

## PedSALi: Pedestrian protection using Shock Absorbing Liquid (SALi)

This document is a response to an email sent to Bill Courtney by Ben Ryan Senior Manager, Research Outcomes, 22<sup>nd</sup> May 2015

### Notes:

- The home page for the PedSALi project is [www.cheshire-innovation.com/sali/pedsali.htm](http://www.cheshire-innovation.com/sali/pedsali.htm)
- I will refer to this page as “The PedSALi page.” I will also refer to myself in the third person as “Courtney”.
- All of the issues referred to in the email from Ben Ryan, EPSRC will be addressed but the order will be changed.
- The validity of the formal investigation will be considered first.

### 1 The conduct of the enquiry

There are three criticisms of the manner in which the enquiry was conducted: These resulted in the enquiry process being invalid.

#### 1.1 Limitations on the members of staff who were investigated.

Courtney claims that three people should have been investigated. In fact one was selected as a scapegoat and the other two were allowed to testify on his behalf.

#### 1.2 Limitations on the witnesses interviewed.

Two key people who would have been able to provide a balanced picture to the Enquiry Panel were not interviewed.

#### 1.3 Secrecy: There was no sharing of information with the complainant Courtney.

Libellous allegations about Courtney’s character and professional competence were recorded as fact in the Formal Enquiry Report. But (i) no supporting evidence was provided in the report and (ii) because Courtney did not have sight of any of the evidence during the enquiry, he was unable to defend himself.

These three criticisms will now be discussed in detail.

#### 1.1 The limitations on the members of staff investigated.

There is considerable evidence that the conduct of three members of staff at Manchester University should have been investigated. These people were Dr O. Oyadiji, Professor J. Wright and Dr J. Turner. But in spite of written protests from Courtney, Dr Oyadiji was selected as a scapegoat and the other two were allowed to testify on his behalf.

Here are four examples of the evidence of collusion that was available to the Formal Enquiry Panel. This evidence should have alerted them to the fact that more than one person had misbehaved.

- (i) All three acted as joint authors for the scientifically misleading journal paper presented as **Document D1** for the Enquiry. This document is reproduced online at <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>
- (ii) All three acted as joint authors for three scientifically misleading conference papers that were published in breach of the legally binding PedSALi collaboration agreement. There could be no excuse for this because in addition to the regular verbal warnings that Courtney gave at the monthly project

meetings he had sent all three a detailed written complaint. This was submitted to the Formal Enquiry as **Document D5**. It is reproduced online at <http://www.cheshire-innovation.com/sali/July2005Warning.htm>

- (iii) Dr Turner claimed three contradicting roles that were exploited dishonestly according to the circumstances.
- (1) He introduced himself to Courtney and Dow as an “independent person”. Courtney and Dow took him at his word and placed their trust in him to act as an independent arbitrator between Oyadiji and Wright on one side and Dow and Courtney on the other. Dr Turner is recognised in this “independent” role in the wording of the Formal Enquiry Report. But Dr Oyadiji and his line manager, Professor Wright knew that this was a deception.
- (2) Dr Turner was in fact one of Dr Oyadiji’s closest research colleagues. [See PedSALi page, Appendix Three for the evidence.] This meant that the University had misled Dow and Courtney by appointing a close colleague of Dr Oyadiji in the guise of an independent person. Given that the University had several thousand members of staff to draw on to take on the role of an independent arbitrator, it has to be assumed that this University decision was probably deliberate.
- (3) In **Exhibit 37** for the Enquiry, Dr Turner claims the key role of "Project Coordinator - PEDSALi Project." Exhibit 37 is published online at [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Exhibit%2037%20Bad%20packaging.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Exhibit%2037%20Bad%20packaging.htm)
- (iv) In his fictional key role as “Project Coordinator”, Dr Turner sent an email to the EPSRC and other funding providers that libelled Dow Chemicals. This libel took the form of a false statement implying that Dow insisted on work only being done using a form of SALi packaging that was ineffective. This was a very serious libel because from that time on until the end of the PedSALi project, the University researchers had created an excuse for wilfully doing bad research. The Dow representatives gave up on attending meetings and Courtney only continued to attend until his health broke down and he was treated for depression. For proof of the libel, please see Exhibit 37 for the Enquiry. This Exhibit is reproduced in an annotated form on the following web page [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Exhibit%2037%20Bad%20packaging.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Exhibit%2037%20Bad%20packaging.htm) Evidence of Courtney’s breakdown in health was submitted to the enquiry as **Exhibits 9** and **42**.
- (v) All three were present at the meeting of 9<sup>th</sup> September 2003 that resulted in Dr Turner circulating the false claim that Dow only wanted research to be done using ineffective packaging.
- (vi) All three were present at the 10<sup>th</sup> Formal PedSALi meeting, 29 September 2003 (attended by two representatives of the Department for Transport and a representative of Foresight Vehicle) where
- Eugenio Toccalino from Dow phoned in complaining that the wrong packaging was being used for the University experiments,
  - Dr Oyadiji falsely blamed Peter Cate of Dow for insisting on the wrong packaging being used,
  - in Cate’s absence, Courtney defended him against this false allegation,
  - Turner and Wright remained silent.
  - A careless mistake was made: Unfortunately for Oyadiji. Turner and Wright, they had forgotten that the telephone line remained open, so that Toccalino heard and noted all the exchanges.
- (vii) **Exhibit 39** for the Panel includes an email from Peter Cate to Courtney where this careless mistake is discussed. Peter Cate wrote,
- “Eugenio did in fact mention to me that in my absence the finger was pointed at me concerning a number of issues. I am afraid this typifies the characters (or should I say character) we are dealing with at Manchester.”

**Document C1, Section 5**, provided the Panel with full details of the fit up of Peter Cate by his University colleagues. This document is reproduced online at [http://www.cheshire-innovation.com/document\\_c1.htm](http://www.cheshire-innovation.com/document_c1.htm)

*Courtney comments for the EPSRC*

- (i) This investigation allowed alleged perpetrators, with a vested interest in hiding the truth to appear as independent witnesses.
- (ii) The decision to allow alleged perpetrators to defend the scapegoat was made wittingly under protest form Courtney.
- (iii) No court of law would recognise such a biased form of enquiry as being valid.
- (iv) Consequently Courtney argues that that the statement “**The report shows that the formal investigation by the University, which appears to have been properly conducted, did not uphold the following complaints: ..**” [Email from EPSRC 22 May 2015] would also be rejected by a court of law.
- (v) It may have superficially *appeared* to have been conducted properly. But the reality was different.

## 1.2 The limitations on the witnesses interviewed.

Two people, **Dr Michelle Cooper**, a University business manager, and **Professor Steve Reid** an impact and blast expert at UMIST put in a great deal of effort to counter the disruptive tactics of Oyadiji, Wright and Turner.

*But, they were not called as witnesses.*

The blast mitigating aspects of SALi grew in importance following the 9/11 attacks on America and successful tests using SALi to mitigate the damage caused by plastic explosives. (For example see Section 4.6 on this web page [http://www.cheshire-innovation.com/sali/what\\_is\\_sali.htm](http://www.cheshire-innovation.com/sali/what_is_sali.htm) )

Cooper and Reid also recognised that the development of SALi Technology at the post-amalgamation University would bring credit and funding opportunities to the new University.

This is how Courtney described them in an email to the Vice-Chancellor of the pre-amalgamation University of Manchester.

Dear Sir Martin,

Thank you for your email letter of August 10th.

In order to obtain a rounded picture of the Cheshire Innovation - University relationship, I would recommend that you speak to Dr. Michelle Cooper of Manchester Innovation and Professor Steve Reid of UMIST.

I would be happy for either of these two people to arbitrate with regard to the current difficulties. I have a long standing business relationship with Michelle, as a representative of Manchester Innovation, but Steve may be preferable, because he has a technical understanding of SALi Technology.

You may also find it helpful to ask for Steve's comments on the annotated Smart CrashSALi report.

I am currently working with Steve and other UMIST/industrial colleagues, bidding for approx. £250k Home Office/EPSRC funding, to design a new type of lightweight body armour, based on SALi Technology.

Yours sincerely,  
Bill Courtney

*Courtney comments for the EPSRC*

- (i) An annotated copy of this email was submitted to the enquiry as **Exhibit IC5**.
- (ii) A formal enquiry process that wittingly ignores key witnesses would not be recognised in any court of law as being properly conducted or trustworthy.
- (iii) Consequently Courtney argues that that the statement “**The report shows that the formal investigation by the University, which appears to have been properly conducted, did not uphold the following complaints: ..**” [Email from EPSRC 22 May 2015] would also be rejected by a court of law.

### 1.3 The level of secrecy

- (i) *Secrecy during the enquiry.*

Courtney placed no limitations on access to his evidence of research and financial fraud. The three persons who he assumed would be investigated had free access to all of it.

In contrast he was not sent a single document or any other form of evidence submitted to the enquiry.

- (ii) *Secrecy in the presentation of the report.*

Courtney's evidence submitted to the University consisted of about 110 (one hundred and ten) cross referenced and hyperlinked documents. Most of these could be traced back to primary sources already held by the University.

In contrast (assuming that you receive the same report that was sent to Courtney) the Formal Enquiry Report is entirely lacking in academic or legal rigour. There are no appendices, footnotes, details of documents examined or hyperlinks.

This means that any defence of the report made by the Manchester University Research Integrity Office relies on nothing more than the University being trusted as an honest party.

*Courtney summarises this injustice for the EPSRC*

- (i) The University party had **full** access to Courtney's evidence and assertions.
- (ii) Courtney had **no** access to any of the University party's evidence or assertions.
- (iii) "Equality of arms" is a fundamental principal underpinning human rights legislation. That is, in a serious dispute such as the SALi one, where
  - (a) the interests of European pedestrians,
  - (b) the British manufacturing economy,
  - (c) our reputation as an innovative nation,
  - (d) the integrity of science and
  - (e) Courtney's livelihood were at stake,
 Courtney should have been given equal access to all the evidence so that he could defend himself and the wider interests he was speaking up for.
- (iv) No court of law would consider an enquiry report to be a true and fair record of a dispute between two parties if there was no equality of access to the evidence and assertions.

