

Student Grievance: Appeal

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Abstract

On 15 August 2011 I submitted a UCL Student Grievance against the department in which I pursued a PhD, the Department of Computer Science at UCL, my internal examiner, David Barber, Reader in Information Processing in the Department of Computer Science at UCL and my external examiner, Edward Tsang, a professor in the School of Computer Science and Electronic Engineering at the University of Essex on the grounds of (1) deficiency in supervision received and (2) results of examinations ((i) the examiners could not reasonably have been aware of special circumstances which significantly affected the candidate's performance in the examination, (ii) the examination was not conducted in accordance with the relevant regulations/procedures and (iii) evidence that both examiners were biased or prejudiced against the candidate). On 25 January 2012 I attended a Student Grievance hearing, on 15 February 2013 I received a Completion of Procedures, and on 1 March 2013 a Completion of Procedures (Resubmitted). This is an appeal against the decisions reached in the Completion of Procedures (Resubmitted) on the following grounds: (a) that the representation was not conducted according to the procedures outlined in UCL's Student Grievance Procedure; (b) that new evidence has become available which was not, and which could not reasonably have been, made available to the Grievance Panel; and (c) that the compensating action agreed by the Grievance Panel was either excessive or inadequate in relation to the grievance.

1 Introduction

I pursued a PhD in the Department of Computer Science at UCL ('the Department'), and during my time there I was given access to, and received, just three hours of technical supervision (this is undisputed).

Despite this, all three core chapters of my thesis passed peer review (Sewell 2012b,a; Sewell and Shawe-Taylor 2012), the thesis generating no less than 24 publications in total (Sewell 2008a; Sewell and Yan 2008; Yan, Sewell and Clack 2008; Sewell 2008b, 2009a,b, 2010a; Sewell, *et al.* 2010; Sewell 2010b, 2011i,a,b,c,d,e,f,g,h, 2012a,c,d; Sewell and Shawe-Taylor 2012; Sewell 2012e,b), evidencing that it is an above-average PhD thesis by the most important objective criteria, peer review.

Furthermore, over the course of my PhD, I wrote ten pieces of software (Runs Test in Visual Basic for Excel, Rescaled Range Analysis in C++ and Visual Basic for Excel, Performance Measurement Calculator in PHP and Visual Basic for Excel, Performance Metric Analysis in Visual Basic for Excel, SVM_{dark} in C for Win32, winSVM in C++ for Win32, Fisher Kernel in C++, Monte Carlo Portfolio Optimization in Visual Basic for Excel, Kelly Criterion in PHP and Visual Basic for Excel and Order Book Reconstruction in C#)¹.

I have also reviewed papers for *International Journal of Neural Systems*, *Managerial Finance*, *Neurocomputing*, *2011 International Joint Conference on Neural Networks (IJCNN 2011)*, *Environmental and Resource Economics*, *2012 International Joint Conference on Neural Networks (IJCNN 2012)*, *Artificial Intelligence Research*, *Mathematical Problems in Engineering*, *International Journal on Artificial Intelligence Tools*, *IEEE Symposium Series on Computational Intelligence (SSCI) 2013*, *The Journal of Behavioral Finance & Economics (JBF&E)* and *Journal of Educational Research and Studies* and am on the Editorial Review Board of *Artificial Intelligence Research*.

During my two vivas I suffered from a severe falling out with my examiners and received, in total, eight hours of essentially bullying (documented in Sewell (2011j)). My internal examiner, David Barber, explicitly and repeatedly told me not to defend my thesis, the examiners' first joint report (Barber and Tsang 2009) was grossly inadequate and their second joint report (Tsang and Barber 2011) was contrived and largely nonsense (see Sewell (2011j)).

On 15 August 2011 I submitted a Student Grievance for what should have been a pretty straightforward case (seven regulations were breached in terms of supervision and nine further regulations were breached during the examination process).

A Grievance Panel ('the Panel') was formed, and on 25 January 2012 I attended a Student Grievance hearing. On 15 February 2013 (exactly eighteen months after I submitted my Student Grievance) I received a Completion of Procedures (Ashton 2013a), which failed to mention my right to appeal, as outlined in UCL (2012), and after I complained to the Provost, on 1 March 2013 I received a Completion of Procedures (Resubmitted) (Ashton 2013b).

According to item 35 in UCL's Student Grievance Procedure (UCL 2012), an appeal should normally be made only on one or more of the following grounds:

- (a) that the representation was not conducted according to the procedures outlined in the Student Grievance Procedure;
- (b) that new evidence has become available which was not, and which could not reasonably have been, made available to the Grievance Panel;
- (c) that the compensating action agreed by the Grievance Panel was either excessive or inadequate in relation to the grievance.

This appeal is being made on the basis of all three grounds, and the current document is structured accordingly.

¹Available from <http://www.martinsewell.com/software.html>.

2 The representation was not conducted according to the procedures outlined in UCL's Student Grievance Procedure

Item 18 of the Student Grievance Procedure (UCL 2012) states that the Grievance Panel shall consider the representation and in so doing shall (quotes from the document are italicized, in each case followed immediately by my response):

- (a) *accord equal procedural treatment to the student and the member(s) of staff concerned;*

We were not accorded equal treatment, during the hearing the Panel sought to instruct the Department what evidence was required to help their case, whilst I was asked for precisely nothing. The tape will confirm this.

- (b) *seek further clarification of the written evidence from whomever it feels appropriate;*

See above.

- (c) *ensure that copies of all documentation pertaining to the representation are received by all parties no later than ten days before the meeting of the Panel. No further communications of any sort will be accepted for consideration by the Panel after this time;*

There was a full eighteen months during which the Panel were presumably collaborating with the Department, certainly they didn't request any information from myself after the hearing, and it is difficult to imagine how else a three-page document could have taken eighteen months to write.

- (d) *interview the student and member(s) of staff concerned. At any such interview the student and staff member(s) may be accompanied by a friend, who must normally be a member of UCL.*

During the hearing I was flanked by members of the Department, including Professor Treleaven whom I needed to criticize, so felt unable to speak freely.

2.1 Hearing

On 25 January 2012 I attended a Student Grievance hearing, during which the Department of Computer Science attempted to cover up both their negligence vis-à-vis supervision and, more surprisingly, the bias exhibited by the examiners. They attempted to create a wall of silence by saying as little as possible.

