Academic Integrity and Plagiarism Information

The University has adopted policies relating to academic integrity which can be found in the annual publication Student Related Policies & Procedures Manual and on-line at http://www.flinders.edu.au/ppmanual/student/SecC_b.htm. The following is extracted from that material to help you better understand what conduct and/or action constitute breaches of academic integrity:

“Breaches of academic integrity may include plagiarism, collusion, fabrication, falsification, double submission of work and misconduct in examinations.

Plagiarism

Plagiarism is the use of another person's words or ideas as if they were one's own. It may occur as a result of lack of understanding and/or inexperience about the correct way to acknowledge and reference sources. It may result from poor academic practice, which may include poor note taking, careless downloading of material or failure to take sufficient care in meeting the required standards. It may also occur as a deliberate misuse of the work of others with the intent to deceive. It may include, but is not restricted to:

- presenting extracts, without quotation marks and/or without appropriate referencing, from books, articles, theses, other published or unpublished works, films, music, choreography, working papers, seminar or conference papers, internal reports, computer software codes, lecture notes or tapes, numerical calculations, data or work from another student. In such cases, it is not adequate merely to acknowledge the source. This applies to material accessed in hard copy, electronically or in any other medium;
- close paraphrasing of sentences or whole paragraphs with or without acknowledgement by referencing of the original work;
- adopting ideas or structures from a source without acknowledgment;
- using source codes and data from other's work without acknowledgement;
- arranging for someone else to undertake all or part of a piece of work and presenting that work as one's own;
- submitting another student's work whether or not it has been previously submitted by that student.

Collusion

Collusion occurs when a student submits work as if it has been done individually when it has been done jointly with one or more other person unless the topic coordinator has indicated that this is acceptable for the specific piece of work in question.

Other breaches of the requirements of academic integrity

Other breaches of the requirements of academic integrity may include:

- fabrication or falsification of data or results of laboratory, field or other work;
- submission of the same piece of work for more than one topic unless the topic coordinator(s) have indicated that this procedure is acceptable for the specific piece of work in question;
- providing another student with the means of copying an essay or assignment.

Breaches of the requirements of academic integrity in examinations

Breaches of the requirements of academic integrity may occur in the examination process and may include, but is not restricted to:

- being in possession of any material or device which contains or conveys, or is capable of conveying, information concerning the subject matter under examination,
other than where this is permitted under the University's Assessment Policy or by an examiner;
• directly or indirectly giving assistance to any other student;
• directly or indirectly accepting assistance from any other student;
• permitting a student to copy from or otherwise use another student's papers;
• obtaining or endeavouring to obtain, directly or indirectly, assistance during the examination or giving or endeavouring to give, directly or indirectly, assistance to any other student.”

The Law School places substantial importance on academic honesty, and is particularly concerned with plagiarism. Plagiarism is a form of theft: theft of the ideas or words of another without credit.

Under the University’s policy, students face serious consequences in cases of substantiated academic dishonesty. These can include receiving zero marks for the particular piece of work, being awarded a fail grade in the particular topic, having a recommendation made that no special/supplementary assessment be awarded, and having the matter referred to the Vice-Chancellor to be dealt with under the University Statute 6.4 Student Conduct (which itself provides for a number of possible adverse consequences, including expulsion from the University).

A substantial number of cases of alleged dishonesty have been reported to the Dean under the University policies and, where the allegation has been substantiated, the students concerned have been awarded zero marks for the relevant assignment and/or for the whole topic.

Even more serious consequences may follow a finding of academic dishonesty. Students who intend to practise law in South Australia should be aware that they must declare the following in a statutory declaration which is attached to their Application for Admission to the Supreme Court:

I authorise the Board of Examiners to obtain from any institution at which I have pursued any course of study as part of the practical or academic requirements for admission, such information as the Board may think fit and in such form as the Board may request as to any matter relevant to any such course of study, including information as to whether or not during any such course of study, I engaged in any dishonest conduct including plagiarism or other conduct relevant to the determination of whether I am a fit and proper person to be admitted as a practitioner.