## 2 The content of the report

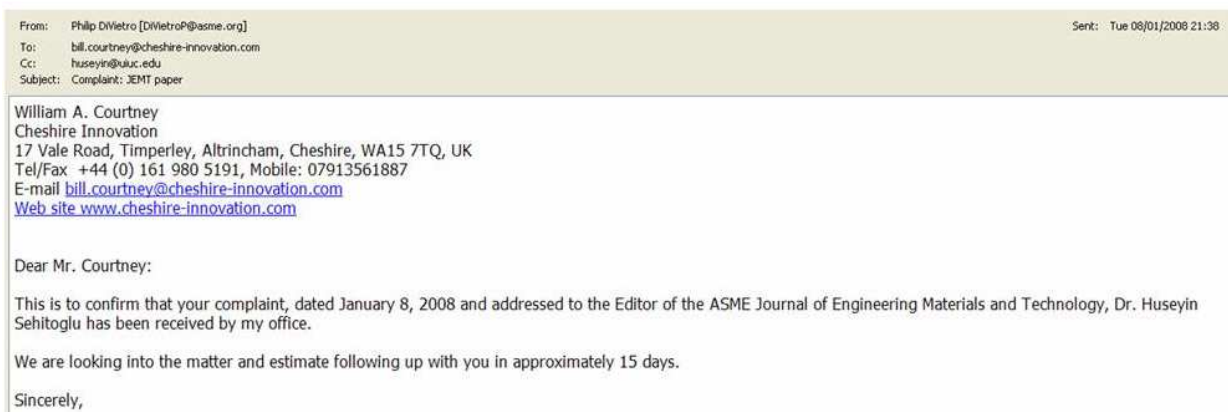
### **Courtney will explain how the evidence was falsified in a manner that undermined his credibility**

**2.1** Relating to a journal paper published in breach of the PedSALi agreement.

*Background:*

In late 2007, r Courtney received a confidential tipoff from within Manchester University that a journal paper relating to the PedSALi project had been published in breach of the PedSALi agreement. He then followed normal academic procedure. That is, he obtained a copy of the paper, identified the flaws and submitted a complaint to the editor of the journal. The editor then passed the matter on to the publisher.

Here is the email evidence that Courtney wrote to the Editor.



**Figure 1.** It is clear from the wording of this email that Courtney had followed accepted academic practice by submitting his complaint to the Journal Editor.

During the following fourteen months, 22 emails were exchanged between the publisher and Courtney. These exchanges are reproduced online at <http://www.cheshire-innovation.com/Meta-fraud%20fight/JEMT%20Emails.htm>

The most important of these was an email from Courtney containing an attachment dated 29 February 2008. This attachment was a very detailed justification for the journal paper in question being retracted.

As the EPSRC can see from these emails, the publisher ended the correspondence by informing Courtney that for legal reasons, the journal was unable to take corrective action. Instead, he advised Courtney to take the matter up with Manchester University.

Courtney acted as advised, submitting his attachment of 29 February 2008 as **Document D1** to the formal enquiry. This is published online at <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>

But the Formal Enquiry Panel made an implausible excuse for refusing to examine D1 when it wrote,

“If Mr Courtney disagreed with the results, he should have pursued the accepted practice in the academic community of writing to the editor of the journal and presenting a rebuttal which, like the original paper, would be presented for peer review before being published.  
 The Panel did not uphold this allegation.”

[Gleeson, Duck et. al., Formal Enquiry Report, University of Manchester, January 2010.]

This statement deceives the innocent reader and gives a false impression that Mr Courtney had failed to act professionally.

#### *Courtney comments for the EPSRC*

The “academic community” referred to by the Panel places great trust in the formal enquiry process as an important part of research quality control. Mrs April Lockyer from the Research Integrity Office acted as advisor to the Formal Enquiry Panel. She should not have allowed the Panel to get away with abusing the formal enquiry process in this way.

#### **2.2** Relating to a fictional “Technical Committee of 6 engineers”.

This fictional committee supposedly examined the SALi research evidence and found that Mr Courtney was naive and incompetent by university research standards.

The following statement was written in the report,

“Mr Courtney had promoted SALi technology as showing a stress/strain curve of an “Ideal Shock Absorbing Material” and stated that there were indications that SALi behaves like that. Prior to PedSALi and CrashSALi, no tests had been carried out using displacement sensors, so stress strain characteristics could not have been obtained. The results that were generated by the PedSALi and CrashSALi projects did not back up the Complainants beliefs about the ideal behaviour of SALi. The results were scrutinized by the Technical Committee of 6 engineers (Professor Jan Wright, Dr John Turner, Dr Eugenio Toccalino, Dr Xinqun Zhu, Dr George Georgiades and Dr Oyadiji) of more than 120 man-years of engineering experience.”

This statement alone could destroy any trust that the report reader may have in Mr Courtney’s credibility as a complainant.

A Technical Committee of 6 engineers of more than 120 man-years of engineering experience, comprising five doctors and a professor of engineering reads like a very formidable team.

**But the whole paragraph is a work of fiction.**

If you visit the PedSALi web page and scroll down to Appendix Three it can be seen that this statement is so dubious that throws doubt on the whole Enquiry Report.

*Courtney comments for the EPSRC*

The truth can be tested by inviting the Manchester University Research Integrity Office to supply any evidence that this committee ever existed.

### 2.3 The report gives the University false credit for attracting Dow to the PedSALi project.

The authors of the report write,

“In October 1996 VUMAN agreed to promote the commercial interests of SALi Technology and in November of that year Mr Courtney signed a confidentiality agreement with VU MAN. VUMAN’s mail shot to potential business partners resulted in interest from Dow Automotive (a subsidiary of Dow Chemicals).”

This statement gives the reader the impression that the PedSALi project had its origins in work done by VUMAN, (the 1996 name for the business arm of Manchester University) and that Courtney, as the inventor of SALi Technology was a lucky beneficiary.

When combined with the attacks on Courtney’s good professional name made in the report, it gives the reader the impression that Courtney was an ungrateful trouble maker.

In reality, the opposite was true. Courtney had invested a significant part of his retirement savings into marketing SALi Technology. Some of this money was spent on exhibiting SALi at two international inventions fairs. These generated media interest, including an article in Auto Express. The article aroused the interest of Dow, leading eventually to the PedSALi project. This meant that as a result of Courtney’s efforts, Manchester University was the lucky party, gaining EPSRC funding for the PedSALi project.

*Courtney comments for the EPSRC*

The honesty of Courtney’s statement can be discovered by visiting the following web page [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Dow%201st%20contact.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Dow%201st%20contact.htm)

### 2.4 The authors of the report over-egged their claims that the University had not violated the PedSALi agreement when they wrote,

The Panel was satisfied that in their opinion the University had not breached the terms of the contract with Dow and Cheshire Innovation. It was concerned, however, that Cheshire Innovations had breached the contract on two counts:

The Complainant discussed the PedSALi project with academics at UMIST and from December 2002 he

circulated data from the PedSALi project to them without the permission of the Respondent. The Collaboration Agreement defines “Confidential Information” as “information relating to the Project and/or its results”. Clause 5.3 makes it clear that the partners should “avoid disclosure of [confidential information] to any third party unless the third party must be given access to confidential information for the purpose of furthering the aims of the project or to facilitate exploitation of foreground IPR in accordance with Article 4 provided the third party has executed a confidentiality agreement with no less onerous terms as are contained in this Article 5.

The Complainant wrote to editors of journals and conference proceedings to block the publication of papers related to the PedSALi project on the grounds that the research was flawed and misrepresented SALi Technology. This was in breach of the Foresight Vehicle Link Programme Guidelines which state that the “Science base partners in projects are expected to publish the results of their research in accordance with normal practice and the Collaboration Agreement. The rules regarding objection to publication were covered in Clause 5.11 of the Collaboration Agreement “DCCL and/or Cheshire Innovation may request that such publication be amended in order to protect commercially sensitive information proprietary to DCCL and Cheshire Innovation.” The industrial partners did not have right of veto of publications.

The Panel did not uphold this allegation.”

*Courtney comments for the EPSRC*

This expression of “concern” amounts to crocodile tears that undermine Courtney’s professional reputation.

Two people provide the key to the truth; Dr Michelle Cooper and Professor Steve Reid.

**Dr Michelle Cooper**

If the Panel had called the Manchester University Business Manager, Dr Michelle Cooper as a witness they would have learned that:

- (i) The PedSALi project was in crisis and Professor Reid had offered to contribute the expertise of his Impact and Explosives (IMPEX) team to help out. Such assistance was covered by Clause 5.3 of the PedSALi Agreement.
- (ii) Courtney had checked Professor Reid’s confidentiality status with Dr Cooper. He was told that because Professor Reid worked for UMIST, who were on the verge of amalgamating with Manchester University, there was no need for UMIST employees to sign an extension to the PedSALi agreement.
- (iii) The agreement was between the University, Dow and Cheshire Innovation. When the interests of the University as a body, and Dr Oyadiji as an individual were in conflict, the interests of the University had to prevail.
- (iv) Dr Oyadiji could not use the agreement to prevent his poor research results being seen by UMIST engineers when they posed a threat to the engineering reputation of the amalgamated University.
- (v) Dr Oyadiji was not present at the business meeting where Professor Reid’s involvement was discussed. The reason was that Dr Cooper had barred him because she found his behaviour disruptive. [Banning Oyadiji enabled the meetings to run more smoothly but also had an unforeseen effect: They increased Oyadiji’s resentment of Courtney and his good relationship with the business arm of the University.]
- (vi) The Panel were hypocritical because they showed no similar concern for Courtney rights and ignored evidence that they had been violated. They were aware that these violations went beyond PedSALi, extending to the CrashSALi project ([www.cheshire-innovation.com/sali/CrashSALi-Project.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project.htm)).
- (vii) The Panel was also hypocritical because it failed to mention the technically good but legally suspect work that was done at Nanjing University.
- (viii) The puzzling question of how researchers at Nanjing University in China (who were known to Dr Oyadiji) managed to get hold of Courtney’s unpublished Manchester University work is discussed on the CrashSALi page [www.cheshire-innovation.com/sali/CrashSALi-Project.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project.htm)
- (ix) When the Panel wrote,

“The Complainant wrote to editors of journals and conference proceedings to block the publication of papers related to the PedSALi project on the grounds that the research was flawed and misrepresented SALi Technology. This was in breach of the Foresight Vehicle Link Programme Guidelines”

they were contradicting another reprimand of Courtney referred to in Section 2.1 of the present document when they wrote,

“If Mr Courtney disagreed with the results, he should have pursued the accepted practice in the academic community of writing to the editor of the journal and presenting a rebuttal which, like the original paper, would be presented for peer review before being published.”

(x) The Panel included a second deception when they wrote,

“The Complainant wrote to editors of journals and conference proceedings to block the publication of papers related to the PedSAL1 project.”

The truth is, it would have been *impossible* for the Complainant to have blocked publication.

The authors kept their publication plans secret from Courtney. He was given some confidential tip-offs about publication from inside the University. But these only amounted to broadly worded hints from angry colleagues.

Consequently all Courtney’s complaints to the Editors were made *after* the papers had been published.