Whilst the Panel either ignored or distorted what I said at the hearing. For example, during my first viva (US English, 'defense') Dr Barber told me to stop defending myself. From this point onwards I was so shocked and angry that I struggled to focus, or even speak freely. I mentioned this during the hearing,

and a member of the Panel suggested, and then decided, that I was told not to be so *defensive*, which had a different meaning, and was thus acceptable. The problem is that it wasn't true. Dr Barber *definitely* told me to 'stop *defending* the indefensible' (emphasis added) (note also that I was not 'defending the indefensible' at all, see the details in Sewell (2011j)), so he *definitely* told me to stop *defending* my thesis during my viva. Such a suggestion by the Panel would be disallowed in a court of law, as it would be considered a 'leading question'. Why not simply ask Dr Barber whether he said it? And perhaps even suggest to him that he does not do so in the future.

A member of the Panel asked my supervisor, Professor Treleaven, whether my thesis was 'examinable'. This was another 'leading question'. It was also contemptuous, there was never any suggestion whatsoever by anyone that my thesis was anything other than a good PhD thesis worthy of submission (otherwise I would not have submitted it). Professor Shawe-Taylor recommended that I submit my thesis, and Professor Treleaven was also content that my thesis was ready. It also shows the Panel to be internally inconsistent (and hypocritical) as they claim not to be allowed to judge academic judgement, but are happy to assume, for no reason, that a thesis is substandard. It was also amusing that the Panel assumed, wrongly, that Professor Treleaven (my supervisor) had read my thesis. That he had not was not revealed, as the restrictive nature of the hearing meant that myself and the Department were only allowed to answer questions from the Panel.

2.2 Completion of Procedures

At the end of the hearing, we were informed that a decision would be made within five working days. Instead, it took eighteen months after submitting my Student Grievance to receive a 'Completion of Procedures' (Ashton 2013a). As there was no communication to myself (and having witnessed the hearing and read the Completion of Procedures) I can only assume that this time was spent colluding with the Department in an attempt to find evidence in support of the defence. This is disgusting, and negligent in itself. The document failed to mention that I have the right to appeal, which arose my suspicions further, so I complained to the Provost. Two weeks later I received a revised version (Ashton 2013b) that mentioned my right to appeal.

The three-page document, which took eighteen months to write, largely misses the point of my complaint, ignores most of the evidence I provided and includes many false (and in some cases defamatory) statements. It partially upholds my complaint vis-à-vis supervision but denies the prejudice shown by the examiners, and concludes with '[b]y way of compensation, one year's worth of fees is being refunded to you' and '[y]our request to be re-examined has not been granted'. This is absurd, I did not request any compensation, only the opportunity to be re-examined, which I was recommended to do by Andy Saffery on 4 August 2011.

The 'Completion of Procedures' documents were apparently not even written by the whole Panel, but by David Ashton <d.ashton@ucl.ac.uk>, Director of

Student Services, Registry and Academic Services. Why? They were circulated by Joe Shepherd <joe.shepherd@ucl.ac.uk>, Student Conduct and Examinations Officer, widely. The following were recipients of the ‘Completion of Procedures’ documents: Michael Ewing <m.b.ewing@ucl.ac.uk>, Marco Federighi <m.federighi@ucl.ac.uk>, Anthony Finkelstein <a.finkelstein@ucl.ac.uk>, Anthony Hunter <a.hunter@cs.ucl.ac.uk>, Andy Saffery <a.saffery@ucl.ac.uk>, Martin Sewell <mvs25@cam.ac.uk>, John Shawe-Taylor <j.shawe-taylor@ucl.ac.uk>, Ruth Siddall <r.siddall@ucl.ac.uk>, Philip Treleaven <p.treleaven@ucl.ac.uk> and Graduate School Head <gradschoolhead@ucl.ac.uk>. In other words, a largely false, wholly prejudiced and clearly defamatory document has been circulated, twice, and in some cases for no good reason, to many senior academics within UCL.

Yet, the ‘Completion of Procedures’ documents were not circulated to the student representative. Why? I don’t even know her name. I have seen no evidence that the student representative member of the Panel who was present at the hearing has taken any part in the decision making, which if the case is a further breach of procedure. I do not believe that the student representative would have put her name to such a prejudiced document.

Below, quotes from the *Completion of Procedures (Resubmitted)* (Ashton 2013b) are italicized and bulleted, in each case followed immediately by my response.

- *This is a revised version of the Completion of Procedures communication which was previously issued. This corrected version indicates the correct appeal process as set out in the Student Grievance Procedure, with apologies for providing it incorrectly previously.*

An explanation of the appeal process was not provided incorrectly previously, it was (perhaps deliberately?) omitted entirely. When I spoke to Match Solicitors, Rishi Mital said that UCL have a bad reputation regarding treatment of students, and were recently taken to the high court. They said that if it was anyone else, they would assume that the omission was an oversight, but as it was UCL, he thought that it was likely deliberate. My view is that it was likely a Freudian slip, but it was interesting to learn that UCL have ‘form’.

- *This communication confirms that the internal procedures of the University in relation to your Student Grievance application received August 16th 2011, on the grounds of ‘alleged deficiency in supervision received or alleged unsatisfactory delivery / administration of a programme’, ‘that the examiners could not reasonably have been made aware, formally, of special circumstances (eg illness) notified by the candidate which significantly affected his / her performance in the examination’ and ‘that there is substantive evidence that one or more of the Examiners can be shown to have been biased or prejudiced in one or more specific examinations’ as per paragraphs 7.1, 7.3 (ii), 7.3 (iv) of the Grievance Procedure, have been completed.*

Firstly, internal procedures have *not* been completed, because there is this appeal process. Secondly, the above misses one of the grounds that were the basis of my complaint. The Student Grievance Procedure also allows a grievance on the basis ‘that either the examination and/or classification process was not conducted in accordance with the relevant regulations/procedures’. I highlighted precisely how *nine* regulations were breached during the examination process (Sewell 2011j), none of which were disputed, but all were conveniently ignored.

