

## Joanna's appeal

### SUBMISSION IN SUPPORT OF APPEAL

#### Regulations made under Paragraph 11 of Ordinance 15

In my accompanying letter I have stated that I was a candidate for the degree of PhD, in circumstances where the degree was not awarded.

I now wish to appeal under the terms of Procedure for Consideration of Appeals and in particular paragraph 2(ii) of that Procedure. This paragraph permits appeal on the ground "that there is evidence of prejudice, of bias or of inadequate assessment on the part of one or more of the examiners such that the result of the examination should not be allowed to stand".

It is my view that either or both of my examiners were prejudiced, as I felt they had made up their minds about my thesis in advance of the viva.

I should like to commence by setting out my own perception of the process of my viva.

I regret to say that I experienced a hostile atmosphere from the moment of entering the examination room. As well as having the distinct impression that the two examiners had already resolved their view of my thesis, they also appeared antagonistic towards my work. The bulk of the questions were combative and nearly all of their comments were unfavourable. I do not recall there being any indication that there were any areas where my work could be recommended, nor did there appear to be any element of constructive criticism. This pugnacious interviewing style lasted for some two hours.

While I appreciate that my perceptions were subjective and not informed by any prior experience of having attended a viva, my supervisor was also present and I have attached a record of his perspective of the viva in support of my appeal. His comments speak for

themselves and I should now like to set out a number of points which I believe are relevant to my perception of prejudice or bias.

1. At some point following the viva I was informed by my supervisor that Dr Beattie had telephoned the day before the viva with a request to ensure that my supervisor was going to be in attendance at the examination. I understand that Dr Beattie raised this request on the basis that there may be “some difficulties” or “some major concerns”. I am not certain my supervisor can remember the exact words, but he certainly felt that some “view” had been formed. For my part, I was extremely concerned to hear of this telephone call, as I thought that there was a rule that precluded examiners from discussing candidates with supervisors prior to viva. This served to further confirm my initial view that, when I walked into the room on the day of the viva, the examiners had already made up their minds. My supervisor subsequently told me that he thought at the time the call had been made as a result of the examiners’ concerns for my welfare, but I have to ask: even if that was simply the motive, why should they be so concerned?
  
2. I would now like to turn to a part of the interview process during the viva, which caused me a great deal of concern at the time. Dr Beattie asked me about my knowledge of Latin. I was about to respond to the effect that it was not fluent, but was prevented from so doing by his interjection of “No! Well it is going to be too difficult for you to address the original manuscripts then”, or words to that effect. In my own defence I can say that I gained a MA in Medieval History from Kings College, London, prior to beginning my studies at Cranford where, of necessity, I needed to study Latin. I do not claim to be as fluent or expert as those who have worked in this field for several decades, but I do possess sufficient skill to pursue the necessary further archival and manuscript evidence, and which I require in order to function in my field of study.

On this issue my supervisor felt that the interruption by Dr Beattie was unfortunate, and evidenced pre-judgment on the part of Dr Beattie about the specific issue of my “Latinity”. My supervisor volunteered to me that Dr Beattie’s prejudice may have led to him down-grading the thesis on the assumption that I would not have had the skills to address the additional manuscript work required for the PhD.

3. Following the viva I had the distinct impression that Dr Beattie had commandeered the majority of the interview, and this is confirmed by my supervisor who estimated that

something like 65% of the examination involved questions put solely by Dr. Beattie. In addition he was also intervening whilst Professor Brown was raising issues regarding the investigation of sources. My supervisor also told me that he would have liked further contribution from Professor Brown as she was the “expert in the field”, and consequentially he was disappointed by what amounted to a limited contribution.

4. I would now like to refer to the preliminary report prepared by Dr Beattie and dated 20 September 2007. Dr Beattie states that “This, however, indicates one of the problems that besets this work: it seems to have been propelled by a feminist agenda”. This is an extraordinary proposition which clearly indicates that Dr Beattie did not take my work seriously, seeking to reinterpret my findings, and misrepresenting my analysis.