*Evidence that EPSRC can check:*

The EPSRC could request the University to provide documentary evidence that:

- (i) Courtney was given advance notice of where and when the conference papers would be presented,
- (ii) He was informed of the name and dates relating to the publication of a journal paper.

Courtney predicts that the University will not be able to produce any valid contemporaneous evidence that he was aware of what the University was doing with his intellectual property.

- (iii) **Figure 1** above provides evidence that Courtney contacted the journal editor on January 8<sup>th</sup> 2008. That is, three months after the paper was published.
- (iv) Courtney can provide similar email evidence to show that he contacted the conference organisers for the first time *after* the papers had been presented at the conferences.

**Professor Reid**

If the Panel had called Professor Reid as a witness they would have learned that it would have been absurd *not* to share PedSALi research information with him because:

- (i) He was already acting as an unpaid consultant for the CrashSALi project that was running in parallel with the PedSALi project.
- (ii) Small scale but excellent SALi research was already being done at UMIS under the supervision of Dr John Harrigan. The hope was that, unlike the PedSALi project, it would generate valid SALi data that could be used when bidding for future SALi research funding.
- (iii) Professor Reid was working with Courtney preparing a bid for additional SALi research funding, for work to be done at the post-amalgamation University. [This bid was for Home Office funding to develop SALi based body armour for paramedics working in threatening circumstances. It may not be recorded on the EPSRC database.]

It is also worth noting that several years later; Dr Oyadiji thought that he had found a short cut to obtaining research results similar to those obtained by Dr Harrigan’s students. But the Oyadiji method violated the law of conservation of energy.

It only came to light when a baffled student working under Dr Oyadiji’s supervision contacted Courtney for help. The student ended up having to do bad research that he knew was wrong, simply to keep his supervisor Dr Oyadiji happy. Courtney submitted details of this case to the Formal Enquiry Panel but it is not referred to in their report.



**Document E1** formed part of this evidence and is published online a <http://www.cheshire-innovation.com/SmithSALiResearch.htm>

**2.5** The Formal Enquiry Report states,

"An arbitration meeting was scheduled for 27 April 2004: this was cancelled because Mr Courtney refused to attend."

*Courtney comments for the EPSRC*

(i) The EPSRC can easily debunk this libellous statement by contacting the Research Integrity Office at Manchester University and asking them for the supporting contemporaneous evidence that "Mr Courtney refused to attend."

Courtney predicts they will not be able to find any.

(ii) The libel had already been used in slightly different form when Dr Oyadiji had written in his end of project report for the EPSRC,  
(Referring to the arbitration meeting)

"It was cancelled the day before because of the reluctance of the industrial partners to attend."

This was a double libel because it also falsely suggested that Dow was reluctant to attend. Again, the EPSRC can debunk this claim by requesting supporting evidence from the University.

(iii) Courtney provides proof that he had purchased his train ticket to travel down to London to attend the arbitration meeting and other evidence at  
<http://www.cheshire-innovation.com/LondonArbitrationMeeeting.htm>

**2.6** The Report fails to record Courtney's generosity and goodwill towards the University that was clearly demonstrated by the fact that he had signed a 50:50 royalty sharing agreement with the University. Given that there was no technical alternative to the PedSALi bumper and that the EU draft directive envisaged all new cars sold in Europe after 2005 being fitted with soft pedestrian friendly bumpers, this royalty sharing agreement was potentially worth several million Pounds per year to the University. [The relevant section of this agreement is reproduced in Appendix Two on the CrashSALi page, [www.cheshire-innovation.com/sali/CrashSALi-Project.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project.htm)]

### **3 Courtney's attempts to inform the University that the formal enquiry process had been corrupted**

#### **Background**

Mrs April Lockyer from the Manchester University Research Integrity Office acted as the advisor for the Formal Enquiry process. Based on the evidence presented above in Section One, Courtney had no faith in Mrs Lockyer's ability to act in an impartial manner. This distrust was reinforced when he read the letter she had written to his MP. (**Figure 5** below.)

So instead of submitting his complaint about Formal Enquiry fraud to her, he decided to write to the UK Information Commissioner.

He argued that the Formal Enquiry Report should be retracted on the grounds that it contained false statements about Courtney's professional name. Unfortunately, the Commission declined to act, explaining that the issue was too complex for them to tackle, given their limited resources.

### 3.1 Courtney's first attempt to inform the University

On July 23<sup>rd</sup>, 2010 Courtney wrote to (1) Professor Sir John Sulston Chair of the Manchester University Institute for Science, Ethics and Innovation and (2) Professor John Harris, head of the same Institute.

In similar letters to both of them, he provided evidence that their own parent University had carried out a corrupt formal enquiry.

He concluded both letters,

#### **“Why this new evidence matters to the Institute of Science, Ethics and Innovation**

- The Institute will be ridiculed if it emerges that SALi Technology is advancing in China, while its development is being hampered in Britain, because of unethical conduct within Manchester University.
- The Institute cannot keep its fingers crossed and hope that the Chinese fail to develop SALi Technology.
- The Formal Investigation process lies at the heart of science quality control. All ethical scientists should stand up, to ensure that it is not abused.
- Irrational opponents of science, such as those who have hounded Professor Jones at UEA, oppose population planning and support intelligent design will be eager to exploit Manchester's abuse of the Formal Investigation Process.
- To paraphrase Edmund Burke, “For British science to fall from grace, it only requires good scientists to do nothing.”

I appeal to you as a champion of ethics in science to spend some time studying my case, as made out to the Information Commissioner. Then, if you conclude that the Formal Investigation Report is misleading, call for the retrieval of all copies and their destruction.

To deliver justice to me, the falsehoods in the Report should be acknowledged, and my reputation restored as detailed in the complaints in my letter to the Information Commissioner.

I apologize for the discomfort and personal inconvenience that my request may cause you.

A copy of the letter to Professor Sulston is published online at <http://www.cheshire-innovation.com/EthicsInstituteLetter.htm>

The recipients took no (known) action themselves but forwarded the letter and attachments to Mrs Lockyer.

As you can see from the copy of Mrs Lockyer's letter published online at [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Research%20Integrity%20Office-%20Refusal%20to%20examine%20Enquiry%20Panel%20fraud.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Research%20Integrity%20Office-%20Refusal%20to%20examine%20Enquiry%20Panel%20fraud.htm)

she refused to examine Courtney's evidence of Formal Enquiry Panel fraud on the grounds that it was not submitted within 10 days of the report being received by Courtney.

#### *Courtney comments for the EPSRC*

The 10 day response period related to the complainant's rights to challenge the findings of the formal enquiry process. But this time limit assumed that the process itself had been properly conducted.

In his post enquiry letters to Professors Sulston and Harrison Courtney was making a new argument, about a new case. Courtney argued that there was testable evidence (see Section One above) that the enquiry process itself breached academic integrity.

The clock only started ticking for this new case on the day that the evidence of formal enquiry fraud landed on Mrs Lockyer's desk. The fact that this evidence did not arrive within a 10 day time limit cannot somehow convert a bad formal enquiry process into a good one.

### 3.2 Courtney's second attempt to inform the University

Courtney was disappointed that an Institute for Science, Ethics and Innovation seemed unable to live up to its name.

In August 2010 he tried to shame the Institute into acting ethically by sending all listed members a testimony.

This testimony:

- (a) Summarized the SALi research fraud that had taken place within Manchester University.
- (b) Outlined the Formal Enquiry fraud that had compounded the problem.
- (c) Hinted at the wider consequences for the international reputation of British science if remedial action was not taken.

But nobody responded.

*Courtney comment for EPSRC:*

The primary evidence that this testimony was sent to all known members of the Institute for Science, Ethics and Innovation takes the form of emails sent using an old Windows XP computer. This computer is now in storage, but the emails can still be retrieved if necessary.

### 3.3 Courtney's third attempt to inform the University

By July 2011 fresh evidence relating to the fraud had emerged. So Courtney submitted a revised version of his testimony to the Institute for Science, Ethics and Innovation.

This testimony bounced back from all the twenty Institute email addresses. He managed to get round this by changing his email identity to "SaveBritishScience". This time all of the copies of the testimony appear to have got through. But again, nobody responded.

A copy of the revised testimony can be found online at [http://www.cheshire-innovation.com/EthicsInstituteLetter\\_files/EthicsInstitute.htm](http://www.cheshire-innovation.com/EthicsInstituteLetter_files/EthicsInstitute.htm)

*Courtney comment for EPSRC:*

As for the first testimony mail shot, the primary evidence resides on an old Windows XP computer, but can be retrieved if necessary.

### 3.4 Courtney's fourth attempt to inform the University

#### Background

In early January 2013 a blogger who runs a climate change research debunking website Scientifica Principia offered to expose the Manchester University research fraud on his web site. [This was in the aftermath of the Climategate, East Anglia University affair, where plausible evidence of British research fraud made international news.] This offer was tempting but Courtney considered that it would be unethical to exploit the highly questionable Climategate "fraud" for his own advantage. However, by this time he had been knocked down by a car and the soft pedestrian bumper issue had become personal.

#### A "megaphone" appeal to Manchester University

The combined effect of the free publicity offer and the accident galvanised Courtney into greatly expanding his documentary evidence of PedSALi research fraud on the Cheshire Innovation web site. He then wrote to the Research Integrity Office at Manchester University informing them of what he had done. He did so in the vain hope that the University would be embarrassed into reopening the case.

This tactic failed.

The publicity warning correspondence with the Research Integrity Office is published online at <http://www.cheshire-innovation.com/sali/PublicationProof.htm>

### 3.5 Courtney's attempt to inform the University via the present Vice-Chancellor

The present Vice-Chancellor has probably been copied into several e-mails about the Formal Enquiry fraud. But any such emails will be stored on the old Windows XP computer that is now in storage. It is known for certain that she was copied into correspondence relating to a breach of the Freedom of Information Act, when member of the public was given misleading information by the Institute for Science, Ethics and Innovation.

Please visit this web page for details: [http://www.cheshire-innovation.com/EthicsInstituteLetter\\_files/EthicsInstitute.htm](http://www.cheshire-innovation.com/EthicsInstituteLetter_files/EthicsInstitute.htm)

### 3.6 Courtney's attempt to inform the University via its prominent members

Manchester University is blessed with several academics that make regular appearances in the media. Courtney hoped that if they were made aware of the SALi research problems, they would have a vested interest in bringing about a discrete but fair resolution to them.

He has written to about half a dozen of them appealing for their intervention, but none have responded.

### 3.7 Courtney's most recent attempt to inform the University

In January 2015 Courtney contacted Professor Nalin Thakkar, Associate Vice President for Compliance, Risk & Research Integrity at Manchester University, requesting his advice on the SALi research fraud.

