of the world ('Hegemony, big

money and academic independence’, *Australian Universities Review*, Vo 52 No 2). I have both a right and a responsibility to engage with these issues publicly. You have not pointed out anything in my comments which constitutes ‘harassment, vilification or intimidation’. Nor do you or Dean Jagose make any reference to these pertinent criteria.

Instead, you seek to depoliticise a selection of my social media comments while, at the same time, effectively demanding political explanations. In the circumstances of political criticism, during a war, I do not find your general references to ‘courtesy’, ‘respect’ and ‘restraint’ as particularly useful. Of course it might be seen as discourteous, at face value, to accuse someone of a war crime or support for terrorism. However that rather misses the point of public debate on such serious matters.

Let me tell you the criteria I use in public criticism and debate, based on my understanding of basic ethics and civil law principles. I believe criticism should be based on fact, in the public interest and not involve abuse or gratuitous personal attack (‘FPINA’). That also applies to private criticism. I defend all my comments on this basis, also having regard to the provisions of EA s.254. I say that that none of my cited comments breach those standards.

On ‘confidentiality’, I do not accept the premise that either you or Dean Jagose have legal authority to demand secrecy of communications, unless there is some specified good reason. In this case there is no privacy concern, other than my own, and you have not spelt out any other particular reason for demanding secrecy, nor sought my consent for such. Dean Jagose did ask for me to agree to secrecy over her allegations communications against Jay Tharappel and, when I refused, she excluded me from further communications on the matter, except (for some reason) for her final letter.

As my letter of 6 June shows, I have formed a clear view that Dean Jagose has abused her position as a manager, against both Mr Tharappel and myself, and I will not agree to secrecy over that abuse. I observe that there is no obvious university procedure to charge a manager with misconduct. It is likely that I will write about these matters as part of a wider research article. No-one whose rights are being abused should be bullied into sworn secrecy. That in itself is an abuse.

The allegations in your 26 June letter seem to be in two parts, one to do with some explanatory detail to Dean Jagose’s 30 May letter (‘Additional Information in Relation to 30 May Letter’) and then some other matters (‘Further Allegations’).

My responses:

A. “Additional Information in Relation to 30 May Letter”

The ‘Appendix A’ here is mostly to do with my criticism of or debate with journalists who have engaged in propaganda for war. You should understand, whatever the outcome of your current process, I will not be bullied or intimidated into refraining from reasonable public comment, including criticism of journalists.

1. The allegations against Mr Tharappel were made public (before he himself had been told) by the University. The Daily Telegraph’s 11 April front page smear story says: “A university spokesman said: ‘The University of Sydney has commenced an investigation into the behaviour of a casual staff member who is alleged to have made offensive comments to a

journalist on social media today”. I published information showing statements that had been made by the Daily Telegraph and compared them with statements made by Jay and asked readers to compare. The information I provided, in this case, was in the public domain. Having acted publicly against Mr Tharappel, it is not seemly for university managers to now claim some special privilege based on secrecy.

2. Regarding my criticism of journalist Kylar Loussikian, that was based on fact, in the public interest and there was no abuse. In the circumstances, the only plausible source for information which gave rise to the Armenian National Council’s false accusation (that Mr Tharappel used ethnicity as a term of abuse, or had ‘threatened genocide’) was that same journalist, Kylar Loussikian.

3. Regarding comments on the 'colonial media' and Kylar Loussikian: FPINA. If you are interested in the false news run over the war in Syria, over the last 6 years, you are welcome to consult my book *The Dirty War on Syria*, chapters 3 and 7.

4. Regarding false informatuion purveyed by Kylar Loussikian: FPINA. There are good grounds to conclude he was lying, in particular about the alleged chemical weapons attack at Khan Sheikhoun. I will not cite the evidence on that incident here.

5. See point 2 above. I am entitled to criticise journalists when it is done of the basis of FPINA and, consistent with EA s.254, with no ‘harassment, vilification or intimidation’.