- *The issues that you raised in your Student Grievance application were as follows:*

- *The regulations regarding supervision, including regular meetings, prompt feedback and assistance with revision of objectives, were not met. Your principal supervisor, Professor Treleaven, changed his research area so you found a different supervisor, Professor Campbell. Professor Campbell then retired, and you were reallocated to Professor Treleaven as there was no one else available in the Department.*

This is correct, although I should emphasize that I was dumped by Professor Treleaven for no good reason (he never looked at our work, so would not have known whether I was a good, bad or indifferent student). He gave me Professor Campbell’s name, but it was not ‘in the bag’ until he agreed. Indeed, seven regulations were breached in terms of supervision (Sewell 2011j).

- *You only met your subsidiary supervisor once, which was contrary to the regulations which state they should be aware of the work and assist with the upgrade. Your subsidiary supervisor was from outside your Department.*

This is correct.

- *You attempted to resolve your supervision concerns through the Departmental Graduate Tutor who initially assisted but later removed you from the Department.*

Almost. Nobody ever ‘removed [me] from the Department’. This is a grave accusation and a serious mistake for the Panel to make, as it implies that there were grounds for doing so. There were not. In Sewell (2011j) I wrote that the Departmental Graduate Tutor at the time, Angela Sasse, ‘thought it easier to remove me from the Department, so had my email account cancelled’. She wanted to remove me from the Department because I was not being supervised, but failed to do so, as there were no grounds for doing so. The point is that I wasn’t merely lacking supervision, but for no valid reason the Departmental Graduate Tutor was deliberately obstructing my progress. Furthermore, email accounts are not typically cancelled even when a student leaves the Department, evidencing that the action was malicious.

- *After complaining to Professor Finkelstein, the Head of the Department of Computer Science, you were reinstated and received your one and only session of supervision for three hours. The examiners would not have been aware of this.*

I met with Professor Shawe-Taylor on 11 January 2007, 2 May 2007, 15 August 2007 and 11 February 2008, this information was given to the Panel before the hearing, but along with all the other evidence I provided, was apparently overlooked.

- *Your principal supervisor did not read your draft thesis.*

Indeed, no supervisor has ever read my thesis at any time. That remains true to this day.

- *You undertook vivas in June 2009 and July 2011. On both occasions the examiners took more than three months to submit their written reports*

This is correct. According to the document ‘Guidance on oral examinations for research degrees’ (UCL 2011) ‘in the interests of the candidate, UCL expects that the examination will be completed and examiners will have submitted the final joint report within three months of the despatch of the thesis to them.’ The time from the first submitted thesis being sent to the examiners (25 March 2009) to the day in which the examiners’ joint report was received (7 August 2011) was 4 months 13 days. The time from the resubmitted thesis being sent to the examiners (9 February 2011) to the date of the examiners’ joint report (4 July 2011) was 4 months 25 days. The examiners clearly did not have the candidate’s interests at heart, as both thesis submissions exceeded three months. In total, UCL have wasted *years* of my life, so the months are very much in the noise. The point, rather, is the underlying hypocrisy, it appears that regulations are there to be breached, unless you’re a student.

- *[T]he examiners did not put you at ease.*

This is a gross understatement, the conditions in both vivas were the most hostile I have experienced in my entire life. Professor Tsang was visibly angry that I had not cited his own work, which was both unfair and unprofessional. Dr Barber, incredibly, told me to stop defending myself and was extremely aggressive with his questioning, e.g. asking me to solve cubic equations, which have nothing to do with my thesis.

- *Detailed feedback was not provided after the first viva.*

UCL (2011) states that in cases when examiners refer a thesis for re-submission for examination ‘the examiners’ joint report should include *detailed* guidance for the candidate and what is expected for them to achieve the standard for an award’ (emphasis added). I was not given *detailed* guidance. For example, the first point listed in Barber and Tsang (2009), ‘[t]he technical aspects in chapters 4 and

5 lack academic rigour and many of the experiments are lacking in sufficient detail to be reproduced', is important yet far too vague to be useful (it was also false (Sewell 2011j)). Indeed, this was pure laziness on the part of the examiners and cost me my PhD (Dr Barber admitted that he hadn't even read all of my thesis). The examiners couldn't spare ten minutes to detail corrections, that ten minutes apparently being more valuable than the ten years' of my life that they are happy to write off.

– *Some of the comments made in the reports from 2009 demonstrate prejudice and bias of the examiners against you, and you felt that the examiners' comments did not reflect your ability but rather bias on the part of the examiners.*

Indeed, although it was the reports from both 2009 and 2011. I have written no less than six pages on the matter (Sewell 2011j, pp. 4–10), which was completely ignored by the Panel.

– *Your requested outcome was for you to be re-examined, in order to obtain your PhD.*

Well, yes, that's what I've spent the past ten years of my life doing. The situation now is that UCL are unreasonably withholding the award of a PhD for an above-average PhD thesis.

- *The Panel took into account the information provided prior to the Panel hearing held on January 25th 2012, the oral information provided at the hearing, the information sought from the Department after the hearing, and the information provided by you since the hearing: that is a copy of your submitted thesis and information on your work published since your time at UCL.*

No, this is wholly false. The Panel completely ignored the information that I provided prior to the hearing. The Panel also completely ignored all of the (highly relevant) evidence that I sent after the hearing. I physically sent some of the material, none of which was returned.

Sewell (2011j) included a 14-page fully referenced and totally accurate document which has been wholly ignored, excepting for the précis above (which, as noted, is inaccurate). Why? It is not sufficient to simply repeat my complaint, it should be looked into. I was never asked for any further evidence. Do the Panel believe that it is acceptable to provide a PhD student with three hours of supervision over ten years, or do they not believe me? Which is it? It is fairly straightforward to prove, simply ask anyone who ever knew me. Although the Department attempted to cover up, they did not attempt to deny or refute the issue of three hours of supervision. That my thesis, to this day, has never been read by any supervisor is also undisputed. Are the Panel, by their silence on the matter, suggesting that this is acceptable at UCL?

- *The Panel noted that your upgrade came very late in the registration process, much later than the normal timeframe of 18 months to 2 years.*

Of course it came late, I didn't have any effective supervision for the first seven years! That is the point of my complaint (along with the failure of the examiners), the opportunity cost of the wasted years. I essentially wrote my thesis in two years, once I received supervision. Professor Shawe-Taylor was impressed with the speed at which I worked, feel free to ask him, he is currently the Head of the Department of Computer Science.