As can be seen from Professor Thakkar's response below, he was completely unaware of what had been going on under his nose.

From:	Nalin Thakkar [n.thakkar@manchester.ac.uk]	Sent:	Wed 28/01/2015
To:	Bill Courtney; nthalaker@manchester.ac.uk		
Cc:	'Janet Courtney'; 'Eileen Hendrie'		
Subject:	RE: Request for advice		

Dear Mr Courtney

Thank you for your email. Please accept my sincere apologies for the delay in acknowledging receipt of the same.

As I am completely unfamiliar with this matter, I would be most grateful if I could have a few weeks grace to try and understand the issues that you have raised on the Cheshire Innovation website.

Thanking you in advance,

Yours sincerely

Nalin Thakkar

Professor Nalin Thakkar,  
Associate Vice-President, The University of Manchester

University PA: Michelle Davies TEL: 44-(0)161 275 2227 EMAIL: [michelle.davies@manchester.ac.uk](mailto:michelle.davies@manchester.ac.uk)

MAILING ADDRESS:  
Department of Histopathology, Manchester Royal Infirmary, Oxford Road, Manchester M13 9WL  
TEL: 44-0161 276 4470 CELL: 0791 775 1762 EMAIL: [nthalaker@manchester.ac.uk](mailto:nthalaker@manchester.ac.uk) Twitter:@thakkar\_nalin

**Figure 2.** This email suggests that even though Professor Thakkar was the highest ranking person in the University with special responsibility for Research Integrity, he remained ignorant of the SALi research problems.

From: Bill Courtney [billcourtney@lineone.net]  
To: 'Nalin Thakkar'  
Cc:  
Bcc: Linda Klee (Linda.klee@icloud.com)  
Subject: RE: Request for advice

Dear Professor Thakkar,

Thank you for the update.

Looking after your health is of primary importance. – I know this from personal experience.

Please take your time and get well first.

Yours sincerely,

Bill Courtney

**From:** Nalin Thakkar [mailto:n.thakkar@manchester.ac.uk]  
**Sent:** 20 April 2015 10:30  
**To:** Bill Courtney  
**Subject:** RE: Request for advice

Dear Mr Courtney

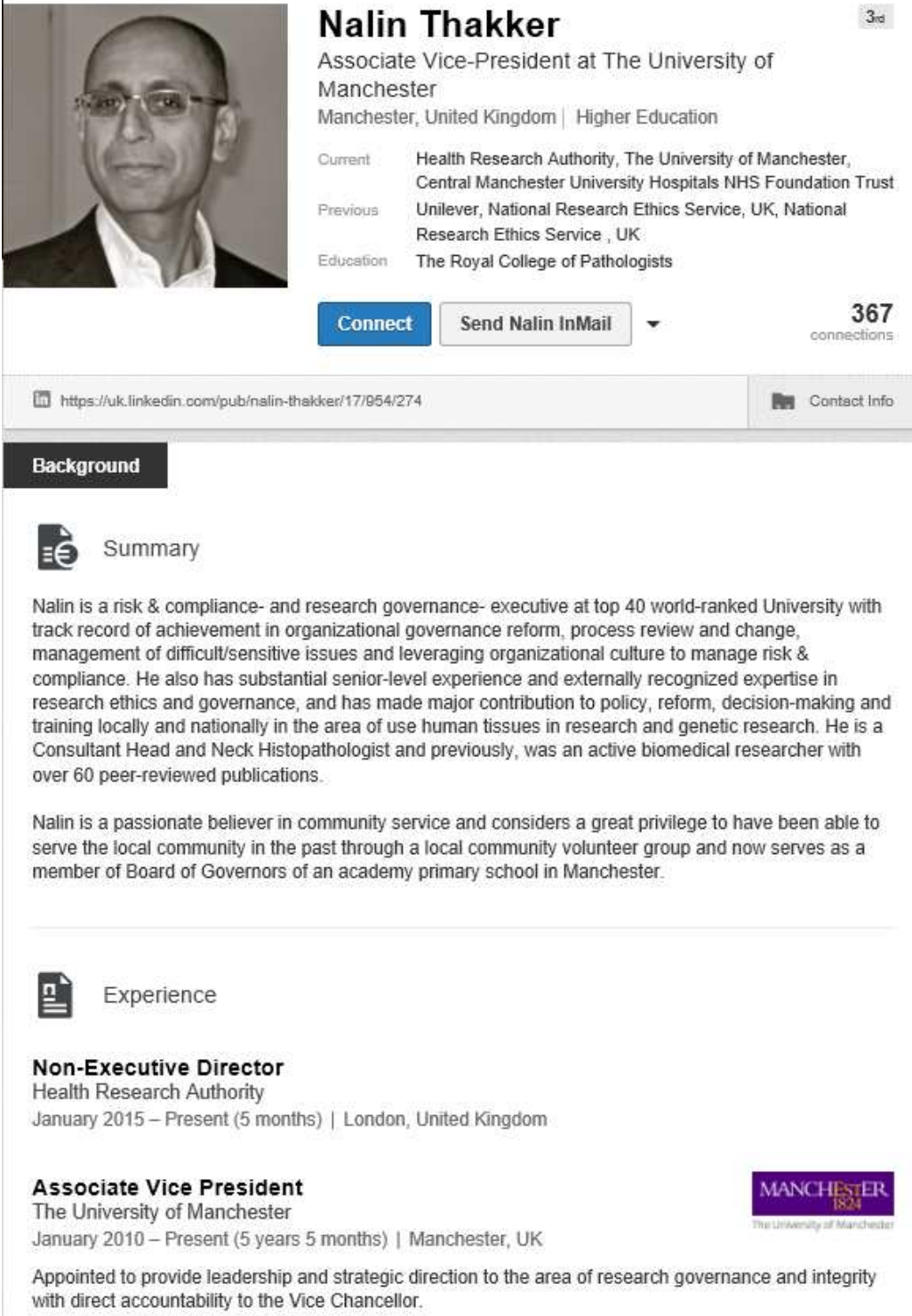
My apologies for taking so long to reply- unfortunately I have been rather occupied with personal health problems. I haven't forgotten about this and I will attend to this further this week.

My sincere apologies once again for taking so long over this.

Yours sincerely

Nalin Thakkar

**Figure 3.** In Professor Thakkar's most recent email dated 20<sup>th</sup> April 2015, he explains that he has not been able to take any action due to health problems. Courtney empathises with this and replied accordingly.



**Nalin Thakker** 3rd  
 Associate Vice-President at The University of Manchester  
 Manchester, United Kingdom | Higher Education

**Current** Health Research Authority, The University of Manchester, Central Manchester University Hospitals NHS Foundation Trust

**Previous** Unilever, National Research Ethics Service, UK, National Research Ethics Service, UK

**Education** The Royal College of Pathologists

[Connect](#) [Send Nalin InMail](#) 367 connections

<https://uk.linkedin.com/pub/nalin-thakker/17/954/274> [Contact Info](#)

### Background


#### Summary

Nalin is a risk & compliance- and research governance- executive at top 40 world-ranked University with track record of achievement in organizational governance reform, process review and change, management of difficult/sensitive issues and leveraging organizational culture to manage risk & compliance. He also has substantial senior-level experience and externally recognized expertise in research ethics and governance, and has made major contribution to policy, reform, decision-making and training locally and nationally in the area of use human tissues in research and genetic research. He is a Consultant Head and Neck Histopathologist and previously, was an active biomedical researcher with over 60 peer-reviewed publications.

Nalin is a passionate believer in community service and considers a great privilege to have been able to serve the local community in the past through a local community volunteer group and now serves as a member of Board of Governors of an academy primary school in Manchester.

#### Experience

**Non-Executive Director**  
 Health Research Authority  
 January 2015 – Present (5 months) | London, United Kingdom

**Associate Vice President**  
 The University of Manchester   
 January 2010 – Present (5 years 5 months) | Manchester, UK

Appointed to provide leadership and strategic direction to the area of research governance and integrity with direct accountability to the Vice Chancellor.

**Figure 4.** This is Professor Thakker’s LinkedIn entry. He was appointed in January 2010. This is six months before Courtney wrote to Professors’ Sulston and Harris, presenting them with evidence of Formal Enquiry Panel fraud. (The letter to Professor Sulston is published online at <http://www.cheshire-innovation.com/EthicsInstituteLetter.htm>)

\*\*\*\*\*

#### **4 On May 22<sup>nd</sup> 2015, Ben Ryan, EPSRC wrote**

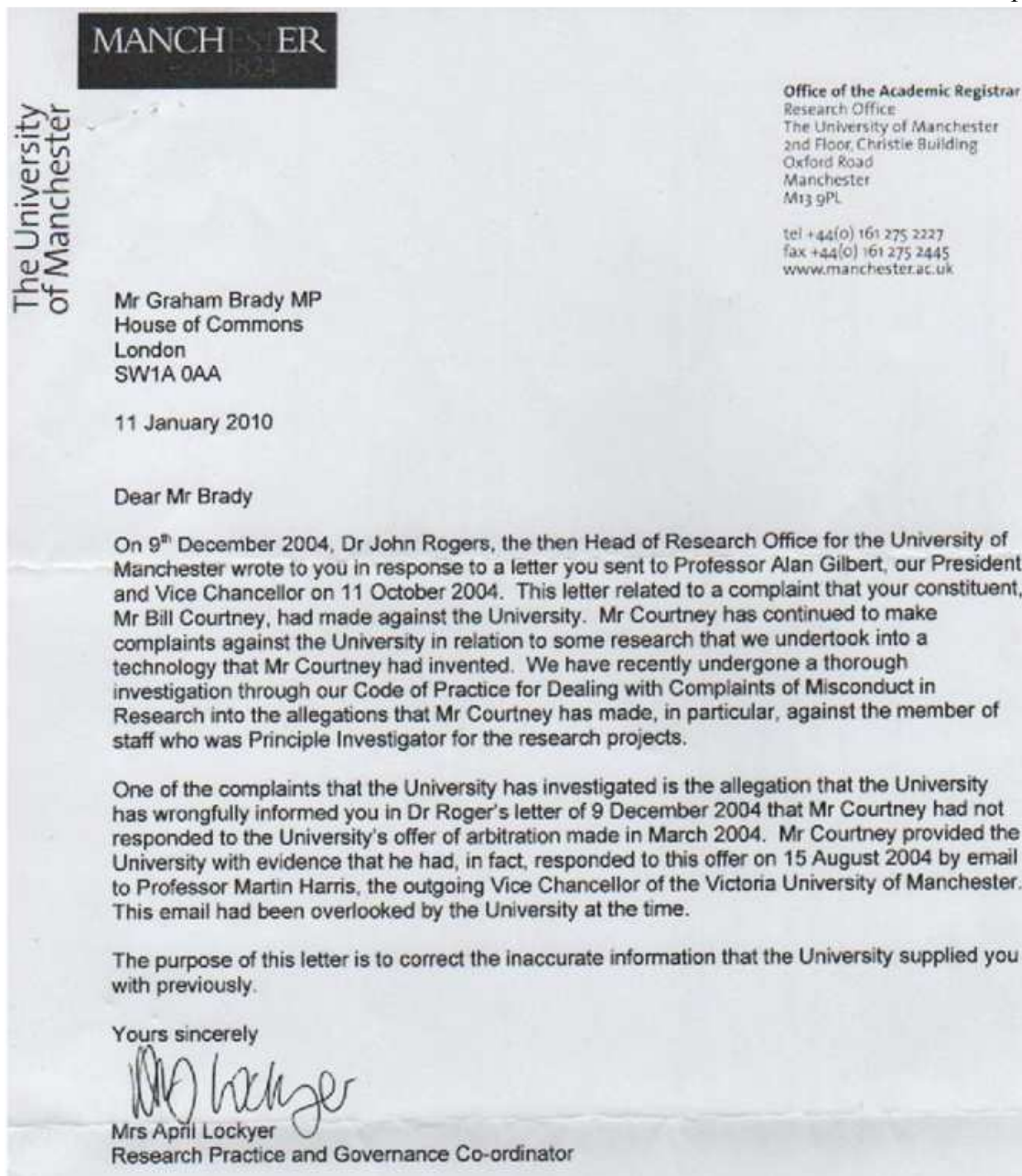
The report did recommend that the University should write to Mr Brady MP to correct inaccurate information in Dr John Rogers' letter of December 2004. Could let me know whether, to your knowledge, the University complied with this recommendation.

