

# *CAFAS Update No. 75*

*15 April 2013*

*Council for Academic Freedom & Academic Standards*

*[<http://www.cafas.org.uk>] Temporary site: [www.cafas.net](http://www.cafas.net)*

*AGM & Ordinary Meeting:*

*Saturday 27 April 2013*

*1.30 pm AGM*

*2.00 pm OM*

*Room 253*

*Birkbeck College*

*Malet Street*

*London WC1*

*Underground: Goodge Street, Euston Square, Euston, Russell Square, Holborn*

## **NOT WITH A BANG BUT A WHIMPER: THE OUTCOME OF THE UCU PROCEEDINGS AGAINST ME**

I published on behalf of CAFAS in May of last year a short pamphlet about a case at Trinity Saint David (TSD), a new university arising from the amalgamation of two small Welsh colleges, one in Carmarthen, the other in Lampeter. Its title, *A Casework Study in University Ineptitude and Union Inertia*, effectively summarised the pamphlet's two main themes: how a lecturer had been mistreated by his employer, and how his union had failed to support him.

The facts, in brief, are these. A philosophy lecturer on the Lampeter campus had been on the brink of getting the sack because a student had complained that he used bad language in lectures and sometimes commented on religion in terms that she considered disrespectful. Some forty-three of his students had signed a petition disassociating themselves from this complaint and praising his talents as a teacher; but this had not deterred the university from taking action against him.

TSD is an institution committed by its Charter to propagating the 'Anglican Christian tradition', but the Anglican Christian tradition, at least as it is understood in Lampeter, doesn't appear to include much respect for the right of academic staff 'to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs'.

Their handling of the case showed even less respect for their own regulations. The lecturer had been illicitly suspended, at the wrong stage of the process and by the wrong officer. No properly formulated complaint against him had been received; nothing that could reasonably be called a charge against him had been prepared; and no attempt had been made to suggest that he was guilty of any of the 'good cause' grounds for dismissal permitted by the statutes. Hence the 'ineptitude' of the CAFAS report's title.

The lecturer was a paid up member of the UCU, but all these serious irregularities had been allowed to occur without comment from the union. Hence the 'inertia' of the title.

As our constitution states, CAFAS policy is to join forces with trade unions in 'challenging arbitrary, unjust, unreasonable or biased procedures in HE and FE'. When the case was brought to me, my first response was to call upon the UCU to act with some urgency. Lampeter has no functioning branch, so this meant asking the regional officials to help. I wrote to them, setting out the improprieties in the university's conduct, and urging them to act with alacrity 'to derail the process' of sacking the man 'before it gathers more momentum', and offering to help in any way I could. I received no response, not even an acknowledgement.

The lecturer himself, however, then received a message from the regional office saying that he could if he wished apply for legal aid from the union but, apart from this, he himself would 'remain solely responsible for the progress of his case'. Given the urgency of his predicament, he quite naturally regarded this as a brush off. As I subsequently said in my pamphlet, telling a union member who is on the very edge of being sacked that he must conduct his own defence unaided is 'a disgraceful negation of everything a union stands for'. As a consequence of this neglect, CAFAS was obliged to take up his case, which quickly brought an end to the disciplinary process against him.

The pamphlet was to cause more of a stir than I'd anticipated. Distributing it to delegates outside the UCU's conference ('Congress') in June, I soon find myself surrounded by a tribe of full-time officials led by the General Secretary, Sally Hunt, herself. It was reported to me afterwards that delegates had been astonished by the exit of the officials, wondering what crisis had prompted their sudden departure. The crisis was of course my pamphlet, and I was ordered in no uncertain terms to stop distributing it; and when I declined to obey, as anyone who knows me would have predicted, the venue's security guards were asked to eject me from the premises on pain of calling the police.

Shortly after that I was informed by UCU head office that an official investigation into my conduct had been launched on the basis of a complaint from Michael MacNeil, the UCU's HE supremo. The charge was that I had 'harassed' the officials named in the pamphlet and thereby acted in a manner 'contrary to the interests of the union'.