- *There appeared to be no evidence of attempts for upgrade not having happened.*

The double negative makes this sentence rather confusing, but I shall state what happened. The Department did once arrange an upgrade viva, but they forgot to tell me. All were present, except me. I received angry emails, followed by an apology, when they realised that no one had informed me. This is telling, that they would arrange an upgrade without even informing the student, and evidences that I received zero communication and zero support. The Panel should have had access to emails pertaining to this.

- *There was also no obvious evidence of supervisory input after the first viva.*

There was no significant supervisory input for 90% of my time at UCL, no supervisor ever read my thesis, so it didn't even cross my mind that I would receive any support after the first viva. This was not even one of my complaints. Are the Panel being deliberately contrary by ignoring all of my significant complaints, but identifying their own? If they genuinely think this was significant, they have underestimated the overall degree of negligence. If the Panel were to read the examiners' reports (Barber and Tsang 2009; Tsang and Barber 2011), they would have noted that there was nothing much wrong with the first submission, let alone the second. There were very few genuine 'corrections', just a great deal of obfuscation, nonsense and prejudice. I sent the reports to the Panel, but there is no evidence that they read them.

- *However, there were periods of proactive supervision up until Professor Campbell's retirement in 2003...*

This is complete nonsense (actually, beyond farce). There was no 'proactive supervision' whatsoever before Professor Campbell's retirement in 2003 (feel free to ask anyone who ever knew me). Professor Campbell was effectively my supervisor for 60 minutes, during which time he asked me to read a newspaper article... written in Russian. He then expressed surprise that I didn't read Russian. He is a likeable but eccentric character. Anyway, he never contacted me again, and retired soon after. Such an inaccurate statement by the Panel is inexcusable, the Department are still in contact with Professor Campbell, so could have simply asked him. That

the Department are negligent is bad enough, but that they seek to implicitly blame a defenceless retired ex-member of the Department shows a disgraceful lack of integrity. I have since emailed Professor Campbell myself, on 21 March 2013, with ‘I would be most grateful if you could confirm that we only met once, presumably for one hour, before you retired’ but have thus far received no reply. A pretty straightforward request, one would have thought, but perhaps he has been asked to join the Department’s conspiracy of silence?

- *[T]here is evidence that there was consistent supervision from Professor Treleaven after he was appointed as your supervisor.*

This is further nonsense, and again, is beyond farce. There was no effective supervision from Professor Treleaven whatsoever. Professor Sasse was aware of this, and informed me that she sought to ensure that he didn’t take on any more PhD students. The Panel were provided with the following independent quotes: ‘It is unfortunate that you did not have a trusted supervisor to guide you and stand up for you’ (Burbidge 2011), ‘I can’t remember any specifics except that Phil didn’t want anything to do with you’ (Burbidge 2012) and ‘I think we all knew phil (sic) was totally hands off to put it generously’ (Mallinson 2012). Feel free to ask anyone else who knew me.

The Panel have ignored independent evidence, and chosen to propagate the lies from the Department. Does a court ask the defendant to supply their own evidence, and then base their decision on that alone?! Every other student who had Professor Treleaven as a supervisor received support from an effective second supervisor. For example, some PhD students have industrial sponsors, and the second supervisor would often be an employee of the sponsor, so would be well motivated. In this respect, as a largely self-funded student I was at a disadvantage.

- *You had registration over a longer period than most research degree students, but fees were only paid for the equivalent of the standard period for research degree students.*

Firstly, I never even mentioned fees in my complaint. Secondly, most research degree students receive more than three hours of supervision. When I finally met with Professor Shawe-Taylor for three hours of unofficial but technical supervision (the only three hours I’ve ever received), he was impressed with how quickly I did the work. Feel free to ask him to confirm this. Thirdly, the fees I paid were the same as anyone else in the same circumstances, the above is phrased to suggest that I received preferential treatment, and is thus deliberately misleading.

- *From 2006 onwards you were only eligible for limited supervision.*

It is not acceptable to provide no supervision during the period during which it is expected, and then say ‘too late!’, it is negligent.

- *You were registered to enter the MPhil as there had been no notification of upgrade to PhD. However, on receipt of notification of upgrade on 19 November 2008, you were entered for the PhD rather than the MPhil.*

No, I was never ‘registered to enter the MPhil’, this is deceitful and misleading. There was no question whatsoever of me submitting for an MPhil degree (no supervisor ever read my thesis, so how and why would anyone make this decision anyway?), but Professor Sasse was vindictive and liked to taunt me by deliberately writing emails that referred to my ‘MPhil’ (sic) (again, the Panel should have access to emails that confirm this), this was pure prejudice.

- *The Panel was informed that you had appeared unwilling to engage or take advice whilst registered on the programme.*

This is utter drivel and pure prejudice. There were no instances whatsoever of me being ‘unwilling to engage or take advice whilst registered on the programme’. I challenge the Panel, the Department, or anyone, to provide evidence of a single example of me being ‘unwilling to engage or take advice whilst registered on the programme’. There are none.

I physically moved to a studio flat in Gower Street (the road on which UCL is based) (as I informed the Panel), at great expense, between July 2002 and January 2004 and became the PhD Rep from August 2002 until September 2003, organizing popular weekly PhD coffee afternoons (promoted by email, so the Panel should be aware of this). I also attended all of the PhD workshops, and even encouraged others to do so (again, by email, so the Panel should have evidence of this). The Department’s attempt to portray me as some sort of reclusive character is demonstrably false and pure prejudice, I was an active and enthusiastic member of the Department (feel free to ask anyone who ever knew me).

The bit about advice is quite amusing, what advice, pray, did the Department claim to have ever given me? Excepting the technical advice I received from Professor Shawe-Taylor, I can recall just nine pieces of advice that I was given. I shall go through each of them below, and the outcome.

