

<b>Institution:</b> Swansea University		
<b>Unit of Assessment:</b> 20		
<b>Title of case study:</b> Paying for plagiarism; tackling contract cheating, ghostwriters and Essay Mills in Higher Education.		
<b>Period when the underpinning research was undertaken:</b> 2013-current		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b>  P.Newton M.Draper M.Wallace	<b>Role(s) (e.g., job title):</b>  Professor Professor Professor	<b>Period(s) employed by submitting HEI:</b> July 2009 – present April 2004 – present November 2015 – present
<b>Period when the claimed impact occurred:</b> 2015-Current.		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<b>1. Summary of the impact</b>  <p>Increasing numbers of the 200+ million students in global Higher Education (HE) are paying others to complete assignments for them. This problem (contract cheating) threatens the standards and quality of Higher Education around the world. In 2015, it was legal for companies to offer these services, and the problems caused were poorly understood. Our research has changed the law, and the regulatory environment, in multiple countries. We have also characterized the problem in detail, leading to improved understanding by all stakeholders.</p>		
<b>2. Underpinning research</b>  <p>We have defined contract cheating as, “a basic relationship between three actors; a student, their university, and a third party who completes assessments for the former to be submitted to the latter, but whose input is not permitted. ‘Completes’ in this case means that the third party makes a contribution to the work of the student, such that there is reasonable doubt as to whose work the assessment represents [R6].</p> <p>Our published research shows that a minority of students undertakes contract cheating, but that it is increasing [R7], likely fuelled by a buyer’s market [R1] and students having a lenient view of how it should be addressed [R2]. Commercial services, sometimes referred to as ‘essay mills’, deliver work in under 5 days on average, with a quarter of orders being delivered within 24 hours [R1]. Studies of academics in the UK and Australia [R9, R11] showed that academics have a poor understanding of the nature of contract cheating, and yet believe it to be widespread. We have also demonstrated the need to improve assessment design and made suggestions for doing so [R4]. The research also identifies a profound need for greater education of staff and students, about contract cheating and academic integrity in general [R5].</p> <p>Our large survey studies in Australia, taking a broader view of academic outsourcing, have shown that students are more likely to report engaging in these behaviours where they are dissatisfied, perceive lots of opportunities to cheat, and are studying in a non-native language [R8]. Staff express concern that there are insufficient resources available to them to deal with contact cheating, and the commercialisation of higher education has made it more likely that these behaviours will occur [R9]. A follow up analysis indicates that certain assessment methods are more likely to be outsourced than others are, and that these are in formats which are used more frequently by academic staff [R10], although almost any assessment can be outsourced [R10].</p>		

Various stakeholders have proposed using legal means to tackle contract cheating. Our research showed that UK-registered Essay Mills are currently legal [R4] and that existing UK law would not be effective. Our research was debated multiple times in UK Houses of Parliament, where additional limitations were identified with the use of legal means to tackle contract cheating. The team researched and proposed the basis for a new law, addressing all the limitations of existing legislation [R6]. In particular, the existing laws around the world require a prosecutor to demonstrate 'intent' [to help students cheat] on behalf of the Essay Mill, and our analysis demonstrated that all UK-registered Essay Mills use a form of disclaimer to protect themselves from allegations of 'intent'. We proposed the use of a 'strict liability' law to counter this defence. These proposals were used to change the law in Australia, Ireland and Montenegro, and in bills considered by the UK Parliament. All these laws make it illegal to offer, or advertise, contract-cheating services. They cite our papers and the strict liability approach that we devised to address the problems raised in the UK parliament.