The Investigating Officer appointed by Sally Hunt to look into this serious charge was one Simon Renton, President Elect. Mr Renton apparently belongs to the

union's 'Independent Broad Left' grouping, but my impression from an interview with him and his subsequent report, is that the Left must be very Broad indeed if it encompasses someone with his priorities, which struck me as purely bureaucratic.

The UCU rules specify that an investigation of this kind 'shall normally take no longer than eight working weeks'. Such was the complexity of Mr Renton's task, however, that it took more like eight months to produce his report. Given the apparent efforts required, it is perhaps a little surprising to find that the report, now that it has finally appeared, is 1260 words long, an average of about 39 words a week, five or six words a day.

And what is the fruit of so much labour? Mr Renton is in no doubt about me being guilty of the crime of making 'derogatory' comments on UCU officials; but it seems that I can still escape justice. Remember, the pamphlet complained of states clearly on its front cover that it is a CAFAS publication, and the authorship is ascribed to me as the CAFAS Coordinator. Mr Renton's conclusion, after eight months of study, is that in writing the pamphlet I was acting on behalf of CAFAS. But there is a UCU rule saying that complaints shall not be pursued when they concern 'members in capacities other than their UCU membership'. So, here I am, free at last.

Mr Renton regards my escape as highly regrettable. He 'cannot see any sound ground for the exclusion of offenders under our rules on the basis that they were acting in a capacity other than as a UCU member', and he would like to see the rules amended so as to give union officials the protection against criticism 'they need and deserve'.

If his report is revealing of Mr Renton's priorities and his conception of trade unionism, it is also revealing in at least two other respects. The text of the offending pamphlet was sent to the officials it criticised prior to publication, and they were invited to correct any inaccuracies they perceived. We learn from Mr Renton's report that what they did was to consult 'a very senior official of UCU' about this; and this official, too eminent to be named, advised them 'to make no response'. The policy seems to have been to wait until the pamphlet was published, and then take proceedings against me for publishing it. If this is what happened, there is a name for it, entrapment.

Even more revealing is that Mr Renton does not consider it relevant to say even one word about the experience of the UCU member who was neglected as a consequence of the inertia of the Wales regional office. He summarised his position unambiguously in his interview with me. Whether my criticisms were true or not, he said, was quite irrelevant; the only point was that I had made them.

The sentiment will be quite familiar to any whistleblower. Employers are not usually as candid as Mr Renton, but they undoubtedly share his attitude: that criticisms are justified makes no difference because criticism itself is unacceptable. This is of course also why Mr Renton's report does not discuss at all whether it might make the union better if some improvement were brought about in the willingness of full-time officials to come to the aid of members in trouble.

His report, in other words, echoes precisely the same bureaucratic indifference as that described in the pamphlet which prompted the prolonged and facetious proceedings against it. So far as I can tell, the only thing the UCU has learnt from the Trinity Saint David case is that the union needs to make it harder to expose its failings.

**Colwyn Williamson**

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## **Growing Misconduct In Academia Coming To Public Notice**

Growing misconduct in academia probably reflects serious underlying problems – but it may at last bring some needed public notice.

Recent reports in the preeminent science journals *Nature* and *Science* suggest that the kinds of difficulties and dilemmas that readers of CAFAS *Updates* know well are making their way into the public domain. A brief account of two of these recent reports may bring a kind of cheer to the unsung importance of the work of CAFAS as well perhaps as some sense of achievement in its dogged pursuit of integrity as a fundamental requirement in science, the academic world as a whole and in public life.

While the structure of scientific pursuit generally ensures contestation and verification as work within a field progresses, there have also been some appalling lapses of integrity, and some have brought extraordinary tragedy. The segregation of children into secondary modern and grammar schools in Britain as a result of Cyril Burt's bogus post-war twin studies is an unforgettable example. Another is the millions around the world who have died of malaria because hyped-up claims of a nearly accomplished vaccine turned investment away from prevention in its anticipation. Integrity, it seems, as a

fundamental principle of professional conduct, should never be taken for granted.

