Australian Synchrotron
User Advisory Committee Meeting
17 November 2009

Present: Roland de Marco (Chair), Bridget Ingham, Helen Blanchard, Hugh Harris, Jamie Quinton, Charlie Bond, Peter Kappen, Stephen Best, Alan Buckley (standing in for Bill Skinner)

Item 1.

Apologies: Mark Ridgway, Robert Knott, Don McNaughton

The Chair mentioned the meeting was an extraordinary meeting and its primary intention was to discuss and consider a response to the shock termination of the Facility Director, Professor Robert Lamb

Item 2.

Minutes accepted subject to minor typographical amendments.

ACTION: Chair to forward amended minutes to AS for posting on the website.

Item 3.

Email sent to Head of Science, Ian Gentle and Head of the User Office, David Cookson as Actioned.

Item 4.

Item 5.

The consensus was the letter from the Board of Directors was contemptuous and lacking in any detail.

Item 6.

The Chair gave a report on the pre-meeting that occurred earlier that day. The meeting consisted of Catherine Walter (CW), Roland, Matt Wilce, Alan Buckley, Bridget Ingham and Chris Ling. CW reaffirmed that the Board’s decision to remove the Facility Director was unanimous and its action was taken after much discussion.
CW outlined the reasons for the termination of the Director's secondment. These were:

1. Critical compliance issue with a major funder;
2. Fundamental relationship issues with a key stakeholder.

It was noted that the "funder" and "stakeholder" terms were pluralised by CW as the meeting progressed. Whether this was to add gravitas to the situation or was carelessness with words was also discussed.

CW mentioned that Neville Stevens was brought in as a consultant to facilitate interactions with the Victorian, New Zealand and Commonwealth Governments.

CW mentioned that LEK was brought in as consultants to develop a business case as there was no confidence in Management to develop a science and business case. Roland mentioned that LEK had been in contact with some stakeholders (Monash, UNSW) but was unsure whether Melbourne had been contacted.

Roland spoke to Ian Gentle this morning about the purpose of LEK

Alan Buckley asked several specific questions of CW; vis

a). Could details be provided for 1 and 2. The answer was no; the Board had to be careful about the information that was put into the public domain. When pressed, CW indicated that 1 "went to the heart of the funding" and 2 involved "stakeholder fractures".

b). Has Rob Lamb (RL) been advised in writing of the reasons for his dismissal? "That is for Rob". No straight answer. CW would not go into this.

c). If the problems concerning the Director were so serious and so fundamental, why weren't they obvious to the SAC? Why did the SAC feel the need to respond in the way it did? The answer was that the SAC would not necessarily be aware of the problems under consideration, viz, 1 and 2.

[d). While acknowledging that the current Board inherited the present governance structure, did it think it was appropriate for a synchrotron? The answer was "it is working well at the moment". However, "there will be an opportunity to comment via LEK on this". Changes might be possible "going forward".

The general consensus was that CW was obfuscating as there was no solid reason for the dismissal of the Director

Roland also asked a question on behalf of Brendan concerning the difficulty of obtaining a replacement for the Director. There was concern that given the current climate at the AS, and extended notice periods for appropriately qualified Directors, it could be more than 12 months before a new Director is employed and this is perilously close to the end of the current funding cycle

In discussion between Roland and Linda Kristjanson (Board Member), the lack of evidence for Rob's removal was to protect Rob's reputation. It was noted that the correspondence from SAC, based on communication with the Board, was that there was no question of impropriety or criminal misconduct.

The consensus was that there was nothing learnt from the UAC pre-meeting with CW.
Discussions then centred on the specifics put forward for the Director’s removal. It was mentioned that RL was given a piece of paper outlining the Board’s decision but this was taken back when Rob left the premises.

On the question of why the SAC was not advised, the response was that the impression given by CW was that the SAC looks after science and the Board everything else. CW was quoted as saying that in the business world, it would be usual to remove someone for fracture and compliance issues.

Other comments centred on the apparent suddenness off the termination. For example:

- RL was taken by surprise. The facility was on or ahead of target.
- At the recent AGM, there was no hint of issues, very surprising.
- At the previous SAC meeting RL gave and overview. When asked to comment Roland was asked to comment – the response was that it was all excellent.
- Roland was pulled aside on the day of Rob’s termination and told to which he was shell shocked.

Discussion turned to the SAC letter and the signatories. It was mentioned that Peter Lay was 100% supportive of the SAC position but was advised not to sign it by UNSW as there was insufficient time to consider it properly. This was mentioned at a PAC meeting. There was some confusion about whether Peter was on the Board. This was cleared up.

Roland was asked whether he was in a difficult situation given he reports directly to one of the Board members to which Roland responded that he is representing the best interests of the User community first and foremost.

It was mentioned that the XAS PAC had sent a letter to the Minister (unclear which one) endorsing the stance of the SAC which Peter Lay signed. The consensus from the XFM PAC was that it also supported the SAC stance.

It was resolved that UAC would write a letter to Minister’s Jennings and Carr and Premier Brumby. Whilst defining the general principles correspondence from Mark Ridgway was tabled (below).

"Unfortunately I am unable to participate in the UAC meeting tomorrow. None the less, let me state now my support for we as representatives of the user community receiving some form of explanation for the actions of the Board. I also favour a strong letter from the UAC condemning such actions and am more than happy to assist in formulating the letter. If ever we had a purpose as a committee, it is now and our response should be well crafted and unambiguous. Let me know if I can help post-meeting. Thanks."

It was felt that the Board had not anticipated the destabilising effects of their actions and had treated the scientific community with contempt. If effect treating the synchrotron as a business instead of a scientific endeavour.

It was mentioned that from the User’s perspective the synchrotron was running very well and there appears to be no good reason for termination. In light of this what is the right question to ask of the Board with regard to the letter.

The consensus was that all Users spoken to had commented that the synchrotron is going very well when discussed with UAC members.
It was resolved for UAC to approach Rob and ask if he had objections to UAC asking for information from the Board that they felt would compromise his integrity (reputation).

**ACTION:** Roland to contact Robert Lamb to get his endorsement on asking the Board for specific details of Rob’s termination evidenced by fact.

The question was asked if it would be advantageous for each PAC to write separately to Minister Jennings, Minister Carr and Premier John Brumby expressing their concern; or whether it should be a single letter endorsed by all. The consensus was that multiple letters would carry more weight than a single letter and would allow each committee to express its own concerns.

A subcommittee was formed to prepare a draft letter for UAC to endorse and send to the same sources as the SAC letter. Membership of the committee is:

- Mark Ridgway
- Roland de Marco
- Bill Skinner
- Stephen Best

**ACTION:** UAC subcommittee to prepare a draft letter ASAP for circulation to UAC members for comment and endorsement.

**ACTION:** Distribute letter ASAP to appropriate sources.

**ACTION:** UAC to request PAC Chairs liaise with their committees to draft appropriate letters for distribution.

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**Item 7.**

The next UAC meeting will be a face to face meeting timed to coincide with the Neutron User Committee meeting to allow a joint meeting to take place.

**ACTION:** Roland to contact appropriate counterpart at ANSTO

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**Item 8.**

The discussion turned to nomination of Board members and the question was raised was it appropriate for UAC to contact Foundation Investors suggesting nominations for Board Members. This question was raised because of concerns over the lack of deep science and synchrotron user experience of current Board members. The UAC endorsed this approach.

**ACTION:** UAC to contact Foundation Investors with suggestions for new Board members to fill the several vacant positions.

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**Item 8.**

To be determined.