6. See point 2 above: FPINA.

7. Regarding journalist Rick Morton: FPINA. Rick Morton has made a series of false statements about the war, from 2014 onwards, including the one listed in the graphic (disregarding his main complaint, that he did not like the ‘picture from 2005’ - and notwithstanding that the graphic is unreadable in its current form) that the UN made a finding in early 2014 that the Syrian Government (‘regime’) was responsible for the chemical weapons incident in the East Ghouta in August 2013. That UN report made no such finding. If you want further detail, including of that UN report, see Chapter 9 of my book, *The Dirty War on Syria*.

8. Re John McCain’s support for the al Qaeda groups in Syria and Libya: FPINA. This is well known and widely cited. McCain has been pictured with al Qaeda leaders in northern Syria and in Libya. He boasts openly that he talks regularly to all the anti-government armed groups in Syria, including ISIS. He was pictured in 2015 presenting an award to Abdelhakim Belhadj, former head of the Libyan Islamic Fighting group (LIFG), The LIFG is now aligned to ISIS and has been linked to the May terrorist bombing in Manchester.

Here are a few relevant articles on McCain’s links to terrorist groups:

<http://landdestroyer.blogspot.com.au/2012/03/john-mccain-founding-father-of.html>

<http://www.globalresearch.ca/john-mccain-illegally-travels-to-syria-meets-with-leaders-and-fighting-groups-no-criticism-from-msm/5576594>

<http://www.dailymail.co.uk/news/article-2762680/Feeding-frenzy-debunks-Rand-Paul-claim-John-McCain-met-ISIS-linked-jihadists-Syria.html>

<http://21stcenturywire.com/2015/01/22/truth-revealed-mccains-moderate-rebels-in-syria-are-isis/>

<http://journal-neo.org/2015/03/09/washington-s-al-qaeda-ally-now-leading-isis-in-libya/>

<https://www.mintpressnews.com/228360-2/228360/>

Of course it might be seen as lacking ‘courtesy’ to accuse guests of the university of supporting terrorism. That might hurt their feelings. But, in this case, that is the fact. This is important public discussion, based on fact and public interest, without abuse.

B. “Further Allegations”

a. I have already dealt with the confidentiality issue, above. As I mentioned, it was Dean Jagose or her associates who did the initial damage, by making information on charges against Jay Tharappel available to the Daily Telegraph, even before that information was provided to him. She was the person in charge of the process and so must carry responsibility for that ‘leak’. I regard it as reprehensible that Dean Jagose authorised that damaging disclosure and then tried to swear Mr Tharappel to secrecy.

b. As for the university threatening to sack me, that has been repeated several times, including in your present letter (p.3). I’m not sure why you bother complaining.

c. See my comments above on management demands for secrecy. The statements about the mistreatment of Mr Tharappel were apt and not ‘without foundation’. I have pointed out above that it is a matter of public record that the University (through Dean Jagose, as the person responsible for the relevant investigation) disclosed her process against Jay Tharappel well before Mr Tharappel himself was informed. This disclosure resulted in a massive tabloid smear of the young academic. That was improper, a breach of trust, and that is why I refer to collusion. The ‘effective social media police’ statement arises from Dean Jagose’s missive to Jay Tharappel (her ‘Outcomes- allegations misconduct’ letter of 17 May) which she sent to me, despite knowing that I had rejected her claim for secrecy. That letter contained this comment: “Professor [Simon] Tormey will be notified in an effort to provide appropriate monitoring”, i.e. of social media comment. Her initiation of reprisal charges against me (until she stood aside) no doubt drew on this same ‘monitoring’ process.

d. The complaint about my private letter of 6 May, explaining why Dean Jagose should stand aside from this matter (before she actually did) is just absurd. Each of the assertions in that private letter were factual, relevant to the matter, based on genuine belief and not abusive.

e. This is some sort of catch all summary. See my earlier comments on criteria for comment.

f. My comments about university managers were genuine, accurate and not in breach of the university principles. If there is a poor reflection here on the University’s image here the root is in the abusive process carried out by the Arts Dean and her associates. That is what virtually all public comment is about. Most of the basis for my criticism of Dean Jagose can be seen in the appended 6 June letter.

Stephen, the extra detail of your letter corroborates my view that University managers – motivated by the media attack on organisers of our very successful April conference ‘After the war on Syria’ – have been keen to deter or intimidate staff engaging in public debate on the war and in particular to intimidate us over criticism of journalists. That has included disgraceful university collaboration with a tabloid paper in the defamation of a junior staff member.