Last year a study\* of the spectacular increase in the retraction of articles from publication was reported in the *Proceedings of the National [American] Academy of Sciences* and subsequently noted at length as *NEWS in Nature* (Oct 1, 2012). It examined the apparent reasons for retraction of the 2,047 publications (of the 25 million in biomedical journals) indexed by PubMed from 1973 to May 2012. The authors drew heavily upon information from the US Office of Research Integrity, established in 1992 to investigate allegations of misconduct in the use of federal research funds, the reasons journals offered for each retraction and follow-ups in other related reports. The report is comprehensive and comprehending in its analysis and makes for very interesting reading.

An increase in the percentage of retractions among published papers through this period rose from about 0.0015% in 1977 to about 0.008 % by 2012. The major part of this increase was the result of misconduct of some kind distinguished as plagiarism, error, duplicate publication and fraud or suspected fraud, but most striking was the disproportionate increase in fraud in the last few years. By 2012 fraud and error accounted for 44% and 21% respectively of the retractions from, for the most part, journals with high impact factors. Greater numbers of these originated in the United States, Germany and Japan. Interestingly, the authors tracked the influence that these retracted articles appeared to have had following their retraction by counting the numbers of citations made to each subsequent to retraction. Some were even cited hundreds of times!

Although, as the authors point out, while the identified misconduct represents only a very small part of the scientific enterprise, their numbers are likely to be only a fraction of the real numbers of cases. The greatest importance of the study is therefore as a measure of growing underlying problems within scientific communities. They cite problems with training including ethical standards and with the incentive system of science as particular concerns. Although their concern is about science, the report must also speak to a much larger community.

Like CAFAS, University faculty throughout Britain are well aware of many circumstances that may push ambitious if not desperate young academic researchers into seizing an opportunity to appear to excel while on the hunt for promotion up a steep career ladder or a slice of scarce funding for research. But perhaps the more fundamental problem is in University education itself, as recognized by these authors. While University administrators

increasingly see Universities not as a public service to the nation but as businesses, they drive faculty into practices that substantially limit the quality of educational process at all levels in Universities by pushing faculty to bring in “income” from other means. Those with experience, a long-view of the histories of ideas and the tortuous paths towards truths of many kinds are therefore now less available to students and post-doctoral fellows, as they must be in good education, to argue out what constitutes standards in science - as in public life.

The other report, appearing in Science\*\* in January, is in essence a warning to experts in various fields to be wary of being lured into associations with a new kind of consulting company. Their business plan is to link up clients including investors, lawyers, manufacturing, pharmaceutical companies, and so on, with experts who may be able to provide specialist information on a confidential basis. It is turning out that these relationships between expert and client are fraught with problems involving confidentiality of knowledge and may easily compromise the contracted expert and their institution, as for instance in a case now going to trial for insider trading in the United States, as reported in this article.

These new consultancies seem to have opportunistically seized upon academic experts in yet another way that may satisfy a University’s demands that faculty rake in revenue and never mind about the source or the contractual details. (Of course it is also true that academics are notoriously gullible about the value of their advice!) But surely everyone knows that the (tax-free) status of Universities requires the role of universities in society to be a resource of knowledge and its expansion that is available to the public for public interest and public good!

**Janet Collett**

\* Ferric C. Fang, R. Grant Steen and Arturo Casadevall, *Misconduct accounts for the majority of retracted scientific publications (2012) Proc. Nat. Acad. Sciences* **109**:17028.  
([www.pnas.org/cgi/doi/10.1073/pnas.1212247109](http://www.pnas.org/cgi/doi/10.1073/pnas.1212247109))

\*\*Jeffrey Mervis (2013) *Expert Firms play a hidden role in connecting science and Finance Science* **339**:137.

**CAFAS Update seeks to provide an open forum for opinion and discussion. Items do not necessarily reflect the views of the Council.**

## Hijab, Niqab and Mini Skirts

Having lived in London all my life I am so used to being surrounded by women in Hijab, some in Niqab and others in Mini Skirts all coexisting in harmony and going about their business peacefully that I have never given much thought to the implications of women’s dress as an indication of their level of liberation.

This question has only entered my mind due to the discourses that take place on the web indicating that there are many out there including women who see women’s dress or the lack of it as a main indicator of their freedoms and emancipation. This is further exaggerated through images of women as portrayed in the media, both ethnic and mainstream.