The law school has taken a number of steps to ensure that law students are aware of the importance of academic integrity and what is expected of them in their academic work:
• The material provided to first year students as part of the welcome day program includes the University’s policies and procedures on academic integrity, and this information from the law school;
• Specific materials, exercises and assignments addressing academic integrity, citation and referencing requirements are part of Legal Method [Legal Research];
• All assignments must be submitted with a signed declaration acknowledging that the student is familiar with the requirements of academic integrity and that the paper complies with those requirements.
• Most topic guides reiterate the importance of academic integrity and the serious consequences that can follow a finding that a student has submitted work that does not meet the required standards
Students should carefully read both the University policy and this Law School information. You will be deemed to be aware of the contents of the policy and this material and what is and is not permitted as you go about your academic work.

The most common forms of academic dishonesty in the Law School appear to be improper group work on what are supposed to be individual assignments, and inadequate attribution or referencing of sources. Accordingly more detailed guidance follows in relation to those two issues.

**Group Work**

It is academically dishonest to copy another student’s work. Unless the topic coordinator has expressly indicated otherwise (for example by permitting a team submission in connection with a moot), any assignment must represent your own individual efforts, both in form and in substance.

Students working in pairs or in ‘study groups’ need to take particular care that any collaboration does not extend to the actual writing of individual assignments. A number of students have already been warned, and in some instances penalised, for failing to adhere to the standards set out in the University policy.

There is nothing wrong with sharing ideas and information, and the Law School does not want to discourage teamwork altogether. What is important, however, is that each person should engage in a significant amount of research and thinking of his or her own, and should ensure that the final product can truly be regarded as his or her own work. Where students are working on the same assignment, showing each other drafts, or even just discussing a common structure or approach, are practices which can lead to an unacceptable degree of similarity in assignments and are therefore strongly discouraged.

**Quoting and Attributing the Work of Others**

Material taken word for word from any source should always be placed in quotation marks and properly referenced (using footnotes as described in the Australian Guide to Legal Citation). The use of quotation marks indicates that you are guaranteeing that the exact words used in the source are being reproduced, rather than an approximation or your own version.

If you need to change any part of the original source, then put the alteration in square brackets:

<table>
<thead>
<tr>
<th>Original:</th>
<th>Be short, be simple, be human.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change:</td>
<td>Gowers advised writers to ‘[b]e short, be simple, be human’.</td>
</tr>
</tbody>
</table>

In the above example, the upper case ‘B’ in the original was changed to a lower case ‘b’ to fit the context of the sentence. That change from the original must be acknowledged by using the accepted convention of square brackets.

If you wish to omit words then mark them with an ellipsis (three dots):
In our time it is broadly true that all political writing is bad writing.

As Orwell observed in 1946, ‘[i]n our time ... all political writing is bad writing’.

Normally, a space is left on either side of the ellipsis. An ellipsis should not be used at the very beginning or very end of quotations, unless you end the quotation part way through a sentence. In that case, an ellipsis follows the final word again with a space on either side of the ellipsis.

In order to deal with what appears to be a serious level of non-compliance by Law students with the University policies, the Law School has adopted a number of proposals which are designed (a) to educate students more effectively on the content of the policies on academic dishonesty and on appropriate academic conventions; and (b) to dissuade students from breaching those policies and conventions. These proposals, constituting the Law School’s Policy on Academic Dishonesty and Plagiarism, are set out above in the Law School Assessment Policies.

As stated above ‘the Law School has adopted a number of proposals which are designed (a) to educate students more effectively on the content of the policies on academic dishonesty and on appropriate academic conventions; and (b) to dissuade students from breaching those policies and conventions. These proposals, constituting the Law School’s Policy on Academic Dishonesty and Plagiarism, are set out above ... ’

It is acceptable to present information from other sources in your own words rather than quoting them directly, but again you must be sure to provide footnotes for such material. Failure to footnote material constitutes plagiarism, and may result in action being taken under the University policies.

