

RESPONSE TO ADVICE ON CONTRACT CHEATING

7 March, 2019

Universities Australia welcomes the Higher Education Standards Panel's (HESP's) advice on enhancing academic integrity and combatting contract cheating, as well as the Government's response to this advice.

Australia's universities take a strong stance that contract cheating is a threat to academic integrity and it will not be tolerated in Australia's higher education sector. It undermines both the education of Australians for a global knowledge economy, and Australia's third biggest export industry.

As HESP's advice notes, universities are already working actively against contract cheating. UA welcomes further support from Government and the regulator, especially through a stronger legislative framework.

CRACKING DOWN ON COMMERCIAL CHEATING SERVICES

UA supports legislation to make it an offence to provide or advertise contract cheating services whether these are delivered from within Australian or from overseas. UA has previously made representations to the Department of Education and Training about the value of – and need for – such a legislative approach.

UA appreciates the complex legal issues involved, including issues of Commonwealth and State/Territory jurisdiction. We have been in contact with DET about possible gaps that may result from legislation based on the Commonwealth's communications, corporations, trade and commerce, territories and aliens powers, without corresponding legislation at a State/Territory level.

Nevertheless, legislating on this basis will be – at the least – an excellent start. As the Government's response to the HESP advice notes, States and Territories could take further legislative action to deal with activities that are confined to a single jurisdiction. UA remains interested in the 'applied laws' approach put forward in the HESP advice. This appears to be an efficient way to develop consistent laws across the country. UA looks forward to further dialogue with Government about ways to optimise the legislative framework.

SUPPORT FOR HIGHER EDUCATION PROVIDERS

UA welcomes the Government's intention to have TEQSA work more closely with universities to enhance academic integrity and address contract cheating – recognising that all universities are active on this challenge and have strong systems to identify risks and deal with threats to integrity. Universities work together to deal with contract cheating where this is possible and appropriate.

UA's members welcome an in-principle commitment to work with the regulator across the sector to better identify risks, share information and intelligence and collaboration to develop and share best practice. We particularly welcome the emphasis on collaboration between universities, TEQSA and law enforcement to respond even more comprehensively and effectively to contract cheating.

As with all areas of regulation and quality assurance in higher education, effective action on this must begin with recognition of universities' well developed internal regulatory and quality assurance mechanisms and the contribution that these make to maintain academic integrity.

IMPROVING UNDERSTANDING OF ACADEMIC INTEGRITY

UA supports the intention to instil and maintain a strong culture of academic integrity among students and staff, including through developing a template statement of commitment for commencing students. This would be a useful resource for all providers – including non-university higher education providers.

Universities already have systems and processes to advise students of their obligations on academic integrity. They also have processes to deal with breaches of academic integrity, including sanctions up to and including expulsion.

We look forward to working with Government on the template.

UA also welcomes the proposal to set up a central register of information on contract cheating. This could help universities keep up with new developments and threats and could function as an effective and efficient way of sharing information across the sector.

Recommendations

UA recommends that Government:

- Examine ways to optimise the legislative framework, including through working with the States and Territories;
- Work with the sector and TEQSA to develop additional effective and efficient ways to support and enhance existing efforts to deal with contract cheating;
- Work with the sector to develop a template statement of commitment to academic integrity; and
- Set up a central register on contract cheating.