It appears from Pakistani dramas in particular that a woman’s level of liberation, class and status are primarily gauged by the way she dresses. Does this reflect real society? I don’t know but I do know that it is unlikely that women from the lower classes in Pakistan would go out in public dressed in jeans and small tops.

It is just as unlikely that women in political office would go out in public without their dupattas over their head. Starting with Mohtarma Fatimah Jinnah to Benazir Bhutto to more recently Hina Rabbani Khar, they have all had their dupattas over their heads. Even Katrina’s fictitious character of a Pakistani diplomat in Salman Khan’s *Ek Tha Tiger* appeared in public only with her dupatta over her head.

I personally make a distinction between having a dupatta over the head from the Hijab. Wearing a dupatta on one’s shoulders covering the chest or over one’s head is and has always been part of culture and custom in Pakistan and is an established tradition for women. Hijab is a more recent phenomenon for Pakistani women and has its roots more in Arab culture.

I’d like to clarify that I respect women’s personal or religious choices to dress the way they want without other women/men and in particular the state interfering with it. The purpose of this article is to discuss the link between women’s dress and liberation rather than criticise anyone or undermine their beliefs.

Some would argue that societies that require women to cover up to the extent of covering up their faces and hair as well as their bodies are holding women responsible for the attraction men feel towards their bodies with face and hair being an integral part of this

attractiveness. The point they rely on is that women are the root cause of all violence committed on their bodies by men and if they hide it all away, they are protecting themselves and not distracting or luring men away from their daily business. This view also seems to presume that all men are inherently violent rapists who would pounce on uncovered women.

The more radical ones would say that it is blaming and holding women responsible for what is essentially a male problem, that of violence. And it also tends to criminalise all men. Those in favour of Hijab and Niqab would then quote statistics of the low rate of rape and sexual abuse in such societies. Of course the reply to that would be how likely is a woman to report a crime like that in a society where she is held responsible for how men treat her body.

There are less uniform expectations and dress codes for women in the west to dress in a particular way to be socially acceptable. The western woman who lives in greater legal protection in societies which prioritise law and order above all else exercises more freedom of choice in her dress. It is this freedom that somewhat misleads women living in a society offering less legal protection into believing that true liberation for women somehow comes from shedding one's traditional dress and emulating western dress.

Women who live within families that enjoy a western lifestyle of speaking mainly in English, eating western foods and enjoying other luxury items within the confines of their homes are also able to shed their traditional clothes for western dress. A large element of this seems to come from the fact that their servants wear traditional dress and there must be some distinction between them and the servants and so this seems appropriate.

What they don't fully appreciate is the fact that gender discrimination in relation to women's dress exists even in the west and western women are under pressure too albeit a different type of pressure. The dominant physical role model for women in the west is the perfect slim sexy body tall with long legs. All dress must accentuate and expose this ideal in women. This social ideal of women causes its own problems starting with the massive problem of anorexia to bulimia in young women.

And just like it is alleged that the Hijab dress code seeks to lock away a woman's body from the view of men as a massive temptation, it can also be asserted that the over glamorised female ideal of dress seeks to expose a woman's body for the enjoyment of men. If the argument is that cultures that seek to hide women away under wraps of cloth treat women as nothing more than the sum total of her body parts then the same applies to stripping women of their clothes because this ideology also focuses on

showing that they are nothing more than the sum total of their body parts.

This really seems to suggest that women's dress is not the most helpful indicator of their liberation. One must therefore look at other factors. Other than the most fundamental human right to be born and to live, still denied to many women in societies without proper rule of law, the most helpful indicator is the availability of education to women.

Liberation of the mind is the most crucial form of liberation. Once women are educated they can then choose careers and become financially independent. Financial independence is one of the most liberating necessities for women so they can avoid falling into the poverty trap where they carry on basic female functions such as having babies without being able to afford proper health care for themselves and/or their children.

The truly intellectually liberated woman doesn't look for a man to marry as soon as possible so she can feel secure in her environment. She is secure within herself as she knows that she can look after herself and her family without needing to depend on a man. Being self-sufficient doesn't mean however that there is no need for men in her life. It simply gives women better choices in terms of life partners as there is no pressure on them to marry as soon as possible as without economic independence she is seen as a burden on her family.