I remind you of the university's formal commitment to freedom of public debate, for both staff and students. I suggest that managers who are keen to protect the university's reputation not feed further justifications for a belief that the university is using spurious pretexts to suppress public debate on such important matters.

Yours sincerely

A handwritten signature in grey ink, appearing to read 'Tim Anderson', with a stylized, cursive script.

Dr Tim Anderson
Senior Lecturer
Political Economy



Professor Stephen Garton *FAHA, FASSA, FRAHS*
Provost and Deputy Vice-Chancellor

2 August 2017

Dr Tim Anderson
Department of Political Economy
University of Sydney NSW 2006

By email: t.anderson@sydney.edu.au

Dear Tim,

RE: OUTCOME – ALLEGATIONS OF MISCONDUCT OR SERIOUS MISCONDUCT

I refer to the letters to you dated 30 May 2017 (**Allegations Letter**) and 26 June 2017 (**Further Allegations Letter**), advising you of a number allegations against you, which if substantiated may constitute breaches of University policies and Misconduct or Serious Misconduct, as defined by **clause 3** of the University of Sydney Enterprise Agreement 2013-2017 (**Enterprise Agreement**).

Details of the allegations were provided to you and you were invited to respond to them. You responded to the allegations in a letter dated 5 July 2017 (**Response**).

CONCLUSIONS

I have carefully considered all the information available to me, including your Response and I am satisfied that:

- 1. The allegations set out in paragraphs (a) to (b) of the Allegations Letter are substantiated in relation to Particulars 1-8 as set out in the schedule to the Further Allegations Letter.**

As an employee of the University, you owe obligations to the University with respect to your behaviour. The University has in place policies including the Code of Conduct – Staff and Affiliates and the Public Comment policy. These policies apply to you and you are expected to comply with them.

As you have stated in your Response, the University is committed to the protection and promotion of intellectual freedom. Academic staff are encouraged to contribute to public comment in their area of expertise.

However, the University, as your employer, has the right to set standards of behaviour in relation to the way in which public comment occurs, and to require that you meet those expectations. In this regard, it is reasonable for the University to require that you comply with standards of behaviour, including by treating members of the public with respect, impartiality, courtesy and sensitivity, and ensuring that your conduct is professional and exercises appropriate restraint. It is also reasonable for the University to require that matters relating to the employment of individual employees are kept confidential.

Although you have also established your own set of criteria for public criticism and debate ("FPINA"), this does not remove or override the fact that you owe obligations to the University as one of its employees.

I find that it is on this basis that allegations have been put to you, and I am not satisfied that the allegations are motivated by a "media attack", or that they constitute reprisals against you.

Particular 1

You were aware that the comments by Mr Tharappel were the subject of a confidential investigation by the University, and despite this, you published those comments on your social media accounts. Even if you thought that the University had made the allegations against Mr Tharappel public (which I do not accept), this does not justify your actions.

Particulars 2 to 7

I do not agree that you are entitled to criticise journalists so long as they meet your own set of criteria ("FPINA"), in circumstances where you are an employee of the University and your Twitter and Facebook accounts identify that you are employed by the University.

In your Response you have indicated your view that your comments in relation to Mr Loussikian were based "on fact", and that your posts about Mr Morton were made in circumstances where Mr Morton had made "a series of false statements about the war, from 2014 onwards".

Even if this is true, I do not accept this justifies the language used in your posts, which I find was intemperate, and constituted personal attacks on Mr Loussikian and Mr Morton.

Particular 8

I have carefully considered the information set out in your Response, and find that there are no grounds to assert that Senator McCain is a "war criminal". To assert that an individual is a "war criminal" suggests that there has been a verdict by a Court or Tribunal that the individual has breached laws relating to conflict. Your Response does not set out any information to this effect and in those circumstances the assertion that Senator McCain is a "war criminal" constitutes behaviour which is not fair and reasonable and is not professional or exercise appropriate restraint.

2. The allegations set out in paragraphs (a) and (b) of the Further Allegations Letter are substantiated.

In your Response you do not deny that you made or caused to be made the post and Tweet referred to in paragraphs (a) and (b) of the Further Allegations Letter.