### 3. References to the research

#	Citation	OA link	Citations*	Altmetric
[R1]	<b>Wallace, MJ. &amp; Newton, PM.</b> (2014). Turnaround time and market capacity in contract cheating. <i>Educational Studies</i> 40(2), 233-236	<a href="#">Link</a>	47	30
[R2]	<b>Newton, PM.</b> (2015). Academic integrity: a quantitative study of confidence and understanding in students at the start of their higher education. <i>Assessment &amp; Evaluation in Higher Education</i> *, 1-16.	<a href="#">Link</a>	55	49
[R3]	<b>Newton, PM.</b> & Lang, C. (2015) Custom Essay Writers, Freelancers, and Other Paid Third Parties. In Tracey Bretag, Helen Marsden (Ed.), <i>Handbook of Academic Integrity</i> . Springer.	<a href="#">Link</a>	49	N/A
[R4]	<b>Draper, MJ</b> , Ibezim V and <b>Newton PM (2017)</b> Are Essay Mills committing fraud? An analysis of their behaviours vs the 2006 Fraud Act (UK) <i>International Journal of Educational Integrity</i> .	<a href="#">Link</a>	23	101
[R5]	Ransome J and <b>Newton, PM</b> (2017) Are we educating educators about academic integrity? A study of UK higher education textbooks. <i>Assessment and Evaluation in Higher Education</i>	<a href="#">Journal</a>	14	65
[R6]	<b>Draper, MJ</b> and <b>Newton, PM</b> , (2017). A legal approach to tackling contract cheating? <i>International Journal for Educational Integrity</i> , 13(1), p.11	<a href="#">Link</a>	28	64
[R7]	<b>Newton, P. M.</b> (2018). How Common Is Commercial Contract Cheating in Higher Education and Is It Increasing? A Systematic Review. <i>Frontiers in Education</i> 3	<a href="#">Link</a>	55	612
[R8]	Bretag, T., Harper, R., Burton, M., Ellis, C., <b>Newton, P.M.</b> , Rozenberg, P., Saddiqui, S. & van Haeringen, K. (2018). Contract cheating: a survey of Australian university students. <i>Studies in Higher Education</i> , 1-20	<a href="#">Link</a>	97	152
[R9]	Harper, Rowena., Bretag, T., Ellis, C., <b>Newton, P.M.</b> , Rozenberg, P., Saddiqui, S. & van Haeringen, K.. (2018). Contract cheating: a survey of Australian university staff. <i>Studies in Higher Education</i> , 1-17.	<a href="#">Link</a>	54	39

<b>[R10]</b>	Bretag, T., Harper, R., Burton, M., Ellis, C., <b>Newton, P.M.</b> , van Haeringen, K., Saddiqui, S. & Rozenberg, P. (2018). Contract cheating and assessment design: exploring the relationship. <i>Assessment &amp; Evaluation in Higher Education</i> , 1-16	<a href="#">Link</a>	38	44
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Citation data from Google Scholar (03/11/20). All the journals listed are well-respected journals in Higher Education. Two of them ('Studies in Higher Education' and 'Assessment and Evaluation in Higher Education') are among the top ranked and were part of a group of four journals which comprised the bulk of 4\* Higher Education reviewed for REF 2014, according to a [report by the HEA](#)).

**[G1]**

Research Team	Project Title	Funder	Duration	Value
P. Newton (Co-I) (PI Tracey Bretag and Rowena Harper, University of South Australia)	Contract cheating and assessment design: Exploring the connection	Australian Government Office for Learning and Teaching (OLT)	July 2016 - Feb 2019	AUD 338,000 (£40,000)

**4. Details of the impact****1. Changes to the regulatory environment of Higher Education (HE)**

**Quality Assurance Agency (QAA) (UK)** The QAA is the UK quality assurance and regulatory agency for UK HE. Prior to 2016, **[C1a]** the QAA had no formal position on contract cheating. This has been changed directly by the research, resulting, in 2017 (and updated in 2020) **[C1b]** formal guidance for all UK Universities, written by the QAA Contract Cheating Advisory Group including Newton and Draper. The guidance repeatedly and directly cites the research.

**Department for Education (DFE) (UK)** The DFE has committed to working with partners across the sector to tackle contract cheating. On 20/03/2018 the Education Minister issued a [press release](#) detailing various measures that the department is undertaking and calling on external partners to do the same. The press release directly cites the research above, which was discussed as part of the ensuing debate, including by Newton on the BBC Radio 4 Today programme. This followed [A letter](#) **[C5]** to the Education Minister with 46 signatories including over 40 Vice Chancellors of UK Universities, calling for him to enact legislation to ban Essay Mills and citing paper 2 above as example of a workable law that could be enacted.

**Tertiary Education Quality and Standards Agency (TEQSA) (Australia)** TEQSA is the Australian equivalent to the QAA and their position has been changed as a direct result of the research in the same way as the QAA. In 2017 TEQSA published a good practice note "Addressing contract cheating to safeguard academic integrity" citing publications **2,3,8+9 [C2]** and thanking Newton and Draper directly. The purpose of a Good Practice note is to "...outline what TEQSA will typically expect to see when assessing providers' compliance" [with TEQSA standards; thus, Australian universities are now expected to comply with the contents of the note]. **[C3]**

**Council of Europe** The Council of Europe is undertaking a project to address corruption in education (ETINED) with a specific focus on contract cheating. The Council is committed, on record, to a binding treaty (Policy Framework) across member states to tackle contract cheating and academic fraud more widely. Newton and Draper have both given 'expert testimony' to this platform on a number of occasions and Draper is one of two lawyers involved in drafting the Treaty (policy Framework) for adoption by member states in 2021 following approval in principle

to a first draft given by delegates from member states in Prague 2019. Our research has also indirectly contributed through ETINED to a new Law on Academic Integrity in Montenegro. [C6]

## 2. Changes to the Law

Ireland and Australia have passed laws which make it illegal to provide contract-cheating services, while the UK is far advanced with a similar bill. The bills are directly influenced by our research and follow conversations between us, and the legal/quality agencies involved. Our research proposes a specific legal approach (strict liability) which has been directly adopted in Australia and de facto utilized in Ireland.