It is not acceptable to change a few words here and there, or change the order of phrases or sentences, or change tense. If that is all you do, the passage is still considered a direct quotation and should be indicated as such by quotation marks and use of square brackets and ellipses to indicate the changes.

Most plagiarism by students takes the form of inadequate documentation of sources used in the preparation of assignments. This often results from not making accurate notes of sources at the time the research is carried out.

When you are reading something and begin to make notes of what you have read, or when you photocopy something, make sure you write down then and there all the details of that source. Depending on whether your source is a case, statute, book, journal article, etc, these details can include case name, citation, court, judge, short title of statute, section number, author, editor, title, date, publisher, place of publication, journal, volume, the page you took the material from, and so
on (see the Australian Guide to Legal Citation). Apart from assisting to protect you from later committing an act of academic dishonesty, this careful practice can save you a great deal of time later if you need to go back to a source in order to clarify or further develop your understanding of the ideas in the material.

It is especially important to indicate whether you copied the material. This will help avoid inadvertent plagiarism. Here is an example which shows how to cite properly:

‘Consent is often perceived, along with self-defence as a defence to a charge of common assault. Properly considered, consent is not a defence to the crime of assault but rather an element which prevents what would otherwise be an assault constituting an assault in the criminal sense.’ 1

1 D O’Connor and PA Fairall, Criminal Defences (1988), 92

Here, on the other hand, are three plagiarised versions of the same quotation:

**Version 1** — Direct copying without quotation marks, even if footnoted

Consent is often perceived, along with self-defence as a defence to a charge of common assault. Properly considered, consent is not a defence to the crime of assault but rather an element which prevents what would otherwise be an assault constituting an assault in the criminal sense.1

1 D O’Connor and PA Fairall, Criminal Defences (1988), 92

**Version 2** — Changing a few words here and there without quotation marks and square brackets, even if footnoted

Along with self-defence, consent is often thought of as a defence to a charge of common assault. Properly considered, consent is not a defence to the crime of assault but instead an ingredient which prevents what would otherwise be an assault constituting an assault in the criminal sense. 1

1 D O’Connor and PA Fairall, Criminal Defences (1988), 92

**Version 3** — Using another’s idea without footnote

While self-defence is a defence to a charge of common assault, consent is not, even though many think that it is. Rather, in its true character, it operates to prevent what would otherwise be an assault from being recognised as such by the criminal law.

All three versions would constitute a breach of the University policies.
Using material from lectures

It is not proper in formal legal writing to use your lecture notes (or, in what is probably the same thing, to use what your lecturer or tutor said in class) as authority or support for points that you are making. This does not mean that when you quote or paraphrase or use ideas from your lecture notes or your lecturer, you need not acknowledge that you are doing so. It means that you should not quote or paraphrase or use ideas from your lecture notes or your lecturer at all. It further means that you must go and find supporting references in a case or legislation or textbook or journal article, etc, and properly acknowledge that.

Plagiarism in examinations

The rules on plagiarism apply equally to examinations as to other forms of assessment.
Most exams in the law school are open book, which means that students have access to lecture notes, text books, cases, articles or other materials. If material in an answer is taken from a source, the source must be acknowledged, though it may not be realistic to meet the full details of formal referencing conventions. Similarly, if language is taken directly from another source, it must be indicated by quotation marks, as described above. Propositions of law should be supported by reference to a case or statute.

Submission of work in more than one topic

Where a student wishes to submit work that is substantially based on an assignment previously submitted by them in another topic (whether offered by the School of Law or otherwise), they must obtain the prior permission of the co-ordinator of the topic in which they are seeking to submit the work. Submission of such work without that permission will be taken to constitute a breach of the requirements of academic integrity for the purposes of the University policies.