My supervisor characterised this assertion as an attack which he felt was unsubstantiated, and led him to conclude that Professor Beattie had misinterpreted the fundamental proposal of my thesis.

Finally, I would like to mention my supervisor’s overview.

There were no reservations regarding the quality of my work, which my supervisor felt had reached the required standard. To that extent, he has suggested I publish the material as a series of articles. My supervisor described my performance at the viva as “sterling in defence” and he was sure that there would be an award of PhD, possibly with amendments.

To conclude I have set out some very real concerns that I have regarding the independence of thought brought to my viva by an examiner or examiners, in order to demonstrate that, on a balance of probabilities, there was at least sufficient prejudice to allow this appeal. I would greatly appreciate the opportunity of having my work considered by fresh examiners.

## Findings of the Committee

1. In reaching its conclusions, the Appellate Committee took into consideration the submission made by the candidate in support of her appeal, including the material submitted shortly before the hearing and the further information submitted by Ms James after the hearing relating to the length of her period of study and status at Cranford; the preliminary and joint final reports of the examiners, on the examination; the examiners' joint written statement in response to the appeal; and the oral statements made by Ms James and others at the hearing.
2. The Committee noted that the candidate claimed the examiners' conduct of the examination, including the content of their reports, displayed prejudice, bias and inadequate assessment. The Committee noted that the examiners' preliminary reports were full and detailed and had been prepared independently. The Committee did not find that the preliminary reports showed the examiners had made up their minds prior to the viva as to the candidate's ability to revise the thesis or to their final recommendation, and it had been presented with no evidence that one examiner had unduly influenced the other, which conclusion was supported by the similarity of the contents of the preliminary reports. Both reports contained major criticisms of the thesis in fundamental areas, such as methodology and the extent to which the evidence cited supported the conclusions. The Committee noted the candidate's disagreement with these conclusions and that it was not uncommon for a candidate to disagree with the opinions of the examiners, particularly where that candidate had not received a favourable result, but this disagreement in itself was not evidence of inadequate assessment.
3. The candidate had identified a number of detailed factual errors on the part of the examiners, some of which remained disputed. However, the Committee was satisfied that none called the conduct of the examination as a whole into question. The joint report made clear the examiners' concerns and the reasons for their decision. Although referral for the PhD was not specifically mentioned, the reasons why the examiners considered this option inappropriate were implicit throughout the report.
4. The Committee noted the candidate's concern at Dr Beattie's use of the term 'feminist agenda' and claim that this represented an overly firm negative view of the thesis, and of the candidate's ability to revise it, which had permeated the examination as a whole. Dr Beattie had enlarged on his comments orally at the hearing and it was noted that the

following sentence in his report made clear that a 'feminist agenda' was not a problem in itself, but only insofar as it shaped any conclusions which were not supported by evidence. The Committee was satisfied that the use of the term did not denote prejudice or bias.

5. Turning to the viva, the Committee noted that for all concerned this had clearly not been a pleasant experience, but this was not unusual in instances where the examiners had serious concerns about the thesis and nor was it unusual for questions to focus on those concerns. The Committee considered the points raised concerning the style of questioning, the hostile atmosphere, the questions regarding the candidate's Latinity and the use of sources. The Committee took into account the responses of both parties and noted that, while there were different perceptions of parts of the viva, it had been presented with no evidence of any prejudice or bias on the part of the examiners.
6. The Committee found overall that it had been presented with no evidence of prejudice, bias or inadequate assessment in the conduct of the examination and determined therefore that the appeal should not be allowed.

8 April 2008

Dear John

My apologies for not updating you sooner, it was very remiss of me, but as the Appeal was such a disaster, I think I didn't want to communicate about it any more than was absolutely necessary. Anyway, here is the gist: I went to (the lawyer) as suggested and after some consideration he decided I had a case with about 50% prospect of success on the grounds of prejudice, and I attach his submission above. Having made supportive comments after the viva, my supervisor then began to distance himself from them once he saw them in writing and finally claimed I had taken them out of context. It eventually transpired that he had actually apologised to my examiners on his own behalf for presenting them with a thesis which was below standard after the viva whilst I was outside the room, which did not do my case any good at all.