I do not accept the reasoning in your Response that if the Dean or her associates "did the initial damage", this justified your post and Tweet setting out confidential matters in circumstances where you had been directly informed that they were confidential.

3. The allegations set out in paragraph (c) of the Further Allegations Letter are substantiated.

In your Response you do not deny that you made the statements referred to in paragraph (c), and you set out your reasons for the comments in paragraph (c) of the Further Allegations Letter.

I do not accept your comments in relation to "management demands for secrecy", and refer to my comments in relation to confidentiality as set out above. I find that

you published confidential information relating to the employment of an individual (Mr Tharappel).

Regardless of the wording in the letter to Mr Tharappel dated 17 May, I find that the language used in your 31 May Email that there is an "effective social media police" group was not appropriate. In any case, this comment is a reference to a confidential investigation relating to the employment of a staff member.

I understand from your Response that it is your view that there was collusion with the Daily Telegraph, which you assert constituted a "shameful exercise and breach of trust". However, I do not agree that these views justified the language used in the 31 May Email, which I find was derogatory.

I find that the sending of the 31 May Email and the language used within was unprofessional and failed to meet the University's expectation that you treat other staff with respect, impartiality, courtesy and sensitivity.

4. The allegations set out in paragraph (d) of the Further Allegations Letter are substantiated.

In your Response you do not deny that you made the statements referred to in paragraph (d), and you set out your view that the assertions in the letter were "factual, relevant to the matter, based on genuine belief and not abusive."

Having carefully reviewed the 6 June Email, I find that the language used in the 6 June Email was derogatory in nature, unprofessional and failed to meet the University's expectation that you treat other staff with respect, impartiality, courtesy and sensitivity.

5. The allegations set out in paragraphs (e) and (f) of the Further Allegations Letter are substantiated.

It appears to me that there is a typographical error in the Further Allegations Letter, and that paragraphs (c), (d), (e) and (f) referred to in these allegations should respectively refer to paragraphs (a), (b), (c) and (d) of the Further Allegations Letter. For the reasons set out in paragraphs 2, 3 and 4 above, I am satisfied that paragraphs (e) and (f) are substantiated.

The Conduct constitutes Misconduct.

The Enterprise Agreement defines "misconduct" as "conduct or behaviour of a kind which is unsatisfactory" and gives as an example, a breach of a Code of Conduct.

Your Response does not satisfactorily explain or excuse your conduct as set out in the Allegations Letter and Further Allegations Letter, and for the reasons set out above I am satisfied that, in all the circumstances, your conduct constituted Misconduct within the meaning of the Enterprise Agreement.

I am not satisfied that you engaged in Serious Misconduct.

OUTCOME – WRITTEN WARNING

I am satisfied that Disciplinary Action within the meaning of clause 309 of the Enterprise Agreement is appropriate. Accordingly, please treat this letter as a written warning in relation to your Conduct.

You must, hereafter, appropriately discharge your obligations pursuant to your contract of employment with the University, the Enterprise Agreement and the Code of Conduct – Staff and Affiliates and the Public Comment Policy going forward. I specifically remind you of the requirement to exercise good and ethical judgment in any public comment, demonstrate professionalism (including in public comment) and exercise appropriate restraint. I also remind you of your obligations to act fairly and reasonably, and treat all relevant persons, including staff and members of the public, with respect, impartiality, courtesy and sensitivity.

In your Response you have indicated that you intend to continue write about matters relating to Mr Tharappel as part of a wider research article, and to engage in public comment based on your own standards rather than those set by the University. In light of the outcome of this investigation, I encourage you to carefully consider your obligations you owe as an employee of the University. Should any further incidents of this nature occur, the University will rely upon this letter to determine any appropriate further Disciplinary Action, up to and potentially including the termination of your employment.

EMPLOYEE ASSISTANCE PROGRAM

I encourage you to consider whether support from the University's Employee Assistance Program (EAP) will be of assistance to you. Information about this free and confidential counselling service is available at:

<http://sydney.edu.au/sydneypeople/support/counselling.shtml>

Yours sincerely,



Stephen Garton

cc: Professor Simon Tormey, Head of School, School of Social and Political Sciences
Ms Kim Fletcher, Associate Director – HR
Staff File