- The advice given in the closest thing that the Department has to an official document on PhD thesis structure and content (Farrington 1997) includes ‘state how you want the PhD to be judged - as engineering, scientific method, theory, philosophy, &c.’ That is, the candidate can decide and inform the examiners, not the other way around. My interpretation of this was generous and flexible, and in my thesis I wrote ‘[s]hould the thesis be judged from an engineering perspective, here lies a summary of the programs written’. Yet my programming was completely ignored by the examiners (it was considered irrelevant) (especially by Dr Barber, who apparently suffers

- from maths envy) and my philosophical remarks were explicitly criticized simply for being there. Staff members of the Department of Computer Science should speak to each other and agree on this issue.
- Both Professor Treleaven and Professor Shawe-Taylor suggested that an algorithm comparison was a sound experiment for a PhD thesis. In the first viva Dr Barber said that it was not. All three are in the same department. Opinions will always differ, but the Department should at least agree a level playing field for what constitutes a PhD. Such inconsistencies are incredulous, and the only people to suffer are the PhD students.
 - Professor Shawe-Taylor, one of the top machine learning researchers in the world, suggested that for my final experiment that I develop a (novel) DC Algorithm-Fisher Kernel Hybrid algorithm, but also said that I didn't have to do this, but it would 'put the cherry on top' of my thesis. The internal examiner, Dr Barber, laughed in my face and asked who had suggested such a thing. I didn't reply, I saw red.
 - In my thesis I included a thorough characterization of financial time series referencing 320 articles. Professor Treleaven said that it was too long and that I should reduce the length of the chapter, so I took the work out and published it online as informal documents. In the first viva, the examiners asked me to turn the documents into formal research reports, and refer to them. I did precisely that (Sewell 2011a,b,c,d,e,f). In the second viva, they said 'you can't refer to them if they're not in your thesis', so that 'you cannot claim that your literature review is exhaustive'. This is, of course, insane. Note that I wrote more Research Notes than anyone else in the Department of Computer Science that year, and was the only person to submit as sole author, which suggests that other students received support, see http://www.cs.ucl.ac.uk/research/research_notes/research_note_archive/2011/.
 - Professor Treleaven requested that I take out a section of my thesis that described the evolution of the heuristics and biases used in the artificial stock market described in Chapter 4 as he believed that the examiners would think I'd 'lost the plot'. I took the work out, published it as Sewell (2011i), and cited it in my thesis. The examiners were astonished and asked why I had taken published work out of my thesis. In fairness, Professor Treleaven did not know that the work would subsequently be published, but this piece of advice likely cost me my PhD.
 - Naturally enough, I structured my thesis according to the closest thing that the Department had to an official document detailing the matter, entitled 'PhD Thesis Structure and Content' (Farrington 1997). Professor Treleaven told me to restructure it according to a new format, so I did. The examiners told me to restructure it, so I did, again. I felt that I was going round in circles.

- There were differences of opinion regarding implementation details such as which programming language was used. David Corney, my mentor, insisted that I take them out. Professor Treleaven, my supervisor, insisted that I put them back in.
- Immediately before my viva, my supervisor, Professor Treleaven, emphasized that I should defend myself in my viva assertively. This seemed reasonable. The internal examiner, Dr Barber, incredibly, and repeatedly, told me to stop defending myself.
- In the PhD Workshops it was emphasized that one should do a *critical* literature review. My supervisor and then the examiners told me not to criticise journals, people, etc. This was pure politics.

In summary, I *always* followed advice, and doing so cost me my PhD.

However, my supervisor, Professor Treleaven, did state one truism, just before my viva he said that it was a complete lottery. The only thesis that I was given by him was Viner (1998), which was presented as a gold standard. For the sake of an objective comparison, Table 1 lists the number of self-citations, by BibTeX type, within both Viner (1998) and my own thesis (Sewell 2012f). The discrepancy is beyond farce, and an indication of just how deep the examiners’ prejudice runs.

BibTeX type	Viner (1998)	Sewell (2012f)
article	0	4
book	0	0
booklet	0	0
inbook	0	0
incollection	0	1
inproceedings	1	5
manual	0	0
mastersthesis	0	0
misc	0	0
phdthesis	0	0
proceedings	0	0
techreport	0	6
unpublished	0	8
total	1	24

Table 1: A comparison of the number of self-citations

- *Professor Finkelstein indicated in an email in early February 2006 that your chances of success were limited and thus the likelihood of not obtaining a PhD before submission.*

The above single sentence is really rather special. It is not merely illiterate, but it manages to be simultaneously untrue, irrelevant, unfair and prejudiced.

untrue Professor Finkelstein looked at my thesis following a complaint I'd made against Professor Sasse for cancelling my email account for no good reason. He explained that he needed to determine whether my draft thesis was good enough for me to continue, after reading it he determined that it was: he had a binary decision to make, and the outcome was positive and in my favour (not bad, considering that I'd not had any supervision at this point in time).

irrelevant Professor Finkelstein conceded at the time, with humility and good humour, that he was not qualified to judge my thesis in terms of technical merit (his area of expertise is in Software Systems Engineering, whilst my research area was Intelligent Systems). His criticism of my thesis was that it was written too much like a book, and did not fit the stereotype of a PhD. This last phrase was profound, and honest. Nobody can define what a PhD should look like, but they recognise one when they see it.

unfair I had not had any technical supervision at that time.

prejudiced Why are the Panel concerned with and highlighting the quality of my thesis back in early 2006, when it was submitted in 2009 and resubmitted in 2011, and when they have been provided strong evidence that, at the very least, the resubmitted thesis was of above average quality (all three core chapters passed peer review, and the thesis generated no less than 24 publications in total)?

Again, if anyone has any doubts about the veracity of any of the above, feel free to contact Professor Finkelstein directly. He was head of Department at the time, so it seems incredulous if the Panel didn't contact him.

- *There was no evidence of bias of the examiners. . .*

The Panel are being wilfully ignorant, I provided no less than *six pages* of evidence of bias by the examiners (Sewell 2011j, pp. 4–10), which was wholly ignored or distorted (as explained above).

Because vivas are not recorded (why?), and although there is a great deal on animosity between certain members of the Department, it is not in an academic's career interests to criticise a fellow academic, so the examiners are left completely unaccountable. The whole process of prejudice propagating from the Department, via the examiners, to the Panel was due to politics.

- *[T]he Grievance Procedure does not allow for the questioning of academic judgement.*

Given that academic judgement (along with supervision) is what is being questioned, this makes the procedure about as effective as a court that does not allow for the determination of innocence or guilt.