#### **4 Courtney responds**

The Research Integrity Office did send a letter to Mr Brady MP and Courtney received a copy from him.

On reading the letter, which had been written by Mrs Lockyer, it was obvious that she had been somewhat economical with the truth. In fact the letter was so misleading it was seminal in Courtney's decision to take his complaint forward via the Data Protection Act, rather than appealing to the Research Integrity Office.

#### **4.1 Here is a copy of the letter from Manchester University to Mr Brady MP**



**Figure 5.** The post-enquiry letter from Manchester University to Graham Brady MP.

The subtle mis-information in this letter formed one of Courtney's subsequent complaints to the Information Commission.

#### **4.2 Here is an extract from Courtney's letter to the Commission (5 June 2010)**

The evidence below indicates how the letter failed to give Mr Brady an honest picture of Courtney's considerable endeavours to have the SALi research problems addressed by Manchester University.



## EXTRACT BEGINS

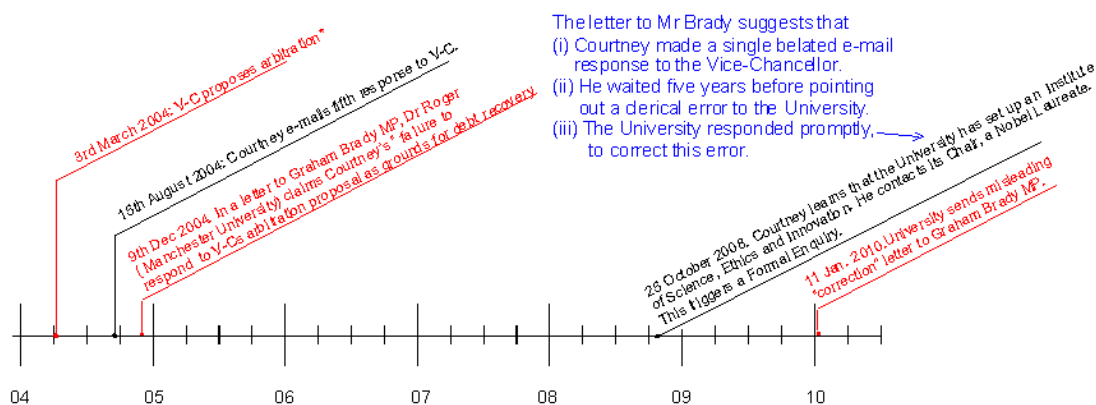
In 2004, the University created an excuse for pursuing Courtney for debt recovery for the CrashSALi project, by falsely claiming to Graham Brady MP that Courtney had not responded to an arbitration proposal from the (then) Vice-Chancellor.

It strengthened this excuse by failing to mention that Courtney had signed a 50:50 royalty sharing agreement with the University and was therefore a profit and risk sharing commercial partner. It further strengthened its case by failing to mention that the commercial arm of the pre-amalgamation University **had approached Courtney** with the CrashSALi proposal because *it* wanted good SALi research done, but it did not want Courtney's research supervisor, Dr Oyadiji, to hold the purse strings.

Five years later, the one good thing that appeared to come out of the Formal Enquiry process was a recommendation that the misleading letter to Mr Brady should be corrected.

But, when Courtney obtained a copy of this "correction" letter to his MP, (IC 25), it was clear that the University had made no effort to spell out the true relationship between Courtney and the University. Also, by selectively mentioning dates, it created the impression that Courtney had been careless in attempting to correct any errors made by the University.

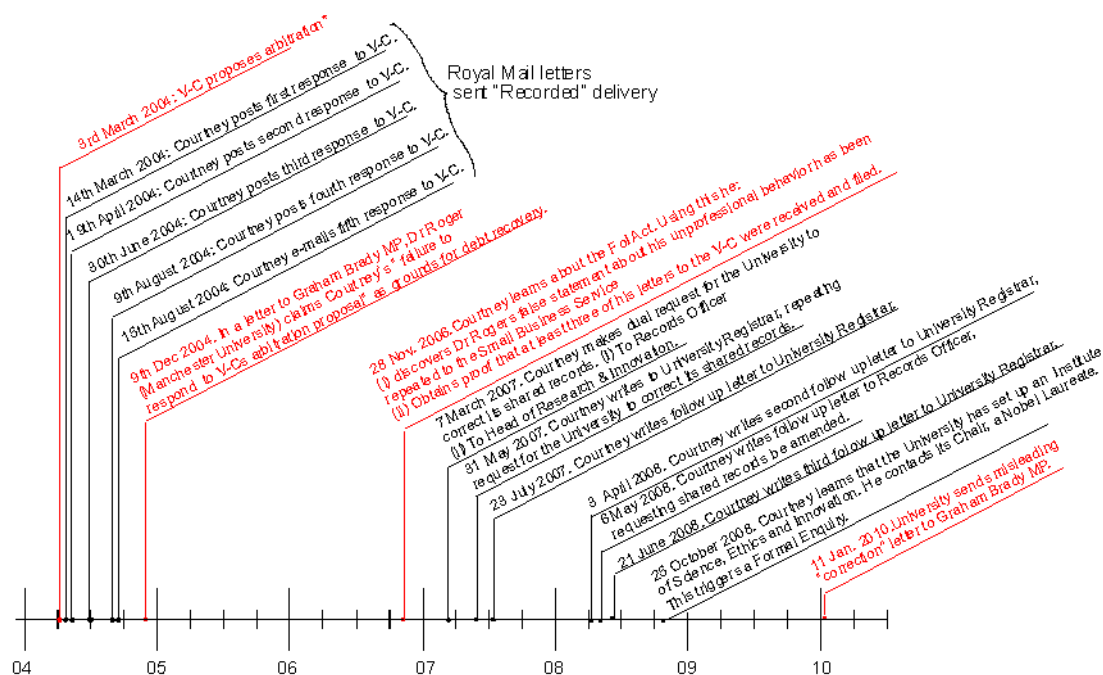
The two timelines below compare reality with the illusion created in the misleading letter to Graham Brady MP.



**Figure 13.** The "correction" letter that the University sent to Mr Brady suggests that Mr Courtney was a rather sluggish professional, who waited five months before responding to a letter from the Vice-Chancellor, then waited four years before getting round to notifying the University of a clerical error.

In contrast, it suggests that the University had behaved promptly, in respecting Mr Courtney's rights under the Data Protection Act.

But, as the timeline below shows, reality was the reverse of this. Courtney had acted promptly and professionally. He wrote five letters to the Vice-Chancellor, where the University claimed one. Then, when he had the evidence, wrote eight letters calling for his Data Protection rights to be respected, where the University suggested only one.



**Figure 14.** Courtney wrote to the Vice-Chancellor on five occasions, but, he only has absolute proof that three of his letters were received and kept on file. (He obtained copies of these three letters using the FoI Act.)

## EXTRACT ENDS

\*\*\*\*\*

### 5 On May 22<sup>nd</sup> 2015, Ben Ryan, EPSRC wrote

The report shows that the formal investigation by the University, which appears to have been properly conducted, did not uphold the following complaints:

- Allegation of wrongful claims for items/expenses were made for the PedSALi research project
- Alleged failure to use EPSRC funding appropriately to enable the PedSALi project to meet its aims.
- Alleged failure to ensure a member of staff working on project receiving appropriate support (including language skills)
- Alleged failure to meet terms of contract leading to Dow pulling out of the research
- Alleged wrongful claims to EPSRC about external review/monitoring of the research
- Alleged wrongful claims to EPSRC about dissemination arising from the PedSALi project
- Alleged breach of licensing agreement arising from SALi technology being used for research outside the 5-year period agreed in licence agreement (i.e. after 26th November 2006)
- Alleged publication without prior notification of licence holder
- Alleged publication without correction following concerns raised by licence holder
- Alleged publication of misleading descriptions of SALi Technology, resulting in damage to the name of SALi Technology
- Alleged publication of material that misquotes the Trademark names as set out in Research Licensing Agreement
- Alleged lack of accreditation of contributions arising from
  - Failure to reference your involvement, as inventor of the technology, in the 1999 grant submission
  - Failure to reference your involvement, as inventor of the technology, on the EPSRC website details or in the University's final report to the EPSRC

- Failure to credit collaborators in the research for design of experimental technology
- Failure to credit contributors/funders in published articles
- Plagiarism of material written you
- Allegation of false claim for credit on patent work by Dr Oyadiji as first author of a SALi Technology patent application which you had written for the University
- Allegation of publication of unsubstantiated claims and misrepresentation of research data
- Allegation of wilfully carrying out invalid experiments
- Allegation of withholding of data and preventing you from publishing
- Allegation that evidence of research malpractice was ignored by the University of Manchester
- Alleged breach of Data Protection Act, including the holding/sharing of incorrect information about you

## 5 Courtney responds

These bullet points are reproduced below with notes explaining why they should have been upheld.

- Allegation of wrongful claims for items/expenses were made for the PedSALi research project

### Background

This was the division of labour for the PedSALi project.