**Ireland** the government of Ireland, took [a bill](#) through their legislature to prohibit the provision of commercial contract cheating services, and the advertising of them. Both Newton and Draper met with the Irish Government and the Irish HE Quality Assurance body (QQI) to advise on the content of the bill and provided feedback on the drafts of the bill before it was submitted for consideration. The bill has [now passed into law](#).

**Australia** The government of Australia drafted a [bill](#) to ban contract-cheating services. The bill cites our research multiple times and has now [passed into law](#)

**United Kingdom** Lord Storey (who was on the initial QAA group with Newton) and Baroness Garden of Frognal proposed amendments to the 2017 Higher Education and Research Bill, [C4a] which would outlaw contract cheating services. These were debated in the House of Lords where the research was presented to the House by Lord Storey, naming Newton as the author (Hansard ref below). [C4b] The QAA report initially suggested the use of the UK Fraud Act (2006) to address contract cheating and thus Newton and Draper analysed the Act against the current business practises of UK-based essay-writing companies. We concluded that the Fraud Act would not be suitable. A proposal for a new law was developed in later research [R6] by Newton and Draper. This paper was the only research cited in a 2018 letter to the Education Minister, [C4c] signed by over 40 Vice Chancellors of UK Universities, calling for Essay Mills to be banned. [C4d]

Lord Storey then adopted our proposals in a new [private members Bill](#). The Bill did not proceed as Parliament was dissolved to hold an election.

## 5. Sources to corroborate the impact

### [C1]; QAA reports

- a. Aug 2016 “**Plagiarism in Higher Education - Custom essay writing services: an exploration and next steps for the UK higher education sector**”. The Quality Assurance Agency (QAA) is the UK regulator of Higher Education. This report outlined the QAA current position on contract cheating. Newton was part of the working group convened to advise on the report, which cites publications 1+3.  
[https://www.qaa.ac.uk/docs/qaa/quality-code/plagiarism-in-higher-education-2016.pdf?sfvrsn=308cfe81\\_4](https://www.qaa.ac.uk/docs/qaa/quality-code/plagiarism-in-higher-education-2016.pdf?sfvrsn=308cfe81_4)
- b. Oct 2017 (v1) and 2020 (v2) “**Contracting to Cheat in Higher Education - How to Address Contract Cheating, the Use of Third-Party Services and Essay Mills**”. This guidance document cites our research in multiple places and makes recommendations for Higher Education providers on the basis of them. Newton (V1) and Draper (V1+V2) are also co-authors of the guidance.  
(v1) [https://www.qaa.ac.uk/docs/qaa/quality-code/contracting-to-cheat-in-higher-education.pdf?sfvrsn=f66af681\\_8](https://www.qaa.ac.uk/docs/qaa/quality-code/contracting-to-cheat-in-higher-education.pdf?sfvrsn=f66af681_8)  
[Link \(v2\)](#)

[C2]: TEQSA Good Practice Note: “Addressing contract cheating to safeguard academic integrity”.

Cites publications 2,3,8 and 9 above. Draper is a co-author. [Link](#)

**[C3]: Contract Cheating and Assessment Design.**

Website of the project funded by the above grant. Contains links to events, resources, research, media and other impact. [Link](#)

**[C4]: Hansard and Welsh Government Proceedings**

- a. [July 2018 debate](#) in the House of Lords which references work of QAA group (feat Newton and Draper).
- b. [January 2017 debate](#) in the House of Lords which directly cites the work of Newton.
- c. [Sept 2018 Business Question House of Commons](#) which directly cites paper number 7 above.
- d. [Welsh Assembly record](#) where the First Minister of Wales directly cites and discussed paper 7 above in a discussion with AM Hefin James.

**[C5]:** [A letter](#) to the Education Secretary, Damian Hinds, with 46 signatories including over 40 Vice Chancellors of UK Universities, calling for him to enact legislation to ban Essay Mills and citing paper 2 above as example of a workable law that could be enacted (an example of more detailed news coverage is [here](#)).

**[C6]: ETINED Platform** (Council of Europe). "ETINED....is a network of specialists appointed by member States of the Council of Europe and of States Parties to the European Cultural Convention (50 States) to share good practices in the field of transparency and integrity in education, to define guidelines on the subject and to develop capacity-building for all actors [Website1](#). [Website 2](#) [Program of first plenary](#)."