This is absurd, and means there is no mechanism in place to prevent examiners from, say, setting the bar so high that they would fail a Nobel Prize-winning thesis. It is a lazy excuse for not investigating the one thing that actually matters, the quality of the thesis. A simple solution would be to call upon an independent expert witness. Indeed, an independent expert in the field has already voiced his opinion: Professor Shawe-Taylor described the outcome of my viva as a ‘travesty’. Instead of focussing on perpetuating prejudice, why not listen to one of the leading experts in the world in machine learning? He is, after all, now head of the Department of Computer Science.

Furthermore, the surest evidence of prejudice on the part of the examiners is that they fail to pass a thesis that passes the threshold required for a PhD, as has been demonstrated in this case.

Without any internal correction mechanism, the examiners are completely unaccountable, there would be nothing to stop a rogue examiner from passing all candidates or failing all candidates. The students who failed would be left with no other option other than to take the examiners to court.

The idea that the two examiners are independent is false. My external examiner, Professor Tsang, didn’t bother writing a preliminary report for my first viva, and then sat in silence when Dr Barber started bullying me during my second viva, completely out of his depth.

It is not even necessary to be qualified in the area covered by the thesis to judge the quality if one looks at the degree of peer review. Farrington (1997) states that ‘another important datapoint: 2-3 conference, or 1-2 journal papers in respectable (ACM, IEEE, IOP like) places are good enough for chapters 4,5,6, and therefore the core of a PhD - testing by publication is a VERY good defense (or defence)’, whilst my thesis includes *nine* conference papers (Sewell and Yan 2008; Yan, Sewell and Clack 2008; Sewell 2008b, 2009b, 2010b, 2011h, 2012a,c,e) *and four* journal articles (Sewell 2008a, 2009a; Sewell and Shawe-Taylor 2012; Sewell 2012b).

The examiners, and now in this instance the Panel, are ultimately required to decide whether the candidate *deserves* a PhD. A PhD is supposed to be an apprenticeship for research, not a Nobel Prize. I have been cited 146 times (see <http://scholar.google.co.uk/citations?user=jhbInA4AAAAAJ>), surely the Panel believe that I have passed an apprenticeship for research and thus deserve a PhD?

- *The fact that your work has since been published is not relevant.*

This is contrary to the regulations. UCL Graduate School (2009) requires that a PhD thesis ‘contains an element which might, after any necessary

revision, merit publication in a medium appropriate to the discipline (for example as a monograph or as a number of articles in learned journals', in other words, the official guidelines concern work which might be published *in the future*. Besides, the vast majority of the work in my thesis was published at the time.

A PhD examination is not like a football match, where poor refereeing decisions cannot be rectified, bad decisions *can* and *should* be rectified, which is the *whole purpose of this grievance process*.

During the Panel hearing, Anthony Hunter stated that he contacted the examiners, and their only concern was that the core chapters had not passed peer review. Although I had many publications, they did not coincide exactly with the chapters (because I was asked to take the work out!)

Two chapters were under review at the time of the second viva, with the journal *Expert Systems with Applications* taking eleven months to process papers (my paper was accepted without any corrections, feel free to contact the editor). The outcome of a viva should be dependent on the quality of the work, not on the length of time journals take to process submitted articles. The examiners should have been capable of judging the work on its own merit. In short, it is laziness to insist on peer review a priori (the examiners), but negligent to ignore it post hoc (the Panel).

The core of my thesis, the central part that covers the actual research, consists of chapters three, four and five. Just to be absolutely clear:

- Chapter 3 is fully peer reviewed and is published as Sewell (2012b)
- Chapter 4 is fully peer reviewed and is published as Sewell (2012a)
- Chapter 5 is fully peer reviewed and is published as Sewell and Shawe-Taylor (2012)

So the position of the examiners, who initially only wanted *one* chapter peer reviewed (not three), is completely untenable. No stronger evidence is even possible.

- *The examiners appointed to consider your thesis did not merit it as being of PhD standard.*

This is not true, the examiners basically decided that they didn't like the *candidate* (this is the point, along with the supervision issues, of my grievance). Prior to even the *first* viva, before any prejudice had time to take root, Barber (2009) starts with 'My preliminary reading was that the thesis appears reasonably solid and well written' and concludes with 'in summary, I think the thesis is OK and don't foresee too many difficulties.' I felt that there was an underlying theme through the entire process of both examinations of conceding that the thesis was acceptable, but taking a dislike to the candidate. Besides, if there was anything wrong with the

submitted thesis, why were the examiners reduced to writing essentially drivel in their joint report (Tsang and Barber 2011) (see Sewell (2011j))?

- *The Panel was aware that there had been disruption to your supervisory team. . .*

Come again? A whole *team* of supervisors working together to support me? A more accurate description would be a decade of an absence of supervision that was briefly interrupted by three hours of supervision from one member of staff.

- *Professor Treleaven had been a constant point of reference throughout your time at UCL.*

This is an extremely biased interpretation of events. Professor Treleaven made a point of dumping me, and then wanted nothing to do with me (as the Panel well know ('It is unfortunate that you did not have a trusted supervisor to guide you and stand up for you' (Burbidge 2011), 'I can't remember any specifics except that Phil didn't want anything to do with you' (Burbidge 2012) and 'I think we all knew phil (sic) was totally hands off to put it generously' (Mallinson 2012))). Note that Professor Treleaven was my supervisor for over 95% of my time at UCL, so does the Panel believe that 'a constant point of reference' is now an acceptable level of support from supervisors? Even if that were the case, there is no excuse for the inconsistency across the Department. A fellow PhD student at the time, Emma Byrne, used to complain that her supervisor, Professor Hunter, insisted on writing her PhD thesis for her, even down to the punctuation.

- *There is no regulation stating that your supervisory team has to be drawn from your Department so the fact that one may have been from another Department is not a cause for a grievance.*

Indeed, which is why I never suggested that it was. This is a misunderstanding, I said nothing of the sort. However, this further evidences that the Panel failed to read my complaint with sufficient diligence, and it also highlights remarkable hypocrisy from the Panel regarding regulations. I have carefully evidenced how seven regulations were breached in terms of supervision and nine further regulations were breached during the examination process, none of which have been refuted or even denied by anyone, but simply swept under the carpet by the Panel.

