

Ex-UWC chairman challenges his removal

September 24 2013 at 12:29pm

By Leila Samodien [Comment on this story](#)



INLSA Mr Brian Williams, former chairman of the UWC council. Picture: Henk Kruger/Cape Argus

Cape Town - The former chairman of the University of the Western Cape council, Brian Williams, has gone to court to challenge his removal.

Williams lodged an application at the Western Cape High Court last week, claiming that the decision the council took at a special meeting on September 12 to permanently remove him as chairman was unlawful.

The university said on Monday that it had received the application filed by Williams, who is still a council member.

“The university council is seeking legal counsel on the matter,” said spokesman Luthando Tyhalibongo.

Williams’s attorney, Rael Gootkin, confirmed that he’d received correspondence from a law firm advising that they were representing all three respondents in the matter – the university, the council and the new council chairman - and that they were in the process of taking instructions.

According to Williams’s affidavit, which has been submitted to the court, the background to the dispute dates to mid-2012 when he and UWC vice-chancellor and rector Brian O’Connell clashed over the appointment of an external investigator to deal with a complaint against a member of the senior management.

The council had appointed a sub-committee to mend the relationship between the two; however, the sub-committee hadn’t achieved any success.

A mediation process led by the chancellor, Cape Town Archbishop Thabo Makgoba, then followed.

Makgoba was to report back to the sub-committee, which was to prepare a report with recommendations for council.

O'Connell, Williams claimed, had alleged that he (Williams) was the source of a "concerted attack" on senior management staff.

In responding, Williams had contended that O'Connell did not have evidence to support the allegations.

A special council meeting had been arranged for September 12 to discuss the sub-committee's final report on the matter, but Williams said the mediation process was not complete by then. He had recused himself from the special meeting.

"At least seven members of the council left on the assumption that the special meeting would not proceed," he said in his affidavit.

Williams said he'd discovered after 4pm the following day that he'd been replaced as chairman.

Williams contends that the council's decision was "fatally flawed" because:

- * The only body that had the power to remove him as chairman was the convocation.
- * The issue of his removal wasn't on the meeting agenda.
- * The decision was taken without him having been given notice of it, which meant he hadn't been given an opportunity to make submissions.

leila.samodien@inl.co.za

Cape Times

<http://www.iol.co.za/capetimes/ex-uwc-chairman-challenges-his-removal-1.1581889#.VCEo4xacxfg>