The appeal took place at 2pm on Monday 1/4/08. My supervisor did not attend claiming that he did not know the date in advance (I had emailed him some weeks before) and therefore had other pressing appointments on that day. I was therefore accompanied by a barrister who seemed capable enough but had been away that w/e, admitted he had not realised that the timescale was so short, and was therefore still trying to write his submission and get a grasp of the case when I had a con with him at 11am that morning.

As you can see, the hearing was also attended by one of my examiners and 3 professors, Physics, Law and Archaeology. This meant that none of them knew precisely how a History thesis is constructed or arrived at, and although they maintained that this was part of their impartiality, it also meant that they were constantly making assumptions from their own disciplines and what their own students did.

I must admit that I do not feel I acquitted myself very well at the hearing, partly because the barrister and I had had insufficient time to discuss both the detail of the case and a strategy for presentation in the hour between 11-12, and partly because I had discovered a few days before that some of the accusations made by Prof Brown about my understanding of a Latin text had been erroneous, and her interpretation was in fact the wrong one. I therefore leapt in with this too quickly instead of addressing more general and perhaps important points, and it was countered with " Oh well, we all make mistakes" (the response from the Chair (Physics)).

At this stage, very early on, I think I knew all was lost and although the Appeal dragged on for a further 3 hours, till 5pm, I felt that the Committee was there to maintain the status quo and support the examiners, and I know my barrister felt that the Law Prof was leading my examiner in many instances. Towards the end they began to drift onto topics I thought were outside their remit, such as how long it had taken me to write the thesis, and whether I should have been given the option of an 18 months rewrite, to which one examiner responded that the examiners had not offered this option as they felt that the whole thing would need a "total rewrite" to be acceptable. This statement was accepted without any further discussion or justification. Not realising the significance of what I was saying at the time, I made the error of saying I had worked full time on the thesis for the last 3 years, and although I realised my mistake afterwards and tried to correct in by a follow up email, they obviously adhered to their original erroneous impression.

The chair also warned me on more than one occasion during the Appeal about the seriousness of the allegation I was making, and did I really understand this, but there seemed to be little appreciation of how serious it is to have your PhD failed!

The following day I arranged for my living room and kitchen to be decorated as some sort of displacement therapy I think, and put the whole thing out of my mind. The letter from the RDEO was no surprise, and I continued to ignore it until mid May, despite continued nagging from my supervisor to progress the MPhil option. (He probably wanted to be able to tick a box to show he had at least achieved something in the past 3 years, and continues to say he will help to get some of it published as articles, despite the fact that I think this is highly unrealistic).

However in the end I did decided to resubmit as an MPhil, if only because I had spent so much time over it and until it is in the public domain someone else can come along and rewrite the same topic, and I didn't see why this should happen. I therefore worked like mad for two months and finally submitted it on 3 July. Since then I have heard nothing, and don't really expect to. Dr Beattie was so angry at the appeal, I doubt he thinks he needs to do anything during the summer vac, and it will now be interesting to see if he can now find a pretext for failing the MPhil...it wouldn't surprise me.

Overall I have no regrets about pursuing the Appeal (apart from the expense!) as I would never have felt satisfied unless I had pushed the situation to its limits. So if you want the copyright (I'm not sure what this entails) and you think it can be of use to anyone else, it would give me some satisfaction. I can't imagine I will want to become involved with academia again at any time in the future, as am feeling somewhat disillusioned buy the whole affair, and have recently bought a small bungalow on the Sussex coast which I am now renovating...a much more satisfactory project!

Once again I must express my gratitude to you for your help and support over the past year.

All best wishes  
Joanna

PS I am thinking of signing my letters: PhD (Failed)!

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## **Team task**

**On the acetate provided list the lessons here for**

- 1. Doctoral candidates**
- 2. Supervisors**
- 3. Institutions and examiners**