- *On the basis of the above, the final decision of the University is as follows:*
It is not a *final* decision, unless the appeal process is completely ignored.

- *(a) With regard to 7.1, there had been some disruption with your supervision,*

No, there has not been disruption to my supervision, my non-existent supervision over a decade was briefly disrupted by three hours of supervision.

- [A]lthough it was noted that you did not always take the advice given or engage fully with your studies

This is not merely wonderfully patronizing, but utter drivel, and motivated by nothing but prejudice. I challenge anyone to provide a single example.

If I did not ‘engage fully with [my] studies’, how did I manage to write 24 publications (Sewell 2008a; Sewell and Yan 2008; Yan, Sewell and Clack 2008; Sewell 2008b, 2009a,b, 2010a; Sewell, *et al.* 2010; Sewell 2010b, 2011i,a,b,c,d,e,f,g,h, 2012a,c,d; Sewell and Shawe-Taylor 2012; Sewell 2012e,b), 21 of which I wrote as a sole author with no help from the Department, or anyone else? Again, if I did not ‘engage fully with [my] studies’, how does the Panel imagine that I managed to write no less than ten pieces of software, all with zero help from the Department or anyone else? To be clear, I list below the ten pieces of software, which are available from <http://www.martinsewell.com/software.html>.

- Runs Test in Visual Basic for Excel
- Rescaled Range Analysis in C++ and Visual Basic for Excel
- Performance Measurement Calculator in PHP and Visual Basic for Excel
- Performance Metric Analysis in Visual Basic for Excel
- SVM_{dark} in C for Win32
- winSVM in C++ for Win32
- Fisher Kernel in C++
- Monte Carlo Portfolio Optimization in Visual Basic for Excel
- Kelly Criterion in PHP and Visual Basic for Excel
- Order Book Reconstruction in C#

If I did not ‘engage fully with [my] studies’, how could it be that, outside the prejudice of the Department, I have an excellent reputation as an academic and have reviewed papers for *International Journal of Neural Systems*, *Managerial Finance*, *Neurocomputing*, *2011 International Joint Conference on Neural Networks (IJCNN 2011)*, *Environmental and Resource Economics*, *2012 International Joint Conference on Neural Networks (IJCNN 2012)*, *Artificial Intelligence Research*, *Mathematical Problems in Engineering*, *International Journal on Artificial Intelligence Tools*, *IEEE Symposium Series on Computational Intelligence (SSCI) 2013*, *The Journal of Behavioral Finance & Economics (JBF&E)* and *Journal of Educational Research and Studies*, and am on the Editorial Review Board of *Artificial Intelligence Research*?

Why not ask the (only) two members of staff in the Department who I actually published with, i.e. those who know me and are qualified to judge? They are Chris Clack and John Shawe-Taylor.

What more could the Panel expect, short of writing my thesis in my own blood? This perpetuating of prejudice is inexcusable, it is also defamation of character.

- *[A]nd your full registration period was over and above the norm for most research degree students.*

The Panel are struggling with causality—this is the essence of my complaint, the opportunity cost of having inadequate supervision. It is my understanding that most research degree students receive more than three hours of supervision.

- *(b) With regard to 7.3(ii), the Panel does not uphold this aspect.*

Item 7.3(ii) in the Student Grievance Procedure (UCL 2012) concerns the grounds ‘that the Examiners could not reasonably have been made aware, formally, of special circumstances (e.g. illness) notified by the candidate which significantly affected his/her performance in the examination’ and my grievance (Sewell 2011j) included the statement ‘[t]he examiners would not have been aware that, despite paying full-time fees, I’d had only three hours of effective supervision, and at times, no supervisor, no desk and no email, all in breach of regulations. This created stress, underlying anger and a sense of injustice.’ The Panel have not even considered this aspect, and in this respect are negligent.

- *(c) With regard to 7.3(iv), the Panel does not uphold this aspect.*

This is further negligence, item 7.3(iv) concerns the grounds ‘that there is substantive evidence that one or more of the Examiners can be shown to have been biased or prejudiced against the candidate in one or more specific examinations’ and my grievance included no less than *six pages of evidence of bias and/or prejudice* (Sewell 2011j, pp. 4–10), which was completely ignored by the Panel.

- *I apologise for the delay in getting this decision to you. It was important that the additional information you provided was taken into consideration.*

This is the final insult, the additional material was wholly ignored, it was all highly relevant, yet not even mentioned, let alone considered.

It is also contemptuous to infer that the delay was caused by the (wholly ignored) additional material sent by myself. One of the reasons that I intermittently sent additional material was as an excuse to contact the Panel, because I was concerned that I’d been forgotten. Eighteen months is a long time.

3 New evidence has become available which was not, and which could not reasonably have been, made available to the Grievance Panel

At the time, a staff member of the Department (both at the time and currently), Bill Langdon, described my transfer of supervisors from Professor Treleaven to Professor Campbell as being ‘out of the frying pan into the fire’.

Professor Treleaven warned me about Dr Barber before my first viva, but would not say a word against him during the hearing. Michael Tscholl also warned me about him and informed me that Dr Barber considers people who didn’t go to Cambridge to be ‘donkeys’. A PhD student, Tristan Fletcher, described Dr Barber as ‘very very harsh’. He fell out with Dr Barber but kept him on as a second supervisor solely so that he could not have him as an examiner.