We all live in cultures that pass on languages, dress codes, religion and lifestyles to us. The modern woman caught between all these tensions in society takes the decision to dress a particular way depending on her surroundings and circumstances. Some choose to move away from traditional dress some feel more comfortable in it.

What I don't understand is why a woman who chooses to wear her traditional dress is still seen as "conservative" just because despite becoming educated and independent financially, she refuses to adopt western dress? Her dress has little to do with her independence and her education a lot to do with it. What we then have is a group of self styled liberators who attach importance to superficial indicators of liberation such as dress rather than grasp that real liberation comes from how a woman is placed in the social and economic spheres of her society.

So to use an example, out of all recent portrayals of women in the media, the best portrayal of a truly liberated woman is that of Kashaf in the Pakistani drama "Zindagi Gulzar hai". She is educated, highly qualified in fact, in a fantastic career and has her feet firmly on the ground unlike many of the other female

protagonists most of whom seem to live off Daddy's money. Not only that, she has no desire to be married off quickly so she is no Cinderella waiting for her Prince Charming to "rescue" her.

In fact she calmly refuses proposal after proposal from eligible bachelors that Daddy's Girls are all running after. She is the only woman in true control. What I find really attractive about her is that she is totally content within her cultural attire and in no hurry to drop off her dupattas and find designer jeans as soon as she starts earning a hefty salary packet. That's because she knows that her physical appearance doesn't sum up the whole woman and person that she is.

She has a firm identity, dignity and grace that all women who want real equality of opportunity to become full members of their society aspire to.

### Huma Price

*Huma Price is a Barrister & Television Presenter*

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## CAFAS Website

An investigation is currently taking place concerning the apparent hijacking of our domain name [www.cafas.org.uk](http://www.cafas.org.uk). **In the meantime, our website can be accessed via [www.cafas.net](http://www.cafas.net).**

The investigation is taking a longer time than we had hoped. Cafas apologises for any inconvenience caused and we hope to have our domain name restored soon.

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## Defending-Academic-Freedom JISCMail List

Defending-Academic-Freedom JISCMail List is a lightly moderated discussion list for all Cafas members and non-members interested in academic freedom and related concerns. It is a forum to discuss and debate issues and complies with JISCMail 'netiquette,' which you receive on joining.

There are two ways to join.

### I. Go to Cafas website <http://www.cafas.org>

1. Open the link to Defending-Academic-Freedom (Email list) on the Home Page. 2. Click on 'Join or Leave the List...' 3. Write your email address and your first and last names in the boxes (complete both) and click on the box that says 'Join...'

### II. Email JISCMail directly.

1. Send to: [LISTSERVE@JISCMail.ac.uk](mailto:LISTSERVE@JISCMail.ac.uk) 2. Leave Subject blank. 3. Send the text: **Subscribe Defending-Academic-Freedom YourFirstName YourLastName**

NB: one space between each word. Defending-Academic-Freedom is one hyphenated word. Do not add punctuation or other text.

### To post a contribution

**Either:** Send to: [Defending-academic-freedom@jiscmail.ac.uk](mailto:Defending-academic-freedom@jiscmail.ac.uk)

**Or:** Go to the Cafas website, click on the link and then click on 'Post to the List'.

Sue Blackwell, [sue.blackwell@gmail.com](mailto:sue.blackwell@gmail.com), and Geraldine Thorpe, [g.thorpe48@gmail.com](mailto:g.thorpe48@gmail.com), are lead List Owners.

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## NOTICES

**AGM 1.30 pm**

**27 April 2013**

**Room 253 Birkbeck College**

**Reports and Election of Officers**

**Please send nominations to the Secretary, Ben Cosin:**

**01304 361074**

**[Brcosin1926@yahoo.co.uk](mailto:Brcosin1926@yahoo.co.uk)**

## Ordinary Meeting 2.00 pm

### Agenda

1. Minutes
2. Matters arising
3. Website
4. Academic Freedom
5. Nottingham Inquiry
6. Campaigns
7. Casework
8. AOB

Pre-meeting from 1.00pm. All welcome.