(i) **SALi core characteristic work.** The aim of this University research was to obtain data about the impact energy absorbing properties of a unit cell of different SALi formulations.

[Readers familiar with Finite Element Analysis will appreciate that this type of data is required for computer simulation work.]

Dow would then use the data produced by the University experiments to carry out computer simulations of pedestrian leg and bumper-to-bumper impacts on a SALi filled bumpers.

(ii) **Impact tests on a basic design of SALi filled car bumper** to check that Dow's computer simulations were giving the correct answers. An important feature of these tests was that the packaging for the SALi had to mimic the low stretch properties of the outer plastic cover that can be seen on any car bumper.

In order to demonstrate the "smart" features of PedSALi bumpers, two types of impact tests were required:

- (a) to simulate pedestrian lower leg impacts, and
- (b) to simulate bumper-to-bumper/ street furniture impacts.

### A note on some of the predicted costs involved

- (i) The original project plan envisaged alternate quarterly meeting being held in Manchester and Dows UK headquarters in West Drayton, Middlesex.  
At the scheduled Dow HQ meetings, the Dow engineers would explain how they were building on the results produced by the University.  
The EPSRC grant included travel costs for Dr Oyadiji and Professor Wright to travel to Dows HQ for these meetings.  
Bill Courtney trading as Cheshire Innovation was granted Foresight Vehicle funding to assist Manchester University in its work. He was also granted travel costs to attend all of the meetings.
- (ii) The final outcome of the project was supposed to be a workshop where the PedSALi research findings were presented to motor industry engineers. The University was granted EPSRC funding to organise and run this event. Courtney was granted Foresight Vehicle funding to assist.

Here is the relevant clause in the PedSALi collaboration agreement:

### “11 DISSEMINATION

A workshop will be organised in Year 3 of the project. The participants at the workshops will be drawn from a wide audience including vehicle manufacturers, Tier 1 companies and relevant representatives from universities and commercial research houses. Papers on the main findings of the proposed research programme will be presented at the workshop.”

#### Why Courtney alleges financial fraud was committed:

**First allegation** The University failed to deliver any valid results to Dow. Consequently no meetings were held at the Dow HQ.

In spite of this, the University claimed full travel costs for meetings at Dow’s HQ that never took place.

Courtney did not claim travel costs for these fictional meetings.

#### *Evidence that EPSRC can check:*

- (i) The Minutes of *all* of the PedSALi quarterly meeting give the venue as, “Manchester School of Engineering, University of Manchester”.
- (ii) Courtney predicts that if a request is made for copies of all emails and other documents relating to PedSALi project meetings at the Dow UK headquarters, no documents will be found.

**Second allegation** The PedSALi project did not deliver any valid outcomes, so no workshop was held. But the University still claimed expenses for running it.

Courtney did not claim expenses for this fictional event.

#### *Evidence that EPSRC can check:*

Courtney predicts that no documents will be found if a request is made to Manchester University for copies of any flyers, promotional emails, workshop materials, invoices for expenses or any other documents that would normally be generated in organising and delivering a workshop for vehicle manufacturers.

[**Note:** Courtney could have pocketed £10,000 if he had followed the University lead and claimed for all of these fictional activities.]

- Alleged failure to use EPSRC funding appropriately to enable the PedSALi project to meet its aims.

#### *Evidence that EPSRC can check:*

- (i) The University was supposed to do the core [unit cell] research that was wide in scope, with Dow using this data to develop a prototype car bumper. However, the Formal PedSALi meeting Minutes do not make a single reference to any work being done by Dow. This was not due to remiss on Dow’s part, but was caused because they had no valid core data to work on.
- (ii) The EPSRC paid the University for its contribution to the PedSALi project even though it did not achieve any of its four objectives.  
These objectives and testable evidence of the failure to meet them are published at [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/PedSALi%20objectives%20not%20met.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/PedSALi%20objectives%20not%20met.htm)
- (iii) In spite of the complete failure of the PedSALi project, the EPSRC referees assessed the project as “Internally leading.”  
Courtney predicts that European Road Safety Organisations such as Road Peace would disagree with this assessment.

- Alleged failure to ensure a member of staff working on project receiving appropriate support (including language skills)

## Background

The first research assistant for the PedSALi project, Dr Zhu, was appointed following a telephone interview. Dr Zhu attended from Hong Kong with Dr Oyadiji, Professor Wright and Courtney being present in Manchester.

Wright and Courtney could not understand what Zhu was saying but Oyadiji claimed that he could. The appointment was finally made on the recommendation of Dr Oyadiji because he would be acting as Zhu's line manager. Dow expressed concerns about the language problem because their own principle engineer for the project was an Italian, Eugenio Toccalino, who only spoke English as a second language.

A compromise was reached when the University agreed on language lessons being provided for Dr Zhu,

Courtney personally visited Fielden Park College and made a provisional booking for Dr Zhu on a crash Technical English for non English speakers' course. [Courtney was familiar to the staff due to his earlier work, assisting Somali refugees and teaching Chinese physics students.]

## Evidence of failure to provide appropriate support

- (i) The University reneged on its promise to pay for Dr Zhu to receive English lessons out of PedSALi funding. (Course fees = £1,000.) Consequently for the first year of his contract he struggled to make himself understood. This was particularly embarrassing at meetings where he had to rely on Dr Oyadiji "interpreting" for him.
- (ii) Dr Zhu was not given his own computer to work on until six months after his arrival. This was professionally humiliating because it meant that he had to do his desk work in student computer cluster rooms.
- (iii) Courtney regularly visited the student cluster rooms to check on Zhu's progress and was concerned to find that he was exhibiting signs of depression. These included sitting for long periods of time staring at a blank computer screen or a sheet of paper. Courtney discussed his mental health concerns with Dr Oyadiji and Professor Wright but they were disinterested in the problem. So Courtney wrote to Professor Wood, the Head of the Mechanical Engineering Department warning him that that the research assistant was struggling and requesting an urgent meeting to resolve the matter. The Head of Department did not reply. [**Document F11** for the Enquiry.]
- (iv) Two large, 1 m<sup>3</sup> boxes of expanded polystyrene beads contributed by Dow Chemicals for Dr Zhu to work on mysteriously disappeared from their storage area. Zhu, Courtney and the technicians carried out a thorough search of the whole of the Simon Engineering Building but they could not be found. Zhu was clearly distressed by this but when Courtney asked Dr Oyadiji and Professor Wright to call in the police they declined.
- (v) Dr Zhu lived in temporary accommodation with his wife and son close to the University. His home was attacked on ten occasions with his telephone and cable TV lines being cut. He was charged reconnection fees following these acts of vandalism, even though the criminal activity took place outside his property. Zhu was unable to communicate verbally with the service providers to dispute the charges. Courtney eventually sorted out the problem in Zhu's favour. But Zhu's family finally gave up the fight and abandoned their land line telephone and cable TV systems. These were big losses for a family in a foreign country where they did not speak the language. Dr Oyadiji and Professor Wright later admitted that they had been aware of these attacks since at least January 2003 when Dr Zhu told them that he planned to resign. But the only action they took was to remain silent at face to face meetings with Courtney and Peter Cate from Dow. This deception continued until Courtney confronted them, following his accidental discovery of Dr Zhu booking his flight home to China four months later.

### *Evidence that EPSRC can check:*

- (i) Mrs C. Pick, the member of staff Courtney spoke to at Fielden Park College when arranging Zhu's language course may remember his visit. However, the records will show that Zhu never attended their course.
- (ii) A copy of Courtney's letter requesting a meeting with Professor Wood, the Head of the Mechanical Engineering Department is published at <http://www.cheshire-innovation.com/horrible%20warning.htm>

- (iii) They can request a copy of Dr Zhu's resignation letter where he cites the ten attacks on his home as one of the reasons for his resignation.
  - (iv) They can request a copy of Professor Wright's email where he admits to Peter Cate of Dow and Bill Courtney that he had deceived them about Dr Zhu's pending resignation at face to face meetings. (Courtney's copy of this email is held on an old Windows XP computer in storage.)
- Alleged failure to meet terms of contract leading to Dow pulling out of the research

*Evidence that EPSRC can check:*

- (i) Here is an extract from the end of project review. The chart shows the original work plan as submitted to the funding bodies. The comments in red show what actually happened.

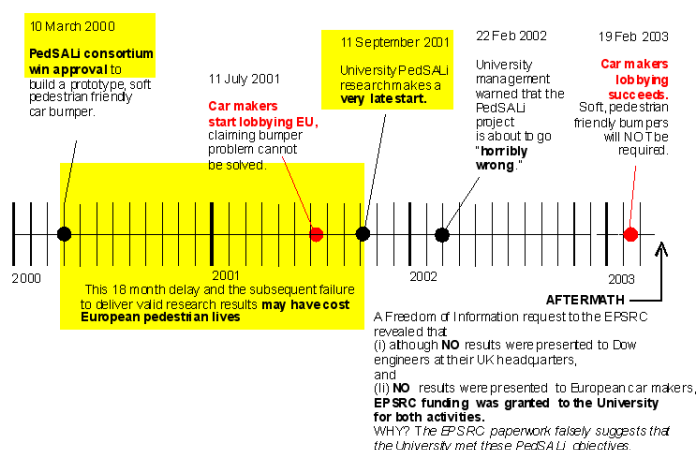
APPENDIX 1: FLOW CHART OF PedSALi WORK PROGRAMMES

Collaborator	Phase	Year 1	Year 2	Year 3
UM/CI	1	-----		
	2	-----		
	3	-----		
	4	-----		
	5	-----		
	6	-----		
Dow	1	-----		
	2	-----		
	3	-----		
	4	-----		
	5	-----		
Milestones	a b c	d e f	g h	i j k l
Deliverables	B A	C D	W F E	

*Red annotations:*  
 - Red arrow pointing to Year 1: Dow are trapped here, until they receive usable core characteristics data from UM  
 - Red arrow pointing to Year 3: Dow should be here by June 30 2004

**Figure 6.** This extract is published online on the PedSALi page.

- (ii) Here is a timeline copied from the PedSALi web page.



**Figure 7.** Around the time that the PedSALi project won approval, Courtney was receiving considerable media attention. He should have been in a strong position to counter the car makers lobbying by inviting the media to see the smart car bumper research in progress. But the delay in research launch meant that Courtney had nothing to show the media in July 2001.

[Courtney appreciates that there has to be a certain time gap between project approval and research launch, but an 18 month gap was unacceptable when time was of the essence, to meet the EU's 2005 deadline.]

- Alleged wrongful claims to EPSRC about external review/monitoring of the research

*Comment for EPSRC:*

The end of project report for the EPSRC included a statement that, “The external consultant was happy with the technical quality and soundness of our research.”