On 20 March 2013, unprompted, a friend who knew me for the duration of my PhD, Zac Harland, wrote the following on Skype, which I though summed up the situation nicely.

```
[22:25:13] zacharland: There doesn  
[22:25:14] zacharland: 't  
[22:27:39] zacharland: seem to be any acknowledgement of the  
effect that decision their has on your life. U spent yrs completing  
a ph.d. without supervision only to be examined by what sound like  
biased parties  
[22:27:47] zacharland: It boils down to politics imo  
[22:28:04] zacharland: It wasn't in anyone's interest to pass you  
[22:28:32] zacharland: so no one cared and a few academics  
experienced a rare moment of power by  
[22:28:39] zacharland: denying u  
[22:29:04] zacharland: (that might sound a bit strong but there u  
go)
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4 The compensating action agreed by the Grievance Panel was either excessive or inadequate in relation to the grievance

- *By way of compensation, one year’s worth of fees is being refunded to you. Please indicate by 01 June 2013 at the latest if you wish to accept this refund and I will arrange for this to be processed.*

I did not request any compensation, it is disturbing that the Panel are electing to give away what is ultimately taxpayer’s money without cause or reason.

It is also incredibly naive, the true cost of not having supervision is the *opportunity cost* of pursuing a PhD, i.e. loss of earnings. One's pension also suffers. For example, if a PhD took a candidate out of the workforce for eight years, rather than three, due to inadequate supervision, then the opportunity cost would be five years times the average PhD salary, approximately £200,000.

I suspect that the Panel are fully aware of their negligence, with their hesitant offer, 'Please indicate... if you wish to accept this refund'.

- *Your request to be re-examined has not been granted.*

This is contemptuous, negligent and naive. I could have launched a lawsuit, but I didn't. I could have transferred my PhD to Cambridge, but I didn't. I could hardly have asked for *less*. The Panel's decision is not even self-serving, it is purely vindictive. There would be no significant cost to UCL if they granted the request, but according to Match Solicitors are at serious risk of a claim of breach of contract and/or negligence if they do not. Besides, it was recommended, by Andy Saffery on 4 August 2011, that I request the opportunity to be re-examined. There was no suggestion whatsoever that deficiency in supervision would have no impact on this. Indeed, Andy Saffery informed me by telephone on 20 March 2013 that the regulations say no such thing, it is up to the Panel to decide. So the Panel's discretion is prejudiced.

Treating the issues of supervision and examination as independent events is logically (and obviously) wrong. They are related, for example the supervisor is partly responsible for ensuring that the thesis is ready to be examined, and poor supervision could affect performance in the examination. If a supervisor has recommended that a thesis be submitted, and the examiners' decision is anything worse than minor corrections, then the supervisor has failed the student. For this to happen twice beggars belief.

In this instance, the Panel wrote (above) 'There was also no obvious evidence of supervisory input after the first viva', thus admitting that *the deficiency in supervision had a direct impact on the examination process*. The assumption of independence is also legally invalid, without prompting from myself, Rishi Mital of Match Solicitors pointed out that you cannot treat the events as independent.

Even if the Student Grievance Procedure treats the issues regarding supervision and those regarding examination separately in terms of inputs to the grievance process, they should be considered in conjunction with each other when determining the outcome.

5 Conclusion

That the Department are grossly negligent is clear, but the behaviour of the Panel—taking eighteen months to write a three-page report containing many

false statements—is negligent too. The so-called ‘Completion of Procedures’ (Ashton 2013a,b) is, frankly, drivel. The Panel haven’t even worked out who my supervisor was! The Panel have shown themselves to be wilfully ignorant of the rules being breached, and rather than investigating prejudice, they have propagated it. By electing to cover up, rather than conceding the severity of the negligence both the Department and the Panel have shown themselves to be morally corrupt. They have been given repeated opportunities to tell the truth, this could have been resolved years ago if the Department had been honest, or if the Panel had showed some integrity. The Panel have not merely been dishonest, they have been unbelievably inefficient, taking eighteen months to write a three page document, whilst expecting students to write a PhD thesis in three years. The Panel’s decision that I do not deserve the opportunity to be re-examined is not merely negligent in itself, but requires a breathtaking lack of objectivity and a deep level of prejudice. The Panel surely know full well that I am the victim of serious negligence and prejudice, but their careers are better served by defending their negligent peers, which is both cowardly and negligent in itself, and the net result is an extraordinarily prejudiced report. They should deal with their cognitive dissonance.

The Panel turned out to be quite contrary, I suspect deliberately so. They ignored all of my grievances, yet identified their own token example of negligence, one that was not even raised by myself. They failed to grant my request to be re-examined, yet offered financial compensation that was never sought. Such contrary behaviour suggests arrogance and a lack of respect for the integrity of my complaint. To admit to negligence, but then fail to compensate the victim adequately is also legally naive.

The Head of the Department of Computer Science, and expert in the topic of my PhD, machine learning, John Shawe-Taylor, apparently described what happened to me as a ‘travesty’. I spent nearly two hours with Match Solicitors, at considerable expense, and provided them with the details of my student grievance (Sewell 2011j) and the ‘Completion of Procedures’ (Ashton 2013b) document. The solicitor, Rishi Mital, concluded that, ‘on the face of it’, it was a ‘shocking’ case of ‘breach of contract and/or negligence’. He informed me that they were very familiar with UCL, their reputation for the unfair treatment of their students clearly precedes them.

I feel that I’ve been banging my head against a brick wall for ten years, and eventually one just wants it to stop. I have felt permanently ill waiting eighteen months for a response to my grievance, and I came close to losing the will to live on no less than three occasions, after both vivas and upon receipt of the so-called ‘Completion of Procedures’ (Ashton 2013a) document. The last is the most concerning, as it evidences laziness, corruption and utter contempt for either fairness or the well-being of students coming directly from some of the most senior decision makers within UCL. My experience has clearly been in the you-couldn’t-make-it-up or so-bad-it’s-good category, except that it isn’t funny. The decade-long delay caused by a lack of supervision, the examiners’ prejudice and the Panel’s slowness and dishonest contrary report has naturally caused undue stress and has been increasingly detrimental to both my health

and my career. I am still far too ill though stress and anger to be able to focus on holding down a job. UCL have, quite literally, wrecked my academic career, and basically messed up my life.

I have supervised 27 students in Cambridge, teaching both maths and econometrics across four colleges, and there were no lengths that I would not go to in order to support them. I found it easy to help my students, as it improved job satisfaction, so am still puzzled as to why UCL took greater satisfaction in obstructing my progress.

The lessons to be learned are fairly straightforward, 1) ensure that PhD students have a willing supervisor, 2) in order to deal with rogue examiners implement an appeal system so that academic judgement can be questioned by an independent expert, and 3) when mistakes have been made, be honest (when you're in a hole, stop digging).

In short, we have gross negligence compounded by a travesty of justice, and I write this appeal with a view to being re-examined as soon as possible.

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