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## Committee

### Co-Chairs:

#### John Fernandes

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### Secretary:

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### Membership Secretary & Treasurer:

#### Dr Eva Link

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02089982569; [rekgeml1982@yahoo.co.uk](mailto:rekgeml1982@yahoo.co.uk)

### Casework Coordinator:

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### David Regan Appeal Coordinator:

#### Dr Janet Collett

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### Students' Complaints:

#### John Fernandes

76 Bois Hall Rd, Addlestone Surrey KT15 2JN

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### Website

#### Ali Hosseini

#### Rashid Mehmood

### Cafas Legal Advisors

#### Professor Eric Barendt

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020 7586 9930; e.barendt@ucl.ac.uk

#### Dr Amir Majid

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0208 556 1990, [drmajid47@googlemail.com](mailto:drmajid47@googlemail.com)

### Health & Safety

Ian Hewitt

[Ian.Hewitt@phoncoop.coop](mailto:Ian.Hewitt@phoncoop.coop)

### Founding Members

Michael Cohen

Colwyn Williamson

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## CONSTITUTION

CAFAS' aims are outlined on the membership form.

The full constitution can be obtained from the Secretary or [www.cafas.org.uk](http://www.cafas.org.uk).

CAFAS was founded in February 1994. It depends on subscriptions and an active membership. It meets in January, April, July and September/October.

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## Next deadline: 24 May 2013

Please send letters, news items and articles to:

Pat Brady [patrick.brady28@googlemail.com](mailto:patrick.brady28@googlemail.com) &

Geraldine Thorpe [thorpegm@googlemail.com](mailto:thorpegm@googlemail.com)

<h3>Meetings 2013: Birkbeck College</h3>
<b>27 April 2013</b> <b>Room 253</b>
<b>22 June 2013</b> <b>Room 253</b>

## DO YOU BELIEVE

- That academic standards have been dumbed down throughout the higher and further education sector?
- That this decline has been accompanied by the escalating rhetoric of 'excellence' and 'world-class'?
- That the number of contact hours between teachers and students, which the Dearing Report described as a proper measure of the quality of education, has been reduced across the board?
- That there are all sorts of pressures on examiners to pass candidates who would previously have failed?
- That it is far easier to obtain Firsts and Upper Seconds than it used to be?
- That practices which used to be treated as academically unacceptable, or even as cheating, are now widely regarded as normal and inevitable.
- That the effect of the RAE and other pressures on academics is to increase the quantity of research, not the quality, and to restrict innovative and critical thought?
- That there are pressures, often of a commercial nature, to avoid certain areas of research, or to falsify results or to distort their conclusions and significance?
- That, despite lip-service to the importance of teaching, universities and colleges take little account of this in career advancement?
- That academic values have been largely displaced by market values?
- That the stated 'mission' of universities to serve the community has been abandoned in favour of commercial priorities?
- That education in the UK no longer has the status of a right bringing social benefits, but is instead treated as a commodity to be bought and sold?
- That discrimination against women and ethnic minorities is still rife in the employment and promotion practices of tertiary education, despite the multicultural community it is supposed to serve?
- That the work of the union in fighting discrimination and victimisation can usefully be supplemented by specialised advice and support from an organisation which focuses on issues of academic freedom and standards?

**If you believe that many or most of these propositions are true, you ought to be a CAFAS member and your UCU branch ought to affiliate.**

**Membership Secretary & Treasurer:  
Dr Eva Link, 17 Highcliffe, Clivesdon  
Court, London W13 8DP  
02089982569;  
[rekgemL1982@yahoo.co.uk](mailto:rekgemL1982@yahoo.co.uk)**

**If you would like a speaker from CAFAS to address a branch meeting, contact:**

**Colwyn Williamson, 07970 838 276  
[cafascoordinator@gmail.com](mailto:cafascoordinator@gmail.com)**

## SUBSCRIPTION

**Dear Members  
Some of you have forgotten to pay your membership fee.  
Could you please be kind enough to check the date of your last payment on the address label? If you should find there "\*\*\*" or "\*\*\*!!!" could you please send a cheque without further delay as your contribution is absolutely crucial to the well being of CAFAS.  
Many thanks for your contribution.**

**Your Treasurer and  
Membership Secretary,  
Eva Link**