This is the exact opposite of the truth. The external consultant was Dr John Harrigan, a UMIST engineer working with Professor Steve Reid.

- (i) Reid had become very concerned that the PedSALi project was failing. So he offered to take over the project to protect the good name of the post amalgamation University. Dow and Courtney were happy with Reid’s proposal but it was blocked by Dr Turner.
- (ii) Dr Harrigan’s limited role as a consultant was the only compromise that Dr Turner would agree to.
- (iii) Both Reid and Harrigan recognised that the core characteristic work being done under Dr Oyadiji’s supervision was suspect and offered to do the work using their specialised polycarbonate Split Hopkinson bar expertise. But Oyadiji and Turner objected and the nonsense core characteristic research that contradicted the laws of physics prevailed. <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>
- (iv) Dr Harrigan should be able to confirm that Dr Oyadiji tried to poach Elsa Palamidi, the talented researcher that Harrigan had trained up to operate his polycarbonate Split Hopkinson bar.
- (v) Harrigan and Reid both moved to Aberdeen University shortly after amalgamation.

- Alleged wrongful claims to EPSRC about dissemination arising from the PedSALi project

*Comment for EPSRC:*

As discussed above, the University and was paid for a dissemination workshop that never took place.

- Alleged breach of licensing agreement arising from SALi technology being used for research outside the 5-year period agreed in licence agreement (i.e. after 26th November 2006)

*Evidence that EPSRC can check:*

Professor Colin Bailey at Manchester University sent an anonymous letter to Courtney that included false evidence implying that the licensing agreement had not been breached. (Professor Bailey’s authorship only emerged after Courtney complained about receiving an anonymous letter.)

An annotated version of Professor Bailey’s letter can be found part way down this web page <http://www.cheshire-innovation.com/SmithSALiResearch.htm>

- Alleged publication without prior notification of licence holder

*Evidence that EPSRC can check:*

- (i) Evidence is published online at [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/JEMT%20paper%20breaches%20agreement.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/JEMT%20paper%20breaches%20agreement.htm)
- (ii) This evidence was made available to the Formal Enquiry Panel as **Document D2**.
- (iii) Courtney predicts that an EPSRC request for any evidence that the licence holder *had* been notified will draw a blank.

- Alleged publication without correction following concerns raised by licence holder

- (i) Courtney’s objections to publication were sent by email to all of the authors of the papers.
- (ii) Dr Richard Bailey at the EPSRC was also copied in. (**Richard Bailey @ epsrc.ac.uk**).
- (iii) A hard copy was also sent by Royal Mail, Recorded Delivery, to Dr Oyadiji.
- (iv) Courtney’s communications were not responded to.
- (v) Three of the papers were subsequently presented at conference without correction. The fourth was published without correction as a journal paper.

An annotated version of Courtney’s objection letter was submitted to the Formal Enquiry as Document D5. It is published online at <http://www.cheshire-innovation.com/sali/July2005Warning.htm>

*Evidence that EPSRC can check:*

- (i) The EPSRC can obtain copies of the three conference papers from its own files because they were submitted as attachments to the end of project report.
  - (ii) The EPSRC can request Manchester University to provide copies of all documents sent from any of the authors in response to Courtney's objections. Courtney predicts that none will be found.
  - (iii) The EPSRC can contact the Research Integrity Office, requesting a copy of the annotated objection letter that was submitted to the Formal Enquiry as **Document D5**.
- Alleged publication of misleading descriptions of SALi Technology, resulting in damage to the name of SALi Technology

This is probably the most important allegation. So a detailed set of notes will be provided.

First Courtney will provide the evidence that Dr Oyadiji (and to a lesser extent) his line manager, Professor Wright, was aware of two important features of SALi Technology.

- (a) Flexible but low stretch packaging is vital.
- (b) SALi type materials recover rapidly after compression or impact.

**(a) Flexible but low stretch packaging is vital.**

- (i) Courtney's own research from 1986 onwards using a homemade ballistic impact rig demonstrated that the SALi composite materials only offered effective impact energy absorption when packaged in a low stretch flexible bag. The reason for this is explained in **Section 1** on the "What is SALi?" web page. ([http://www.cheshire-innovation.com/sali/what\\_is\\_sali.htm](http://www.cheshire-innovation.com/sali/what_is_sali.htm)) Samples of correctly packaged SALi type devices were shown to Dr Oyadiji and Professor Wright at a first meeting in the early summer of 1996.
- (ii) Courtney repeated these experiments using superior equipment at Manchester University under Dr Oyadiji's supervision. These experiments are described in Chapter 8 of his MPhil thesis. [Courtney, W. A. Preliminary investigations into the mechanical properties and potential applications of a novel shock absorbing liquid, *MPhil Thesis*, Manchester School of Engineering, University of Manchester (1998)].
- (iii) Courtney wrote this work up in two journal papers co-authored by his supervisor, Dr Oyadiji.

These papers were:

- [1] Courtney W A and Oyadiji S O (2001). Preliminary investigations into the mechanical properties of a novel shock absorbing elastomeric composite. *Journal of Materials Processing Technology* 119 (2001) 379-386.
  - [2] Courtney W A and Oyadiji S O (2000). Characteristics and potential applications of a novel shock absorbing elastomeric composite for enhanced crashworthiness. *International Journal of Crashworthiness* 5:4 (2000) 469-490.
- (iv) The importance of the correct packaging is stated on the Department for Transport research database entry at <http://www.dft.gov.uk/rmd/project.asp?intProjectID=10434>. (The key phrase appears in the final paragraph of the description.)
  - (v) It is also possible that the original EPSRC technical proposal for the PedSALi project submitted by Dr Oyadiji and Professor Wright makes reference to the inclusion of low stretch packaging. – But Courtney is not certain of this.



## (b) SALi type materials recover rapidly after compression or impact

- (i) Courtney's MPhil research under Dr Oyadiji's supervision included creep tests. [Thesis, Chapter 6] and dynamic recovery tests. [Chapter 8.] Both types of test indicated that SALi exhibited rapid recovery after prolonged compression or millisecond impact.
- (ii) The creep tests were written up for publication in references [1 and 2] above. (See **Figure 2 in 1** and **Figure 4 in 2**)
- (iii) An annotated extract from [2] can be found if you scroll down to "Additional information for web page readers" on this web page: <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>
- (iv) The dynamic recovery properties of SALi and methods of tuning them were described in

W. A. Courtney and S. O. Oyadiji, University of Manchester, A Novel shock absorbing solid-liquid Composite with potential for automobile engineering applications, 1: Basic concepts and properties of SALi, *Journal of Automotive Engineering*. Courtney handed this paper to Oyadiji for final checking in July 2000, but it was not taken forward to publication.

### Now, here is the evidence that the published papers provide a misleading description of SALi Technology.

Five players were involved in the process of selective publication of PedSALi research results: Dr Zhu, Dr Oyadiji, Dr Turner, Professor Wright and Dr Georgiades.

Special pleading for the roles of Drs Zhu and Georgiades, as authors of the misleading papers will be made below.

Dr Zhu produced valid research results that should have been published; the other three were involved in the publication of misleading work that misled the international research community.

The roles of Oyadiji and Wright are discussed throughout this document, but it is illuminating to contrast the roles of Zhu and Turner.

#### Dr Zhu's role

Dr Zhu carried out impact tests using the correct type of packaging during his last week at work, following his premature resignation, 18 months into his 3 year contract.

Dr Oyadiji barred him from the laboratory two days into his final week, so Zhu was only able to complete a limited number of tests. This meant that he was unable to test the more effective lightweight SALi formulations described in **Section 3** on the CrashSALi page ([http://www.cheshire-innovation.com/sali/what\\_is\\_sali.htm](http://www.cheshire-innovation.com/sali/what_is_sali.htm)). Nevertheless, his results were encouraging and in line with Courtney's earlier work. So they were worthy of publication. [Oyadiji's excuse for barring Zhu was that, following his resignation, he was not covered by the University insurance policy. But Courtney knew from personal experience that this excuse was implausible. Dr Oyadiji had earlier blocked Courtney's University Fellowship for four years. During this time he had to work as a day visitor to the University for insurance purposes. Dr Oyadiji could have granted Dr Zhu day visitor status if necessary.]

#### Dr Turner's role

As explained in Section 1.1 above, Dr Turner claimed different roles for himself to suit the circumstances. After Dr Zhu left Dr Turner created the role of "Project Coordinator - PEDSALi Project".

In this role he sent an email to the funding providers for the PedSALi and CrashSALi projects. This falsely claimed that Dow required elastic packaging. But for the last seventeen years, since 1986, this was known to be ineffective.

Essentially, from the date of this email onwards, the PedSALi project was openly sabotaged. No Dow representative appeared at a meeting afterwards and Courtney only continued to attend to honour his contractual obligations.

An annotated version Turners email is published at [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Exhibit%2037%20Bad%20packaging.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Exhibit%2037%20Bad%20packaging.htm)

*Evidence that EPSRC can check:*

The wilful use of incorrect packaging is discussed in **Document C1** for the Formal Enquiry. See especially the text adjacent to **Figures 1** and **6**. (Figure 6 is a timeline.) **Document C1** is published online at [http://www.cheshire-innovation.com/document\\_c1.htm](http://www.cheshire-innovation.com/document_c1.htm)

Here is a list of the four published papers with brief notes on why they are misleading.

- 1 S O. Oyadiji et. al., University of Manchester, Core property characterization for a shock absorbing composite, *SAVIAC 75<sup>th</sup> Symposium*, 17-22 October 2004.
- 2 S O. Oyadiji et. al., University of Manchester, Characteristics of deformable cylindrical beams filled with a shock absorbing composite, *SAVIAC 75<sup>th</sup> Symposium*, 17-22 October 2004
- 3 G. Georgiades et. al., Impact response of flexible cylindrical tubes filled with a shock absorbing composite, University of Manchester, *SPIE Conference 7-10 March 2005*.
- 4 G. Georgiades et. al., University of Manchester, Characterization of the Core Properties of a Shock Absorbing Composite, *Journal of Engineering Materials and Technology*, ASME, October 2007, Vol. 129, pages 497-504.

### Papers 1 and 4

- (i) They do not include any tests on the most efficient and lowest weight SALi formulations as described in Section Three on the What is SALi page ([http://www.cheshire-innovation.com/sali/what\\_is\\_sali.htm](http://www.cheshire-innovation.com/sali/what_is_sali.htm))
- (ii) The interpretation of the results violates the laws of physics as discussed at <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>
- (iii) Paper 4 includes a false suggestion that SALi formulations exhibit poor recovery properties after impact.

### Papers 2 and 3

- (i) Wilfully bad research using Covelle elastic packaging is presented.
- (ii) Dr Zhu's valid work using low stretch packaging is omitted.
- (iii) Dr Zhu's unpublished results were obtained using **D** shaped test pieces that mimicked the **D** shape of a cross section through a car bumper.
- (iv) It can be seen from the titles that the published papers used cylinder shaped test pieces. As explained on the PedSALi page with particular reference to **Figure 4**, these are less effective.

### Special Pleading

Three conference and one journal paper emerged from the PedSALi project. They all misrepresented SALi Technology in a manner that was detrimental to its development. There were five named authors for each of these papers. However Courtney knows from working with these five people that two should be absolved from blame.

The following note is reproduced from **Document D1**. When originally written it applied to the journal paper. But it is equally applicable to the three conference papers.

“In the interests of justice, two of the authors, the research assistants, Drs Zhu and Georgiades should be treated as innocents led astray.

*Supporting evidence for Dr Zhu:*

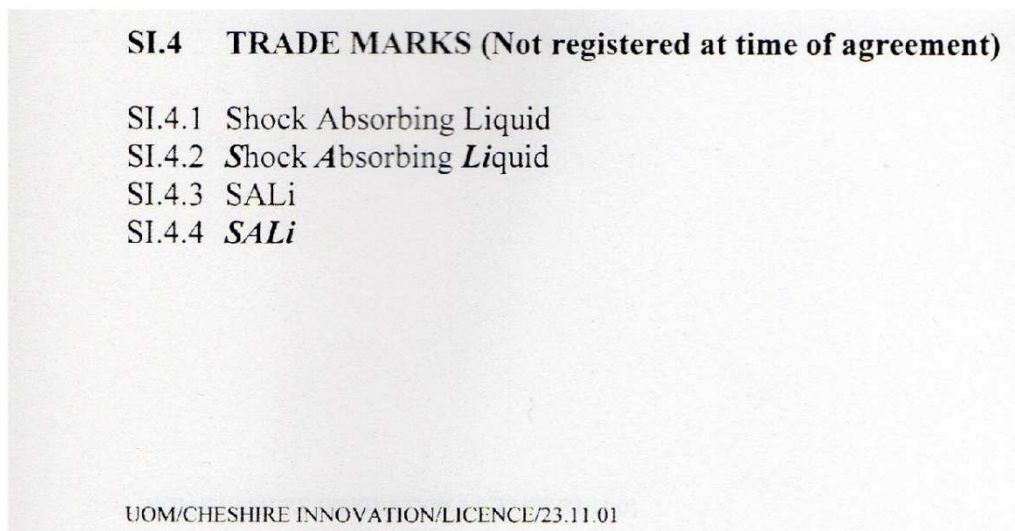
See the complainants' research diary notes from 11<sup>th</sup> September 2001 to 10 June 2003. These are reproduced as part of Exhibit 19 on the CD ROM, page 4 onwards.

*Supporting evidence for Dr Georgiades:*

Dr Georgiades was in a very difficult position. He replaced Dr Zhu, following his resignation. At meetings between the remaining authors and the complainant, he came under pressure to maintain a low profile. At the time Georgiades was writing up his PhD under the supervision of Dr Oyadiji. He had very little choice but to do as he was told by the senior authors.”

- Alleged publication of material that misquotes the Trademark names as set out in Research Licensing Agreement

The relevant section of the licensing agreement signed between UOM (University of Manchester) and Cheshire Innovation 23 November 2001 is reproduced below.



**Figure 8.** Extract from a licensing agreement covering all work on SALi at the Victoria University of Manchester and its post-amalgamation successor.

*Evidence that EPSRC can check:*

- Cheshire Innovation ownership of these unregistered trademarks is not acknowledged in any of the papers published by the Manchester University authors.
- A specific example of this omission is discussed in the annotated version of the JEMT paper on this web page <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>

- Alleged lack of accreditation of contributions arising from
  - Failure to reference your involvement, as inventor of the technology, in the 1999 grant submission

*Evidence that EPSRC can check:*

This omission can be seen from an inspection of the original grant submission.

Failure to reference your involvement, as inventor of the technology, on the EPSRC website details or in the University's final report to the EPSRC

*Evidence that EPSRC can check:*

This omission can be seen from an inspection of the web site entry and final report to the EPSRC.

Failure to credit collaborators in the research for design of experimental technology

*Comment for EPSRC:*

- (i) The EPSRC can discover the evidence by reading **Document D1** published online at <http://www.cheshire-innovation.com/sali/JEMT%20Paper.htm>
- (ii) The Formal Enquiry Panel would also have spotted this failure if they had read **Document D1**. However, as revealed in Section 2.1 above, they created an implausible excuse for not examining this document.

## Failure to credit contributors/funders in published articles

*Comment for EPSRC:*

The Formal Enquiry Report provides no defence against this accusation. As for immediately above, this failure to credit contributors/funders would have been easy to establish if the Formal Enquiry Panel had read **Document D1**. However, as revealed in Section 2.1 above, they created an implausible excuse for not examining this document.

- o Plagiarism of material written you

*Comment for EPSRC:*

As for immediately above, this failure would have been easy to establish if the Formal Enquiry Panel had read **Document D1** presented to them. However, as revealed in Section 2.1 above, they created an implausible excuse for not examining this document

- Allegation of false claim for credit on patent work by Dr Oyadiji as first author of a SALi Technology patent application which you had written for the University

*Comment for EPSRC:*

- (i) Courtney worked very closely with Dr Michelle Cooper and other members of MIL (the business arm of the pre-amalgamation University) on the preparation of these patents. Dr Cooper kept detailed records of our meetings. If she had been called as a witness, Courtney believes she would have testified that Dr Oyadiji was not the first author of any of the SALi patents. His name was added in line with normal academic practice because he was Courtney's research supervisor.
- (ii) Courtney predicts that a search of the Manchester University archive records will reveal a number of SALi patent applications and other patent documents naming Courtney as the first inventor, but none naming Oyadiji as the first inventor.

- Allegation of publication of unsubstantiated claims and misrepresentation of research data

A particularly harmful example of this was the false claim that SALi formulations had poor recovery properties after impact.

*Comment for EPSRC:*

- (i) This harmful example is discussed above.
- (ii) The evidence was available to the Panel in **Document D1** which they excused themselves from examining.

- Allegation of wilfully carrying out invalid experiments

*Evidence that EPSRC can check:*

- (i) The evidence was made available to the Panel in several documents for example **Exhibit 37**.
- (ii) An annotated version of Exhibit 37 is published online [http://www.cheshire-innovation.com/sali/CrashSALi-Project\\_files/Exhibit%2037%20Bad%20packaging.htm](http://www.cheshire-innovation.com/sali/CrashSALi-Project_files/Exhibit%2037%20Bad%20packaging.htm)

- Allegation of withholding of data and preventing you from publishing

*Evidence that EPSRC can check:*

- (i) The allegations were made in a letter to the Head of the Mechanical Engineering Department Professor Wood.
- (ii) This letter is published online at <http://www.cheshire-innovation.com/horrible%20warning.htm>
- (iii) In the first letter to Professor Sulston that triggered the Formal Enquiry, the trail of documentary evidence can be picked up starting at Appendix 1, point 7 headed “**My Research Fellow publishing rights stolen.**”.
- (iv) This letter would have been the primary document placed before the Panel.
- (v) Here is a copy of the relevant section of the letter:

7. → **My-Research-Fellow-publishing-rights-stolen.** Attempts to publish my other University research have also been blocked. Three journal papers that I wrote were handed to my supervisor, Dr Oyadiji. But, in spite of many reminders over several years, he failed to play his role in submitting them for publication. This censorship diminishes my reputation as a pioneering researcher in SALi Technology compared with Dr Oyadiji. See Document D8 and page 21 of Document C1 (“11<sup>th</sup> Challenge”) for details.¶

- Allegation that evidence of research malpractice was ignored by the University of Manchester

*Evidence that EPSRC can check:*

Prior to the Formal Enquiry a number of letters were sent to Manchester University referring to this matter. None of them resulted in a corrective response.

Here is a complete list of the pre-enquiry communications as published online at [http://www.cheshire-innovation.com/sali/what\\_is\\_sali.htm](http://www.cheshire-innovation.com/sali/what_is_sali.htm)

17 January 2004. To the Vice-Chancellor, Sir Martin Harris

16 February 2004. To the Vice-Chancellor, Sir Martin Harris

19 April 2004. To the Vice-Chancellor, Sir Martin Harris

30 June 2004. To the Vice-Chancellor, Sir Martin Harris

9 August 2004. To the Vice-Chancellor, Sir Martin Harris

19 August 2004. To the Vice-Chancellor, Sir Martin Harris

3 October 2006. To the Vice-Chancellor, Professor Alan Gilbert

7 March 2007 (i) To Professor Rod Coombs, Vice-President, Innovation and Economic Development  
(ii) To Alan Carter, University Records Manager. [Published online at [http://www.cheshire-innovation.com/document\\_c1.htm](http://www.cheshire-innovation.com/document_c1.htm)]

17 March 2007 To Professor Rod Coombs, Vice-President, Innovation and Economic Development

31 May 2007. To University Registrar, Mr McMenemy

28 June 2007. To University Registrar, Mr McMenemy

3 April 2008. To University Registrar, Mr McMenemy

21 June 2008. To University Registrar, Mr McMenemy

25 October 2008

(i) To Professor Sulston, Chair of Institute for Science, Ethics & Innovation

(ii) To Professor Harris, Head of Institute for Science, Ethics & Innovation

- Alleged breach of Data Protection Act, including the holding/sharing of incorrect information about you

*Evidence that EPSRC can check:*

- (i) These allegations were made in a letter written to The Information Commission dated 5 June 2010. (Available if requested.)
- (ii) Copies of the Information Commission letter were sent as attachments to the second letters sent to Professors Sulston and Harris at the Manchester University Institute for Science, Ethics and Innovation, 23 July 2010.
- (iii) A copy of the second letter to Professor Sulston is published online at <http://www.cheshire-innovation.com/EthicsInstituteLetter.htm>

#### **Declaration of interests**

Bill Courtney has formed a small company with Dick West. This company, Latent Power Turbines Ltd has received joint Innovate UK / **EPSRC** funding to build a prototype Latent Power Turbine. The project was completed in April 2015 and delivered results in line with predictions. However, due to budget constraints a makeshift turbine had to be used.

The company has recently applied for additional Innovate UK / **EPSRC** funding under the Energy Catalyst programme. This funding will enable us to build and install a bespoke turbine.

Details of Latent Power Turbines are published online at [www.cheshire-innovation.com/Sky%20Tube.htm](http://www.cheshire-innovation.com/Sky%20Tube.htm)